

VOLUNTARY PRINCIPLES ON SECURITY AND HUMAN RIGHTS

2023 NATIONAL REPORT

A. COMMITMENT TO THE VOLUNTARY PRINCIPLES

In 2022, various activities, meetings and training courses related to the links between business and Human Rights continued to be carried out with the aim of enhancing Argentina's commitment to meeting international standards that guarantee respect for Human Rights and attaining the goal of preparing a National Action Plan on Business and 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, which is soon to be completed.

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).”¹

These 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.

Preparing the NAP required representative, broad and plural participation by multiple actors, including State agencies, civil society organizations, scholars, business organizations and workers, among others. These meetings were held by the Directorate, with the aid of other departments of the Ministry of Foreign Affairs, International Trade and Worship, throughout 2022.

In addition to those meetings, workshops were organized with the aim of preparing an Action Plan on Business and Human Rights and its National Baseline, which targets state-owned enterprises. OHCHR representatives and officials of the Anti-Corruption Office and the Argentine Public Defender’s Office participated in these workshops.

B. POLICIES, PROCEDURES AND RELATED ACTIVITIES

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

¹ 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. Participation in the Congress on "Business and Human Rights: Progress and Challenges in the Regulation and Implementation of the International Framework" organized by the Institute for Justice and Human Rights, together with Universidad Nacional de Lanús. 30 March 2022.

Participation in this online Congress was mainly aimed at sharing the progress made on the formulation of the National Plan on Business and Human Rights, and to exchange experiences with other countries that carried out the same activity.

ii. Participation by the Director for Human Rights at the 51st Session of the Human Rights Council. 12 September to 30 September 2022.

The session was held at the Palais des Nations in Geneva. The main aspect to be noted is the Director's participation in the interactive dialogue on **respect for indigenous peoples in the business context**.

iii. Presentation of the National Plan on Business and Human Rights before the Federal Council on Human Rights. 22 September 2022.

The Federal Council on Human Rights (CFDH) is comprised of the top national authorities of the 24 provinces and the Secretariat of Human Rights. Its main goal is to design and implement public policies on human rights throughout the country.

iv. Participation in the 11th Forum on Business and Human Rights. November 2022.

This event was aimed at promoting a key global platform for dialogue among interested parties on how to improve accountability and reparation mechanisms in connection with human rights abuses relating to business activities, speed up implementation by States and enterprises, and encourage participation by other actors, in accordance with the recommendations contained in the roadmap of the 10 Guiding Principles.

v. Participation in the 18th Session of the Roundtable of the Community for Intergovernmental Practice on Business and Human Rights in Latin America and the Caribbean: How to speed up the integration of human rights into state-owned enterprise management. 5 December 2022.

The session was convened jointly by the OHCHR, the OECD and the Human Rights Center of Universidad Diego Portales. Its main goals were discussing the opportunities and challenges facing countries and state-owned enterprises in the region in order to incorporate the human rights approach into their activities, exchanging good practices on implementation of due diligence in the field of human rights by state-owned enterprises and the role of units owning SOEs in promoting these processes, and sharing the potentialities of state and corporate governance in the incorporation of a human rights approach into the management of SOEs.

vi. 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 2022.

Within the framework of the actions taken by 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 2022, the PNCA participated in the following meetings, among others:

- Webinar: Jointly with the Argentine Chamber of Commerce and Services and ICC Argentina “**OECD Guidelines for Multinational Enterprises**”
- Meeting of the **Network of OECD National Contact Points for Responsible Business Conduct**
- Meeting of the PNCA Advisory Board (biannual)
- **7th Regional Forum on Business and Human Rights**, 13 to 15 July, Bogota, Colombia.
- OECD Guidelines for Multinational Enterprises and National Contact Point – Universidad Di Tella
- Universidad de San Pablo – Tucumán – **Workshop on Contemporary Analysis 1 and 3 of the Institute for Social, Political and Cultural Studies – Dissemination of Guidelines and NCP**, 3 and 12 de October.
- Community for Intergovernmental Practice on Business and Human Rights in Latin America and the Caribbean: “**How to guarantee respect for indigenous peoples in the business context**”.

