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REPORT No. 305/22
PETITION 1256-05
REPORT ON FRIENDLY SETTLEMENT

IVANA EMILCE ROSALES
ARGENTINA

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FRIENDLY SETTLEMENT REPORT
IVANA EMILCE ROSALES
ARGENTINA
NOVEMBER 21, 2022

I. SUMMARY AND RELEVANT PROCEEDINGS OF THE FRIENDLY SETTLEMENT PROCESS

1. On November 4, 2005, the Inter-American Commission on Human Rights (hereinafter “the Commission” or the “IACHR”) received a petition filed by the Centro de Estudios Legales y Sociales (hereinafter “the petitioners” or “CELS”) alleging the international responsibility of the Republic of Argentina (hereinafter the “State,” the “Argentine State,” or “Argentina”) for the alleged violation of the human rights set forth in articles 5 (right to humane treatment), 8 (judicial guarantees), 11 (protection of honor and dignity), 24 (equal protection), and 25 (judicial protection), in relation to Article 1 (obligation to respect rights) of the American Convention on Human Rights, (hereinafter “Convention,” “American Convention,” or the “ACHR”) and Articles 4 and 7 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, (hereinafter “Convention of Belem do Pará”), to the detriment of Ivana Emilce Rosales (hereinafter the “alleged victim”).

2. On July 6, 2017, during a working meeting facilitated by the Commission, the parties decided to initiate the friendly settlement process. Additionally, the Commission facilitated five working meetings to advance the negotiations, on April 23, 2018, April 5, 2019, June 26, 2019, July 23, 2020, and June 23, 2021.

3. On September 11, 2019, the parties signed a commitment agreement with the Province of Neuquén, listing the measures of reparation object of the negotiation and of the friendly settlement agreement (hereinafter the “FSA” or the “agreement”). The agreement was later signed with the State on September 23, 2021, during the public act of acknowledgement of international responsibility held in the Autonomous City of Buenos Aires. Furthermore, on October 1, 2021, and March 10, 2022, respectively, the State and the petitioners requested approval of the agreement.

4. Pursuant to the provisions of Article 49 of the Convention and Article 40(5) of the Rules of Procedure of the Commission, this friendly settlement report contains a summary of the facts alleged by the petitioners and a transcription of the friendly settlement agreement, signed on September 23, 2021 by the petitioning party and representatives of the Argentinian State. Likewise, the agreement signed by the parties is approved, and it is agreed that this report will be published in the Annual Report of the IACHR to the General Assembly of the Organization of American States.

II. THE FACTS ALLEGED

5. As alleged by the petitioners, on April 18, 2002, Ivana Rosales was in a car with her spouse, Mario Edgardo Garoglio, when, on the way back from dinner, they began to argue and he drove the car to a remote location. The petitioners stated that once they arrived there, Mr. Garoglio tried to strangle her with a cable he had found in the car. The petitioners indicated that in response, the alleged victim pretended to be dead so her husband would stop beating her. Mr. Garoglio then put her in the trunk of the car. After he started driving, the alleged victim began scream for help and Mr. Garoglio stopped the car again and hit her in the head and face with rocks until she passed out. After the fact, the Neuquén provincial police later found Ivana Rosales alive, but seriously injured and transferred her to the Castro Rendón Regional Hospital, where she was hospitalized for 45 days.

6. The petitioners indicated that the alleged victim testified at the hospital and that her testimony was later extended in court. As a result, a judicial investigation was launched by the First Investigating Court of the city of Neuquén. On June 24, 2004, the preliminary investigation stage concluded,

and the Prosecutor and Deputy Prosecutor of the Office of the Public Prosecutor for Serious Personal Attacks requested that the case be brought to trial, classifying Mr. Garoglio's conduct as attempted aggravated homicide.

7. The oral trial took place on July 4, 2003. When making his closing arguments, the prosecutor asked the court to apply mitigating extraordinary circumstances when handing down its sentence. According to the petitioners, the basis for this request for mitigating circumstances was based on stereotypes and discriminatory perceptions based on gender, including the victim's personality and activities when she was single, that she was not a good mother or wife, and an alleged infidelity, among other claims.

