



Convention on the Rights of the Child

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Committee on the Rights of the Child Ninety-seventh session

Summary record of the 2828th meeting*

Held at the Palais Wilson, Geneva, on Monday, 2 September 2024, at 3 p.m.

Chair: Ms. Skelton

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Seventh periodic report of Argentina

* No summary record was issued for the 2827th meeting.

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

Consideration of reports of States parties (*continued*)

Seventh periodic report of Argentina ([CRC/C/ARG/7](#); [CRC/C/ARG/QPR/7](#))

1. *At the invitation of the Chair, the delegation of Argentina joined the meeting via video link.*

2. **A representative of Argentina**, introducing his country's seventh periodic report ([CRC/C/ARG/7](#)), said that, following the ratification of the Convention by Argentina in 1990, the Government had incorporated it into the Constitution, giving it the highest possible constitutional rank. The Convention, the three optional protocols to it, and the Committee's general comments and concluding observations were used as references in developing public policies aimed at children and adolescents. In 2005, following the adoption of the Act for the Comprehensive Protection of the Rights of Children and Adolescents (Act No. 26.061), the Convention had been incorporated into national law, enhancing the protection afforded to children's rights.

3. **Ms. Ayoubi Idrissi** (Coordinator, Country Task Force) said that she wished to know what measures would be taken to ensure that all the provinces adopted a general policy on the protection of children, in line with Act No. 26.061. She would be grateful for information on the status of the bill on childcare and parental leave that had been submitted to Congress on 1 May 2022. It would be useful to know whether the implementation of the National Plan of Action for the Rights of Children and Adolescents 2016–2019 had been evaluated and, if so, whether civil society, including children, had participated in the evaluation. It would also be useful to learn whether a new action plan had been developed and adopted.

4. She would welcome information on the mechanisms in place to facilitate coordination between the federal and the provincial levels of government. It would be helpful to know which department was responsible for coordinating all policies related to early childhood, including those concerning health, nutrition, education, health care, protection and social inclusion, and whether the Office of the Under-Secretary for Family Policy had sufficient resources to act as a coordinating mechanism for the child protection system at the national level and within the Federal Council.

5. She would be grateful to know the budget allocated to promoting and protecting children's rights and the proportion of the State budget allocated to implementing social policies. She would welcome information on any measures being taken to reduce disparities between the provinces in the amount of funding allocated to ensuring children's rights. Information on the participation of children aged 16 years or over in drawing up municipal budgets would also be welcome. It would be useful to hear about any measures being taken to prevent a reduction in the budget allocated to policies and programmes for children and adolescents.

6. With regard to data collection, it would be interesting to know how the State party would obtain more comprehensive information on persons belonging to vulnerable communities, including Indigenous Peoples, persons with disabilities and persons living in rural areas. She would welcome details of any steps being taken to ensure the establishment of an independent mechanism for monitoring the implementation of the Convention in each of the 24 jurisdictions. What was being done to ensure that all children had access to justice and were fully aware that they had a right to justice, including the right to legal representation?

7. She wondered to what extent the first national action plan on business and human rights took account of children's rights, and what measures had been taken to attain the goals established in the plan. She wished to know who was responsible for coordinating the measures taken to implement the national action plan and what resources would be allocated to its implementation. The delegation might describe any legislative measures taken to require companies to adopt due diligence mechanisms in the area of human rights and to take account of the differential impact of businesses on the rights of children and adolescents.

8. She would welcome information on any measures being taken to protect children against violence and to monitor the implementation of the Optional Protocol on the sale of

children, child prostitution and child pornography. Given that corporal punishment was still widely used by parents against children, she wondered what was being done to implement the “Buenos tratos” (good treatment) programme on positive parenting. It would be helpful to have further information on any measures taken to implement the National Action Plan for Combating Gender-Based Violence 2022–2024 and on the strengths and weaknesses of the various programmes implemented to combat violence, including the compensation programme established under Act No. 27.452, commonly known as “the Brisa Law”.

