

## VOLUNTARY PRINCIPLES ON SECURITY AND HUMAN RIGHTS

### 2022 NATIONAL REPORT

#### A. COMMITMENT TO THE VOLUNTARY PRINCIPLES

In 2021, various activities, meetings and training courses related to the links between business and Human Rights were carried out with the aim of enhancing Argentina's commitment to meeting international standards that guarantee respect for Human Rights.

Adhering to the Voluntary Principles on Security and Human Rights supplements and strengthens commitments by reducing risks and conflict potential within the context of extractive industries.

The Voluntary Principles are fully in line with initiatives endorsed by our country, such as the Global Compact, launched by the United Nations Secretary-General, the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles.

Argentina thus honoured its commitment to the Voluntary Principles on Security and Human Rights Initiative, by promoting, among other actions, complementarity with other international standards it is currently implementing, especially the United Nations Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises.

#### I – NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS

The Argentine Republic, on the basis of the recommendations contained in the Human Rights Council's Periodic Universal Review, assumed the commitment to prepare a National Action Plan on Business and Human Rights (NAP) for the purpose of its re-election to the Human Rights Council, which took place on 14 October 2021.

The Directorate for Human Rights of the Ministry of Foreign Affairs, International Trade and Worship is coordinating the process to formulate such Plan.

According to the document prepared by the UN Working Group on Business and Human Rights, a NAP is defined as an *“evolving policy strategy developed by a State to*

*protect against adverse human rights impacts by business enterprises in conformity with the UN Guiding Principles on Business and Human Rights (UNGPs).”<sup>1</sup>*

NAPs require representative, broad and plural participation by multiple actors, including State agencies, civil society organizations, scholars, business organizations and workers, among others.

The lines of work and main goals of this project were launched and presented online to State agencies on 9 November and to Civil Society and relevant stakeholders on 15 November.

The Plans help to achieve greater consistency and coordination among the various regulatory and public policy frameworks in the field of business and human rights, and also contribute to the identification of obstacles and gaps, which makes it possible to set priorities and commitments for action.

Through these Plans, the different Government agencies assume political commitments to take specific actions in order to implement the standards on business and human rights and Responsible Business Conduct (RBC) provided for in the UN Guiding Principles on Business and Human Rights, the OECD Guidelines for Multinational Enterprises and the ILO’s Tripartite Declaration.

Companies and trade play a positive role as sources of wealth, jobs and greater well-being for societies. They are also actors that drive the economy of States by contributing to economic and social development, but they could have an impact on the contexts where they do business. NAPs are instruments that make it possible for States to prevent those impacts from affecting human rights.

## **B. POLICIES, PROCEDURES AND RELATED ACTIVITIES**

### **I – DISSEMINATION AND PROMOTION ACTIVITIES RELATING TO ARGENTINA’S PARTICIPATION IN THE VPI**

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<sup>1</sup> UN, Working Group on Business and Human Rights. Guide on National Action Plans on Business and Human Rights. Geneva, 2016.

At each meeting, the Director for Human Rights of the Ministry of Foreign Affairs, International Trade and Worship, and other officer/s from said Directorate, took part in the activities mentioned below, thereby reaffirming Argentina's commitment to the *Voluntary Principles on Security and Human Rights*, on the basis of respect for Human Rights and fundamental freedoms.

**i. Community of Intergovernmental Practice on Business and Human Rights in Latin America and the Caribbean:**

The meetings are held remotely on a monthly basis, and are coordinated by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in its capacity as Technical Secretariat, with the support of the Organization for Economic Co-operation and Development (OECD), the International Labour Organization (ILO), the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, and the European Union within the framework of the "Responsible Business Conduct in Latin America and the Caribbean (RBCLAC)" project.