8. On July 11, 2003, the Second Criminal Chamber of the province of Neuquén found Mario Edgardo Garoglio guilty of the crime of attempted aggravated homicide with extraordinary mitigating circumstances, sentencing him to five years in prison and disqualification from public life.

9. Regarding this process, the petitioners state that Mr. Garoglio's defense counsel filed an appeal in cassation against the judgment, while the alleged victim, who had appeared before the court to intervene as a plaintiff, also filed an appeal in cassation against the decision. According to the petitioners, Ivana Rosales did not intervene as a plaintiff during the pretrial phase because initially, her interests were represented by the Office of the Public prosecutor. Additionally, she did not have sufficient funds to pay for the necessary legal representation, which was a requirement to become a plaintiff in a case.

10. On February 3, 2004, the Court rejected Ivana Rosales' filing as being untimely and, consequently declared the appeal inadmissible. Likewise, the appeal filed by the defendant's counsel was also denied, thus prompting the defense to file an extraordinary federal appeal asking that the decision be overturned and annulled. This appeal was also rejected on March 3, 2005.

11. The petitioners argued that this series of actions violated the alleged victim's rights to humane treatment, honor and dignity, equal protection and nondiscrimination based on gender, and judicial guarantees and judicial protection, and, consequently, affected her physical, psychological, and moral integrity and reinforced a systematic pattern of violence against women.

III. FRIENDLY SETTLEMENT

12. On September 11, 2019, the parties signed a memorandum of agreement committing to a friendly settlement, the text of which establishes the following:

MEMORADUM OF AGREEMENT TO A FRIENDLY SETTLEMENT

In the City of Neuquén, Province of Neuquén, Argentine Republic, on September 11, 2019, within the framework of the space for dialogue aimed at exploring the possibility of a friendly settlement regarding Petition 1256/2005 registered before the Inter-American Commission on Human Rights (IACHR) of the Organization of American States (OAS), the petitioners, Abril Eve Rosales, National ID Number [...], here with the legal representation of Gastón Chillier from the Centro de Estudios Legales y Sociales (CELS) and the Government of the Province of Neuquén, represented by State Prosecutor Raúl Gaitán, the Minister of Citizenship, Vanina Merlo, the Undersecretary for Human Rights, Alicia Comelli, and the Undersecretary of Women, Patricia Maistegui.

Likewise, and in view of the international nature of the proceeding of the aforementioned case, Dr. Ramiro C. Badía, National Director of International Legal Affairs of the Human Rights and Cultural Pluralism Secretariat of the Ministry of Justice and Human Rights of the Nation participated in the meeting as an observer.

Following deliberations, the parties indicate the following for the record:

I. Background of the case before the IACHR:

1. The petition stems from the complaint filed by the Centro de Estudios Legales y Sociales (CELS) on behalf of Ivana Emilce Rosales before the IACHR, in which the alleged violation of human rights enshrined in the American Convention on Human Rights (ACHR) in the context of the handling of a judicial proceeding before the Judiciary of the Province of Neuquén was brought to light.

2. From the account of the facts, it appears that on April 18, 2002, Ivana Rosales was the victim of attempted murder at the hands of her husband, Mario Edgardo Garoglio, who brutally attacked Ivana. Leaving her for dead, he locked her in the truck of the car in which they were traveling and turned himself in to the police.

3. This incident led to a judicial proceeding in which, after the preliminary investigation, the Prosecutor and Deputy Prosecutor of the Office of the Public Prosecutor on Grave Personal Attacks concluded that the material nature and perpetrator of the crimes under investigation were sufficiently proven, as well as the criminal responsibility of Mario Garoglio. He therefore requested that the case be moved to trial. Garoglio's conduct was classified as attempted murder aggravated by the bond.

4. On July 4, 2003, the oral trial took place and during the arguments, trial prosecutor Alfredo Velasco Copello asked that the court, at the time of sentencing, apply a mitigating circumstance to the sentence due to exceptional circumstances arguing, as stated in the case file, that "the victim's history, her personality, and her actions (...) when she was single and how she was taken out of the night by the accused. [IVANA's] statements show coldness, and her feelings amount to economic concerns. *She was neither a good mother nor a good wife. She was chatting constantly (...) Her daughter witnessed her infidelities. Please also take into account the efforts made by the accused for the couple, which influenced his state of mind.*"

5. On July 11, 2003, the Second Criminal Chamber of the province of Neuquén found Mario Edgardo Garoglio guilty of the crime of attempted aggravated homicide with extraordinary mitigating circumstances (articles 42, 79, and 80 paragraph 10 of the Criminal Code), sentencing him to five years in prison and disqualification from public life. Considering that the petitioner had not become a plaintiff, she was prevented from appealing the sentence, placing her in a state of defenselessness.