9. It would be interesting to learn more about the steps taken to implement the protocol governing the conduct of the federal police and security forces in their interactions with children and adolescents. She was curious to know how the authorities responded to reports that law enforcement officers had violated the rights of children and adolescents. Furthermore, she wished to know what was being done to prevent and respond to sexual violence, to provide redress to victims and to ensure that they were rehabilitated rather than being re-victimized.

10. She would be grateful to learn whether any action was being taken to address the fact that three quarters of children with disabilities were educated in separate classes, that such children often failed to receive adequate educational assistance, and that the Single Disability Certificate, which granted access to certain rights and benefits, was not available to children in certain regions, particularly in rural and remote areas. Lastly, she would be interested to hear about any steps being taken to develop and implement a human rights approach to disability, rather than a medical approach.

11. **Ms. Otani** (Country Task Force) said that it would be useful to have information on the impact of the decisions to shut down the National Institute to Combat Discrimination, Xenophobia and Racism and the Ministry of Women, Gender and Diversity. In particular, she wondered what impact those decisions would have on children, whether the level of discrimination faced by children had been assessed, and whether any plans were in place to address the resulting institutional gaps. She wished to know whether children had access to any mechanism for filing a complaint if they experienced discrimination or if a law or government policy had a discriminatory effect on them. The delegation might explain how the National Discrimination Map helped to prevent and eradicate discrimination against children and how legislation intended to eliminate discrimination, such as Act No. 26.892 of 2015, was implemented in all provinces. She would welcome information on the status of ratification of the Inter-American Convention against All Forms of Discrimination and Intolerance.

12. She would be interested to learn about any awareness-raising activities being organized to combat discriminatory attitudes towards Indigenous children, children with disabilities, children belonging to minority ethnic groups, children from migrant backgrounds and lesbian, gay, bisexual, transexual and intersex children. It was unclear whether inclusive language had been prohibited and, if so, whether the prohibition was established in law, what the scope of the prohibition was and why it had been implemented. It would be useful to know whether any plans were in place to assess the impact of the prohibition.

13. She would appreciate information on any efforts being made to identify the causes behind the disproportionately high infant mortality rate among Indigenous communities and to address those causes.

14. It would be helpful to know whether the existing mechanisms for promoting children’s participation guaranteed the rights of the child to be heard. In particular, it would be useful to learn how Act No. 26.877 on student councils was implemented in all provinces; whether the Government had assessed the extent of children’s participation in decision-making processes at the federal and provincial levels; and whether children’s right to be heard in all judicial and administrative proceedings affecting them was actually being implemented.

15. **Ms. Kiladze** (Country Task Force) said that she wished to know what was being done to enhance access to birth registration, particularly for children living in remote and rural areas, and whether the State party would consider ratifying the Convention on the Reduction of Statelessness. She would appreciate information on any measures being taken to guarantee children’s right to freedom of expression, freedom of association and peaceful assembly. It

would be useful to learn whether, in certain circumstances, children could be prohibited from participating in protests under the Protocol for the Maintenance of Public Order in the Event of Road Closures and, if so, what was the justification for that prohibition. She would welcome the delegation's comments on the results of a recent survey indicating that 7 out of 10 of the young persons surveyed were afraid of the police, while almost half of them had experienced or witnessed violent interventions by the police during protests.

16. She wondered how the State party enhanced access to digital technology for children from disadvantaged groups, including those living in rural and remote areas, and how it increased the digital literacy of children, parents, teachers and the general public. She wished to know how the Government protected children from harmful content in online and offline media, and how it implemented Act No. 26.522 on audiovisual communication services. It would be helpful to know whether media professionals received training in the rights of the child. Given that the closure of the national news agency Télam was likely to have an adverse effect on the availability of news referring to children and adolescents, she would be interested to hear about any plans being made to ensure access to reliable information across the country. What was the Government doing to ensure that the development and use of artificial intelligence did not adversely affect children's rights?

