



City of Buenos Aires, Thursday, 12 February 2026

Committee on the Elimination of Racial Discrimination (CERD)

**Ref:** On compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) in the context of the follow-up report to the concluding observations on Argentina concerning the 24th to 26th periodic reports [117th session, April and May 2026]

Dear Members of the Committee,

We are writing to you on behalf of the African Diaspora of Argentina (DIAFAR) in relation to the follow-up report to the concluding observations on the Argentine State adopted in April 2023 regarding the implementation and compliance with the International Convention on the Elimination of All Forms of Racial Discrimination (the Convention). This submission seeks to place at your disposal the alternative report prepared by a civil society organization with ECOSOC consultative status, which outlines the setbacks, shortcomings, and omissions of the Argentine State with respect to its obligation to respect, guarantee, and give effect to the rights enshrined in the Convention.

It is important to clarify from the outset that the information included herein does not exhaust all the issues related to the implementation of the Convention in the country. The report includes suggested questions and recommendations concerning each of the issues addressed, with the intention that they be taken into account by the Committee both during the review session scheduled for the 117th session and at the time of issuing its Concluding Observations on Argentina. We remain at your disposal to provide any further information or clarification you may deem necessary.

Sincerely,

## **1. Preliminary remarks.**

DIAFAR has maintained continuous engagement with the United Nations Human Rights System for many years. We also carry out ongoing coordination work with civil society organizations throughout the country<sup>1</sup>. As a result of this interaction, we have repeatedly responded to requests for input from various mechanisms concerned with the situation of Afro-descendants in Argentina, as well as with racial discrimination more broadly. In order to avoid redundancies in our submissions, we assume that certain concepts have already been developed in previous interventions, and on this occasion we have chosen to explain our position through each of the recommendations made by CERD, beginning with the three explicitly requested: 11a, 15b, and 33 of the 2023 concluding observations.

## **2. Recommendations 11a, 15b and 33 of the 2023 concluding observations.**

With regard to recommendation 11a, although during the past year a sector of the legislative branch attempted to move forward in this regard and candidates were presented, the appointment was ultimately not finalized, and midterm elections subsequently took place. At present, there appears to be no interest on the part of the executive branch in resuming the process initiated under the previous composition of the chamber. Although the 2026 legislative session will officially reopen in March, there has been no statement from the executive branch indicating any intention to resume parliamentary debate on this matter.

Regarding recommendation 15b, it is important to note that since late 2023 the Argentine State has entered into a process of state disinvestment, massive layoffs in the public sector, and the dismantling of ministries and programs of various kinds. Specifically in relation to recommendation 15b, the State closed the National Institute against Discrimination and Racism (INADI) and no longer produces data on this issue nor maintains expert staff. Not only did it fail to develop the National Plan against Discrimination, to which it had committed, but it also shut down all programs related to racism, discrimination, and the protection of vulnerable

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<sup>1</sup>Both human rights organizations and organizations of Afro-Argentines, Indigenous peoples, and migrants. As an example of this coordination work, we may mention the event we organized on January 31, which brought together more than 20 different organizations and guests from diverse backgrounds to discuss the current challenges in the various territories of our country. See at: [Link: https://www.pagina12.com.ar/2026/02/01/festival-antirracista-y-antifascista/](https://www.pagina12.com.ar/2026/02/01/festival-antirracista-y-antifascista/)

groups. The most evident examples include the dissolution of the Ministry of Women, the closure of INADI, the dissolution of the National Commission for the Historical Recognition of the Afro-Argentine Community, and the defunding of the National Indigenous Institute. It should be clarified that following these massive layoffs and continued defunding, the State no longer produces data on discrimination, racism, or on the specific groups mentioned, thereby failing to comply with the minimum standards to which it committed under the Convention and other binding treaties of the Universal and Regional Human Rights Systems.

