

13 March 2013

UN Human Rights Council
22nd Session
Item 6: Universal Periodic Review

Consideration and adoption of the
outcome of the Argentina UPR

Oral Statement



Franciscans International
A voice at the United Nations



FUNDAPAZ
FUNDACION PARA
EL DESARROLLO
EN JUSTICIA Y PAZ



UCA

Centro Franciscano de Estudios y Desarrollo Regional
PONTIFICIA UNIVERSIDAD CATÓLICA ARGENTINA

Mr. President,

Franciscans International and our partners in Argentina—the Franciscan Center of Argentina; the Foundation for Development in Justice and Peace, the Ecumenical Movement for Human Rights, and the Franciscan Center for Studies and Regional Development—offer the following observations on the rights of indigenous peoples and peasant communities in Argentina’s UPR.

On the recommendations accepted regarding disadvantaged sectors, we would like to highlight the vulnerability of communities in the path of the expanding “agricultural frontier” of soy monoculture, mountaintop-removal mining, or unconventional gas and petroleum extraction. As has been widely documented, extractive activities, deforestation, transgenic soy seeds, and chemical pesticides have had devastating impacts on the rights of these communities.

We are encouraged that Argentina has accepted Peru’s recommendation regarding indigenous peoples’ rights to participation and consultation in policies that affect them. Implementation will imply guaranteeing this right in every legislative act or plan in which there is a potential impact on an indigenous community. We regret that Argentina has rejected three related recommendations, asserting that current policy efforts are adequate. The proposed reform process to unify the Civil and Commercial Codes, which the Government cites in its response, ignores the current state of law on collective rights and has not included consultation and participation. Indigenous peoples’ human rights demand adequate legal mechanisms and deserve to be regulated by a special law.

Finally, we applaud Argentina’s voluntary commitment to increase the articulation with the Provinces for the promotion and protection of human rights. In the Chaco Salteño, for example, our partners have documented severe failures by provincial authorities to enforce national law regarding deforestation, land titles, and consultation rights. Given this experience, we urge the Government to give special emphasis to promoting the provincial authorities’ capacity to guarantee the rights of indigenous peoples and peasant communities.

Our organizations renew our commitment to accompany indigenous and peasant communities and offer ourselves as facilitators and monitors of situations before local and provincial governments, as well as at the national and international level.

Thank you, Mr. President.