17. She would like to know whether any awareness-raising campaigns were conducted to promote the equal sharing of childcare duties between mothers and fathers, and whether any plans were in place to extend paternity leave to the level of maternity leave. She wondered whether the State party might consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, the Protocol on the Law Applicable to Maintenance Obligations, and the Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children.

18. The delegation might confirm reports that 88 per cent of children and adolescents separated from their families were placed in residential settings, while only 12 per cent were placed in a family setting. She would be interested to learn about the proportion of separated children who were reunited with their families and the measures being taken to strengthen reunification programmes and deinstitutionalize children living in care institutions. She would also welcome further information on the criteria used to determine whether to place children in alternative care; the standards applicable to alternative care settings; the mechanisms used to monitor such settings; the remedies available to children in care whose rights were violated; and the training provided to professionals working with children in alternative care settings.

19. She wondered whether sufficient resources were allocated to alternative care services and adoption programmes, what the main problems facing adoption programmes were, and how the Government intended to overcome them. It would be useful to know whether the Government planned to ratify the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, and what was being done to protect the rights of children whose parents were incarcerated.

The meeting was suspended at 3.35 p.m. and resumed at 3.40 p.m.

20. **A representative of Argentina** said that public policy was designed to ensure that a comprehensive approach was taken to the protection of children's rights. The Ministry of Human Capital was responsible for developing and implementing policies on children, adolescents and families, including in the areas of education, labour and social benefits, facilitating the coordination of all social policies for the benefit of children throughout the country. Within the Ministry of Human Capital, the National Secretariat for Children, Young Persons and the Family was responsible for coordinating policy and implementing Act No. 26.061 and the Convention. Within the Secretariat, the Office of the Under-Secretary for Family Policy was responsible for specific policies for the protection of rights.

21. In 2023, the National Secretariat for Children, Young Persons and the Family had had a budget of just under 16 billion pesos (Arg\$), while in 2024 it had a budget of Arg\$ 50 billion. In United States dollar (US\$) terms, the budget had increased from around US\$ 19 million to \$51 million. The National Secretariat had more responsibilities than it had

previously had, to be sure, but in any event setting aside funds to develop and implement policies for the benefit of children, young people and families was a public priority.

22. A primary focus of the current Government was on early childhood development. It was working, for example, to increase the monthly subsidy per child given to organizations providing early childhood care from the level of Arg\$ 3,000 (around US\$ 3) at which it had been frozen since June 2022. Work was under way, too, to secure additional funding for policies for child development and nutrition.

23. The Federal Council for Children, Adolescents and the Family coordinated policy development and implementation. Its rules of procedure provided for the establishment of thematic subsidiary bodies, including a policy-design body in which young people themselves could participate. Adolescents were also represented on the advisory boards established in every province. It was the Government's duty to provide young people with the support they needed to participate in policy and planning matters and ensure that their participation contributed to their comprehensive development.

24. **A representative of Argentina** said that, in 2022, after falling by around half over the previous twenty years, Argentina had had an infant mortality rate of 8.4 deaths per 1,000 live births. Neonatal deaths accounted for between 70 to 75 per cent of infant deaths. A plan to lower neonatal mortality was in place and, with the support of the United Nations Children's Fund (UNICEF), the authorities were strengthening the network of safe maternity units and providing additional training to all relevant health workers. Women and girls were vaccinated late in pregnancy to protect them and their children from respiratory syncytial virus infection. Premature babies with congenital heart defects were also vaccinated against the virus.

25. Action was likewise being taken to reduce infant mortality in Indigenous communities. Training and support were provided to more than 800 Indigenous health workers active in 11 jurisdictions. The providers of secondary care, too, were given the training that would help them to attend respectfully to Indigenous patients and explain the need for intensive care.