Finally, with regard to recommendation 33, for several months situations of distress and uncertainty have been unfolding in Argentine Patagonia. Deliberate fires and disputes over land have become matters of national concern. The State has not provided assistance to Mapuche communities and has blamed them for the fires without evidence. This situation has mobilized civil society solidarity but has not prompted State assistance. In this context, not only do unjustified evictions continue, but they are compounded by a passive policy of non-assistance. In some cases, the State carries out evictions; in others, it allows the fire to do so. Additionally, it constructs a narrative of criminalization that contributes to displacement and promotes regulations that benefit large investors to the detriment of the local population, who are forced to leave their lands.

### **3. On the positive aspects highlighted in 2023**

In its April 2023 concluding observations, CERD highlighted certain positive legislative, institutional, and policy measures adopted by the Argentine State that are worth recalling, albeit briefly. Almost all of the points emphasized have undergone changes, in some cases drastic ones.

Regarding paragraphs 3a, 3c, 3f, and 3h, both programs and both Interministerial Roundtables were dissolved. Concerning paragraph 3b, a new decree was enacted that is even more restrictive than the previous one and is generating serious problems among the migrant

population<sup>2</sup>. As anticipated above, with respect to paragraph 3d, INADI itself has been dissolved. The same applies to paragraph 3e concerning the Ministry of Women.

#### **4. On the principal subjects of concern and recommendations.**

Paragraphs 4 and 5 refer to problems within the national statistics institute (INDEC). Not only did the institution never open channels of dialogue with civil society, but in recent months there has been public concern over alleged executive interference. Although the national administration quickly denied these rumors, in early February the head of the institution resigned and suggested possible manipulation of information<sup>3</sup>.

#### **5. On the implementation of the Convention.**

With regard to paragraphs 6 and 7, it should be clarified that the State invokes deregulation, alleged modernization, and public spending cuts as justification for failing to comply with the basic commitments undertaken under the Convention. In this context, training and education of judicial personnel in human rights are not considered a priority.

#### **6. On legislative measures and ombudsperson institutions.**

Neither paragraph 8 nor paragraph 9 has been implemented. Legislative activity in this regard has been nonexistent. With respect to paragraphs 10 and 11, as noted above, no Ombudsperson has been appointed.

#### **7. On racism.**

As subsequent paragraphs of the concluding observations focus on agencies or bodies that no longer exist, such as INADI, it is unnecessary to list each omission point by point. However, it is important to highlight the increase in the use of force by security forces. In addition to the cases mentioned in our 2023 report to CERD, submitted jointly with the Center for Legal and Social Studies (CELS), the Movement of Excluded Workers (MTE), and the

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<sup>2</sup>See at: <https://www.pagina12.com.ar/2026/02/11/ineficacia-propaganda-y-racismo-el-laboratorio-migratorio-de-milei/>

<sup>3</sup>See at: <https://www.lanacion.com.ar/economia/sale-el-dato-de-la-polemica-vuelven-las-protestas-al-indec-suenan-alertas-entre-tecnicos-y-ya-hay-nid09022026/>

Argentine Commission for Refugees and Migrants (CAREF), there have been arbitrary street detentions of migrants<sup>4</sup> and documented cases of institutional violence based on racial profiling, including one that resulted in the death of a person last December<sup>5</sup>.

## **8. On institutional framework and structural compliance.**

Without statistics, with an official narrative that promotes hate speech, and with increased institutional violence, the political climate has shifted significantly since the last report, and civil society priorities have changed accordingly. For this reason, we consider it important to include the following suggested questions and recommendations.

