

## Annex I – Thematic Lists of Recommendations for Argentina

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation in relation to child sexual exploitation
<b>Theme A12: Acceptance of international norms</b>			
99.1. Ratify the new optional protocol to the Convention on the Rights of the Child (Portugal); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 6	Supported	A12 Acceptance of international norms F31 Children: definition; general principles; protection B51 Right to an effective remedy <u>Affected persons:</u> - children	<b>Fully implemented.</b> Argentina became a state member on 14 April 2015.
<b>Theme A41: Constitutional and legislative framework</b>			
99.5. Continue to strengthen laws and legislation which relate to human rights (Oman); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 35	Supported	A41 Constitutional and legislative framework <u>Affected persons:</u> - general	<b>Partially implemented.</b> The GoA passed a law in 2013 to prohibit online grooming with the purpose of committing any offence against the sexual integrity of the minor. Law N° 26.904, article 131
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); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 35	Supported	A41 Constitutional and legislative framework A42 Institutions & policies - General <u>Affected persons:</u> - genera	<b>Not implemented.</b> Although trafficking cases are handled at national level, other child sexual exploitation manifestations are dealt with at the provincial level and the human rights standards are not consistent with international standards nor is the judicial sector processing the cases effectively. This results in many cases of impunity for child sexual exploitation.
<b>Theme: A53 Professional training in human rights</b>			
99.33 Strengthen human rights education and training programmes for the police and law enforcement forces, in particular those working in	Supported	A53 Professional training in human rights D51 Administration of justice & fair trial D26 Conditions of detention <u>Affected persons:</u> - general	<b>Partially implemented.</b> Some trainings of the judicial sector have taken place, mostly on trafficking cases, but more is needed on specifically child sexual exploitation and not only on national level, but also on provincial level.

**Commented [DvdK1]:** CACACIDN: Please add your assessment of what the government has done in the past five years on the listed topics. You can find the full version of the list on <https://www.upr-info.org/en/review/Argentina>, but I already copied all issues that are relevant to CSE. Interestingly enough there are no recommendations directly related to CSE. Hopefully this will be different in this third UPR review.

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penitentiary establishments (Costa Rica); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 27		- persons deprived of their liberty - law enforcement / police officials - prison officials	
<b>Theme D27: Prohibition of slavery, trafficking</b>			
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); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 21	Noted	D27 Prohibition of slavery, trafficking A25 Follow-up to special procedures A41 Constitutional and legislative framework <u>Affected persons:</u> - general - children - women	<b>Partially implemented</b> with the adoption of Law N° 26,842 the anti-trafficking law is enhanced with an Executive Committee and a Federal Council to implement and oversee the implementation of the anti-trafficking law. However, most of the weaknesses found by the Special Rapporteur have not been addressed. A National Plan to combat trafficking has not been adopted and coordination is weak on both national and provincial level. Identification and referral mechanisms for trafficked persons on provincial level are inadequate and there are insufficient facilities and services available specifically designed to provide trafficked persons.
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); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1	Supported	D27 Prohibition of slavery, trafficking A25 Follow-up to special procedures B51 Right to an effective remedy <u>Affected persons:</u> - general - children - women	<b>Partially implemented.</b> Please see under 99.62.
99.65. Continue to strengthen its national coordination efforts and	Supported	D27 Prohibition of slavery, trafficking A42 Institutions & policies - General <u>Affected persons:</u>	<b>Partially implemented.</b> Please see under 99.62.

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develop facilities and services to assist trafficked persons (SriLanka); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1		- general - children - women	
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); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1	Supported	D27 Prohibition of slavery, trafficking F31 Children: definition; general principles; protection B51 Right to an effective remedy F13 Violence against women A42 Institutions & policies - General <u>Affected persons:</u> - general - children - women	<b>Partially implemented.</b> Please see under 99.62.
<b>Theme D51: Administration of justice &amp; fair trial</b>			
99.69. Further strengthen its efforts on implementing the first cycle’s recommendation n° 4 on protection of witnesses and victims (Cyprus); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 36	Supported	D51 Administration of justice & fair trial B53 Support to victims and witnesses A27 Follow-up to Universal Periodic Review (UPR) <u>Affected persons:</u> - general	<b>Not implemented.</b> No special efforts have been made to protect witnesses and victims.
<b>Theme F13: Violence against women</b>			
99.60. Continue to make progress on combating violence against women and on the efforts to sanction and prevent human trafficking (Venezuela (Bolivarian Republic of)); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 14	Supported	F13 Violence against women D27 Prohibition of slavery, trafficking B51 Right to an effective remedy <u>Affected persons:</u> - general - children - women	<b>Partially implemented.</b> The government has identified victims, has raised national awareness, and convictions have been increasing over the last five-year period. However, as noted by the U.S. Department of State, services for victims remain scarce and trafficked-related corruption, especially on provincial level, remains a concern.

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<p>99.61. Devise and implement policies to facilitate access to justice and support for victims of violence against women, including human trafficking (Australia); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 14</p>	<p>Supported</p>	<p>F13 Violence against women D27 Prohibition of slavery, trafficking B51 Right to an effective remedy <u>Affected persons:</u> - general - children - women</p>	<p><b>Not implemented.</b> There are insufficient funds for tailored recovery and reintegration services for victims of child sexual exploitation. Access to justice is challenging with victims still not properly identified and mistaken for criminals as well as lack of proper training of the justice sector to enhance child-sensitivity.</p>
<p>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); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 14</p>	<p>Supported</p>	<p>F13 Violence against women D27 Prohibition of slavery, trafficking D29 Domestic violence B51 Right to an effective remedy B53 Support to victims and witnesses A54 Awareness raising and dissemination <u>Affected persons:</u> - general - children - women</p>	<p><b>Partially implemented.</b> The government has provided awareness on trafficking, but has not sufficiently included awareness on sexual exploitation of children with some exceptions, e.g. the international campaign ‘<i>Combating the Sexual Exploitation of Children</i>’ carried out at the border between Brazil, Paraguay and Argentina.</p>
<p><b>Theme: F31 Children: definition; general principles; protection</b></p>			
<p>99.8. Transpose thoroughly and implement child legislation at the provincial level (Portugal); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 7</p>	<p>Supported</p>	<p>F31 Children: definition; general principles; protection A41 Constitutional and legislative framework <u>Affected persons:</u> - children</p>	<p><b>Not implemented.</b></p>
<p>99.11. Establish and appoint an Ombudsman on the rights of girls, boys and adolescents (Honduras, Russian Federation, Trinidad and Tobago); <i>Source of position:</i> A/HRC/22/4/ADD.1/REV.1 - Para. 7</p>	<p>Supported</p>	<p>F31 Children: definition; general principles; protection A44 Structure of the national human rights machinery <u>Affected persons:</u> - children</p>	<p><b>Not implemented.</b></p>

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<p>99.67. Increase the efforts to combat all forms of violence against children in all spheres (Republic of Moldova);  <i>Source of position:</i>  A/HRC/22/4/ADD.1/REV.1 - Para. 7</p>	<p>Supported</p>	<p>F31 Children: definition; general principles; protection  A44 Structure of the national human rights machinery  <u>Affected persons:</u>  - children</p>	<p><b>Not implemented</b> with regards to child sexual exploitation.</p>
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