- **Planning and coordination for the preparation of the National Action Plan (NAP).** 10 March 2021
- **Multi-stakeholder participation in the process of preparation and implementation of the NAP** (business enterprises, civil society, unions, indigenous peoples). 14 April 2021
- **Preparation of baseline studies.** 12 May 2021
- **Monitoring and follow-up on the implementation of the NAP.** 9 June 2021
- **Gender perspective for the preparation and implementation of the NAP.** 11 August 2021
- **Discussion with the Local Networks of the UN Global Compact. Participation of business enterprises and corporate responsibility to respect human rights within the framework of NAPs.** 8 September 2021.
- **Integration of SMEs into NAPs.** 10 November 2021

**- Assessment of the execution and impacts of NAPs – How to formulate indicators.**

19 January 2022

ii. Address by the Director for Human Rights in the Panel: **“Regional Experiences in Managing the Preparation of National Plans on Business and Human Rights.”** 30 September 2021.

Organized by the Institute for Human Rights and Business of the University of Monterrey and the Latin American Branch of the Global Business and Human Rights Scholars Association.

The event was organized with the support of the OHCHR, within the framework of the RBCLAC project, and featured a regional approach aimed at making contributions on the basis of government action experiences.

iii. **VI Regional Forum on Business and Human Rights. “Building the Business and Human Rights Agenda for the Next Decade.”** 4-6 October 2021.

The VI Forum was organized by the Mexico Office of the OHCHR and the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, with the support of the Organization for Economic Co-operation and Development (OECD), the International Labour Organization (ILO) and the European Union within the framework of the “Responsible Business Conduct in Latin America and the Caribbean (RBCLAC)” project.

This Forum has become a key meeting in the field of business and human rights, and one of the most important meetings on human rights across the Americas.

At the forum, the Deputy Foreign Minister, Ambassador Pablo Tettamanti, delivered an address on “State Actions to Protect Against Business-Related Human Rights Abuses in LAC” and played a part in Argentina’s active participation in the community of intergovernmental practice on business and human rights, and in leadership efforts for the development of the National Action Plan on Business and Human Rights.

Ambassador Tettamanti spoke alongside other high-ranking government representatives of the region, who referred to the remarkable progress made in the

field, as well as to the priorities in the implementation of the UN Guiding Principles on Business and Human Rights over the next decade.

#### **iv. Participation by the Argentine National Contact Point (PNCA) in related activities**

The PNCA operates within the framework of the Ministry of Foreign Affairs, International Trade and Worship and reports to the National Directorate for Multilateral Economic Negotiations.

With regard to our country's efforts to implement the Voluntary Principles, it is worth noting that the PNCA was involved in various activities related to the OECD Guidelines for Multinational Enterprises during 2021.

Within the framework of the actions taken by the head of the PNCA, emphasis is consistently placed on the close interrelationship among the principles contained in the various international instruments on corporate social responsibility and responsible business conduct, including the Voluntary Principles on Security and Human Rights.

During 2021, the PNCA participated in the following meetings, among others:

- "State-Academia Dialogue" Meeting: the employment dimension of the instruments on responsible business conduct (RBC).
- Ministerial Meeting of the OECD Regional Programme for Latin America and the Caribbean (LACRP) on Governance.
- Meeting of the Network of OECD National Contact Points for Responsible Business Conduct.
- Meeting of the PNCA Advisory Board (biannual).
- Meeting of the network of LAC National Contact Points // Third workshop on structures and advisory bodies.
- 6<sup>th</sup> Regional Forum on business and human rights for Latin America and the Caribbean.
- OECD Guidelines for Multinational Enterprises and National Contact Point – Commission on CSR and Sustainability – School of Economics, University of Buenos Aires.

#### **v. Launching of the National Action Plan on Business and Human Rights**

As stated in section A above, the lines of work and main goals of this project were launched before State agencies on 9 November, during an event presided over by the Undersecretary for Foreign Policy of the Ministry of Foreign Affairs, together with the National Director for Multinational Negotiations and the Director for Human Rights. The Plan was presented to civil society and relevant stakeholders on 15 November. Both events were held virtually.

## **II – NATIONAL IMPLEMENTATION ACTIONS**

Incorporation of the Voluntary Principles into the following actions:

- i. The Voluntary Principles will be mentioned in the upcoming Argentine Action Plan on Business and Human Rights, which is currently being prepared.
  
