

ARGENTINA

**SUBMISSION FROM THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS TO
THE UNITED NATIONS UNIVERSAL PERIODIC REVIEW**



**14th SESSION OF THE WORKING GROUP ON THE UPR
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I. TABLE OF RATIFICATION OF INTER-AMERICAN TREATIES BY ARGENTINA

	Signature	Ratification/Accession	Deposit
American Convention on Human Rights ¹	09/05/84	09/05/84	09/05/84 RA
Inter-American Convention to Prevent and Punish Torture	02/10/86	11/18/88	03/20/89 RA
Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, "Protocol of San Salvador"	11/17/88	06/30/03	10/23/03 RA
Protocol to the American Convention on Human Rights to Abolish the Death Penalty	12/12/06	06/18/08	09/05/08 RA
Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women, "Convention of Belém do Pará"	06/10/94	04/09/96	07/05/96 RA
Inter-American Convention on Forced Disappearance of Persons	0/10/94	10/31/95	02/28/96 RA
Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities	06/08/99	09/28/00	01/10/01 RA

II. COUNTRY REPORTS

Since its emblematic report in 1980 the IACHR has not published a special country report on Argentina (See <http://www.cidh.org/countryrep/Argentina80sp/indice.htm>)

III. THEMATIC REPORTS (Since 2008)

- IACHR *Second Report on the Situation of Human Right Defenders in the Americas* OEA/Ser.L/V/II. Doc. 66 December 31, 2011, paragraphs 3, 68, 150, 204, 218,484, 499, (Available at: <http://www.oas.org/en/iachr/defenders/docs/pdf/defenders2011.pdf>)
- IACHR Report *Legal Standards related to gender equality and women's rights in the Inter American human rights system: development and application*, OEA/Ser.L/V/II. 143 Doc. 60, November 3, 2011, paragraphs 56, 57, 68-70 and 169 (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/REGIONALst.pdf>)
- IACHR Report *The road to substantive democracy: women's political participation in the Americas*, OEA/Ser.L/V/II. Doc. 79, April 18 2011, paragraphs 4, 9, 50, 54, 55, 56, 59, 60, 62, 68, 70, 71, 75, 89, 133, 134, 144, 145, 146, 149, 155, 164 (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/POLITICALpart.pdf>)
- IACHR Report *Juvenile Justice and Human Rights in the Americas*, OEA/Ser.L/V/II. Doc. 78 July 13, 2011 paragraphs 4, 42, 48, 54, 88, 155, 366, 412, 425, 430, 483, 502, 507 and 534 (Available at: <http://www.oas.org/en/iachr/children/docs/pdf/JuvenileJustice.pdf>)
- IACHR Report *The work, education and resources of women: the road to equality in guaranteeing economical, social and cultural rights* OEA/Ser.L/V/II.143 Doc. 59 November 3, 2011, paragraphs 206, 216, 225, 227, 240, and 324 (Available at: <http://www.oas.org/en/iachr/women/docs/pdf/WomenDESC2011.pdf>)

¹ Recognition of the jurisdiction of the Court on 09/05/84.

- IACHR Report *Citizen Security and Human Rights*, OEA/Ser.L/V/II. Doc. 57 December 31, 2009, paragraphs 14 (Available at: <http://www.oas.org/en/iachr/docs/pdf/CitizenSec.pdf>)
- IACHR Report *The Inter American Legal Framework regarding the Right to Freedom of Expression* OEA/Ser.L/V/II CIDH/RELE/INF. 2/09, December 30 2009, paragraphs 48, 112, 116, 124, Second Chapter paragraph 4, 8, 24, 30 – 32 (Available at: <http://www.oas.org/en/iachr/expression/docs/publications/INTER-AMERICAN%20LEGAL%20FRAMEWORK%20OF%20THE%20RIGHT%20TO%20FREEDOM%20OF%20EXPRESSION%20FINAL%20PORTADA.pdf>)
- IACHR Report *The Inter American Legal Framework regarding the right to access information* OEA/Ser.L/V/II CIDH/RELE/INF. 1/09, December 30 2009 paragraphs 96 (Available at: <http://www.oas.org/en/iachr/expression/docs/publications/ACCESS%20TO%20INFORMATION%20FINAL%20CON%20PORTADA.pdf>)
- IACHR Report *The Rights of the Child in the Inter American Human Rights System* OEA/Ser.L/V/II.133 Doc. 34 October 29, 2008 paragraphs 34, 64, 73-75, 81-85, 99-103, 115-118, 121, 134-140 (Available at: <http://www.cidh.org/countryrep/Infancia2eng/Infancia2Toc.eng.htm>)

