**Civil society Consultation**

***Questions:***

1. ***What are the key challenges and issues of racial discrimination in your country/region today and how do you work to address them?***

We believe that one of the key issues related to racial discrimination in Argentina is the equal treatment of Indigenous People (IP) and the protection of their rights. In our shadow report to the CERD for the 2016 session, we highlighted a series of issues that represent a serious discriminating treatment to PIs: [[1]](#footnote-1)

* State’s reluctance to fulfil its obligation to protect IP’s collective land rights. Most of IPs in Argentina do not possess legal instruments acknowledging their collective property of their territories.
* Criminalization of indigenous people’s struggle to protect their rights. IP’s leaders are constantly prosecuted for defending their rights. Criminal prosecution are launched against leaders who take measures to defend their territories.
* Discrimination on the access to justice. IP leaders who both bring cases to courts to defend their rights and are brought to courts face strong obstacle to access to justice.
* Lack of decision making process open to IP’s participation. Most public policies affecting IP’s rights are not consulted with communities
* Public policies in education not driven by a intercultural perspective. The curricula, the educator training programmes and the language of public education does not reflect the multicultural component of society.
* Invisibility of cultural diversity in national census. The national census is not sensitive to cultural identify of IPs.

***2. What has been your experience, as civil society, of engaging with CERD to date?***

We submitted a shadow report in 2010 (<http://www.linkinformativo.com.ar/content/view/5190/1/>) and in 2016.

Also, we hosted Francisco Cali’s non official visit to the province of Tucuman in 2015 (<https://www.youtube.com/watch?v=HRGuEmQMwfE>)

***3. How can the CERD improve and enhance its engagement with civil society, and its work on racial discrimination for greater impact on the ground?***

We believe that international pressure exerted by international organizations on provincial governments has a strong potential to provoke public policies change. Argentina is a federal country in which provincial governments have a very strong political autonomy. However, international organizations have traditionally focused on human rights violations happening in central areas. In our country, that kind of pressure mostly restricted to national government and government of central provinces faces some structural limitations. First, central governments are more experienced in dealing with foreign relations and are used to deal with resolutions, in loco visits, recommendations and so on from international bodies. Second, the media does not necessarily addresses its attention to such events given the wide array of issues in the national public agenda.

In our experience, unlike central governments, provincial ones are more sensitive to international pressure. This is because local governments are exposed to strong scrutiny from national governments. Also, any kind of intervention from an international organization such as a resolution mentioning a provincial government provokes a very strong media repercussion. These factors empower the work of local organizations and leverage their ability to influence policy outcomes.

In that regard, we believe that the CERD would make a stronger impact if invest its effort to look at the situation in provincial territories. In this regard, we encourage the CERD not only to collect information from those territories, but also to make *in loco visits* in provincial territories. Also, the explicit mention in its reports of human rights violations occurring in provincial territories is strongly encouraged. Finally, developing bounds with provincial civil society organizations and developing sessions to train those organizations to engage with CERD would be crucial to build bridges between the international arena and the provincial territories.

1. *We will be happy to send you a draft of our report in case you consider it necessary.* [↑](#footnote-ref-1)