- ii. **During 2021, the Argentine Secretariat for Mining carried out actions related to the mainstreaming of a human rights perspective in public policy design:**
  - In the publication *“Plan Estratégico para el Desarrollo Minero Argentino - Memoria Viva de la Mesa Nacional”* [Strategic Plan on Mining in Argentina], the Voluntary Principles are expressly mentioned among the instruments for the achievement of the goals and objectives set.
  - The Voluntary Principles are included in the draft resolution on Guidelines for the Social Management of Argentine Mining.
  - As regards the joint work with the Argentine Ministry of Justice and Human Rights mentioned in the 2021 National Report,<sup>2</sup> it is worth highlighting the execution of a Framework Cooperation Agreement between the Argentine Ministry of Justice and Human Rights and the Argentine Ministry of Productive Development.

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<sup>2</sup> “Within the framework of a joint work agenda with the Argentine Ministry of Justice and Human Rights, various actions (valid during 2020/2021) were taken in relation to the institutional strengthening of provincial mining bodies aimed at preventing conflict situations that might lead to security problems.”. **Annual Report 2021**

- In 2021, the Secretariat for Mining developed a joint work agenda with the Economic Commission for Latin America and the Caribbean (ECLAC) within the framework of the entry into force of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, better known as the Escazú Agreement —the first regional environmental treaty in Latin America and the Caribbean and the first one in the world to contain specific provisions on the safety of human rights defenders in environmental matters.

**i. FEDERAL NETWORK OF WOMEN MEDIATORS WITH A GENDER PERSPECTIVE**

This Network is a cooperation forum that favours the participation of women trained in gender-sensitive mediation in conflict resolution processes and their access to decision-making positions.

Joint work with this mechanism is actively promoted, considering its significant role in the creation of favourable opportunities for conflict prevention and management through participatory dialogue.

In particular, it should be noted that the Federal Network Action Plan entails identifying specific territorial situations and anticipating responses to conflict situations at the local level. Likewise, it is worth mentioning that women who play a leading role in their communities are trained with the aim of enhancing their participation in local conflict prevention and management, thereby offering more opportunities for increased engagement in and greater support for a negotiated and sustainable agreement.

In November 2021, the First Meeting of Focal Points of the Regional Network of Women Mediators of the Southern Cone was held. The Network was launched on 26 March 2021 by the Foreign Ministers of Brazil, Chile, Paraguay, Uruguay and Argentina within the framework of the 30<sup>th</sup> anniversary of the Treaty of Asunción.

This Network is a pioneering project in Latin America and the Caribbean, which seeks to increase the visibility of the valuable work of women in preventing conflict in their communities and strengthening the social fabric.

In turn, this Network will contribute to replicating experiences in the region by sharing experiences, good practices and lessons learnt, and by organizing training activities. It will also help to promote joint actions with other regional networks of women mediators and international organizations.

In addition, this initiative represents a contribution from the countries of the Southern Cone towards achieving Sustainable Development Goal 16, which is related to the building of more just, inclusive and peaceful societies.

### **C. FUTURE CHALLENGES**

Devising the First National Action Plan on Business and Human Rights is our greatest challenge in relation to our country's commitment in this field.

The development of a National Action Plan could contribute to the creation of a partnership among stakeholders through greater coordination among the agencies involved in order to increase the efficiency of the programmes to be implemented. This should result in a more effective incorporation of the Voluntary Principles, with concrete results in practice, leading to increased human rights protection, particularly favouring vulnerable groups. It should be noted that any such Plan should be formulated following a cross-sectional and cross-sectoral approach, while avoiding silo mindsets. To this end, the different realities of vulnerable groups and/or of those historically discriminated against, as well as the goal of achieving substantive equality between men and women, must be taken into account.

For Argentina, taking on this challenge will mean reaffirming its commitment to the protection and promotion of human rights, as part of the State policy that has been pursued ever since the restoration of democracy.

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