### **8.1 Questions.**

- a) What concrete measures will the State adopt to guarantee the effective functioning of an independent national body specialized in combating racial discrimination, following the dissolution of INADI?
- b) What is the timeline for appointing the National Ombudsperson, and how will independence and mandate be ensured in accordance with the Paris Principles?
- c) Which State body currently coordinates the implementation of the Convention, and what specific budget has been allocated to it?
- d) What measures will the State adopt to ensure the systematic production of disaggregated data by ethnic-racial origin, in compliance with Article 1 of the Convention and the Committee's general recommendations?
- e) How will the technical autonomy of INDEC and civil society participation in the design of statistical instruments related to racial discrimination be ensured?
- f) Is there currently any official system for registering complaints of racial discrimination?
- g) What human rights impact assessment was conducted before dissolving programs and institutions related to racial equality, gender, and Indigenous peoples?

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<sup>4</sup>See at: <https://www.pagina12.com.ar/2026/02/11/ineficacia-propaganda-y-racismo-el-laboratorio-migratorio-de-milei/>

<sup>5</sup>See at: <https://www.pagina12.com.ar/2025/12/27/justicia-por-gabriel-gonzalez/>

- h) What specific budget allocations are earmarked in 2026 for policies against racism and racial discrimination?
- i) What urgent measures will the State adopt to prevent forced evictions of Indigenous communities in the south of the country and to guarantee the right to free, prior, and informed consultation?
- j) What independent investigations have been initiated regarding the public criminalization of Mapuche communities?
- k) What protocols exist to ensure humanitarian assistance in contexts of fires and environmental emergencies in Indigenous territories?
- l) What oversight and accountability mechanisms exist in response to allegations of racial profiling and arbitrary detention?
- m) What mandatory training do security forces currently receive on racial non-discrimination?
- n) Are there official statistics on identity checks, street detentions, and use of force disaggregated by nationality or ethnic self-identification?
- o) What measures does the State adopt to prevent and sanction racial hate speech by public officials?
- p) What current educational policies include content on Afro-descendants, Indigenous peoples, and historical memory?

## **8.2 Recommendations.**

- a) Urgently restore or create an autonomous body specialized in preventing and eradicating racial discrimination, with sufficient budget and sanctioning powers.
- b) Appoint the National Ombudsperson without delay in accordance with international standards of independence.
- c) Develop and adopt a National Plan against Discrimination with verifiable goals, public indicators, and participation of Afro-descendant, Indigenous, and migrant organizations.
- d) Ensure regular production of disaggregated statistics by ethnic-racial variables, including administrative records on institutional violence.

- e) Suspend evictions in Indigenous territories until free, prior, and informed consultation processes are ensured.
- f) Adopt strict protocols against racial profiling within security forces, including external oversight mechanisms.
- g) Implement mandatory and periodic human rights and racial non-discrimination training programs for judicial operators and security forces.
- h) Ensure that any migration-related legal reform respects the principle of equality and non-discrimination.
- i) Adopt clear public measures to discourage racial hate speech within State institutions.
- j) Ensure sufficient and progressive budgetary resources for racial equality policies, avoiding regressive measures incompatible with the Convention.

## **9. Final remarks.**

The information presented in this follow-up report demonstrates that the Argentine State is undergoing a regressive process in terms of public policies and institutional frameworks related to the prevention and eradication of racial discrimination. The dismantling of specialized bodies, the absence of data production, the failure to appoint oversight authorities, and the increase in criminalization and institutional violence create a concerning scenario in light of the obligations assumed under the International Convention on the Elimination of All Forms of Racial Discrimination.

We recall that the Convention imposes immediate and structural obligations. It is not merely a matter of refraining from discrimination, but of adopting positive, sustained measures with sufficient resources to guarantee real and effective equality. State decisions that entail institutional or budgetary setbacks must be assessed under the principle of non-regression and duly justified in accordance with international standards.

We respectfully request that CERD take into consideration the elements set forth herein when assessing the level of compliance of the Argentine State and when formulating its concluding observations, including clear, precise recommendations with verifiable timelines. From DIAFAR, we reiterate our willingness to provide further information and to continue

cooperating with this mechanism in the promotion and protection of the rights of Afro-descendant, Indigenous, and migrant persons in Argentina.



**Federico Pita**  
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