



International Convention for the Protection of All Persons from Enforced Disappearance

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Summary record of the 425th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 21 March 2023, at 3 p.m.

Chair: Mr. López Ortega

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Mr. López Ortega took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports of States parties to the Convention *(continued)*

Additional information submitted by Argentina under article 29 (4) of the Convention (CED/C/ARG/AI/1)

1. *At the invitation of the Chair, the delegation of Argentina joined the meeting.*
2. **Ms. Kletzel** (Argentina) said that the year 2023 marked 40 years of uninterrupted democracy in her country. The current Government, which had taken power in December 2019, was committed to improving the quality of the services provided by State institutions and guaranteeing the full enjoyment of human rights. It had embraced the country's tradition of cooperating fully with international and regional human rights bodies. In that spirit, the National Secretariat for Human Rights had submitted additional information to the Committee highlighting the measures taken by Argentina to implement the Convention and the ongoing challenges that the country was facing. Twenty-four government departments had contributed to the report.
3. The Convention had been incorporated into the national legal system in 2010 and, as an international instrument, its provisions already took precedence over national law. It was hoped that the new parliamentary bill on granting constitutional status to the Convention would soon be adopted. Under the Civil and Commercial Code of 2015, civil actions arising from crimes against humanity were not subject to any statute of limitations; a law extending that exemption to acts that had taken place prior to the new Code's entry into force had been adopted in November 2020. Moreover, in response to concerns raised by the Committee, a new protocol for the transfer of persons deprived of their liberty within the Federal Prison Service had been adopted in February 2021. The National Congress was also considering a comprehensive bill on combating institutional violence, including enforced disappearance. Elsewhere, the National Secretariat for Human Rights and the National Committee for the Prevention of Torture were working to operationalize local torture prevention mechanisms in provinces where such mechanisms were not yet in place.
4. Considerable progress had been made in bringing to justice those responsible for serious human rights violations committed during the civil-military dictatorship. As at 5 December 2022, 643 cases were ongoing and 3,640 people had been investigated in that connection. A total of 1,117 of those people had already been convicted of crimes against humanity, while 168 people had been acquitted. In December 2020, the National Secretariat for Human Rights had launched the Strategic Plan for the Advancement of Trials for Crimes Against Humanity with the aim of expediting such trials, strengthening investigations and providing greater support to victims. The Secretariat was also an institutional plaintiff in 270 criminal cases throughout Argentina and, in December 2019, had re-established the Special Unit for the Investigation of Crimes against Humanity Committed for Economic Gain, which gathered information on corporate responsibility in such crimes.
5. In the Napalpí massacre truth trial of 2022, the judge had declared the crimes committed by the police who, in 1924, in the Province of Chaco, had killed hundreds of Indigenous protesters and disappeared their bodies, to be proven and had ordered reparation measures and the Argentine Forensic Anthropology Team to continue to search for and exhume mass graves.
6. Since the restoration of democracy in Argentina, the Argentine Forensic Anthropology Team had succeeded in identifying disappeared persons through genetic and/or anthropological processes with the help of documentation retained by different State entities and in corroborating the identity of deceased persons whose remains had been handed over to their families during the dictatorship. Elsewhere, the National Commission for the Right to an Identity coordinated the search for the children of disappeared detainees and persons born during their mothers' captivity. In December 2022, two more people who had been stolen as children during the dictatorship had been able to recover their true identity. To date, 132 stolen children had been identified thanks to the search efforts of the Association of Grandmothers of the Plaza de Mayo.

7. As for the investigation of cases of persons who had disappeared since the return to democracy, the National Secretariat for Human Rights had made the eradication of institutional violence by law enforcement officials one of its key priorities. It had modified and strengthened the staffing structure of the National Directorate of Policies to Combat Institutional Violence, which offered various complaints channels for persons who had suffered violence at the hands of members of the security forces or public officials. Furthermore, the Ministry for Women, Gender and Diversity continued to contribute to investigations into cases involving the disappearance of women and LGBTI+ persons in the context of gender-based violence; in 2022, the Federal Search System for Disappeared and Missing Persons had devised a protocol for searching for such persons.

