

Urgent Action Office 3-1992 Yonge Street Toronto ON M4S 1Z7 Phone: (416) 363-9933 Fax: (416) 363-3103 [urgentaction@amnesty.ca](mailto:urgentaction@amnesty.ca)  
Second UA 003/24 Index: AMR 13/7803/2024 Argentina of May 30, 2024

## ARGENTINA ONGOING CRIMINALIZATION AGAINST LGBT+ ACTIVIST

Pierina Nochetti, a lesbian human rights activist, is facing criminal charges for allegedly painting graffiti to protest the disappearance of a young trans man in Necochea, Argentina. She could be sentenced to up to four years in prison. We urge the prosecutor to drop the charges, as they seem to be an unnecessary and disproportionate restriction on the right to freedom of expression.

### Write to the Head Prosecutor urging him to:

- Drop the charge of “aggravated damage” against Pierina Nochetti as it appears to be an unnecessary and disproportionate restriction on the right to freedom of expression. Imposing such charges on human rights defenders for freely expressing themselves sends a chilling message that could further curtail the right to protest peacefully.

### Write to:

Mr. José Luis Cipolletti,  
Head prosecutor, UFI n°1,  
Departamental Necochea Public Prosecutor's Office of the  
Province of Buenos Aires  
Avenida 75, 371, Necochea, PBA, CP: 7630,  
Argentina  
Email: [ufi1.ne@mpba.gov.ar](mailto:ufi1.ne@mpba.gov.ar) ; [jcupolletti@mpba.gov.ar](mailto:jcipolletti@mpba.gov.ar)  
*Salutation: Dear Head Prosecutor Jose Luis Cipolletti,*

### And copy:

Her Excellency Maria Josefina Martinez Gramuglia  
Ambassador  
Embassy of the Argentine Republic  
81 Metcalfe Street, 7th Floor  
Ottawa, ON K1P 6K7Canada  
Tel: (613) 236-2351 Fax: (613) 235-2659  
Email: [ecana@cancilleria.gov.ar](mailto:ecana@cancilleria.gov.ar)

## ADDITIONAL INFORMATION

Pierina Nochetti is a mother of three and the primary provider for her family. She identifies as a visible lesbian and an LGBTI+ activist. Pierina has long been involved in organizing the Pride Parade in Necochea, a coastal town in Buenos Aires Province. Over the years, she has shown a strong commitment to human rights, advocating for a world where everyone can enjoy their rights freely and equally.

Pierina has been a vocal advocate for justice in the case of Tehuel de la Torre, a young trans man who disappeared on March 11, 2021, while going to a job interview. His family, along with transfeminist and LGBTI movements and human rights organizations, have led this campaign. Pierina's activism has led to penalties, including a ten-day salary reduction at her local government job. After speaking out about her unequal treatment at work, possibly due to her sexual orientation and gender identity, a criminal complaint was filed against her for graffiti.

Argentina is a party to various international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR) and the American Convention on Human Rights, which protect the right to freedom of expression. According to international law, any restrictions on this right must be lawful, necessary, and proportionate. The UN Human Rights Committee has stated that penalties for property damage during protests must be narrowly defined, with prosecution reserved for serious damages to avoid undue restrictions.

Argentina has made significant progress in protecting LGBTI+ rights, including legalizing equal marriage, recognizing gender identity, establishing employment quotas for trans people in the public sector, and ensuring comprehensive sexual education. Despite these advances, LGBTI people, especially trans and non-binary individuals, still face severe discrimination in accessing health, employment, education, and freedom from violence. In 2023, the National Observatory of LGBT Hate Crimes recorded 133 hate crimes in Argentina based on identity, gender expression, or sexual orientation, with 84% targeting trans women. The rise in hate crimes is exacerbated by speeches that incite hatred and pathologize sexual diversity, even from government officials.

***Please take action as soon as possible until October 30, 2024! The UA will be duly updated should there be the need for further action.***