



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the second periodic report of Argentina*

1. The Committee considered the second periodic report of Argentina (CMW/C/ARG/2) at its 431st and 432nd meetings (see CMW/C/SR.431 and CMW/C/SR.432), held on 2 and 3 September 2019. At its 443rd meeting, held on 11 September 2019, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the second periodic report of the State party, its replies to the list of issues prior to reporting (CMW/C/ARG/QPR/2) and the additional information provided by the delegation, which was headed by José Horacio García, Director of the National Migration Directorate of the Ministry of the Interior, Public Works and Housing. The delegation also included other representatives of the National Migration Directorate, namely Diego Enríquez, Director of Legal Affairs, and Osmar Alza, Director of International Affairs; a representative of the Ministry of Foreign Affairs and Worship, namely María Gabriela Quinteros, Minister and Director of the Human Rights and Gender Issues Directorate; and representatives of the Permanent Mission of Argentina to the United Nations Office at Geneva.

3. The Committee appreciates the open and constructive dialogue held with the delegation. It regrets, however, that the replies to the list of issues were not submitted until 26 July 2019, which did not allow sufficient time for translation into the working languages of the Committee.

4. The Committee is aware that Argentina, as a country of origin of migrant workers, has made progress in protecting the rights of its nationals abroad. The Committee also observes, however, that as a transit and destination country the State party faces a number of challenges concerning the protection of migrant workers' rights.

5. The Committee notes that some of the countries in which migrant workers from Argentina are employed are not parties to the Convention and that this may hinder these workers' enjoyment of their rights under the Convention.

B. Positive aspects

6. The Committee welcomes the legislative and institutional measures taken by the State party to promote and protect the rights of migrant workers within its territory, particularly the measures to combat trafficking in persons. The Committee also appreciates

* Adopted by the Committee at its thirty-first session (2–11 September 2019).



the State party's admission of Venezuelan migrant workers and their families and the humanitarian programme established for Syrian refugees.

7. The Committee notes that the State party has ratified or acceded to the following international instruments:

(a) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, in 2015;

(b) The 1961 Convention on the Reduction of Statelessness, in 2014;

(c) The International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189), in 2014.

8. The Committee welcomes the adoption of the following legislative and institutional measures:

(a) Order No. DI-2019-3767-APN-DNM#MI issued by the Director of the National Migration Directorate, whereby Vanessa Gómez Cueva, a Peruvian national with children of Argentine nationality, was pardoned and the prohibition of her return to Argentina was lifted for exceptional reasons of a humanitarian nature, a decision that was officially announced by the representative of the State party during the constructive dialogue with the Committee;

(b) The General Act on the Recognition and Protection of Stateless Persons and the establishment of a procedure for determining the status of stateless persons, protecting and assisting them and offering facilities for their naturalization, adopted in 2019;

(c) The National Plan for Equal Rights and Opportunities (2018–2020), adopted in 2018;

(d) The inauguration of the National Directorate for Victim Assistance, in 2018;

(e) The National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Workers, 2018–2022, in 2017;

(f) The opening of the first migrant and refugee orientation centre, in 2017;

(g) The National Action Plan for the Prevention and Eradication of Violence against Women and for Assistance to Victims, 2017–2019, adopted in 2016;

(h) The following orders issued by the National Migration Directorate: Nos. 594/2018 and 520/2019 establishing a special programme of assistance to Venezuelan migrants; No. 1143/2017 regularizing the status of Haitian nationals for humanitarian reasons; and Nos. 3915/2014, 4499/2015, 4683/2016 and 1025/2019 issued in connection with the programme for persons affected by the Syrian conflict (Programa Siria);

(i) The State party's intention to include, in its national museum on migration in the city of Buenos Aires, a section focusing on the migration of persons of African descent to Argentina, as a means of showcasing the diversity of Argentine society;

(j) The State party's active participation in regional coordination processes for managing the migration of Venezuelan nationals and the proposals it has championed for facilitating safe, orderly and regular migration, in forums such as the Quito Process, the Organization of American States (OAS), Committee on Migration Issues, the International Organization for Migration (IOM), South American Conference on Migration and the Group of Friends of the Comprehensive Regional Protection and Solutions Framework. The Committee urges the State party to continue its positive participation in global and regional processes for developing rights-based responses to migration that involve shared responsibility among States.