8. In December 2022, as part of the State's efforts to improve its procedures for searching for persons who had disappeared since the return to democracy, the National Secretariat for Human Rights and the Argentine Forensic Anthropology Team had started work on a comprehensive review of the system for identifying deceased persons whose identity was unknown and how that system was used in searches for disappeared persons. The initiative had recently been presented at a plenary meeting of the Federal Human Rights Council, where it had been endorsed by all the country's provinces.

9. Steps were also being taken to improve data collection. Those steps included the drafting of a bill on the establishment of a federal agency to search for disappeared persons, with a mandate to coordinate information on such persons and persons whose identity was unknown and to conduct search activities with or without a court order; the establishment of a national register of disappeared persons and persons whose identity was unknown; and the creation of a national forensic data bank, all with due regard for the Committee's Guiding Principles for the Search for Disappeared Persons (CED/C/7). Another relevant development had been the publication of the report of the National Secretariat for Human Rights on the search for Iván Eladio Torres Millacura. In addition to presenting an analysis of the legal proceedings, the report was intended to contribute to the development of a comprehensive search plan for the individual and to a greater understanding of the shortcomings of the current search system and of how it could be improved.

10. With regard to efforts to guarantee full reparation for victims of enforced disappearance, the current Government had taken specific measures to ensure that victims received the outstanding compensation payments owed to them under the country's reparation laws and to broaden the eligibility criteria for that compensation. The new bill on combating institutional violence also provided for the payment of financial compensation to the relatives of disappeared persons, without the need to resort to judicial proceedings.

11. The State likewise continued to grant non-monetary reparations to victims of State terrorism and serious human rights violations in the form of support and assistance. The National Memory Archive continued to play a leading role in preserving historical memory and truth, and the National Secretariat for Human Rights continued to make reparation by installing signs in remembrance of victims of State terrorism and institutional violence and designating new places of remembrance. Moreover, the Navy School of Engineering Place of Remembrance Museum had been nominated by the Government as a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site.

12. **Ms. Villa Quintana** (Country Rapporteur) said that it would be useful to know the reasons why the bill on granting constitutional status to the Convention had still not been adopted and to learn more about how the Convention was currently applied in the absence of such status. In particular, she wished to receive confirmation that its provisions were directly applicable in the State party's national legal system and that they were applied without limitation or exception throughout the country. The Committee would also welcome an update on the status of the bill on the establishment of a federal agency to search for disappeared persons. Confirmation as to whether all relevant stakeholders had been consulted during the process of drafting that bill would be much appreciated. Furthermore, it would be helpful to know when the planned reform of the Criminal Code might take place and whether the new Code would still incorporate all the elements listed in paragraphs 6 to 9 of the additional information submitted by the State party.

13. While the adoption of the new protocol for the transfer of persons deprived of their liberty within the Federal Prison Service was a welcome development, she understood it to apply only to transfers of convicted prisoners. She therefore wished to know whether the State party had adopted any legislative or administrative measures concerning the transfer of persons held in pretrial detention from one detention centre to another. It would be useful to know which authority was responsible for those persons and what procedures were in place to ensure that their lawyers and relatives were duly informed of their whereabouts. The delegation might also describe the measures taken to prevent unlawful transfers and, in the event of such transfers taking place, the penalties imposed on those responsible.

14. Lastly, the Committee would appreciate an update on the status of the bill aimed at increasing the number of federal judgeships and some indication of its expected impact on the handling of cases of enforced disappearance once adopted.

15. **Mr. Albán-Alencastro** (Country Rapporteur) said that the Committee would be interested to hear more about the measures taken since December 2013 to investigate acts of enforced disappearance committed since the fall of the civil-military dictatorship, to search for the disappeared persons concerned and to bring those responsible to justice. Information on the material, financial and human resources allocated for those purposes would also be appreciated.

