

CONSIDERATION OF THE UPR REPORT OF ARGENTINA

Mr President,

Thank you for giving us the floor.

Save the Children, on behalf of Colectivo de Derechos de Infancia y Adolescencia en Argentina¹, welcomes the report of the Working Group on the Universal Periodic Review (UPR) of Argentina, in particular the recommendations relating to children's rights.

We welcome the Government's efforts to protect children's rights and the acceptance of UPR recommendations in this regard, especially in relation to social protection and sexual and reproductive health. Implementation of these recommendations, including through allocation of sufficient resources for their realization, will have a significant impact on children's lives in Argentina.

However, we would like to highlight the following key issues.

1. ADMINISTRATION OF JUVENILE JUSTICE

Although no recommendations were put forward by the UPR Working Group with regards to juvenile justice, Colectivo de Derechos de Infancia y Adolescencia considers this child rights issue a priority in Argentina. Law 22.278 fails to make a clear distinction between children in need of care and protection and children in conflict with the law. Amendments sent to Parliament have been pending for over three years.

The Committee on the Rights of the Child has repeatedly expressed concern about the need to reform the juvenile justice system in its Concluding Observations of 2002 and 2010. Moreover, UPR recommendation No. 13 of 2008 called on the Government to adopt a penal system that is in conformity with the Convention on the Rights of the Child, the CRC Committee's recommendations and international juvenile justice norms and standards.

We therefore call on the Government of Argentina to comply with UPR recommendation No. 13 of 2008.

¹ ADI - Asociación para los Derechos de la Infancia ▶ ADI - Córdoba ▶ ANDHES (Abogados y Abogadas del Noroeste Argentino en Derechos Humanos y Estudios Sociales) ▶ Asociación Analí ▶ Asociación Azul ▶ Cátedra Libre de Derechos Humanos - UBA ▶ Asociación civil El Arca ▶ FEDEM (Federación de Entidades No Gubernamentales de Niñez y Adolescencia de Mendoza) ▶ Fundación Ayuda a la Niñez y Juventud Che Pibe ▶ Asociación para la Promoción y Protección de los Derechos Humanos Xumek ▶ Fundación Hacer Lugar ▶ Instituto Adiana ▶ Mesa Permanente por los Derechos de los Niñ@s y Jóvenes de Río Cuarto ▶ Pelota de Trapo ▶ Red de Organizaciones Barriales Enrique Angelelli ▶ Fundación S.O.S. Infantil ▶ Asociación Civil Sueños del Sur ▶ Asociación civil Surcos ▶ Hueche, Gente Joven ▶ Cuenta Palabras - Movimiento de Expresión Libre ▶ Foro de Niñez y Familia de Córdoba ▶ Red Buhitos ▶ Fundación Convivir ▶ PRADE (Práctica Alternativa del Derecho) ▶ APDH Formosa ▶ FAIDI (Fundación de Ayuda Integral a Discapacidad e Infancia).

2. GENDER EQUALITY, HEALTH RIGHTS AND LEGAL ABORTION

UPR recommendations 99.90 to 99.97 call on the Government of Argentina to implement appropriate measures in order to guarantee the full recognition of sexual and reproductive rights, including through the effective implementation of technical guidance for the comprehensive treatment of legal abortion in line with the Supreme Court judgment.

Ensuring access to legal abortion is critical as the pregnancy of young girls and adolescents is often the result of child abuse and sexual violence. Due to restrictive interpretation of legal abortion in the Penal Code, girls with high risk pregnancies are condemned to be mothers or perform unsafe, illegal abortions. This situation is particularly serious in the provinces. Therefore, we encourage the Government of Argentina to accept these recommendations and to:

- call on Provincial health authorities to adopt and implement the technical guidance for the comprehensive care of legal abortions;
- train staff at all public health centers in the country on the scope, framework and implementation of the technical guidance;
- allocate sufficient human and financial resources to implement these measures throughout the country;

3. CIVIL SOCIETY PARTICIPATION

UPR recommendation 99.23 calls on the Government of Argentina to start an inclusive process involving a broad spectrum of representatives of civil society to implement the UPR recommendations.

Colectivo de Derechos de Infancia y Adolescencia appreciate the Government's engagement in the UPR process and is looking forward to further cooperation with civil society organizations in the follow-up to the UPR.

Thank you.