9. The Committee welcomes the fact that the State party voted in favour of the Global Compact for Safe, Orderly and Regular Migration, which the General Assembly adopted by its resolution 73/195, and recommends that the State party take measures for its implementation, while ensuring full compliance with the Convention.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Decree No. 70/2017 and local laws

10. The Committee is deeply concerned about the promulgation and application of Decree No. 70/2017 even though it was declared unconstitutional by the Federal Administrative Appeals Chamber in March 2018. That ruling also calls for a review of compliance with treaties and international obligations, for which the Decree also fails to provide. This Committee, the Committee on the Rights of the Child and the Committee against Torture have recommended its repeal, and the Committee on Economic, Social and Cultural Rights has urged the State party to eliminate barriers to the enjoyment of economic, social and cultural rights and to facilitate the regularization of migrants' status. The Committee takes note of the State party's explanation to the effect that a final decision on constitutionality is still pending in the Supreme Court. However, it is seriously concerned at the implications of implementing the summary expulsion procedure established by the Decree, in particular because it contravenes the provisions of the Convention, and at:

(a) The limiting of appeals to the National Migration Directorate alone, as the sole body with power to decide all cases of migrant administrative offences;

(b) The unreliability of the procedure for serving deportation notices, in particular the fact that the service of notices is deemed valid without the signature of the person concerned;

(c) The reduction, to three working days, of the time limit for submission of an application for judicial review, which may be made only to the National Migration Directorate;

(d) The possibility of enforcing an expulsion order without a protocol guaranteeing the human rights of migrant workers and their families once an administrative appeal is final or has been denied;

(e) The possibility of holding a person in detention throughout the summary expulsion procedure, regardless of the fact that no one may be deprived of liberty on grounds of immigration status;

(f) The requirement for persons subjected to expulsion proceedings to demonstrate beyond doubt that they lack financial means before they are entitled to free legal aid;

(g) The fact that the exercise of the right to family unity is dependent on proof that the applicant lives with the family and on the "demonstration by the migrant of the existence of economic and emotional ties", as determined by administrative authorities (Decree, arts. 29 and 62).

11. **The Committee urges the State party to take immediate steps to have Decree No. 70/2017 repealed by the relevant body and, pending the completion of this process, to suspend its implementation. The Committee further recommends that the State party:**

(a) **Take the necessary steps to ensure that in all administrative and judicial proceedings migrants are guaranteed due process on an equal footing with nationals of the State party;**

(b) **Bear in mind, in the light of the Committee's general comment No. 2 (2013) on the rights of migrant workers in an irregular situation and members of their families, that administrative detention should be used only as a last resort, and consider alternatives to the current practice of "holding" migrants;**

(c) **Ensure, in accordance with joint general comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of**

international migration, and joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, that migrant children and Argentine children are not separated from their parents or primary caregivers and that their rights are not violated by administrative decisions on the immigration status of their family members;

(d) Ensure that administrative sanctions for irregular entry or stay are proportionate and reasonable and are determined on an individual basis;

(e) Resolve cases of administrative omission or error without affecting the migrant workers in question or their families, so that the consequences of negative, erroneous or late decisions by public officials – at any time or in any government administration – do not contravene the migrants' rights;

(f) Encourage the rehabilitation of migrants who have served their sentences for offences they have committed, so that they can rejoin their families if their children are settled in Argentina.