IV. ADMISSIBILITY REPORTS (Since 2008)

- IACHR, Report 79/08 Admissibility Petition 95-01 Marcos Alejandro Martín, Argentina, October 19, 2008. (Available at: <http://cidh.org/annualrep/2008eng/Argentina95.01eng.htm>)
- IACHR Report 69/08 Admissibility Petition 681-00 Guillermo Patricio Lynn, Argentina, October 16, 2008. (Available at: <http://cidh.org/annualrep/2008eng/Argentina681.00eng.htm>)
- IACHR Report 68/08 Admissibility Petition 231-98 Ernesto Trevisi, Argentina, October 16, 2008 (Available at: <http://cidh.org/annualrep/2008eng/Argentina231.98eng.htm>)
- IACHR Report 26/08 Admissibility Petition 270-02 César Alberto Mendoza et al, Argentina, March 14 2008. (Available at: <http://www.cidh.oas.org/annualrep/2008sp/Argentina270.02.sp.htm>)
- IACHR Report 39/08 Admissibility Petition 56-98 Carlos y Pablo Mémoli, Argentina, July 23 2008 (Available at: <http://www.cidh.oas.org/annualrep/2008sp/Argentina56-98.sp.htm>)
- IACHR Report 64/08 Admissibility Case 11.691 Raghda Habbal and son, Argentina, July 25 2008 (Available at: <http://cidh.org/annualrep/2008eng/Argentina11691eng.htm>)
- IACHR Report 65/08 Admissibility Petition 460-00 Victorio Spoltore, Argentina, July 25 2008 (Available at: <http://cidh.org/annualrep/2008eng/Argentina460.00eng.htm>)
- IACHR Report 35/09 Admissibility Petition 466-99 Ramón Nicolás Guarino, Argentina, March 27 2009. (Available at: <http://www.cidh.oas.org/annualrep/2009sp/Argentina466-99.sp.htm>)
- IACHR Report 10/09 Admissibility Petition 4071-02 Mercedes Eladia Farelo, Argentina, March 19 2009. (Available at:

<http://www.cidh.oas.org/annualrep/2009sp/Argentina4071-02.sp.htm>)

- IACHR Report 64/09 Admissibility Case 12.182 Florentino Rojas, Argentina, August 4 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009sp/Argentina12182.sp.htm>)
- IACHR Report 66/09 Admissibility Petition 920-03 Marcos Gilberto Chaves and Sandra Beatriz Chaves, Argentina, August 4 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009sp/Argentina920-03.sp.htm>)
- IACHR Report 87/09 Admissibility Petition 204-01 Ángel Pedro Falanga, Argentina, August 7 2009 (Available at: <http://www.cidh.oas.org/annualrep/2009sp/Argentina204-01.sp.htm>)
- IACHR Report 12/10 Admissibility Case 12.106 Enrique Hermann Pfister Frías and Lucrecia Pfister Frías, Argentina, March 16 2010 (Available at: <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)
- IACHR Report 82/11 Admissibility Petition 616-98 José Luis Hernández, Argentina, July 21 2011 (Available at : <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)
- IACHR Report 3/11 Admissibility Petition 491-98 Néstor Rolando López et al, Argentina, January 5 2011 (Available at : <http://www.oas.org/es/cidh/decisiones/admisibilidades.asp#inicio>)

