

Recommendations & Pledges

ARGENTINA

Second Review Session 14

Review in the Working Group: 22 October 2012
Adoption in the Plenary: 13 March 2013

Argentina's responses to recommendations (as of 21.05.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
No response, all pending	89 recs were accepted (35 of which were considered as completed - n°6, 12 to 17, 34, 36 to 46, 72 to 74, 99 to 109, 114, 115 and 26 of which were considered as in the process of implementation – n° 5, 7, 9, 24 to 26, 47 to 50, 52, 55 to 62, 69 to 71, 89, 90, 95, 97), 9 rejected, 16 noted (-> pending), and 4 considered "abstractas" (-> no clear position)	The delegation stated receiving 119 recs and that 17 recs were noted. These figures differ from the ones provided in the addendum.	Accepted: 89 Rejected: 9 No clear position: 4 Pending: 16 Total: 118

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/22/4:

99. The following recommendations will be examined by Argentina which will provide responses in due time, but no later than the 22nd session of the Human Rights Council in March 2013.

- A - 99.1. Ratify the new optional protocol to the Convention on the Rights of the Child (Portugal);
- A - 99.2. Accede to/ratify the 1961 Convention on the Reduction of Statelessness (Hungary, Portugal, Iraq);
- A - 99.3. Consider the possibility of ratifying the ILO Convention 189 (Uruguay);
- A - 99.4. Consider the possibility of ratifying the WHO Framework Convention on Tobacco Control (Uruguay);
- A - 99.5. Continue to strengthen laws and legislation which relate to human rights (Oman);
- A - 99.6. Conclude the process leading to the adoption of the bill which seeks to incorporate femicide in the Criminal Code (Peru);
- A - 99.7. Continue to improve its domestic framework for the empowerment of women (Singapore);
- A - 99.8. Transpose thoroughly and implement child legislation at the provincial level (Portugal);
- A - 99.9. Continue to ensure that the laws at the provincial and national levels are consistent with international human rights law standards, and are effectively implemented (South Africa);
- A - 99.10. Consider the request put forward by the Federal Council for Children, Adolescent and the Family to adjust the provincial procedural legislation for the establishment of non-custodial measures (Chile);
- A - 99.11. Establish and appoint an Ombudsman on the rights of girls, boys and adolescents (Honduras, Russian Federation, Trinidad and Tobago); 1
- A - 99.12. Establish the national mechanism for the prevention of torture, in accordance with OP-CAT (Brazil);
- A - 99.13. Continue its efforts to promptly complete the legal procedures to establish a National Preventive Mechanism (Honduras);
- A - 99.14. Step up its efforts to complete the process of setting up the national mechanism for the prevention of torture and thus confirm its regional leadership in this respect (Tunisia);
- A - 99.15. Establish a national mechanism for implementation of OP-CAT, including through securing Senate approval in 2012 (United Kingdom of Great Britain and Northern Ireland);
- A - 99.16. Lobby for the passage of and implement legislation creating a national mechanism to prevent torture (United States of Americas);
- A - 99.17. Continue to implement programmes and measures intended to guarantee the right to health and the right to education (Cuba);
- A - 99.18. Continue efforts to provide attention to the most disadvantaged sectors (Cuba);
- A - 99.19. Renew its efforts to protect vulnerable groups, particularly persons with disabilities, women and children (Iraq);
- A - 99.20. Continue to intensify its efforts to achieve MDG 5 by the given deadline (Pakistan);

A - 99.21. Continue the effective implementation of the initiative known as “Towards a National Plan to Combat Discrimination” (Armenia);

A - 99.22. Continue to cooperate with the special procedures of the Human Rights Council in investigating cases of enforced and involuntary disappearances (Belarus);

A - 99.23. Undertake an inclusive process with a wide range of civil society representatives when implementing the UPR recommendations (Norway);

A - 99.24. Reinforce the institutional mechanisms and establish planning instruments for ensuring equality between women and men (Bulgaria);

A - 99.25. Step up the efforts to combat discrimination against women at all levels (Republic of Moldova), including by reinforcing the institutional mechanisms and establishing planning instruments for ensuring equality (Indonesia);

A - 99.26. Consider the possibility of making amendments to legislation aimed at strengthening equality for women and men, as well as consider the question of adopting legislation to ensure equality of rights and opportunities, including in the area of access to vocational training (Uzbekistan);

P - 99.27. Define racial discrimination as an offence in domestic law in keeping with CERD’s observation in 2010 (Trinidad and Tobago) and implement the recommendation of CERD to step up efforts to recognize itself as a multi-ethnic State (South Africa);

P - 99.28. Study the possibility of adopting new measures to strengthen the fight against discrimination, particularly with regards to persons of African descent (Tunisia);

A - 99.29. Continue to implement measures to fill whatever protection gaps regarding persons of African-descent (Nicaragua);