12. The Committee is concerned at the fact that some of the federal and provincial laws that have been passed violate the Convention and restrict the rights of migrant workers and their families, as has happened in the Provinces of Chubut, Jujuy and Misiones.

13. The Committee requests the State party to revise any local legislative frameworks that do not comply with international instruments and urges it to take decisive steps to resume the implementation of Act No. 25871 and to develop all necessary regulations for the implementation and application of the Act at all levels of government. It also requests the State party to take account of the provisions of the Convention in negotiating bilateral agreements, such as the one currently being discussed with the Plurinational State of Bolivia.

14. The Committee is concerned that the definition of “migrant worker” contained in the State party’s legislation does not include self-employed persons unless they come from a State member of the Southern Common Market (MERCOSUR), whereas most workers in the country’s informal sector are African.

15. The Committee recommends that the State party take immediate measures to ensure that its legislation is in full compliance with the Convention, and in particular with article 2 (h) on self-employed workers.

Articles 76–77

16. The Committee reiterates its previous recommendation (CMW/C/ARG/CO/1, para. 10) and urges the State party to make the declarations provided for in articles 76 and 77 of the Convention and to take the necessary domestic measures to enable it to make those declarations as soon as possible.

Ratification of relevant instruments

17. The Committee reiterates its previous recommendation (CMW/C/ARG/CO/1, para. 12) and recommends that the State party ratify, as soon as possible, the ILO Migration for Employment Convention (Revised), 1949 (No. 97), and the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143). The Committee also recommends that the State party ratify the ILO Violence and Harassment Convention, 2019 (No. 190).

Coordination

18. The Committee takes note of the establishment by the National Migration Directorate of a special office for inter-agency coordination and human rights protection. The Committee is nevertheless concerned that the gender and human rights perspective is not integrated into the work of the Directorate and that there is no entity with a mandate or

the authority to coordinate, at all levels of government, the implementation of the rights protected by the Convention.

19. The Committee recommends that the State party create an appropriate high-level interministerial body with a clear mandate and sufficient authority to coordinate all activities relating to the implementation of the Convention.

Data collection

20. The Committee takes note of the creation of an online residence permit application platform (Radex) and of the information provided in the annexes to the State party's report on the number of applications for temporary and permanent residence permits. However, it is concerned at the technical barriers to the platform's use and finds that there is a lack of disaggregated statistics on the rights set forth in the Convention.

21. The Committee reiterates its previous recommendation (CMW/C/ARG/CO/1, para. 14) that the State party establish, in accordance with target 17.18 of the Sustainable Development Goals, a system to collect data on the situation of migrant workers in the State party and to provide publicly available statistics on both documented and undocumented migrant workers, migrant workers in transit and nationals working abroad. In addition, the Committee recommends that, in this automated procedure, the State party provide support, in migration offices, to those who do not have access to the technological means to submit an application for residence and that it increase its collaboration with the consulates of migrants' countries of origin.

Independent monitoring

22. The Committee is concerned that the Chief Public Defender's Office is unable to discharge its mandate to promote the rights of migrant workers. The Committee is also concerned at the suspension of legal assistance from public defenders in migration proceedings and particularly in cases of expulsion of migrants. The Committee takes a very serious view of the lack of independent legal representation of Argentine children in particular, and of minors of other nationalities, who are affected by the forced expulsion of their parents or guardians.

23. The Committee recommends that the State party:

(a) Facilitate the work of the Chief Public Defender's Office in effectively promoting and protecting the rights of migrant workers and members of their families in accordance with the Convention, in particular with regard to the handling of migrant workers' complaints, and in providing timely help in administrative proceedings relating to migration;

(b) Provide the Chief Public Defender's Office with the means to comply with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

(c) Assign, with no exceptions, independent defenders to children of migrant workers whose parents or guardians are involved in administrative or judicial proceedings that will affect the children's situation, so that the defenders can see to it that their rights are respected at all stages of the proceedings.