V. REPORT ON THE MERITS (Since 2008)

- IACHR, Report 5/09 Merits Case 11.400 Josefina Ghiringhelli de Margaroli and Eolo Margaroli, Argentina, March 16 2009 (Available at: <http://www.cidh.org/annualrep/2009eng/Argentina11400eng.htm>)
- IACHR Report 83/09 Merits Case 11.732 Horacio Aníbal Schillizzi Moreno, Argentina, August 6 2009 (Available at: <http://www.cidh.org/annualrep/2009eng/Argentina11732eng.htm>)
- IACHR Report 73/11 Merits Case 11.395 Juan José López, Argentina, July 20 2011 (Available at: <http://www.oas.org/en/iachr/decisions/merits.asp>)

VI. CASES SUBMITTED TO THE INTER-AMERICAN COURT (Since 2008)

- **Jorge Fontevicchia y Héctor D´Amico against Argentina**, Case 12.524 December 10, 2010 (Available at: <http://www.cidh.oas.org/demandas/12.524Esp.pdf> only in Spanish)
- **Milagros Fornerón and Leonardo Aníbal Fornerón against Argentina**, Case 12.584, November 29 2010 (Available at: <http://www.cidh.oas.org/demandas/12.524Esp.pdf>)
- **Jorge Fernando Grande against Argentina**, Case 11.498 Mary 04 2010 (Available at: <http://www.cidh.oas.org/demandas/11.498ENG.pdf>)
- **Iván Eladio Torres against Argentina**, Case 12.533 April 18 2010 (Available at: <http://www.cidh.oas.org/demandas/12.533ENG.pdf>)

- **Carlos y Pablo Mémeli against Argentina**, Case 12.653 December 14 2011 (Available Press Release at: <http://www.cidh.oas.org/demandas/12.533ENG.pdf>)
- **Oscar Alberto Mohamed against Argentina**, Case 11.618 April 13 2011 (Available at: <http://www.cidh.oas.org/demandas/12.533ENG.pdf>)
- **César Alberto Mendoza et al against Argentina**, Case 12.651 June 17 2011 (Available at: <http://www.oas.org/en/iachr/Court/12.651Eng.pdf>)
- **Sebastián Claus Furlán and family against Argentina**, Case 12.539 March 15 2001 (Available at: <http://www.cidh.oas.org/demandas/12.539Eng.pdf>)

VII. JUDGMENTS OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS (Since 2008)

I/A Court H.R., **Case of Kimel v. Argentina**. Merits, Reparations and Costs. Judgment of May 2, 2008 Series C No. 177 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_177_ing.pdf)

I/A Court H.R., **Case of Bayarri v. Argentina**. Preliminary Objection, Merits, Reparations and Costs. Judgment of October 30, 2008. Series C No. 187 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_187_ing.pdf)

I/A Court H.R., **Case of Torres Millacura et al. v. Argentina**. Merits, Reparations and costs. Judgment of August 26, 2011. Series C No. 229 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_229_ing.pdf)

I/A Court H.R., **Case of Grande v. Argentina**. Preliminary Objections and Merits. Judgment of August 31, 2011. Series C No. 231 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_231_ing.pdf)

I/A Court H.R., **Case of Fontovecchia y D`Amico v. Argentina**. Merits, Reparations and Costs. Judgment of November 29, 2011. Series C No. 238 (Available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_238_ing.pdf)

VIII. PRECAUTIONARY MEASURES (Granted since 2008)

- PM 187-10 – Persons Deprived of Liberty in the Third Precinct Police Station of Ensenada, Province of Buenos Aires, Argentina² (Available at:

² On July 2, 2010, the IACHR granted precautionary measures for persons deprived of liberty in the Third Precinct Police Station of Ensenada, in the province of Buenos Aires, Argentina. This precautionary measure was granted at the Commission's initiative following a visit to that police station on June 8, 2010. During the visit, the IACHR observed that 20 individuals were being held in a situation of extreme overcrowding in the jail area, which consists of three windowless cells with no ventilation points and a corridor and bathroom. Three persons sleep in each cell, and eleven sleep on the floor in the corridor. Those in custody are shut inside 24 hours a day, with no access to natural light and without doing any type of productive or recreational activity. Although police station jails are meant to be temporary

<http://www.oas.org/en/iachr/decisions/precautionary.asp>)

- PM 404/10 – Qom Navogoh Indigenous Community of "La Primavera," Argentina³
(Available at: <http://www.oas.org/en/iachr/decisions/precautionary.asp>).