6. Both the petitioner and the Province of Neuquén agreed to begin conversations aimed at exploring the possibility of reaching a friendly settlement agreement.

7. In this regard, a work agenda was set, and several meetings were held at the provincial and national levels and before the IACHR since 2014, in which national and provincial authorities and the petitioner participated to advance the negotiations.

8. Upon the death of Ivana Rosales on September 6, 2017, her daughter Abril decided to continue with the process initiated by her mother before the IACHR, for which reason she was added as a petitioner in current proceedings.

9. After several exchanges of remarks back and forth between the petitioners and the Government of the Province of Neuquén, a reasonable understanding has been reached, the content of which is as follows:

II. Acknowledgment of the Province of Neuquén's responsibility in the facts:

The province of Neuquén acknowledges its responsibility for the violation of the rights of Ivana Emilce Rosales and her daughters Mayka and Abril, for the violation of the rights to humane treatment, judicial guarantees, protection of honor and dignity, equal protection of the law, and effective judicial protection (Articles 5, 8, 11, 24, and 25 of the American Convention on Human Rights) as well as Articles 4 and 7 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém Do Pará) and assumes the following commitments to provide full reparations to the victim.

III. Non-pecuniary reparations measures

1. Creation of the Ivana and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence:

Within a maximum period of one year from the publication of the Provincial Decree, the Province will inaugurate the Comprehensive Protection Center for victims of gender-based violence, to be called the Ivana and Mayka Rosales, located in the City of Plottier.

This Center will provide counseling, information, and support to victims, along with talks, workshops, and training on violence, gender, and other topics with the purpose of empowering the women, girls, and adolescents who attend through knowledge on the exercise of their rights. The location chosen for the facilities must be fully equipped to meet these objectives.

The province of Neuquén will provide all the material and budgetary resources necessary for the permanent operation of the Center, which will be part of the Network of Comprehensive Protection Shelters of the National Institute of Women (INAM). To this end, the necessary budget allocation will be guaranteed in the next and subsequent budgets.

The administrative and budgetary management of the Center will be in charge of the Province. The Province will prepare biannual reports on the center's activities, to be submitted to the Inter-American Commission on Human Rights.

The center shall have interdisciplinary professional teams duly trained to receive and provide care to the women and families who turn to it, including both legal and psychological support. It will form part of the Federal Comprehensive Care Network, pursuant to the parameters established in Annex IV of the National Action Plan for Violence against Women Prevention, Support, and Eradication 2017-2019.

Likewise, the Province also commits to ensuring that the future comprehensive center, in the capital city of Neuquén, will bear the name "Ivana and Mayka Rosales."

2. Free, comprehensive, and specialized legal aid:

The province of Neuquén commits to implementing National Law 27,210 and Provincial Law 3106 creating the Lawyers' Corps for Victims of Gender-based Violence in the Province of Neuquén.

The Province undertakes to hire the necessary professionals for the implementation and operation of the Lawyers' Corps for Victims of Gender Violence in the Province of Neuquén, according to the demand for legal counsel in the Province, as well as provide the necessary material and budgetary resources for its development.

Within three years of publication of the Provincial Decree, the Nation, the Province, and the petitioners shall evaluate the scope of the work carried out by the Lawyers' Corps to adequately address the needs of the Neuquén population.

3. Publication and wide dissemination of an informational pamphlet on gender-based violence:

Within a year of the publication of the Provincial Decree, the Province of Neuquén commits to printing and disseminating an informational pamphlet with a detailed and clear description of all the resources available (care centers, phone numbers, financial aid, subsidies, legal aid, etc.) available to victims of gender-based violence in the Province, within the framework of the

work already carried out by the Interagency Commission established under Laws 2785 and 2786.

For its preparation, the definition of gender-based violence found in Law 26,485 on integral protection to prevent, punish, and eradicate violence against women shall be taken into account and social organizations that specialize in gender-based violence in the Province, along with members of the women's movement of Neuquén shall also be consulted.