II – NATIONAL IMPLEMENTATION ACTIONS

Incorporation of the Voluntary Principles into the following actions:

i. This initiative will be mentioned in the upcoming National Action Plan on Business and Human Rights, which is soon to be published.

ii. During 2022, the Argentine Secretariat for Energy carried out actions related to the mainstreaming of a human rights perspective in public policy design:

- In line with the obligation to carry out the environmental impact assessment, ever since the entry into force of Joint Resolution No. 3/19, the Argentine Secretariat for Energy has been working together with the Ministry of

Environment and Sustainable Development, on the assessment of the environmental impact of offshore hydrocarbon projects, and the subsequent issuance of an Environmental Impact Statement (EIS). No EIS had been issued for those projects as of the date of entry into force of the abovementioned resolution.

- In connection with the joint work carried out with the Ministry of Environment and Sustainable Development, it bears noting that there has been an exchange of information under the terms of the Escazú Agreement, as it relates to Strategic Environmental Assessments.
- The strategic line for energy transition and sustainable mobility of the 2030 National Plan on Climate Change Adaptation and Mitigation is a key element in the formulation of Argentina's national policy and the deadlines given to gas and oil producing companies, as well as in fair energy transition that does not lead to shortages and the industrial production of the country. In line with this projection, Resolution SE No. 1036/2021 was passed approving the "Guidelines for an Energy Transition Plan for 2030", which are included in the projects headed by such Secretariat. This issue is also included in all hydrocarbon project estimates.

i. FEDERAL NETWORK OF WOMEN MEDIATORS WITH A GENDER PERSPECTIVE

The Federal Network of Women Mediators with a gender perspective was created in 2018 on the initiative of the Ministry of Justice and Human Rights and the Ministry of Foreign Affairs, International Trade and Worship. It is a highly important forum as it favours participation by women trained in gender-sensitive mediation in dispute resolution processes and their access to decision-making positions. As a result, 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.

During 2022, the Directorate for Gender and Diversity Affairs of the Ministry of Foreign Affairs, International Trade and Worship set up a number of initiatives aimed at enhancing the training of the women mediators that are part of this network:

- Between 1 and 26 August 2022, the Ministry made arrangements for 11 women mediators to participate in the first Online Course on Women, Peace and Security in the Americas, organized by the Inter-American Commission of Women of the Organization of American States (CIM/OAS), with a view to providing theoretical, methodological, conceptual and practical tools for addressing, at a regional level, the agenda for women, peace and security, on the basis of the context and different realities of the countries in the Americas, including conflicts relating to environmental issues and access by local communities to strategic resources.
- On 16 August 2022, the Ministry of Justice and Human Rights, in collaboration with the Argentine Foreign Ministry, organized a training course for women mediators of the Federal Network on care and governance policies, given by UN Women.
- Finally, on Tuesday 14 November 2022, UN Women organized a training course for women mediators of the Federal Network on conflict analysis with a gender perspective, taking into account that applying this perspective to conflict analysis, follow-up and response significantly contributes to conflict prevention.

C. FUTURE CHALLENGES

Our challenge for 2023 is to continue working on the plans disseminated in the media and the Web Site of the Ministry of Foreign Affairs, International Trade and Worship.

This challenge is in line with the expected approval, in the month of May, of the First National Action Plan on Business and Human Rights, which is our main goal in relation to our country's commitment in this field.

Once the National Action Plan is approved, the next challenge will be working on its implementation. The first step will be to set up a Follow-Up Committee in charge of monitoring implementation, with a Human Rights perspective that gives priority to the principle of active, equal, non-discriminatory participation, with an interest in the creation of a multi-actor group.

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