IX. PRESS RELEASES (Since 2008)

- **129/11** - IACHR Takes Case Involving Argentina to Inter-American Court. Washington, DC. December 14, 2011. (Available at: http://www.oas.org/en/iachr/media_center/PReleases/2011/129.asp)
- **64/11** - IACHR Takes Case Involving Argentina to Inter-American Court. Washington, DC. June 29, 2011. (Available at: http://www.oas.org/en/iachr/media_center/PReleases/2011/064.asp)
- **39/11** - IACHR Concludes Working Visit to Argentina. Washington, DC. May 3, 2011. (Available at: http://www.oas.org/en/iachr/media_center/PReleases/2011/039.asp)
- **33/11** - IACHR Takes Case Involving Argentina to the Inter-American Court. Washington, DC. April 18, 2011. (Available at: http://www.oas.org/en/iachr/media_center/PReleases/2011/033.asp)
- **29/11** - IACHR Takes Case Involving Argentina to the Inter-American Court. Washington, DC. April 7, 2011. (Available at: http://www.oas.org/en/iachr/media_center/PReleases/2011/029.asp)
- **124/10** - IACHR Takes Case Involving Argentina to Inter-American Court. Washington, DC. December 22, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/124-10eng.htm>)
- **121/10** - IACHR Takes Case Involving Argentina, Guatemala and Venezuela to Inter-American Court. Washington, DC. December 10, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/121-10eng.htm>)

detention centers, at the time the IACHR visited, all those being held in the Third Precinct Police Station of Ensenada had been there for periods ranging from 3 to 18 months, according to the official records of the population in custody. The IACHR also verified the existence of two persons who were ill and were not receiving adequate medical care, and it was informed that those in custody would not receive medical attention unless it was ordered by a judge, in which case they would have to be transferred to an assistance center. The Inter-American Commission asked the State of Argentina that the persons being deprived of their liberty in the Third Precinct Police Station of Ensenada be immediately placed in a location that complies with the requirements for detention in conditions of dignity.

³ On April 21, 2011, the IACHR granted precautionary measures for the members of the Qom Navogoh indigenous community of "La Primavera," in the province of Formosa, Argentina. The request for precautionary measures alleges that members of the security forces had perpetrated a series of acts of violence against members of the community and that as a result, leader Félix Díaz and his family were forced to move to another region. The petitioners reported that the attackers were continuing to guard the area, creating a climate of tension among area residents. They also added that security measures that would allow the return of Félix Díaz and his family had not been implemented. The Inter-American Commission asked the State of Argentina to adopt any necessary measures to guarantee the life and physical integrity of the members of the Qom Navogoh indigenous community of "La Primavera" against possible threats, attacks, or acts of harassment on the part of members of the police, law enforcement officers, or other State agents, as well as to implement any necessary measures so that Félix Díaz and his family can return to the community under safe conditions.

- **64/10** – IACHR Rapporteurship Confirms Grave Detention Conditions in Buenos Aires Province. Washington, DC. June 21, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/64-10eng.htm>)
- **57/10** – Takes Cases Involving Argentina and the Dominican Republic to the Inter-American Court. Washington, DC. June 7, 2010. (Available only in Spanish at: <http://www.cidh.org/Comunicados/Spanish/2010/57-10sp.htm>)
- **49/10** - IACHR Takes Cases Involving Argentina and Ecuador to the Inter-American Court. Washington, D.C., May 5, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/49-10eng.htm>)
- **19/10** - IACHR Concludes Working Visit to Argentina. Washington, D.C., February 19, 2010. (Available at: <http://www.cidh.org/Comunicados/English/2010/comunicados2010eng.htm>)