The provincial government will print sufficient copies to be distributed in schools, hospitals, police stations, and victim care centers. The pamphlet must be displayed in visible spots in these locations. A digital version must also be available that is easy to use, available online, and up-to-date, and available via smartphone app and the different official websites found at https://www.google.com/maps/d/viewer?mid=1z_inIkZNb4UeTt2KoqESWJ4c8PT8GV3l&ll=-38.81930540417836%2C-69.8882821932828&z=6

The printing and wide dissemination of the informational pamphlet and the availability of the smart phone app shall be a part of Neuquén's permanent public policy, with the commitment to update the content annually as needed.

4. Training for public officials:

The Province shall take the measures necessary to guarantee implementation of "Micaela's Law" (National Law 27499 and Provincial Law 3201) as a requirement for all persons serving as public officials in the Province (both contractors and permanent personnel).

Within one year of publication of the Provincial Decree, the Province must guarantee that at least 15% of all officials serving under the provincial Executive Branch (both permanent personnel and contractors) have received training pursuant to "Micaela's Law." The training for personnel of the provincial Judicial Branch, public health services, and security services must be increased by 30%.

Among its objectives, the trainings should aim to reflect on the institutional practices for providing care and support to women, girls, and adolescents who are victims of gender-based violence, reviewing the system of beliefs, myths, and prejudices present in institutional practices. Representatives of women's organizations and human rights organizations with experience and a background in the issue will participate in creating the content for the trainings. The trainings shall make specific mention of the case of Ivana Rosales and shall use the film entitled "Ella se lo buscó" ("She asked for it") and the images from the public act of acknowledgment of responsibility.

5. National Registry of Gender-based Violence:

Within one year of the publication of the Provincial Decree, the Province of Neuquén commits to participate in the Single Registry of Cases of Violence against Women (RUVCM) and to send periodic and up-to-date information on cases reported in police stations, health services, comprehensive women's centers/gender offices (or the name the gender institutions use in each location), and judicial instances in all regions, or municipalities of the Province. This process of collecting and sending information must follow the guidelines indicated by the RUVCM.

6. Legal aid for Abril Rosales:

The Province commits to taking the necessary steps to change Abril Rosales's last name and to complete the inheritance proceedings regarding Ivana Rosales's passing. Within this framework, the Province entrusts the management to Dr. Juan Manuel Menestrina (as an

official of the Undersecretary for Human Rights) and a licensed attorney who will assume the role of Abril Rosales's legal representative for the entire probate and inheritance process regarding Ivana Rosales (including the home where Ivana Rosales lived on Orfiva Street in the city of Plottier), as well as in the proceedings for the change of her last name. The lawyer in charge must maintain fluid and regular contact with Abril Rosales and her representatives regarding the required steps. Before filing any legal actions, the express consent of Abril Rosales and her representatives shall be required in due time.

In the event that Mr. Menestrina leaves public service, the Province undertakes to guarantee his continuity as sponsor until the completion of the procedures required for the succession of Ivana Rosales and the change of for Abril Rosales's surname.

The Province commits to pay for all the legal proceedings and expenses arising from the judicial and administrative proceedings in in both processes. Thus, regarding the process of changing Abril Rosales's surname, the provincial government commits to covering all expenses required for the issuance of the new national identity document, passport, and birth certificate for Abril Rosales. It will also take all the steps necessary to correct the ANSES records and the records maintained by other national, provincial, and municipal governments, and will correct the electoral roll and educational degrees.

It is expressly clarified that the attorney takes on this task within the framework of his commitment to the case, expressly renouncing any professional fees he may otherwise be able to charge for such work.

IV. Measures for the reparation of material and non-material damage:

The Government of the Province of Neuquén commits to adopting the following measures to repair material and non-material damage:

1. Provision of a home to Abril Rosales:

The Province of Neuquén will hand over possession and bare ownership to petitioner Abril Rosales of a house from the "90 Housing" Plan (Case File 7442-000529/2016), free of charge, appraised at US\$73,000 (seventy-three thousand US dollars), according to the selling exchange rate of Banco Nación as of June 26, 2019.