Training on and dissemination of information about the Convention

24. The Committee is concerned at the insufficient training on the Convention provided in the various bodies of the executive branch and the lack of awareness of the Convention among the judiciary, federal government authorities, law enforcement authorities and officials in social services such as health and education. The Committee is also concerned at the lack of dissemination of the Convention among migrant workers settled in Argentina.

25. The Committee reiterates its recommendation that the State party strengthen and expand education and training programmes on the content of the Convention with a view to ultimately institutionalizing them, and that such training be given to all

public officials and other persons working in areas related to migration, including private companies that provide work for migrants. It also recommends that the State party ensure that migrant workers have access to information about their rights under the Convention and that it work with universities, civil society organizations and the media to disseminate information on the Convention and promote its implementation.

Participation of civil society

26. The Committee is concerned at the low level of participation of non-governmental organizations (NGOs) in the preparation of the State party's periodic report, and at the limited dialogue and coordination on the decisions and regulations affecting migrant workers and their families.

27. **The Committee recommends that the State party:**

(a) **Strengthen its dialogue with civil society organizations, in particular when preparing the national report;**

(b) **Create forums for dialogue on the implementation of migration regulations in order to obtain feedback from NGOs;**

(c) **Provide civil society organizations working with migrant workers and members of their families with the means to effectively participate in following up on the recommendations contained in the present concluding observations.**

2. General principles (arts. 7 and 83)

Non-discrimination

28. The Committee takes note of the work done by the National Institute to Combat Discrimination, Xenophobia and Racism, including its awareness-raising campaigns on the rights of persons of African descent, indigenous peoples and migrant workers. The Committee is concerned, however, about the persistent messages linking migrants with crime and insecurity, both from the authorities and from the media.

29. **In accordance with article 7, the Committee urges the State party to:**

(a) **Take immediate steps to ensure that all migrant workers and members of their families enjoy the rights provided for in the Convention without discrimination;**

(b) **Strengthen public policies and programmes aimed at preventing and eradicating xenophobia at all levels of the State (national, provincial and local), and in particular in the education and health services and the police;**

(c) **Take measures to eliminate discriminatory stereotyping of migrant workers and members of their families and to punish those who make xenophobic statements that undermine or impair migrants' dignity, whether in political discourse, messages from the authorities, or media content;**

(d) **Take account of the recommendations made by the Office of the Ombudsperson for Audiovisual Communication Services with regard to the responsible [journalistic] treatment of migration and the rights of migrants, with a view to incorporating them into public policies, laws and practices of State authorities and to promoting their implementation by the media and the education system in the State party.**

Right to an effective remedy

30. The Committee is deeply concerned at the discriminatory aspects of Decree No. 70/2017 and its rollback of rights, in particular with regard to due process, access to justice, the right to equal treatment and freedom of movement. The Committee is seriously concerned at the summary "fast-track" procedure created under the Decree for persons in respect of whom an expulsion order has been issued, which leaves them unable to defend

themselves and ascribes purely administrative status to decisions on residence and expulsion that affect the lives and rights of migrant workers and their families.

