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Monitoring Protests in Practice: Perspectives from Oversight Bodies

Interview with Alan Iud, Executive Secretary of the National Committee for the Prevention of Torture (CNPT) of Argentina

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Could you briefly present the National Committee for the Prevention of Torture (CNPT), its mandate and its structure?

The [CNPT](#) was established by [Law No. 26.827](#) in 2013 as the National Mechanism of Prevention of Torture, in accordance with the Optional Protocol to the UN Convention against Torture (OP-CAT), with the function of monitoring, overseeing and following up on places where persons are deprived of liberty. The CNPT also serves as the coordinating body of the National System for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which is composed of Local Preventive Mechanisms (LPMs) in each province, together with non-governmental organisations and public institutions interested in the objectives of the OPCAT. In this coordinating capacity, the CNPT sets the monitoring standards that LPMs apply throughout the country.

In this context, how did the decision to monitor protests emerge?

Between 2021 and 2023, the CNPT monitored reactively the use of force by law enforcement in the context of protests in the provinces of Río Negro and Jujuy. We were unable to deploy our teams on the ground during the protests themselves, but we monitored what had occurred and visited detained protesters the day after their arrest. We only began to monitor the moment of protests following the protocol issued by the Ministry of Security in December 2023 when the current national government took office, that effectively prohibits public demonstrations that are large or that involve the blocking of roads. In this hostile context for independent human rights institutions, we consider it a priority for the CNPT to exercise its mandate by independently documenting the deployment of public security forces and cooperating with the judiciary. We also consider it strategically important because we have observed a significant deterioration in the use of force during protests, where serious incidents have occurred.



How does the CNPT consider this activity to fall within its mandate to monitor places of deprivation of liberty?

Law No. 26.827, which establishes the CNPT's mandate, incorporates Article 4 of the OPCAT concerning places of deprivation of liberty. In addition, Article 7(f) of the Law grants the CNPT the authority to develop standards and operational criteria regarding the "use of force, searches, and restraint measures." Based on both national and regional experience, we consider that operations involving a large deployment of security forces during public demonstrations are likely to result in arrests and in incidents of torture or ill-treatment. In this regard, we rely on reports by the Inter-American Commission on Human Rights (IACHR), which are unequivocal on the issue and carry precedential weight. On this basis, we consider that the CNPT has the authority to monitor protests and we have developed [guidance for monitoring protests for LPMs](#) as part of our role as coordinator of the National System.

Could you tell us more about the content of the guidance and the CNPT's methodology for monitoring protests? To begin with, how do you prepare?

In the days prior to an announced protest, we analyse the protesters' call to mobilise and the planned route. When a protest is expected to be large in scale, we notify the relevant authorities of our presence and request information about the planned deployment of security forces. On the day of the protest, about two hours before it begins, part of the team carries out an initial observation to confirm which forces have been deployed. We carry this out with visible identification, including CNPT vests and credentials, and by introducing ourselves to those in charge of the law enforcement operation. Once the protest begins, we divide into groups of two to four, depending on the size of the protest. We assign each group with a monitoring perimeter, which we adjust to respond to the dynamics of the protest. Team members carry helmets and protective masks against tear gas and are trained in first aid. Although this is not always granted, we request permission to observe from the position where security forces are stationed and coordinating their operation access, as it offers a good vantage point for observing the protest from a distance and documenting the equipment used by security forces.

What specific aspects does the CNPT focus on during monitoring?

Through photographs, videos and written notes, our monitoring focuses first on documenting the type of equipment carried by security forces, for example, whether they are carrying lethal or less-lethal weapons and how many riot-control vehicles have been deployed. In cases of repression or arrests, we coordinate with the relevant LPM to monitor the situation of detained persons and visit them immediately to verify compliance with safeguards and assess their state of health. Since charges are usually for minor offences, detention lasts 24 hours in a temporary holding facility. If individuals are not released after this period, we also monitor their transfer to another facility, on the understanding that the first moments of deprivation of liberty are crucial.

Do you also monitor the police vehicles used to transport detained protesters?