The work is in progress and 76.62% complete, with a probable delivery date in October/November 2019. The house has two bedrooms, a kitchen, dining room, and full bathroom and an area of 60 m². It should be delivered with all utilities (except those requiring to be authorized personally), toilets, coatings, finishings, and doors and windows completed and fully operational.

The transfer of ownership of this housing unit and the delivery of the corresponding deed to Abril Eve Rosales, National ID Number [...], shall not entail any cost or expenditure for her.

2. Economic compensation:

The Government of the Province of Neuquén acknowledges that as a result of the incident and the subsequent judicial process, the petitioner has suffered numerous factors that have contributed to prolonging the emotional impacts, such as: a) the prolonged process of seeking justice; b) the absence of social and institutional support; c) the climate of fear in which they have lived; d) the deterioration of their living conditions; e) the impact of the unexpected loss of Mayka Rosales; f) the death of their mother, Ivana Rosales.

In certain cases, the IACHR has observed that, even in the absence or scarcity of evidence to determine the damage caused, it is evident that displacement, moving homes, as well as other manifestations of the serious instability to which they have been subjected, seriously impact their assets.

When they are the direct consequence of the facts of the case, such as in this one, the Court considers that compensation in equity for pecuniary damage is appropriate.

Consequently, the Government of the Province of Neuquén commits to paying the victim, Abril Eve Rosales, a total and sole sum for pecuniary and non-pecuniary damage of US\$10,000.00 (ten thousand dollars) within one year of the issuance of the provincial decree.

The Province of Neuquén shall comply with its monetary obligations by means of payment in United States dollars or its equivalent in local currency. The payments set forth in this agreement, in US Dollars, shall be paid at the selling exchange rate of the Banco de la Nación Argentina corresponding to the business day immediately preceding the date of effective payment. The amounts established in this agreement regarding pecuniary reparations, costs, and expenses will be exempt from the payment of any existing or future tax, contribution, or fee.

3. Costs and Expenses:

The Province of Neuquén shall assume the payment of the costs of the petitioner's attorneys (CELS) in the amount of two thousand five hundred US dollars (USD 2,500.00).

Compensation for pecuniary and non-pecuniary damage and the reimbursement of costs and expenses shall be paid directly to the persons indicated, within one year, of the publication of the Provincial Decree.

The Province of Neuquén shall comply with its monetary obligations through payment in United States dollars or its equivalent in local currency. The amounts established in this agreement will be exempt from the payment of any existing or future tax, contribution, or fee.

V. Publicity:

1. Dissemination of the film “Ella se lo buscó.”

The Government of the Province of Neuquén is committed to disseminating the film “Ella se lo buscó” (She asked for it) in educational institutions, for which purpose it has acquired five hundred copies of the film.

The Provincial State will guarantee that, within one year from the publication of the Provincial Decree, and within the framework of the International Day for the Elimination of Violence Against Women (November 25) or of the provincial Day against violence, established on September 6, in honor of Ivana Rosales, the film will be screened during the workday and in training sessions at schools throughout the Province. Likewise, it undertakes to use the film for training and awareness-raising activities within the framework of Micaela's Law.

2. Dissemination of provincial agreement

The Province commits to disseminating the provincial and national agreement, following its approval by the Inter-American Commission on Human Rights in accordance with the provisions of Article 49 of the American Convention on Human Rights, in a national and provincial newspaper by means of a press release, as well as on the official website of the

Judicial Branch of the Province of Neuquén (<https://www.jusneuquen.gov.ar/>). The content of the publication shall be agreed upon by the parties. The State will notify Abril Rosales with due notice through her representatives of the dates and media outlets in which the publications will be made to be able to adequately agree on their content.

3. Commitment not to use the name of Ivana Rosales.

The Province commits to not use the name Ivana Rosales for events, campaigns, programs, or any other State action without the explicit consent of Abril Rosales and her representatives. This clause does not include the commemoration of September 6, the day of the death of Ivana Rosales, as the Provincial Day for the Fight against All Forms of Violence against Women, in accordance with Law 3159.

V. Final provisions:

1. The petitioners state that once full compliance is made with all the reparations described herein, there will be no further claims from the Province in the framework of petition P-1256-05 registered before the IACHR.