31. The Committee recommends that the State party:

- (a) **Repeal all measures implementing Decree No. 70/2017, whose provisions are clearly contrary to those of the Convention;**
- (b) **Establish a procedure to ensure that in all cases, including enforceable rulings and deportation order proceedings resulting from the application of Decree No. 70/2017, the following principles apply:**
 - (i) **The migrant worker's family is identified;**
 - (ii) **The migrant's roots in and ties with Argentina are recognized;**
 - (iii) **The migrant is assigned a public defender;**
 - (iv) **Any minor children of the migrant are guaranteed an independent defender;**
 - (v) **A proportionality test is applied in administrative sanction proceedings and in appeals for judicial review of their outcome;**
 - (vi) **Each case is considered from a rights perspective by duly qualified judges with knowledge of the Convention;**
 - (vii) **An option to regularize immigration status is systematically offered in order to avoid further pressure or double jeopardy in cases where an expulsion order is revoked;**
 - (viii) **The migrant worker's family unity is protected if, once the migrant's case is settled, he or she is required to leave the State party. It is essential that the State party take responsibility for the well-being of any Argentine minors who would be expelled to the country of origin along with their migrant parents;**
- (c) **Ensure that the evaluation of the best interests of the child is carried out by independent, impartial professionals specializing in the rights of children and adolescents, preferably from agencies belonging to the comprehensive child protection system and with no ties to the migration authority; and ensure that minors enjoy the right to be heard in immigration proceedings involving their migrant parents;**
- (d) **Apply these principles in a fair and orderly procedure that can be used in any cases where the State party finds that it must request the departure of a migrant worker based in its territory;**
- (e) **Incorporate into its national legislation the content of joint general comments Nos. 3 and 4 of the Committee and Nos. 22 and 23 of the Committee on the Rights of the Child.**

3. Human rights of all migrant workers and members of their families (arts. 8–35)

Protection from violence, physical injury, threats and intimidation

32. The Committee takes note of the adoption of the first National Action Plan for the Prevention and Eradication of Violence against Women and for Assistance to Victims, 2017–2019. It is nevertheless concerned at reports that groups of migrant workers, such as street vendors (“*manteros*”), especially those from Senegal or Haiti, textile workers, women engaged in prostitution and lesbian, gay, bisexual or transgender migrant workers, are subjected to violence and harassment by the police. The Committee is also concerned at the use of punitive measures against migrants who are informal vendors and at the lack of options for regularizing their immigration status; they are also subjected to abuse by the authorities because they do not have immigration documents.

33. The Committee recommends that the State party step up its efforts to prevent violence against vulnerable groups of migrants, that it protect them from crime and

that it investigate, prosecute and punish perpetrators, including anyone acting as an accomplice of State officials.

Border management and migrants in transit

34. The Committee takes note of the information that the State party has strengthened its capacity to manage migration in border areas, notably by improving infrastructure, technology and equipment. However, the Committee is concerned that many migrant workers are still unaware of the requirement to obtain evidence of legal entry on coming into the State party through a recognized border post.

35. The Committee recommends, in line with the Recommended Principles and Guidelines on Human Rights at International Borders, of the Office of the United Nations High Commissioner for Human Rights (OHCHR), that the State party:

(a) **Conduct awareness-raising campaigns and capacity-building for border personnel to ensure that all migrant workers seeking to enter the State party through accredited border posts are informed of the requirement to obtain proof or a record of admission, in order to subsequently be able to apply for a residence/settlement permit;**

(b) **Comply with its human rights obligations at all border crossings, including the right to due process for all migrants regardless of their status.**

Labour exploitation and other forms of ill-treatment

36. The Committee takes note of the information that the National Migration Directorate conducts labour inspections in order to prevent or detect situations of exploitation or abuse of foreigners by employers or by housing services. However, the Committee is concerned at the information that migrant workers, in particular those in an irregular situation, continue to be subjected to forced labour, abuse and exploitation. The Committee is particularly concerned that textile workers, many of whom come from the Plurinational State of Bolivia, are employed with no written contract, work long hours and in many cases live with their children in the workplace.

37. In light of the Committee's general comment No. 2, the Committee recommends that the State party:

(a) **Ensure that regular inspections are made by trained labour inspectors in order to encourage reporting to the labour authorities of cases of abuse and exploitation by employers, though this should not provide grounds for sanctions against anyone in an irregular immigration situation;**

(b) **Effectively investigate cases of abuse and exploitation; prosecute and punish them appropriately and provide adequate reparation to the victims and their families;**

(c) **Ensure that migrant workers' contracts in the various sectors and at the various skill levels are standardized, specifying job description, wage and labour conditions;**

(d) **Step up information campaigns targeting migrant workers so as to prevent and combat abuse and exploitation in the workplace.**

Pay and conditions of work

38. The Committee notes with appreciation the adoption of Act No. 26844 establishing a system of special employment contracts for persons employed in private homes. However, the Committee is concerned at reports of continuing widespread informal employment in the private domestic work sector and of a lack of awareness of their rights and obligations on the part of migrant workers in this sector.