26. **A representative of Argentina**, noting that the Convention on the Rights of Persons with Disabilities had had the force of law in Argentina since 2012, said that the Education Secretariat was working on new plans for the educational inclusion of children with disabilities. Although education was an area where decision-making had been delegated to the provinces, the Federal Education Council played a countrywide coordinating role, and the Education Secretariat had a focal point for the promotion of inclusion. A thorough survey of the children with disabilities attending the country's schools, the results of which were expected by late 2025, would provide the authorities with information that would enable them to take personalized, targeted action to help students with disabilities and their schools.

27. **A representative of Argentina** said that both the universal child allowance and the universal pregnancy allowance had doubled in real terms between December 2023 and September 2024. It was estimated that public spending on those two allowances would account for nearly 0.5 per cent of gross national product in 2024, up from 0.36 per cent in 2023. The amount of another benefit, annual school assistance, had also increased considerably, including in real terms, over the previous nine months. The amounts of the three benefits were indexed to inflation. Allowances distributed specifically to help ensure that young children had milk and enough to eat had likewise increased in real terms.

28. **A representative of Argentina** said that a centralized national registration system developed with the support of UNICEF contained information on the emergency and protective measures taken for children throughout the country. Those data, which could be broken down by geographical area and theme and combined with information from other sectors, such as education and employment, made it possible to provide targeted assistance.

29. Steps were being taken to facilitate adoption and increase the number of prospective adoptive parents. Efforts were likewise being made, including by encouraging the involvement of extended or foster families, to remove children from institutional care homes. An agreement on the transfer or reassignment of benefit entitlements made it easier for the members of the extended family of a child taken into care to integrate him or her into their

home. A number of handbooks had been produced to help ensure that children placed in care homes could exercise their rights.

30. Corporal punishment was prohibited by law. Act No. 27.709, adopted to combat domestic violence against children and adolescents, provided for the development of a training plan on the rights of children and adolescents. The provinces were developing protocols for responding to violence against children and adolescents, while the national Government was working to make reporting mechanisms, such as the hotline 102, more readily accessible. Public officials were required by law to report any case of violence against children or adolescents that they became aware of, and any local rights protection office could receive such reports. Specific response protocols were in place in schools and hospitals.

31. National identity cards were issued at birth. An executive committee, convened under the aegis of the Ministry of Security, was drawing up an inter-agency plan combat trafficking in persons and restore the rights of any children and adolescents who fell victim to it.

32. **Mr. Pedernera Reyna**, noting that 7.1 million children in Argentina lived in poverty, said that he wondered what emergency measures the State party was taking to keep its children from going to bed hungry at night. He also wondered how, in view of the recent dissolution of the relevant special investigation unit, the State party intended to find the children who, during the dictatorship, had been taken from parents who had later been subjected to enforced disappearance. Were there also plans to dismantle the Office of the Children's Ombudsman?

33. **Ms. Ayoubi Idrissi**, speaking in follow-up to questions she had asked earlier, said that she wished to know what was being done to prevent early marriage and improve the intersectoral coordination of steps taken to combat sexual abuse. She also wished to know whether the Criminal Code had been amended to define the sale of children as it was defined in the Optional Protocol on the sale of children, child prostitution and child pornography.

34. **Ms. Kiladze** said that she would like to know what had been done to ensure that all children, including those living in remote and rural areas, had access to health services and received vaccinations. Details of any measures adopted in the area of child mental health would be welcome, as would information on any suicide prevention services, the availability of high-quality psychology and psychiatry services, and the steps taken to tackle gambling and drug and alcohol use among children. Did the State party have laws and services in place to support intersex children?

