

UNIVERSAL PERIODIC REVIEW

Argentina

Introduction of the submitting agency:

Argentina has ratified the UDHR, ICCPR, ICESCR, CRC, CEWDA, CAT and other UN instruments and has expressed its solemn commitment to the community of nations to promote and protect the human rights and fundamental freedoms of all citizens including persons with disabilities in general and Blind/Partially sighted in particular. Argentina has ratified the CRPD on September 2008 by National Law Nº 26368 After a long struggle by the local DPOs stressing the need for the participation of persons with disabilities in all aspects of life.

The Argentinean government is from the same political party since 2003 after the biggest political and economical crisis the country has experienced during the last 30 years.

The domestic human rights and policy framework of Argentina is based on progressive, participatory and representative democracy.

The improvement in the human rights situation of persons with disabilities in general and blind/partially sighted citizens can be observed within the country by establishing a comparison between the 90s and the current days will give us a clear result showing that the reality has moved us to a better situation.

However, the following step is to clearly establish a context based on the CRPD instead on exclusive and traditional approaches not focused on the individuals and their needs and self decision making rather than external influences.

There is a new stage after the CRPD which is mainly to adapt: the local realities; public policies; governmental programs; legal tools and instruments etc to the social approach.

Clearly the national government seems to be stopped after the ratification and believes that all the work is done. Here is, where the civil society and DPOs have to keep working to make the CRPD not only an international treaty but a practical tool for everyone in everyday life.

On the following paragraphs we try to explain some of the key issues which still have to be worked on here in Argentina. This task has to be conducted by DPOs; professional organizations and government.

Article 6

There is not information regarding the woman with disabilities and its formal employment rate. The investment of the GOVT on policies and public programs oriented to sexual education is negligible.

In a large country like Argentina, the local realities of each province change. Therefore we need to know what the local governments are doing in favor of this group of people in order to give them a better quality of life but the accurate and authentic information is not available.

Article 9

After the ratification of CRPD, the central government has started to develop some actions according to Article 9. However, so far we could not see any tangible results as well as we have not found any national program about accessibility. Some of the key issues on these articles are: accessibility to elections; public transportation; physical accessibility for either public or private sector. No data is available on the investment of the GOVT on accessibility related issues.

There is another important need, it is what type and number of reports about these issues has the Argentinean government produced to be shared and used by the civil society and DPOs.

What are the improvements made by the ministry of education on physical accessibility to increase the number of students with disabilities attending to formal education schools is unclear.

Finally, which measures were implemented by the government toward the CRPD to ensure the appropriate application of article 9 in general but specifically on situations related to rural areas and its basic services should be ascertained accurately.

Article 12

The only change observed after the CRPD was ratified by the government of Argentina, was a new national mental health law. However, beside this new legal tool we do not know any other public instrument to improve the legal capacity of people with disabilities.

It can be affirm that on Article 12 the national government has not made any improvement and the administration is still depending on laws which are 40 or 50 years old.

Article 13

Here the most important gap is the fact that the government has not done any effective program for the workers in the judicial sector to give more accessibility to people with disabilities. In other words, we still have no changes for people with disabilities for getting access to solutions based on our selve decision rather than those solutions based on others's willing.

Article 19

There is not any change on the issue related to self decision on autonomy and the services linked to personal assistance. All the services available are still focused on the medical approach instead on the human rights approach. Therefore, It can be concluded that is the biggest hurdle by the government to the movement of people with disabilities and their families.

Article 27

On employment issues, after the CRPD we just observed a national resolution (not a law) which reserves a 4% Quota on the public sector. However, this resolution has not any penalty for those offices which does not apply it. Therefore we still base this decision on the willing of the decision maker instead on the CRPD and the right to employment for people with disabilities.

Also, there is no drastic change in training programs for people with disabilities who do not have the same level of education making us to be reduced our opportunities for qualified jobs.