

Press Release 10/2025 English

CHILE IS INTERNATIONALLY RESPONSIBLE FOR THE DEATH OF 10 ADOLESCENTS IN A FIRE AT A DETENTION CENTER AND THE DETENTION CONDITIONS OF 271 ADOLESCENTS HELD IN FOUR FACILITIES RUN BY THE NATIONAL CHILDREN'S SERVICE

San José, Costa Rica, February 18, 2025. In the judgment in the case of *Adolescents Held in Short- and Long-term Detention Facilities run by the National Children's Service (SENAME) v. Chile*, notified today, the Inter-American Court of Human Rights declared the international responsibility of the Republic of Chile for the violation of the right to life, right to personal integrity and rights of the child to the detriment of 10 adolescents who died in a fire on October 21, 2007, at the short-term detention center "Tiempo de Crecer" in Puerto Montt and the violation of the right to personal integrity of their next of kin. It also found the State responsible for the violation of several rights of 271 adolescents that were held, during different periods between 2006 and 2009, at the short- and long-term detention facilities Lihuén, Antuhue, San Bernardo, and "Tiempo de Crecer" managed by SENAME, due to the conditions of their detention.

The official summary and the full text of the judgment can be accessed [here](#).

In the judgment the Court accepted and valued the partial acknowledgment of responsibility made by the Republic of Chile.

The Court determined that the State, despite its special position as guarantor for the detained youths, did not take the measures necessary to prevent the incident and did not act with due diligence when it occurred. Moreover, it declared that Chile is responsible for the violation of the right to personal integrity of the next of kin of the deceased.

The Court also established that the State violated the rights of 271 adolescents held at the short- and long-term detention facilities Lihuén, Antuhue, San Bernardo and "Tiempo de Crecer" managed by SENAME, due to the conditions of their detention. In this regard, the Court confirmed that the detention conditions of the victims were incompatible with international standards on the protection of human rights and constituted a violation of the rights to a dignified life, personal integrity, education, water, indemnification, health and rights of the child. Moreover, the Court determined that the State, through its judicial authorities, applied an interpretation of the domestic body of law that rendered ineffective the judicial remedies attempted in favor of the detained adolescents.

Consequently, the Inter-American Court of Human Rights declared that Chile is responsible for the violation of the following provisions of the American Convention on Human Rights: a) to the detriment of the 10 deceased adolescents, Articles 4(1), 5(1) and 19; b) to the detriment of the next of kin of the deceased adolescents, Article 5(1); and c) to the detriment of the youths detained at the facilities of Lihuén, Antuhue, "Tiempo de Crecer" and San Bernardo, Articles 4(1), 5(1), 5(5), 5(6), 19, 25 and 26, as well as Article 5(4) regarding those held at the first three facilities indicated; and ii of Article 5(2) regarding those who were held at the latter two facilities. In all cases the violations were related to non-compliance with Article 1(1) of the Convention.



Consequently, the Court ordered several comprehensive reparation measures: (i) to provide psychological or psychiatric treatment to the victims who request it; (ii) continue adopting measures to improve the conditions of the detention centers for adolescents; (iii) communicate to the Court the creation of Commission for Truth, Justice and Reparation regarding cases of institutional violence that took place since the creation of SENAME; (iv) incorporate the guidelines on human rights for detained youth indicated in the judgment into the continuous education programs for the actors who intervene in the criminal liability system for adolescents, and (v) pay the amounts set forth in the judgment for compensation of non-pecuniary damages.

Judge Humberto Antonio Sierra Porto disclosed his partially dissenting opinion. Judge Eduardo Ferrer Mac-Gregor Poisot disclosed his concurring opinion.

The Court's composition for the issuing of this judgment was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice-President (Brazil); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (Mexico); Judge Ricardo C. Pérez Manrique (Uruguay) and Judge Verónica Gómez (Argentina). Judge Patricia Pérez Goldberg, of Chilean nationality, did not participate in the processing of this case or deliberation and signing of this judgment, in conformity with Article 19 of the Rules of Procedure of the Court.

This press release was drafted by the Registrar's Office of the Inter-American Court of Human Rights; it is solely responsible for this document.

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