A - 99.30. Include Afro-Argentines to reflect the historical memory of Afro- Argentines (South Africa);

A - 99.31. Continue its work to combat discrimination against vulnerable sectors and against all forms of discrimination, while encouraging the application of affirmative action policies for indigenous peoples and the migrant population (Bolivia(Plurinational State of));

A - 99.32. Continue its efforts to eradicate any form of discrimination against older persons (Brazil);

A - 99.33. Strengthen human rights education and training programmes for the police and law enforcement forces, in particular those working in penitentiary establishments (Costa Rica);

A - 99.34. Ensure that all allegations of excessive use of force, torture and cruel and other forms of ill treatment, including in detention places and prisons, committed by law enforcement personnel are thoroughly and objectively investigated, bringing alleged perpetrators to justice and providing appropriate remedies to victims (Belarus, Slovakia, Tunisia, Austria); 2

P - 99.35. Continue to improve conditions in the country’s prisons and detention facilities, especially in provincial detention facilities (Germany);

A - 99.36. Continue with the improvement of conditions in all prisons and detention facilities to ensure compliance with international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners (Hungary);

A - 99.37. Continue its efforts specifically with regard to over-crowding of prisons and prison violence (India);

A - 99.38. Review the functioning of the penitentiary system in order to ensure that it complies with international standards, including through the prevention and punishment of torture and other cruel or inhuman treatment (Mexico);

- A - 99.39. Pursue its efforts to combat overcrowding in prisons (Morocco);
- A - 99.40. Improve conditions in prisons and detention centres to comply with international standards (Slovakia);
- A - 99.41. Improve prison conditions and adopt concrete measures to eliminate overcrowding in compliance with international standards (Slovenia);
- A - 99.42. Improve the penitentiary system conditions, combatting overcrowding and acts of prison violence, and promoting human rights training for penitentiary officers (Spain);
- A - 99.43. Continue its efforts to ensure a treatment of detainees that is in accordance with international norms and standards (Switzerland);
- A - 99.44. Continue its efforts towards improving prison conditions in the country (Algeria);
- A - 99.45. Improve conditions in all prisons and other detention facilities to ensure compliance with international standards, including the UN Standard Minimum Rules for the Treatment of Prisoners and further effectively address the issue of prison overcrowding (Austria);
- A - 99.46. Design and implement policies for access to justice for victims of domestic violence, including free and extensive services providing legal and psychological support, as well as shelters (Costa Rica);
- A - 99.47. Implement effectively the legislation on violence against women to combat misogynous stereotypes, discrimination and violence whose victims are women (France);
- A - 99.48. Pursue and enhance its efforts to better address and respond to the problem of domestic violence (Greece, Morocco); 3
- A - 99.49. Analyse the causes of the perceived impunity of perpetrators of violence against women and allocate funds and personnel to overcome these causes (Netherlands);
- A - 99.50. Develop further the united register for cases regarding domestic violence against women to create a full body of statistics regarding gender based violence throughout the entire country (Norway);
- NC - 99.51. Take measures to ensure effective implementation of legislation to prevent and punish violence against women (Palestine);
- A - 99.52. Collect and disaggregate data on violence against women so as to ensure a better assessment about the implementation of applicable legislation (Palestine);
- NC - 99.53. Establish or give a mandate to a Government body to collect and publish credible official data measuring all incidences of violence against women (United Kingdom of Great Britain and Northern Ireland);
- NC - 99.54. Give priority to the formulation and implementation of the envisaged National Action Plan for the Prevention of Violence against women and the Punishment of Aggressors (Portugal);
- A - 99.55. Strengthen the actions and the commitment of all State bodies in combatting gender violence with the goal of reducing the number of deaths caused by such violence (Spain);
- A - 99.56. Accord gender-based violence high priority ensuring the development of policies to facilitate victims' access to justice and a broad range of free services (Trinidad and Tobago);
- A - 99.57. Consolidate the fight against violence against women and against all forms of discrimination (Algeria);
- A - 99.58. Enforce effectively the legislation adopted to prevent and prosecute violence against women as well as the trafficking in women (Slovakia);

A - 99.59. Continue to take steps to address domestic violence and human trafficking through education and awareness campaigns and services to victims, as well as ensuring the effective application of the law against perpetrators (Canada);

A - 99.60. Continue to make progress on combatting violence against women and on the efforts to sanction and prevent human trafficking (Venezuela (Bolivarian Republic of));

A - 99.61. Devise and implement policies to facilitate access to justice and support for victims of violence against women, including human trafficking (Australia);

A - 99.62. Enhance Law 26.364 on trafficking in persons, particularly on the basis of the recommendations of the Special Rapporteur on Trafficking in Persons (Belgium);