In general, we have not requested access to police vehicles, except in exceptional cases. We currently do not encounter obstacles in interviewing persons arrested in public spaces before they are transported, to record their names, verify their state of health and determine whether they have been able to contact their families. This monitoring also has a preventive purpose, since there is little risk that these persons will be subjected to abuse in our presence. In addition, we visit individuals in the facility where they are initially brought for registration, as well as in any subsequent places of deprivation of liberty to which they are transferred. All this is carried out jointly with the Local Preventive Mechanism of the City of Buenos Aires and the Province of Buenos Aires.

What are some of the main observations and recommendations resulting from your work in monitoring protests?

This naturally depends on each protest. However, we have regularly observed security forces carrying lethal weapons and have repeatedly stressed the prohibition on using lethal force to disperse protests. We have also recommended against the use of riot-control vehicles and have called for compliance with the protocols governing certain less-lethal weapons. We have observed indiscriminate use of tear gas, which in one emblematic case endangered the life of a photojournalist. We have further recommended reviewing the practice of blocking side streets to funnel protesters toward a single exit route, thereby trapping them, particularly when tear gas or projectiles are being used. We have also identified problems with the material conditions of detention, owing to the lack of adequate facilities to hold large numbers of persons arrested. Another issue is the lack of access to medication, often linked to the inability for detainees to contact family members in the first moments of deprivation of liberty. In response, we have recommended ensuring prompt access to these initial communications. Finally, we have observed protesters remaining handcuffed and seated on the street for several hours because police lack the capacity to process large numbers of detainees. These individuals are deprived of liberty for several hours without receiving a medical examination, which constitutes a failure to uphold basic safeguards. In some cases, these individuals are released on the street. While this is positive, as they regain their liberty more quickly, they have not undergone the required medical examination, nor has it been possible to adequately document whether they suffered injuries during their apprehension.



What are some of the main challenges and risks you face when monitoring protests?

The main risks concern our physical integrity. Some staff members have been affected by tear gas and even struck by projectiles. Although we do not perceive a risk of staff being detained, there have been acts of aggression by law enforcement against CNPT personnel as they carried out monitoring activities. As for challenges, we unfortunately observe little willingness on the part of the national government to engage in dialogue. In response to this lack of cooperation, and to certain incidents of aggression against CNPT staff, we have reported these situations to international human rights bodies. Given the growing number of protests, another challenge is maintaining consistent monitoring while fulfilling the CNPT's other responsibilities. To address this, we have established rotating teams and now coordinate with the LPMs of the City and Province of Buenos Aires to maximise resources. More broadly, an important challenge or risk is that our presence during protests becomes normalised without producing a preventive effect or generating meaningful change. At present, I would say we are in an intermediate situation: judicial actions have been initiated against the alleged perpetrators of serious incidents, but a comprehensive response from the authorities on operational deployment is still lacking.

Does the CNPT interact and cooperate with other actors monitoring protests (for example, the National Human Rights Institution, civil society organisations, lawyers, or journalists)?

We have cooperation agreements with some civil society organisations. On protest monitoring, we work with an organisation of journalists called [Crisis](#), which we have trained and authorised to access places of deprivation of liberty. We have also supported them with resources to purchase protective equipment. Its members take part alongside the CNPT in pre-protest monitoring activities, which also serves as a form of protection against reprisals, since they are seen alongside with our teams. We also exchange and cross-check documented information. The National Ombudsperson's Office does not conduct this type of monitoring. However, the Ombudsperson's Office of the City participates actively in such monitoring. As a matter of fact, the City's LPM operates within the City's Ombudsperson's Office. Finally, with the Public Defender's Offices of both the City of Buenos Aires and the Nation, we have coordinated monitoring activities and exchanged information concerning detained persons.

What type of support would be needed in the future to strengthen your protest monitoring work?

We need to strengthen our technical knowledge regarding the use of weapons to better identify them more reliably and understand the protocols governing their use. This would improve our documentation. In fact, we have planned a training with the [Omega Research Foundation](#) on this. We are currently evaluating the use of drones to strengthen our protest monitoring activities. However, we still have much to learn about this tool before making a final decision.

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