16. He would also like to know what steps had been taken to reform the State party's police forces and what measures had been taken since December 2013 to combat institutional violence and to ensure that any such acts committed by members of the security forces, including offences of enforced disappearance, were duly investigated and that those responsible were prosecuted and punished. Any further information that the delegation could provide on the effectiveness of those reforms and measures would be welcome. Furthermore, the Committee would like to receive information on the activities of the Office of the Ombudsman for Institutional Violence, including any measures taken in response to suspected cases of enforced disappearance brought to its attention.

17. The delegation might provide an overview of the measures taken since December 2013 to ensure that all recent cases of enforced disappearance were investigated in a prompt, thorough, impartial and efficient manner and that those investigations were initiated ex officio and ran until the facts had been established and the situation of the disappeared person had been clarified.

18. He would also welcome information on any measures taken to improve coordination between the federal and provincial bodies involved in investigating cases of enforced disappearance and searching for disappeared persons in order to ensure uniform application of the Convention across the national territory. It would be useful to know whether staff were provided with in-service training and whether those bodies had sufficient resources to carry out their work.

19. The delegation might elaborate on the specific measures taken since December 2013 to prevent persons suspected of having committed or participated in an offence of enforced disappearance, and the State entity in question, from influencing the course of the related investigation and search. Details of investigations opened into recent cases of enforced disappearance and of searches launched in that connection, as well as any action yet to be taken and the estimated timeline for completion, would also be appreciated.

20. He wondered whether the measures taken by the State party since 2013 had helped to reduce the incidence of enforced disappearance and to clarify past and present-day cases. In view of the importance attached to the matter in the State party, he would be curious to know what had been done since December 2013 to remove the factual and legal obstacles to combating impunity for past crimes, in particular enforced disappearance. Clarification of the rationale for granting prison benefits, such as house arrest, for persons charged with or convicted of crimes against humanity, as well as information on any measures taken to expedite trials to prevent potential "biological impunity", would also be welcome. What stage had been reached in the proceedings brought against the non-State actors who had been involved in acts of enforced disappearance perpetrated during the military dictatorship, including the wrongful removal of children?

21. **Ms. Villa Quintana** said that it would be helpful to know whether the institutional framework created to address past crimes, especially enforced disappearance, was or could be used to deal with acts of enforced disappearance that had occurred after the return to democracy.

22. She would appreciate additional information on the progress made in searching for persons forcibly disappeared during the military dictatorship, and on the measures taken in that connection. It would be useful to know whether there was a register of victims yet to be found and to learn about any scientific measures taken to help to search for, recover and identify human remains. She would be curious to learn whether there was a central genetic or forensic database to facilitate the identification of such remains. The delegation might also indicate whether there was a central register of persons who had been disappeared since the return to democracy and, if so, specify the type of information it included and the categories of persons granted access to that data.

23. Additional information on the procedure for activating the Federal Search System for Disappeared and Missing Persons, and clarification on whether a court order was necessary to do so, would be appreciated. The Committee would be grateful to receive more information on how the searches initiated following the activation of the Federal Search System were conducted, as well as on the impact of the State party's federal structure on the investigation of cases of enforced disappearance that had occurred since the return to democracy and on the search for and forensic identification of the persons concerned.

The meeting was suspended at 3.45 p.m. and resumed at 4.10 p.m.

24. **Ms. Kletzel** (Argentina) said that, just like all international treaties ratified by Argentina, the Convention formed part of the domestic legal system and could be invoked directly in provincial and federal court proceedings; by virtue of article 75 (22) of the Constitution, it took precedence over domestic law. The Constitution contained specific provisions on enforced disappearance and the Inter-American Convention on Forced Disappearance of Persons, which dealt with the same subject matter, had constitutional rank. Although the bill on granting constitutional rank to the Convention had not yet garnered consensus, efforts would continue in that direction.

25. The establishment of a federal agency to search for disappeared persons and to address, inter alia, acts of enforced disappearance that had occurred since the return to democracy would require a concerted effort by government institutions, experts and civil society organizations with extensive experience in the field.