NC - 99.63. Step up efforts to combat trafficking in persons, including the implementation of the recommendations of the Special Rapporteur on Trafficking in Persons on the outcome of her visit in 2010; as well as make more severe the criminal liability related to the offense of trafficking in persons (Belarus);

A - 99.64. Enhance and strengthen its measures, policies and institutional coordination in the implementation of the law on trafficking in persons, especially that of women and children, in order to prevent and punish this international crime (Ecuador, Indonesia, Libya, Malaysia, Republic of Moldova, Singapore); 4

A - 99.65. Continue to strengthen its national coordination efforts and develop facilities and services to assist trafficked persons (Sri Lanka);

A - 99.66. Prohibit by law all kinds of violence against children including corporal punishment in all settings (Bulgaria);

R - 99.67. Increase the efforts to combat all forms of violence against children in all spheres (Republic of Moldova);

A - 99.68. Provide the judicial system with solid logistical and administrative foundations in order to avoid delays, procedural impasses and the replacement of judges, particularly in on-going human rights trials (Switzerland);

A - 99.69. Further strengthen its efforts on implementing the first cycle's recommendation no 4 on protection of witnesses and victims (Cyprus);

A - 99.70. Guarantee the right to an effective defence in eviction proceedings, including for those who cannot afford a lawyer (Germany);

A - 99.71. Further strengthen its efforts on implementing the first cycle's recommendation no 5 on preventing delays of the on-going human rights trials (Cyprus);

A - 99.72. Continue developing a State policy based on the historical pillars of Argentina's human rights movement: memory, truth and justice (Peru);

A - 99.73. Continue the efforts to bring to justice perpetrators of crimes against humanity (Armenia);

A - 99.74. Adopt the necessary measures to guarantee universal birth registration, with a particular emphasis on indigenous boy and girls (Mexico);

P - 99.75. Continue to strengthen the measures to guarantee children access to free birth registration (Uruguay);

P - 99.76. Pay more attention to measures to promote interreligious dialogue and prevent all forms of discrimination as well as to ensure that citizens can live in safety (Russian Federation);

A - 99.77. Pass comprehensive legislation on access to public information and adopt a law covering the three branches of power (Belgium);

P - 99.78. Implement legislative measures regarding access to information and establish mechanisms to facilitate public access in line with best practices (Canada);

P - 99.79. Enact a new law governing access to public information in line with international standards (Switzerland);

P - 99.80. Take steps to improve the access to public information through the establishment of an independent and autonomous body to guarantee timely and effective access in compliance with international standards (Norway);

P - 99.81. Ensure that freedom of expression and freedom of the press are fully respected at all times (Germany);

R - 99.82. Strengthen the actions to defend freedom of expression and the plurality of the media (Spain);

R - 99.83. Respect and implement Supreme Court decisions on unresolved articles of the Media law (United States of America);

P - 99.84. Undertake further measures to ensure the protection of journalists (Australia);

R - 99.85. Continue strengthening the actions aimed at the eradication of poverty and the policies to guarantee equity in wealth distribution and access to the economic and social well-being for the entire population (Ecuador)

A - 99.86. Disseminate its best practices to reduce poverty and combat social exclusion (Venezuela (Bolivarian republic of));

A - 99.87. Incorporate the social protection scheme, the “Universal Child Allowance” into law and extend it to cover children of marginalized groups including migrant workers and children of parents deprived of their liberty (Austria);

R - 99.88. Adopt measures to ensure more effective implementation of the provisions of national labour legislation so as to eliminate the pay gap and to increase indicators for the hiring of women for jobs in non-traditional sectors (Uzbekistan);

A - 99.89. Guarantee the full recognition of sexual and reproductive rights (France);

A - 99.90. Implement appropriate measures with respect to the Argentine Supreme Court’s decision of 12 March 2012 regarding effective access for female rape victims to safe and legal abortions (Germany);

P - 99.91. Ensure the right to abortion after rape throughout the country in accordance with the recent Federal Supreme Court verdict on this issue (Norway);

P - 99.92. Introduce legal and other measures to reduce maternal mortality and morbidity stemming from unsafe abortions (Netherlands);

P - 99.93. Strengthen efforts to reduce the maternal mortality rate, giving particular emphasis to reducing the number of deaths caused by unsafe abortions (Norway);

P - 99.94. Further strengthen the policies and adopt measures for guaranteeing women the access to reproductive health products and services (Slovenia);

A - 99.95. Ensure, as quickly as possible, the effective implementation of the Technical guide for the comprehensive treatment of non-punishable abortion at the national level so that access to legal abortion is guaranteed in practice (Switzerland);

P - 99.96. Strengthen the use of existing legal and administrative provisions which guarantee sexual and reproductive health, with the goal of better protecting the rights of women, including the prevention of maternal mortality (Uruguay);

