

**United Nations Human Rights Council**

**28th Session of the UPR Working Group**

**Geneva, 6th November 2017**

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**German recommendations**

**to**

**Argentina**

Mr. President,

Germany commends Argentina for its cooperation with international human rights institutions.

Germany recommends:

1. Ensure safe **access to legal abortions,** including for female rape victims, within the public health system in all regions. Initiate a public debate on the decriminalization of abortion.
2. Conclude the survey of the ownership of lands traditionally occupied by **indigenous communities** as foreseen in Law 26.160 in order to fully guarantee the rights of indigenous people especially territorial rights and the right to previous consultation in compliance with international treaties ratified by Argentina as well as the national constitution.
3. **Protect all detainees**, including those in police custody, from excessive use of force.
4. Guarantee freedoms of peaceful assembly and association and of opinion and expression, by inter alia ensuring that the use of police force during demonstrations is proportionate and in line with the law the provinces set up in 2011.
5. Ensure that all allegations of excessive use of force or arbitrary behavior by state officials including those that may amount to torture or ill-treatment are investigated.

Thank you.

**Advance Questions:**

1. We commend Argentina for supporting the situation of women in detention centers. However, **prisons** in Argentina are still severely overcrowded. What are the plans for improving this situation and reducing long pretrial detention? Will non-custodial alternatives to pretrial detention be part of the solution?
2. We congratulate Argentina on establishing the **National Mechanism to the Prevention of Torture**. Could Argentina elaborate on the current state of implementation, the composition of its members and when it will be ready to take action?
3. Regarding the protection of the right to privacy, what measures are taken to ensure **independent oversight, transparency and accountability of the future organisms involved**, especially concerning the Intelligence Act (Act no. 25.520), as amended by the Federal Intelligence Agency Act (Act. no. 27.126)?