

- ▶ regulate labour relations of domestic employees;
- ▶ penalize sexual harassment in the workplace in the private sector;
- ▶ establish a value for unremunerated work and include it in national accounts by means of satellite accounts;
- ▶ supplement sex-disaggregated statistics relating to education, employment and social security by giving: the number of teachers at the various levels of the education system; the number of students receiving grants; part-time work; the number of open-ended contracts and those of a specific duration; average pay; and, average retirement pension;
- ▶ intensify programmes designed to promote employment of women, particularly young women;
- ▶ increase measures of all types to reduce maternal mortality and morbidity;
- ▶ review legislation penalizing mothers who have abortions; and,
- ▶ strengthen programmes and services directed at rural women.

#### Torture

Signed: 4 February 1985; ratified: 24 September 1986.

Argentina's fourth periodic report is due 26 June 2000.

*Reservations and Declarations:* Declarations under articles 21 and 22.

Argentina's third periodic report (CAT/C/34/Add.5) was considered by the Committee at its November 1997 session. The report includes information on questions such as extradition, punishment for perpetrators of torture, and other legal and institutional measures related to torture. The latter includes the functions of the National Directorate for Development within the Office of the UnderSecretary for Human and Social Rights, the revised Code of Criminal Procedure (incommunicado detention, access to legal counsel, etc.), habeas corpus, individual case summaries, criminal indemnity and compensation and judicial remedies.

The Committee's concluding observations and comments (CAT/C/ARG, available only in Spanish as at 22 January 1998) welcomed, *inter alia*: the fact that international human rights treaties are recognized in the Constitution and considered to be complementary to constitutional provisions related to rights and freedoms; Argentina's ratification of the Inter-American Convention on forced disappearances and the Inter-American Convention on the elimination of violence against women; provisions in the Code of penal procedures related to the prohibition on impunity for police, the requirement that anyone detained must be brought before the competent judicial authorities not more than eight hours after arrest; limitations on the time period a person may be held incommunicado; guarantees related to access to legal counsel; and the establishment of the office of Procurator to handle issues related to the rights of prisoners and detainees, including by receiving and investigating complaints and claims, and recommending to the authorities appropriate action.

The Committee expressed concern over, *inter alia*: the fact that, despite legal provisions prohibiting torture and mistreatment, cases of torture and mistreatment continued in practice, committed by police and prison personnel; the lack

of effective cooperation between the police and judicial authorities in investigating some complaints of torture and ill-treatment; the increase in reported cases of abuse of power by the police, many of them resulting in death or serious injury; and the high percentage of arrests carried out without authorizing judicial orders.

The Committee recommended that the government take measures necessary to remedy problems in the system, as well as to ensure that there are sufficient resources to address problems such as delays in investigations of cases and complaints related to torture and ill-treatment. The Committee also recommended that the Code of penal procedures be amended to establish maximum time limits for pre-trial detention.

#### Rights of the Child

Signed: 29 June 1990; ratified: 4 December 1990.

Argentina's second periodic report was due 2 January 1998.

*Reservations and Declarations:* Article 1; paragraphs (b), (c), (d) and (e) of article 21; paragraph (f) of article 24.

### THEMATIC REPORTS

#### *Mechanisms of the Commission on Human Rights*

##### **Disappearances, Working Group on enforced or involuntary: (E/CN.4/1997/34, paras. 3, 51-60, 392)**

No new cases of disappearance were received or transmitted by the Working Group (WG). However, the WG did request the government to ensure the protection of the basic human rights of six members of a group composed of children of victims of disappearances and other violations, who were reportedly subjected to intimidation by members of the security forces.

The report notes that the vast majority of the 3,461 reported cases of disappearance in Argentina occurred between 1975 and 1978 under the military government, in the context of its campaign against left-wing guerrillas and their sympathizers. The report points out that a number of non-governmental organizations continue to address themselves to the WG with regard to their ongoing efforts to bring to light the fate of the persons who disappeared in Argentina. It notes that, in this connection, there are a number of cases before the courts about which the WG has been informed over the past several years. In 1996, the WG was advised that the time allotted for producing evidence had expired. It is alleged that the plaintiffs have been deprived of the opportunity to present evidence that was available at the beginning of the proceedings, because public documents have been removed or destroyed. Such information is said to include the entire records of the military junta and administrative documentation on specific individuals who disappeared during the military rule. An extensive collection of documents, reportedly consisting of over 10,000 pages, containing charges of disappearances of thousands of individuals and internal proceedings in that connection under the military government, have reportedly been kept by the Ministry of the Interior, which has maintained that the documents are not relevant to the subject of the proceedings. It is claimed that several high-level State officials appear *prima facie* to be involved in the systematic obstruction of judicial action in these cases and that the plaintiffs have decided to prosecute three ministers of the national executive and three magistrates in this connection.