2. In view of the complexity of implementing the friendly settlement agreement, the Government of the Province of Neuquén and the petitioners agree to sign this document so that the commitments set forth herein can be duly approved via Decree of the Executive Branch of the Province of Neuquén.

3. Once the province complies with providing reparation for pecuniary and nonpecuniary damages, the petitioners commit to signing the friendly settlement agreement with the National State. The agreement shall contain a series of additional reparations to be complied with by the National State within the deadline defined therein with the express request that, based on the consensus reached, the report contemplated in Article 49 of the American Convention on Human Rights be adopted, at which point it shall acquire full legal force and effect.

13. On September 11, 2019, the Governor of the Province of Neuquén issued Decree 5282/2019 by which the Memorandum of Agreement signed with the Province of Neuquén was approved. Subsequently, on September 23, 2021, the parties signed a friendly settlement agreement, the text of which states the following:

FRIENDLY SETTLEMENT AGREEMENT

The parties to petition P-1256-05, Ivana and Abril Rosales, registered before the Inter-American Commission on Human Rights: Abril Rosales and the Centro de Estudios Legales y Sociales, represented in this act by Paula Litvachky (“the petitioners”), and the Government of the Argentine Republic, in its capacity as a State party to the American Convention on Human Rights (“the Convention”), acting by express mandate of Article 99, paragraphs 11 and 126 of the Constitution of the Argentine Nation, and in accordance with the provisions of Article 28 of the Convention, represented by Horacio Pietragalla Corti, Secretary of Human Rights of the Ministry of Justice and Human Rights of the Nation; Josefina Kelly Neila, Secretary for Policies against Gender-based Violence of the Ministry of Women, Gender, and Diversity of the Nation; Gabriel Lerner, National Secretary for Children, Adolescents, and Family of the Ministry of Social Development of the Nation; Julieta Sabrina Calandrón, Undersecretary of Rights, Welfare, and Gender of the Ministry of Security of the Nation; and Javier Salgado, Director of International Human Rights Litigation at the Ministry of Foreign Affairs, International Trade, and Religion of the Nation, have the honor to inform the illustrious Inter-American Commission on Human Rights that they have reached a friendly settlement agreement of the petition, the content of which is set forth below, and they request that, pursuant to the consensus reached, the proposal be accepted and the subsequent report provided for under Article 49 of the Convention be adopted.

I. Acknowledgment of responsibility by the Province of Neuquén

1. By means of the document signed on September 11, 2019, and approved by Decree of the Executive Branch of the Province of Neuquén 2582/2019, a copy of which is attached as an integral part of this agreement, the aforementioned province concluded that, based on the evidence provided in the international complaint and other elements of conviction that were incorporated in the friendly settlement process, there is sufficient evidence to recognize the Province of Neuquén's objective responsibility for the facts reported in the case.

2. In this regard, it has been established that the violation of the rights of Ivana Rosales and her daughters, Mayka and Abril, due to the serious institutional mistreatment they suffered, had terrible consequences on their personal integrity, including the subjection of Ivana Rosales to a process that, far from guaranteeing her justice as the victim in a case of gender-based violence, re-victimized her through the discriminatory and stereotyped actions and decisions that minimized and justified facts that ended up costing her life. For years, Ivana and her daughters and son suffered the consequences of the absence of a State policy that provides a comprehensive and adequate response to gender-based violence.

3. The rights violations suffered by Ivana Rosales are an unfortunate example of a widespread reality affecting many women. Therefore, despite the notable legal advances made in recent years, this Agreement includes measures of various types intended to advance in the prevention, punishment and eradication of violence against women.

4. In accordance with the foregoing, and in view of the international nature of the violations of rights documented in this case, which took place within the jurisdiction of the Province of Neuquén, the Argentine State appears before this international forum to acknowledge the responsibility expressed by the Government of the aforementioned Province for the violation of the rights of Ivana Emilce Rosales and her daughters Mayka and Abril, as a result of the institutional mistreatment they suffered at the hands of officials of the Judiciary of the Province of Neuquén, and which affected countless aspects of their lives with consequences on their personal integrity, for which reason the violation of the rights to humane treatment, judicial guarantees, the protection of honor and dignity, equal protection before the law, and effective judicial protection (Articles 5, 8, 11, 24, and 25 of the American Convention on Human Rights), as well as Articles 4 and 7 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém Do Pará) can be considered as established.