39. In the light of its general comment No. 1 (2011) on migrant domestic workers, and in accordance with target 8.8 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Ensure that migrant domestic workers have explicit, written terms of employment, in a language they can understand, outlining their specific duties, hours, remuneration, days of rest, and other conditions of work, in contracts that are free, fair and fully consented to;**

(b) **Disseminate information on immigration procedures and the necessary documentation and on the rights of migrants upon arrival and in transit, together with information on access to complaint mechanisms and other resources available to migrants under the Convention.**

Freedom to join trade unions and participate in their meetings

40. The Committee is concerned to note that article 18 of the Trade Unions Act (No. 23551) provides that at least 75 per cent of the executive and representative positions in trade unions must be occupied by Argentine citizens and that the holder of the most senior position and his or her alternate must be Argentine citizens.

41. **The Committee recommends that the State party take all necessary measures, including legislative amendments, to ensure that all migrant workers have the right to form and join the executive bodies of trade unions for the promotion and protection of their economic, social, cultural and other interests, in accordance with article 40 of the Convention and with the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87).**

Medical care

42. The Committee takes note of the information provided by the State party to the effect that all residents of Argentina are entitled to use its free public health-care system. The Committee is nonetheless concerned about reports that migrants in an irregular situation have persistent problems in gaining access to health-care services and that some hospitals have reported migrants in an irregular situation to the immigration authorities and have refused to provide them with appropriate health care.

43. **The Committee recommends that, in accordance with articles 28 and 30 of the Convention, the State party take specific measures to ensure that all migrant workers and members of their families have access to the country's health-care system. The Committee also recommends that the State party establish a mechanism to ensure that personal information provided by migrants upon registration with health-care and other social services is not used against them for the purpose of discriminating against or reporting them or as a basis for persecuting them on grounds of their nationality of origin or their irregular immigration status.**

Education

44. The Committee takes note of the information indicating that education is a right to which all migrants have access, regardless of their immigration status. It is concerned, however, at reports that the children of migrant workers are sometimes discriminated against with regard to access to education. The Committee is also concerned about the fact that bureaucratic obstacles to the recognition of academic qualifications continue to limit the access of migrant workers and their families to education and the labour market.

45. **In accordance with joint general comments Nos. 3 and 4 of the Committee and Nos. 22 and 23 of the Committee on the Rights of the Child, and with article 30 of the Convention, the Committee recommends that the State party:**

(a) **Take specific, effective measures to ensure that the children of migrant workers have access to education, regardless of their parents' immigration status;**

(b) **Establish suitable procedures for ensuring that the education system facilitates the inclusion of children and adolescents, including the recognition of prior educational attainment and the provision of appropriate remedial assistance for migrant students;**

(c) **Promote capacity-building in child and adolescent protection services at the national, provincial and municipal levels with a view to the coordination of service and protection policies and programmes.**

Transfer of earnings and savings upon termination of stay

46. The Committee notes the information that nationals of the States members of MERCOSUR have the right to transfer their personal earnings and savings freely to their country of origin. However, it is concerned about the lack of a comprehensive policy on the transfer of remittances by nationals of other States.

47. **The Committee encourages the State party to adopt, in accordance with the Convention, measures to facilitate the transfer of earnings and savings by all migrant workers to their countries of origin, specifying the relevant fees.**

4. Other rights of migrant workers and members of their families who are documented or in a regular situation (arts. 36–56)

Social security

48. The Committee takes note of the information provided by the State party indicating that there is currently a legislative proposal to give migrants and non-migrants equal access to income transfer programmes. The Committee is nonetheless concerned to note that migrant workers continue to have difficulty in accessing the social security system, particularly with regard to non-contributory social benefits that require long periods of legal residence, such as disability pensions, for which at least 20 years' legal residence is required, meaning that all children with disabilities whose parents are migrant workers are excluded.