26. Although the proposed reform of the Criminal Code, which would cover a wide range of issues in addition to enforced disappearance, had not yet attracted political consensus, Argentina had always stood against the application of statutory limitations to crimes against humanity. Successive attempts to invoke such limitations or the defence of due obedience to sidestep criminal responsibility for such acts had consistently failed. The country had reached a critical juncture: for the first time since the Due Obedience Act and the Full Stop Act had been repealed, the number of convictions secured was greater than the number of sets of proceedings pending.

27. By virtue of Act No. 26200, the crimes listed in the Rome Statute of the International Criminal Court had been incorporated, by reference, into domestic law. No reform of the Criminal Code was therefore needed to that end.

28. **A representative of Argentina** said that the new protocol for the transfer of persons deprived of their liberty within the Federal Prison Service, which had been in effect for two years, had been prepared on the basis of the judgment of the Inter-American Court of Human Rights in *López et al. v. Argentina* and guidance provided by the Office of the Undersecretary for Prison Affairs. The protocol established the criteria that must be met for transfers of inmates to be carried out and the circumstances in which they must not take place. Such transfers were subject to a reasoned administrative decision; an assessment of the proportionality, necessity and appropriateness of the measure; the defence counsel and the persons designated by the inmate being notified 72 hours in advance; and appropriate judicial oversight. Express reference was made to the possibility of suspending the transfer by order of a judge. If the transfer went ahead, measures were taken to mitigate any negative

repercussions on the rights of the detainee and of his or her family. The protocol was applicable to the transfer of all detainees, irrespective of whether they had already been convicted. The very purpose of the protocol was to reduce the likelihood of unlawful transfers.

29. **Ms. Kletzer** (Argentina) said that the bill aimed at increasing the number of federal judgeships had been approved by the Senate.

30. **A representative of Argentina** said that efforts to develop and consolidate public policies relating to the search for and identification of disappeared persons had culminated in the establishment of the Federal Search System for Disappeared and Missing Persons within the Ministry of Security. That exercise had been informed by the country's experiences of investigating acts of enforced disappearance committed under military rule and inspired by the Committee's Guiding Principles for the Search for Disappeared Persons. Recalling the main institutional and legislative developments that had led to the establishment of the Federal Search System in 2016, he said that, although legislation establishing a national register of missing and disappeared minors had been adopted as early as 2005, a policy on the investigation of cases of enforced disappearance since the return to democracy, including relevant instructions for the police and security forces, had only been designed in 2011. The establishment of the Federal Search System had been accompanied by the creation of a federal system of police communications, which facilitated the reporting of missing and disappeared persons and cooperation in that endeavour at the provincial and federal levels.

31. The Federal Search System for Disappeared and Missing Persons, which was staffed by a multidisciplinary team, also liaised with State institutions involved in forensic identification. In the context of a project implemented within the National Secretariat for Human Rights, a workplan had been developed for the identification of detainees who had been disappeared during the period of State terrorism. The workplan provided for, inter alia, the establishment of a database on those cases. To date, the project had facilitated the identification of 1,521 persons, including 991 who had been reported disappeared. In 2015, the scope of the project had been extended to include cases of persons who had disappeared since the return to democracy; 3,683 persons, 205 of whom had been sought, had been identified to date.

32. A child abduction alert system, "Alerta Sofía", had likewise been introduced. The Ministry of Justice and Human Rights cooperated with the Ministry for Women, Gender and Diversity and the Ministry of Security in dealing with cases involving women or LGBTI+ or other vulnerable persons who had disappeared in the context of gender-based violence. The system was part of the National Action Plan for Combating Gender-Based Violence.

33. The Federal Search System for Disappeared and Missing Persons was likewise responsible for coordinating efforts to search for and identify persons who had been reported disappeared. To that end, it established cooperation mechanisms, promoted and facilitated the exchange of information and delivered training together with national and international partners. A series of protocols had been developed for the police: a protocol for searching for persons reported missing or disappeared; a protocol for communicating findings; a protocol for handling cases involving children and adolescents found alive; a protocol for receiving complaints; and a protocol for fingerprinting persons whose identity was unknown. The Federal Search System had built up a network of partnerships with federal and provincial authorities and police forces involved in the search for persons reported disappeared; specialized units had been created within the police and State institutions in several provinces.