II. Commitments made by the Province of Neuquén

The document signed on September 11, 2019, establishes in its pertinent parts the following:

III. Non-pecuniary reparations measures

1. Creation of the Ivana and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence:

Within a maximum period of one year from the publication of the Provincial Decree, the Province will inaugurate the Comprehensive Protection Center for victims of gender-based violence, to be called the Ivana and Mayka Rosales, located in the City of Plottier.

This Center will provide counseling, information, and support to victims, along with talks, workshops, and training on violence, gender, and other topics with the purpose of empowering the women, girls, and adolescents who attend through knowledge on the exercise of their rights. The location chosen for the facilities must be fully equipped to meet these objectives.

The province of Neuquén will provide all the material and budgetary resources necessary for the permanent operation of the Center, which will be part of the Network of Comprehensive Protection Shelters of the National Institute of Women (INAM). To this end, the necessary budget allocation will be guaranteed in the next and subsequent budgets.

The administrative and budgetary management of the Center will be in charge of the Province. The Province will prepare biannual reports on the center's activities, to be submitted to the Inter-American Commission on Human Rights.

The center shall have interdisciplinary professional teams duly trained to receive and provide care to the women and families who turn to it, including both legal and psychological support. It will form part of the Federal Comprehensive Care Network, pursuant to the parameters established in Annex IV of the National Action Plan for Violence against Women Prevention, Support, and Eradication 2017-2019.

Likewise, the Province also commits to ensuring that the future comprehensive center, in the capital city of Neuquén, will bear the name "Ivana and Mayka Rosales."

2. Free, comprehensive, and specialized legal aid:

The province of Neuquén commits to implementing National Law 27,210 and Provincial Law 3106 creating the Lawyers' Corps for Victims of Gender-based Violence in the Province of Neuquén.

The Province undertakes to hire the necessary professionals for the implementation and operation of the Lawyers' Corps for Victims of Gender Violence in the Province of Neuquén, according to the demand for legal counsel in the Province, as well as provide the necessary material and budgetary resources for its development.

Within three years of publication of the Provincial Decree, the Nation, the Province, and the petitioners shall evaluate the scope of the work carried out by the Lawyers' Corps to adequately address the needs of the Neuquén population.

3. Publication and wide dissemination of an informational pamphlet on gender-based violence:

Within a year of the publication of the Provincial Decree, the Province of Neuquén commits to printing and disseminating an informational pamphlet with a detailed and clear description of all the resources available (care centers, phone numbers, financial aid, subsidies, legal aid, etc.) available to victims of gender-based violence in the Province, within the framework of the work already carried out by the Interagency Commission established under Laws 2785 and 2786.

For its preparation, the definition of gender-based violence found in Law 26,485 on integral protection to prevent, punish, and eradicate violence against women shall be taken into account and social organizations that specialize in gender-based violence in the Province, along with members of the women's movement of Neuquén shall also be consulted.

The provincial government will print sufficient copies to be distributed in schools, hospitals, police stations, and victim care centers. The pamphlet must be displayed in visible spots in these locations. A digital version must also be available that is easy to use, available online, and up-to-date, and available via smartphone app and the different official websites found at https://www.google.com/maps/d/viewer?mid=1z_inIkZNb4UeTt2KoqESWJ4c8PT8GV3l&ll=-38.81930540417836%2C-69.8882821932828&z=6

The printing and wide dissemination of the informational pamphlet and the availability of the smart phone app shall be a part of Neuquén's permanent public policy, with the commitment to update the content annually as needed.

4. Training for public officials:

The Province shall take the measures necessary to guarantee implementation of "Micaela's Law" (National Law 27499 and Provincial Law 3201) as a requirement for all persons serving as public officials in the Province (both contractors and permanent personnel).

Within one year of publication of the Provincial Decree, the Province must guarantee that at least 15% of all officials serving under the provincial Executive Branch (both permanent personnel and contractors) have received training pursuant to "Micaela's Law." The training for personnel of the provincial Judicial Branch, public health services, and security services must be increased by 30%.