49. **Reiterating its previous recommendation (CMW/C/ARG/CO/1, para. 30), the Committee recommends that the State party take immediate steps to review the required length of residence for the payment of non-contributory social benefits to migrants, with a view to ensuring that the laws are compatible with the Convention.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

Trafficking in persons

50. The Committee welcomes the adoption of Act No. 26842 on the prevention and punishment of trafficking in persons and on assistance to victims, and the creation of the national rescue and support programme for victims of trafficking offences. It nevertheless remains concerned about the small number of sentences imposed for trafficking in persons, particularly trafficking for purposes of sexual exploitation. The Committee is also concerned about reports that officials or public servants have been complicit in trafficking offences.

51. **In accordance with the Convention and the OHCHR Recommended Principles and Guidelines on Human Rights and Human Trafficking, the Committee recommends that the State party:**

(a) **Ensure that all offences of trafficking in persons, in particular those related to sexual exploitation and those in which public officials are complicit, are promptly, effectively and impartially investigated, tried and punished;**

(b) **Provide training to law enforcement officials, judges, prosecutors, labour inspectors, teachers, health workers and staff of the State party's embassies and consulates on dealing with trafficking cases in a gender- and child-sensitive manner, and widely disseminate information on trafficking in persons and assistance to victims;**

(c) **Allocate sufficient resources in each province for the provision of psychological, legal and medical assistance to victims, in addition to shelters or specialized care centres for child, adolescent and women victims of trafficking in persons.**

Measures to address migrant workers in an irregular situation

52. The Committee welcomes the measures taken by the State party to regularize the situation of migrants from Senegal, the Dominican Republic, Haiti and other countries and the measures taken to facilitate immigration procedures for Venezuelan nationals. However, the Committee is concerned to note that some processes for facilitating regularization have been suspended, while others have long waiting periods. It is also concerned about the cost of immigration services, which has made them less accessible to low-income migrant families and to persons who have been forced to migrate and are travelling without resources.

53. **In accordance with the Convention and the OHCHR Recommended Principles and Guidelines on Human Rights at International Borders, the Committee recommends that the State party draw up programmes aimed at regularizing the situation of migrants or leading to long-term solutions such as permanent residence, with specific measures for migrant women in an irregular situation, and that it facilitate access to such programmes. The Committee also recommends that the State party take steps to reduce registration fees and processing times. It further urges the State party to ensure that the positive measures taken for the admission of Venezuelan migrants are also applied, on an equal and equitable basis, to persons of other nationalities who have also been forced to migrate to Argentina.**

6. Dissemination and follow-up

54. **In accordance with article 84, the Committee requests the State party to include, in its third periodic report, detailed information on the measures taken to implement the recommendations made in the present concluding observations, including their transmission to government officials, members of Congress, the judiciary and local authorities.**

55. **The Committee suggests that the State party set up a platform for monitoring and following up on the implementation of human rights treaty body recommendations, in particular those of the Committee, in coordination with the competent bodies and civil society, and for periodically assessing their implementation with the support of United Nations agencies, public human rights bodies and state and local governments.**

Follow-up to concluding observations

56. **The Committee requests the State party to provide, by 1 October 2020, written information on the implementation of the recommendations contained in paragraphs 11, 31 and 33 above.**

Next periodic report

57. **The Committee requests the State party to submit its next periodic report by 1 October 2024 and to include information on the follow-up given to the present concluding observations and the results achieved. The Committee draws the State party's attention to its harmonized treaty-specific guidelines (HRI/GEN.2/Rev.6).**