35. It would be helpful to learn whether the Government had conducted an evaluation of the activities organized to promote adolescent health, and what it planned to do to ensure that sufficient human and financial resources would be earmarked for the delivery of such activities. The delegation might wish to clarify whether children received age-appropriate reproductive health information, and whether the care provided for under Act No. 27.610 on the legal termination of pregnancy was delivered to girls under 18 in an age-appropriate manner. She wished to hear whether measures had been taken to prevent adolescent deaths from external causes and, if so, whether they had led to a tangible decrease in such deaths.

36. The Committee would like to know what had been done to tackle food insecurity and child malnutrition, in particular among Indigenous children and those belonging to other vulnerable groups. She wondered whether steps were taken to guarantee that State-provided food was of a high quality and whether efforts were being made to reduce childhood obesity rates. It would be useful to receive information on the measures adopted to promote breastfeeding and penalize companies that failed to comply with the International Code of Marketing of Breast-milk Substitutes.

37. She wished to know what steps the State party intended to take to address the challenges related to living standards. It would be interesting to hear whether the delegation considered that the increase in child allowances would lead to a significant decline in child poverty and whether such allowances would rise further in 2025. With regard to access to housing, sanitation, water, education and health services, the Committee had received information that around 42 per cent of children and adolescents lacked access to at least one of those basic amenities. It had also been reported that 30 per cent of children were classed as poor in both monetary and non-monetary terms, while 68 per cent were deemed to be poor

in one of those dimensions. The delegation might wish to comment on whether it considered those figures to be correct and, if so, what measures would be taken to tackle those challenges and ensure that all children enjoyed an adequate standard of living.

38. **Ms. Otani** said that she wished to know whether the State party intended to assess the impact of the Minimum Climate Change Adaptation and Mitigation Budgets Act on children's enjoyment of the right to a clean, healthy and sustainable environment. It would be interesting to hear whether children had access to mechanisms that would provide them with effective remedies for violations of their environmental rights. She would welcome information on any laws, policies and infrastructure in place to ensure that all children, including those belonging to Indigenous communities, had access to safe water and sanitation. The delegation was invited to explain whether environmental education programmes were run in all schools and at all education levels, and whether teachers were provided with the necessary training and up-to-date teaching materials. It would be particularly useful to learn whether children were taught about the link between environmental issues and their rights and were given the chance to develop their ability to engage in environmental policy discussions and decision-making.

39. The Committee would be grateful for information on any measures, taken or envisaged, to address challenges related to school attendance, underachievement and dropout and to ensure equal access to quality education in all provinces. She would like to know whether the State party had taken steps to support children, such as those from Indigenous, migrant or economically disadvantaged families, who might face additional obstacles at school. It would be useful to know whether a policy was in place to phase out the practice of teaching children with disabilities in separate schools, and whether the State party would make it easier for such students to attend mainstream classes by recruiting specialized teachers, providing adapted educational materials and ensuring that school buildings were accessible. Details of the steps taken to tackle the reportedly high levels of school bullying and harassment would also be welcome.

40. The delegation might wish to describe any steps that would be taken to ensure that sufficient funds were earmarked for the development and expansion of early childhood education and to guarantee that it was available for all children from 3 years of age. Furthermore, she wondered whether the State party had established mechanisms for assessing the quality of that education.

41. **Ms. Correa** (Country Task Force) said that she wished to know what the current administration was doing to address the challenges faced by migrant, refugee and asylum-seeking children, in particular the fact that certain Venezuelan children had been unable to renew their temporary resident permits, the difficulties in obtaining access to organ transplants, the obstacles to legal entry, the poor definition of the roles and responsibilities of the bodies tasked with conducting interventions, and the failure by the competent authorities to take the views of children and adolescents into account. It would be helpful to learn whether children belonging to the above-mentioned groups were currently receiving the universal child allowance, and whether the State party intended to implement strategies to eradicate the prejudices and stereotypes surrounding them. She would welcome an explanation of the scope of article 11 of the Ministry of Security's Protocol for the Maintenance of Public Order in the Event of Road Closures. The delegation might also wish to describe the steps that would be taken to address the issues faced by individuals without identity documents in obtaining access to health services.