34. The Federal Search System for Disappeared and Missing Persons normally operated on the basis of a court order, but it could also act *ex officio* when it received a report of a disappearance through the federal system of police communications.

35. Argentine institutions, such as the Argentine Forensic Anthropology Team, also contributed to global efforts to search for and identify disappeared persons by participating in initiatives undertaken by the International Criminal Police Organization (INTERPOL) and the South American Common Market (MERCOSUR), among others.

36. The comprehensive bill on combating institutional violence included a chapter on enforced disappearance; it would be subject to broad consultations and would incorporate key elements of the Guiding Principles for the Search for Disappeared Persons. The bill provided for the creation of, inter alia, a national register of disappeared persons and a forensic database. A specific budget would be allocated for the bill's implementation.

37. **Ms. Kletzel** (Argentina) said that one of the main challenges addressed by the review being conducted by the National Secretariat for Human Rights and the Argentine Forensic Anthropology Team was the cross-jurisdictional nature of the system for identifying deceased persons whose identity was unknown and the ways in which the competent federal and provincial entities interacted in that endeavour. The overall aim was to develop a policy and measures for implementation at the regional level, with the participation of relevant local actors.

38. **A representative of Argentina** said that, although the comprehensive bill on combating institutional violence had yet to be adopted, a number of policies and measures to combat that phenomenon were already being implemented. The Complaints Centre of the National Secretariat for Human Rights, which was staffed by civilian personnel, handled complaints of institutional violence, including those involving enforced disappearance. A protocol for dealing with complaints of that nature – emphasizing the need for empathy and avoiding revictimization – had been put in place. All complaints received by the Centre were registered and categorized; an operator was assigned; psychosocial support was made available, including through the Dr. Fernando Ulloa Assistance Centre for Victims of Human Rights Violations; and appropriate legal advice was provided, taking into account the circumstances of the complainant, including whether they were a direct or indirect victim. The National Secretariat for Human Rights lodged the corresponding complaint with the prosecutor's office on the complainant's behalf.

39. To help prevent impunity, the National Secretariat for Human Rights notified the relevant authority of any allegation received concerning institutional violence or enforced disappearance in their jurisdiction; monitored the progress of cases; ensured that members of the force to which an accused police officer belonged were not involved in the investigation; and made recommendations on the application of international standards. It also had the power to bring habeas corpus or *amparo* proceedings, submit amicus curiae briefs and, in emblematic cases, act as plaintiff, which it had done in a recent case of institutional violence, in the Province of Tucumán, in which 14 police officers had been indicted.

40. **Ms. Kletzel** (Argentina) said that the Strategic Plan for the Advancement of Trials for Crimes Against Humanity had been drafted taking into account input from civil society and legal counsel representing complainants in such trials. Its strategic lines of action included strengthening investigation and evidence-gathering in cases involving crimes against humanity, improving support for victims and witnesses, reducing duplication of effort, and enhancing coordination between investigative teams and the Public Prosecution Service. Important advances had also been made through the work of the Special Unit for the Investigation of Crimes against Humanity Committed for Economic Gain, which had contributed to resolving a number of landmark cases concerning corporate responsibility and complicity in State terrorism. In one such case, two former executives of a multinational car manufacturer and a former military officer had been convicted of crimes against humanity and sentenced to between 10 and 15 years' imprisonment. The case was currently pending the final decision of the Supreme Court.

41. Regarding the wrongful removal of children during the military dictatorship, numerous cases were being pursued against State actors, including doctors and midwives, who had been directly involved in the systematic removal of those children. To date, 132 persons, who as babies or children had been wrongfully removed during the period of State terrorism, had recovered their identities. The Government was making every effort to pursue those responsible for such crimes.

