

ADVANCE QUESTIONS TO ARGENTINA

DENMARK

- The Committee on the Elimination of Racial Discrimination has consistently expressed concern about the inadequate protection in practice of indigenous peoples' rights in Argentina. What specific measures will the Argentine Government take to improve the situation of indigenous peoples' rights? When will the National Institute of Indigenous Affairs be established (as envisaged by Act. No. 23.302)?

FINLAND

- We acknowledge that the Government of Argentina has made commitments to protect children from violence, including by enacting a national Law for the Integral Protection of Children and Adolescents which, inter alia, provides for creating mechanisms to protect children from abuse and exploitation¹. With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Argentina. In particular, we would greatly appreciate if the Government of Argentina could share with us good practices to prevent and respond to violence against children³.

GERMANY

- What measures has the GoA planned or already undertaken in order to improve conditions of detention in particular at the provincial level of provinces and in police stations, which are characterized by overcrowding, lack of hygiene and lack of medical care as well as a high potential of violence? What steps are envisaged in order to ensure that suspects are not detained for a longer period than prescribed by the law?
- Which measures are envisaged by the GoA in order to effectively combat trafficking in human beings, with particular regard to sexual exploitation of

¹ UNICEF - Info by country at <http://www.unicef.org/infobycountry/argentina.html> (2 April 2008).

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 47).

children and forced labor, and to provide adequate support to the victims of trafficking?

- What measures has the GoA taken or planned in order to ensure that the national regulations on contraception will be fully implemented at nation-wide level in order to help to reduce female mortality due to illegal abortion and lack of subsequent medical care, and to guarantee respect for sexual and reproductive rights of women?
- Which measures is the GoA undertaking in order to guarantee equal treatment of sexual minorities within the legal framework of its antidiscrimination law and in practice?
- How does the GoA protect those who are involved in the prosecution of human rights violations committed under the former military regime, in particular with regard to improving the protection of witnesses, judges and prosecutors?

IRELAND

- What measures have been taken to ensure full enjoyment of the freedoms of expression, assembly and association, with particular regard to the right to protest?
- What measures have been taken to promote the role of human rights defenders, through education and inclusion in decision-making, in particular amongst national authorities, law enforcement officials and security officers?
- What measures have been put in place to support the work of human rights defenders?

ITALY

- In 2005 Argentina approved the National Plan against Discrimination, which constitutes a comprehensive analysis about discrimination in its society. Could you explain more thoroughly how the Plan is related to the recommendations contained in the Durban Programme of Action?
- In 2005 Argentina approved the “Ley de Protección Integral de las niñas, niños y adolescentes” – so modifying the law known as “Ley de Patronato”, in force since 1919 – which constitutes a significant advancement in the field of the rights of the child. Notwithstanding that, according to some NGOs, Argentina has not fully complied with its obligation to harmonize its legislation, since the new legal definition of the child as a right holder is not equally implemented in all relevant areas. Could you provide additional information on this matter?

NETHERLANDS

- Argentina is doing a remarkable job in prosecuting suspects of human rights violations. Difficulties remain though. In what way will Argentina ensure that for instance the judicial system will receive not only political backing but also sufficient funds to speed up these important legal proceedings?
- What will the federal government do to ensure that local governors and other high ranking local officials address the situation of malnutrition of children in Northern Argentina?
- What actions will the Argentine government undertake to ensure the continued freedom of press?

ROMANIA

We commend the Government of Argentina for the strong determination and commitment in enforcing policies and measures with a view to promoting and protecting human rights, as well as for the consolidation of the democratic processes in the country.

We would like to ask the Argentinean delegation to elaborate on the following issues:

- The National Plan against Discrimination established through a Decree in 2005 is intended to develop strategies, policies and programmes aimed at eradicating discriminatory practices. How does the Government of Argentina assess the implementation of the National Plan, including by sharing with us a successful program carried out so far?
- The Optional Protocol to the Convention against Torture, ratified by Argentina in 2004, requires the establishment of national prevention mechanisms. We are interested to learn more on the establishment and implementation of the national prevention mechanism?
- How does the Government of Argentina intend to ensure the implementation of the outcome of the review and what will be the role of the relevant stakeholders in this respect?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the role civil society in Argentina played in the preparation of your national report for this process?
- We would be grateful for further information about the steps Argentina is taking to reduce the amount of time spent in prison by those awaiting trial? In particular, what steps are being taken to fill vacancies of magistrates and prosecutors?

- Could you tell us what Argentina is doing to increase protection of trial witnesses in cases relating to both the military dictatorship and the present day?
- In line with the OPCAT, what are Argentina's plans for the creation of a national mechanism for independent monitoring of detention conditions? What steps is the federal government taking to consult fully provincial governments and civil society?
- What steps is Argentina taking to bring into being the Domestic Violence Office stipulated by the Supreme Court and to make sure that vulnerable women are aware of its existence?
- Could you tell us how Argentina is working to harmonize all its legislation, especially at provincial level, to ensure compliance with its Child Protection Law?
- Could you please elaborate on the existence of a national human rights institution in Argentina and if it is in full compliance with the Paris Principles?