42. It would be interesting to hear about the structure of the Indigenous Children's Area of the Indigenous Rights Directorate, the number of staff responsible for its operation, the expertise of those staff and their cooperation with the Federal Council for Indigenous Policies and the Ministry of Human Capital. The delegation was invited to explain why so little information on the situation of Indigenous children and adolescents was available, what issues they currently faced and what public policies were being adopted to improve their access to basic services and ensure that they were able to enjoy their rights. Information concerning children and adolescents who belonged to the Wichí community would be especially welcome. She would be grateful for details of any steps taken to tackle the eviction of Indigenous Peoples from their land, which remained a persistent practice.

43. She would like to know whether the State party planned to conduct a study on the situation of adolescent workers, and what steps the Ministry of Human Capital would take to protect such workers and eradicate child labour. Information on the labour inspection system would be appreciated. It would be useful to learn what was being done to implement the 2023–2025 road map aimed at consolidating the State party’s role as a pioneer in eradicating child labour. The delegation might wish to explain whether the State party intended to analyse the impact of the action taken under the National Plan for the Prevention and Eradication of Child Labour and the Protection of Adolescent Labour 2018–2022, whether a new plan would be drawn up and, if so, what body would be responsible for its implementation. She would be interested to hear about any strategies being adopted to ensure that the current economic crisis would not lead to a rise in child labour rates, and she wondered what the competent authorities were doing to tackle that issue at the community and family levels.

44. The Committee would be grateful for information on any efforts made by the authorities to investigate the issue of children living in street situations and to determine the level of child homelessness in general. She wished to know whether the project known as “zero children in the street” was sustainable, whether it was currently being implemented and, if so, by whom. It would be useful to learn whether children living in street situations without their families could receive criminal penalties.

45. The delegation was invited to describe the measures that would be taken to address concerns that an increasing number of children were disappearing each year. Statistics on the number of children who had disappeared would be welcome, as would information on their ages, the number who had been found and the outcome of any investigations conducted. She would appreciate an update on the status of the bill that would specifically criminalize the sale and trafficking of children, as well as details of the preventive, protective and victim support measures that would be provided for under that bill. In view of the reported closure of the special unit responsible for investigating disappearances, she wished to know what steps the State party would take to support the investigation of cases involving children who had disappeared during the last civilian-military dictatorship and could have been given a new identity.

46. It would be helpful to receive an update on the status of the bill that would lower the age of criminal responsibility and to hear about the stance of the National Secretariat for Children, Young Persons and the Family towards that bill. She would like to know more about the use of measures of deprivation of liberty, and in particular how many provinces imposed such measures on children below the age of criminal responsibility. The delegation’s clarification of the relationship between the National Secretariat’s protocol on re-education measures and the bill on that matter, which was currently before the National Congress, would be welcome. She wondered what body was responsible for monitoring cases involving adolescents who had been deprived of their liberty, and what mechanisms had been established to that end. It would also be interesting to hear about any mechanisms being developed to provide up-to-date data, disaggregated by age and sex, on children and adolescents who had been detained for alleged criminal offences. Any information on the number of minors who had been convicted of such offences and the length of the sentences they received would be welcome. She would like to know what steps had been taken to guarantee the application of the rule of specialty and to provide training to judges working within the adolescent justice system.

47. It would be helpful to learn whether the State party paid attention to the international criticism of its practices in the area of child justice, and whether the delegation considered that the current criminal and public security policies took account of the vulnerability of adolescents in conflict with the law. She would be particularly interested to hear about the relationship between such policies and those on the prevention of violence against minors. Details of the new administration’s stance towards restorative justice would be appreciated, as would information on any work carried out by the National Secretariat for Children, Young Persons and the Family and the judiciary in that area.

The meeting rose at 5 p.m.