42. **Ms. Villa Quintana** said that she wished to know what specific measures were taken to remedy the unlawful transfer of persons deprived of their liberty. She would also welcome further information on the cases of the 1,117 persons who had been convicted of crimes

against humanity and, in particular, a breakdown of how many of those cases had involved enforced disappearances.

43. She would like to know how the Dr. Fernando Ulloa Assistance Centre, which was located in the Autonomous City of Buenos Aires, provided assistance, including psychosocial support, to victims of human rights violations in democratic contexts in other provinces, and to learn more about the reparation benefits that had been granted to victims in cases of enforced disappearance or State terrorism under the various reparation laws in force in the State party. Similarly, she would welcome specific information on: the compensation that had been awarded under Act No. 25914, which granted benefits to persons who had been born during their mother's deprivation of liberty or persons who, despite being minors, had been detained with their parents; the ex gratia pensions that had been paid to former political prisoners pursuant to Act No. 26913; the reparations that had been granted to victims of enforced disappearance to date; and the types of assistance that had been provided to victims of human rights violations in democratic contexts. In addition, the delegation might comment on reports of widespread delays in the payment of compensation and describe any steps that had been taken to streamline related administrative procedures. Lastly, it had come to the attention of the Committee that the post of Ombudsman of the Nation had been vacant since 2009. She wondered what action was being taken to fill that post without further delay so that the Office of the Ombudsman of the Nation could fulfil its mandate in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

44. **Mr. Albán-Alencastro** said that he wished to know whether a reparations policy for victims of acts of enforced disappearance committed since the return to democracy had been devised and implemented by the State party and, if so, what types of non-monetary forms of reparation were envisaged in accordance with article 24 (5) of the Convention. He wondered what support was provided by the Government to ensure that victims of enforced disappearance had effective access to and could participate in investigation, search, identification and reparation processes, taking into account the Committee's Guiding Principles for the Search for Disappeared Persons.

45. He would like to know whether the State party had adopted or might consider adopting a comprehensive policy on the prevention of enforced disappearances; what topics were covered during training sessions for officials who were involved in the investigation of enforced disappearances and the search for disappeared persons; and what specific measures were in place to ensure that searches for disappeared persons were launched with immediate effect. Information received by the Committee suggested that some provincial authorities waited 48 hours before beginning to search for persons reported disappeared. Lastly, it was his understanding that the Federal Search System for Disappeared and Missing Persons could be activated informally through the federal system of police communications. In the event that police officers were alleged to have been involved in an enforced disappearance, it would be useful to know what safeguards were in place to ensure that the Federal Search System could be activated without having to wait for a court order or to go through the police system.

46. **Ms. Lochbihler** said that the Committee was often asked to provide training to States parties on the concepts of memorialization and justice as they pertained to enforced disappearance. In past training, the Committee had referred to a documentary entitled *The Mothers of the Plaza de Mayo*, which concerned efforts to find disappeared persons in Argentina. In the light of the history of Argentina and its experience of developing policies to promote memory, truth and justice, she wondered whether the State party might be able to make any recommendations or share any good practices in that regard.

The meeting was suspended at 5.10 p.m. and resumed at 5.20 p.m.

47. **A representative of Argentina** said that the Complaints Centre of the National Secretariat for Human Rights handled all complaints of institutional violence, including complaints concerning the unlawful transfer of persons deprived of their liberty, and initiated the processes that he had described previously, such as lodging a criminal complaint with the prosecutor's office and conducting follow-up.

48. **Ms. Kletzel** (Argentina) said that the unit for the prosecution of crimes against humanity was taking steps to disaggregate the data contained in its register of judgments to

indicate whether the accused had been convicted or acquitted of each charge brought against them and to identify each victim of the offences concerned. It was hoped that the National Secretariat for Human Rights would be able to draw on that example to identify those cases in which the accused had been convicted of the crimes of enforced disappearance or unlawful deprivation of liberty and produce disaggregated statistical data accordingly.