A - 99.97. Continue attaching great importance to education and solve effectively the problem of children dropping out of school, so as to guarantee their right to education (China);

R - 99.98. Continue strengthening its domestic measures with regard to persons with disabilities, in accordance with its international obligations under the CRPD (Malaysia);

A - 99.99. Strengthen complementarity between governmental bodies so as to strengthen capacities of the institutions which deal with the needs of persons with disabilities (Oman);

A - 99.100. Ensure that the new Civil and Commercial Code does not allow for deprivation of legal capacity of persons with disabilities (Slovakia);

A - 99.101. Take the necessary measures to promote a greater inclusion of persons with disabilities in the areas of education and employment (Spain);

A - 99.102. Ensure that persons with disabilities enjoy the right to access to justice, including simplified legal actions for reporting cases of discrimination as well as remedies when denied reasonable claims; and that persons with intellectual or psychosocial disabilities can act as witnesses in their own claims (Thailand);

A - 99.103. Consider adopting specific legislation to ensure that children with disabilities are included in education as well as in health systems (Jordan);

A - 99.104. Take further steps to ensure that children with disabilities be included in the development of the education system and in health insurance plans, as well as to take all necessary measures to ensure the implementation of legislation providing services for children with disabilities (Thailand);

A - 99.105. Develop and promote programmes to provide access to jobs, education, transportation and public spaces, as well as protection from violence for persons with disabilities (United States of America);

A - 99.106. Continue to develop the relevant programs to implement CRPD (Venezuela (Bolivarian republic of));

A - 99.107. Effectively implement the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (Armenia);

A - 99.108. Continue systematically its efforts regarding the rights of indigenous peoples (Greece);

A - 99.109. Continue the efforts aimed at stepping up participation and consultation with indigenous peoples on public policies that affect them (Peru);

A - 99.110. Expedite the granting of communal land title to indigenous communities and consider appropriate compensation in this regard (South Africa);

R - 99.111. Improve the situation of indigenous minorities, particularly regarding the right to property, access to housing, right to participation and intercultural education (Spain);

R - 99.112. Strengthen the integration of indigenous peoples and immigrants, giving more rights to these categories (Oman);

R - 99.113. Continue to ensure full respect for the human rights of migrants and their families, who find themselves in an extremely precarious socio-economic situation aggravated, inter alia, by a limitation of their citizenship rights (Bolivia (Plurinational State of));

A - 99.114. Ensure adoption of measures for social integration of refugees and asylum seekers that are fully in line with international standards (Belarus);

A - 99.115. Revise the minimum required length of legal residence for migrants to access a disability or elderly pension and for their children to benefit from the program of universal child allowance (Mexico);

P - 99.116. Adopt proactive measures to eliminate discriminatory stereotypes about migrant workers and their families, in political discourse as well as in the media, as recommended by the CMW (Pakistan);

A - 99.117. Continue to make progress on measures against migrants' discrimination (Venezuela (Bolivarian Republic of));

A - 99.118. Intensify its efforts to implement migration regulations (Armenia).

Endnotes

1 The recommendations as read during the interactive dialogue: Complete the process of establishment of an Ombudsman on the rights of girls, boys and adolescents (Honduras); Continue to improve the legislative system of Argentina with a view to establishing the institution of the Ombudsman for children and adolescents (Russian Federation); Appoint an Ombudsman for child and adolescent rights (Trinidad and Tobago).

2 The recommendations as read during the interactive dialogue: Investigate all allegations on the use of torture and cruel treatment in police detention places and prisons and ensure that the perpetrators be brought to justice (Belarus); Ensure that all allegations of excessive use of force committed by the law enforcement personnel are thoroughly and impartially investigated, bringing alleged perpetrators to justice and providing appropriate remedies to victims (Slovakia); Ensure that all allegations of torture and other forms of ill treatment be systematically subjected to in- depth and objective investigations and that the alleged perpetrators are brought to justice (Tunisia); Ensure that all allegations of torture and other ill-treatment in detention are thoroughly and impartially investigated, and that alleged perpetrators are brought to justice (Austria).

3 The recommendations as read during the interactive dialogue: Enhance its efforts in order to better address the issue of domestic violence (Greece); Pursue its efforts to give a response to the problem of domestic violence (Morocco).

4 The recommendations as read during the interactive dialogue: Strengthen its policies and institutional coordination to combat trafficking in persons in order to prevent and punish this international crime (Ecuador); Enhance their efforts in combatting trafficking in persons (Indonesia); Continue to strengthen efforts against trafficking in persons, provide information about it, and provide shelter for the trafficked victims (Libya) Intensify its efforts in the implementation of the law on the trafficking in persons, especially that of children and women (Malaysia); Take more effective measures to combat trafficking in persons (Republic of Moldova); Continue its efforts in combating human trafficking, especially of women and children (Singapore).

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