49. The Government had taken steps to streamline the administrative procedure for the payment of the compensation and pensions provided for in the country's various reparation laws and had increased the budget earmarked for such payments. With the support of the postal service of Argentina, a large-scale digitalization exercise had been carried out in 2021 and 2022 with a view to accelerating the processing of payments and making related case files easier to locate and consult.

50. As at January 2023, 6,062 reparation benefits had been granted to victims under Act No. 24411 regulating compensation for successors or heirs of persons who had been subjected to enforced disappearance or of persons who had died as a result of State terrorism, and another 662 benefits were being processed. However, the real number of victims was much higher. Of the 132 applications for benefits submitted under Act No. 25914 by persons who had been born during their mother's deprivation of liberty or, though minors, had been detained with their parents, 98 applications had been processed and 95 had been allowed. Act No. 25914 also provided for the possibility of receiving additional compensation in cases where physical or psychological injuries had been sustained during detention or after a person had been given a new identity. Most of the 73 applications for additional compensation submitted had been granted.

51. **A representative of Argentina** said that Act No. 25914 addressed the situation of children who had been detained along with their parents, born in captivity in clandestine detention centres or legal institutions or given a new identity and who were not covered by reparation laws adopted prior to 2004. The figures provided by the delegation referred only to disappeared persons whose identities had been restored; the number of persons to whom that law applied was much higher. Applications for reparation could be submitted free-of-charge by any individual at any Argentine consulate.

52. Act No. 26564 expanded the benefits scheme provided for under Act No. 24043 and Act No. 24411 to include persons who had been detained, disappeared or killed by State or non-State actors between 1955 and 1983. Under Act No. 26913, which established a system of reparation for persons who had been detained on political grounds at any time before 10 December 1983, individuals who could prove that they already met the criteria established in Act No. 24043 and Act No. 25914 were automatically eligible to receive a monthly, non-means-tested pension paid from the federal pension and retirement fund. Prior to the Act's adoption in 2013, provincial pension authorities had paid monthly, non-contributory pensions to individuals who had already proven their status as victims under the country's reparation laws.

53. **A representative of Argentina** said that, although its headquarters was located in the Autonomous City of Buenos Aires, the Dr. Fernando Ulloa Assistance Centre for Victims of Human Rights Violations was able to support individuals across Argentina through its network of provincial representatives. Depending on the needs, preferences and location of the individual, the Centre could provide assistance in person, by telephone or via videoconferencing software.

54. **Ms. Kletzel** (Argentina) said that, where possible, the Dr. Fernando Ulloa Assistance Centre for Victims of Human Rights Violations coordinated with local partners to provide in-person support to victims on request.

55. Act No. 27452 established a compensation scheme for persons under 21 years of age and persons with disabilities of any age whose parents had been victims of homicide or violence, including gender-based or domestic violence. Under the scheme, beneficiaries were entitled to a monthly pension of an amount equal to a minimum retirement pension and the increments provided for in Act No. 26417. Act No. 27452 had been invoked in cases where the mother of an applicant for the monthly pension had disappeared and was presumed to have died in the context of gender-based violence.

56. **A representative of Argentina** said that, over the previous two years, the National Secretariat for Human Rights had been routinely putting up information boards and memorials at sites where institutional violence had occurred. The information boards featured photographs of the victims and a description of the event to remind the public of the human impact of terrorism, enforced disappearance and killings perpetrated by State actors. Each information board was unveiled in a public ceremony attended by national, provincial and municipal government officials as well as victims' friends and relatives, who typically paid a personal tribute to the victim. Those ceremonies were an important part of the reparation process and served as a deterrent for potential future offenders.

57. The comprehensive bill on combating institutional violence, which was currently before the Chamber of Deputies, envisaged the establishment of multiple centres for receiving complaints of institutional violence throughout Argentina and would oblige the courts to provide information to those complaints centres. The bill also contained provisions on psychosocial support and compensation for victims and laid down various protocols to be followed by the police, including regarding the use of force during public protests. Furthermore, it would grant citizens the right to record video evidence of institutional violence and submit the footage to a complaints centre without hindrance by members of the security forces. Lodging a complaint with a civilian entity would help to prevent the delays that occasionally occurred as a consequence of irregularities in the police complaints process.

58. The Government was taking steps to implement the judgments handed down by the Inter-American Court of Human Rights in *Bulacio v. Argentina* and in *Fernández Prieto and Tumbeiro v. Argentina*, which had called on the Government to adopt regulations to prevent police and security forces from arbitrarily detaining citizens not caught in the act of committing an offence. Since many cases of enforced disappearance began as cases of illegal or arbitrary detention, the drafting of regulations would help to prevent that phenomenon.

59. **Ms. Kletzel** (Argentina) said that the Government was also working to give effect to the recommendation relating to the need to ensure that all persons detained in the national territory were immediately placed under judicial supervision contained in the Committee's previous concluding observations (CED/C/ARG/CO/1, para. 25).

60. **A representative of Argentina** said that there were no regulations that stated that 48 hours needed to have passed before a search for a disappeared person could begin. Resolution No. 118-E/2018 laid down five protocols designed to facilitate the implementation of the Federal Search System for Disappeared and Missing Persons; information on those protocols had already been provided. Reports of missing or disappeared persons could also be submitted anonymously to the Federal Search System via the "Línea 134" hotline. Despite the best efforts of the Federal Search System, searches for disappeared persons often started belatedly. Under the bill on the establishment of a federal agency to search for disappeared persons, the Federal Search System would be able to initiate a search without having to obtain a court order or police report.

61. The Federal Search System for Disappeared and Missing Persons provided training both domestically and internationally. The training dispensed included an overview of the current situation regarding searches for disappeared persons in Argentina and the regulatory and operational measures taken in that connection, and covered specifically the development of protocols, guidance and programmes; the deployment of resources and the carrying out of strategies and activities; specialist measures such as the use of dog units; and the functioning of provincial search systems. Training sessions were attended by representatives of the judiciary, the Public Prosecution Service, government ministries, social communicators and civil society organizations. Relatives of victims of enforced disappearance were likewise invited to participate in the sessions. A training session scheduled to take place in May 2023 would focus on reinforcing good practices in the search for disappeared persons by explaining how to correct existing shortcomings.

62. **Ms. Kletzel** (Argentina) said that the Government had been considering how it could make the best use of recent scientific developments to respond to the challenges it was facing in addressing enforced disappearance. For example, following the development of an "index of grandpaternity", an initiative spearheaded by the Association of Grandmothers of the Plaza de Mayo, 132 individuals had been identified as the children of disappeared persons. In

addition, the National Secretariat for Human Rights had used Laser Identification and Ranging technology to search for clandestine burial sites in locations including the Campo de Mayo military base, which was to become a memorial site. By leveraging that technology, the Government was seeking to clarify the fate of some of the victims of the dictatorship.

63. The Government stood ready to work with the Committee to determine the best way to share its experience, including the crucial work done by victims and their relatives, with other States parties to the Convention in order to support their efforts to combat enforced disappearance.

64. The position of Ombudsman of the Nation was currently vacant because the commission responsible for appointing an individual to the role had not yet achieved the required political consensus to do so. However, the Office of the Ombudsman of the Nation continued to fulfil its mandate to assist persons whose human rights had been violated.

65. Her Government was proud of the policies it had adopted to address enforced disappearance, which could not have been developed without the support of victims and their families. Lessons learned from the country's history were being applied in the development of domestic policies on crimes against humanity. Nevertheless, her Government shared the Committee's concerns regarding the issues raised during the dialogue, especially in relation to delays in judicial proceedings, which could prevent victims from seeing justice served in their lifetimes. The dialogue with the Committee would bolster the Government's efforts to address the challenges ahead in continued cooperation with civil society actors.

66. **The Chair**, thanking the delegation for its participation in what had been a fruitful and constructive dialogue, said that the State party and the Committee were working towards the common objective of ensuring the full implementation of the Convention. The State party could count on the Committee's continued support in that regard.

The meeting rose at 6 p.m.