Among its objectives, the trainings should aim to reflect on the institutional practices for providing care and support to women, girls, and adolescents who are victims of gender-based violence, reviewing the system of beliefs, myths, and prejudices present in institutional practices. Representatives of women's organizations and human rights organizations with experience and a background in the issue will participate in creating the content for the trainings. The trainings shall make specific mention of the case of Ivana Rosales and shall use the film entitled "Ella se lo buscó" ("She asked for it") and the images from the public act of acknowledgment of responsibility.

5. National Registry of Gender-based Violence:

Within one year of the publication of the Provincial Decree, the Province of Neuquén commits to participate in the Single Registry of Cases of Violence against Women (RUVCM) and to send periodic and up-to-date information on cases reported in police stations, health services, comprehensive women's centers/gender offices (or the name the gender institutions use in each location), and judicial instances in all regions, or municipalities of the Province. This process of collecting and sending information must follow the guidelines indicated by the RUVCM.

6. Legal aid for Abril Rosales:

The Province commits to taking the necessary steps to change Abril Rosales's last name and to complete the inheritance proceedings regarding Ivana Rosales's passing. Within this framework, the Province entrusts the management to Dr. Juan Manuel Menestrina (as an official of the Undersecretary for Human Rights) and a licensed attorney who will assume the role of Abril Rosales's legal representative for the entire probate and inheritance process regarding Ivana Rosales (including the home where Ivana Rosales lived on Orfiva Street in the city of Plottier), as well as in the proceedings for the change of her last name. The lawyer in charge must maintain fluid and regular contact with Abril Rosales and her representatives regarding the required steps. Before filing any legal actions, the express consent of Abril Rosales and her representatives shall be required in due time.

In the event that Mr. Menestrina leaves public service, the Province undertakes to guarantee his continuity as sponsor until the completion of the procedures required for the succession of Ivana Rosales and the change of for Abril Rosales's surname.

The Province commits to pay for all the legal proceedings and expenses arising from the judicial and administrative proceedings in in both processes. Thus, regarding the process of changing Abril Rosales's surname, the provincial government commits to covering all expenses required for the issuance of the new national identity document, passport, and birth certificate for Abril

Rosales. It will also take all the steps necessary to correct the ANSES records and the records maintained by other national, provincial, and municipal governments, and will correct the electoral roll and educational degrees.

It is expressly clarified that the attorney takes on this task within the framework of his commitment to the case, expressly renouncing any professional fees he may otherwise be able to charge for such work.

IV. Measures for the reparation of material and non-material damage:

The Government of the Province of Neuquén commits to adopting the following measures to repair material and non-material damage:

1. Provision of a home to Abril Rosales:

The Province of Neuquén will hand over possession and bare ownership to petitioner Abril Rosales of a house from the "90 Housing" Plan (Case File 7442-000529/2016), free of charge, appraised at US\$73,000 (seventy-three thousand US dollars), according to the selling exchange rate of Banco Nación as of June 26, 2019.

The work is in progress and 76.62% complete, with a probable delivery date in October/November 2019. The house has two bedrooms, a kitchen, dining room, and full bathroom and an area of 60 m². It should be delivered with all utilities (except those requiring to be authorized personally), toilets, coatings, finishings, and doors and windows completed and fully operational.

The transfer of ownership of this housing unit and the delivery of the corresponding deed to Abril Eve Rosales, National ID Number [...], shall not entail any cost or expenditure for her.

2. Economic compensation:

The Government of the Province of Neuquén acknowledges that as a result of the incident and the subsequent judicial process, the petitioner has suffered numerous factors that have contributed to prolonging the emotional impacts, such as: a) the prolonged process of seeking justice; b) the absence of social and institutional support; c) the climate of fear in which they have lived; d) the deterioration of their living conditions; e) the impact of the unexpected loss of Mayka Rosales; f) the death of their mother, Ivana Rosales.

In certain cases, the IACHR has observed that, even in the absence or scarcity of evidence to determine the damage caused, it is evident that displacement, moving homes, as well as other manifestations of the serious instability to which they have been subjected, seriously impact their assets.

When they are the direct consequence of the facts of the case, such as in this one, the Court considers that compensation in equity for pecuniary damage is appropriate.

Consequently, the Government of the Province of Neuquén commits to paying the victim, Abril Eve Rosales, a total and sole sum for pecuniary and non-pecuniary damage of US\$10,000.00 (ten thousand dollars) within one year of the issuance of the provincial decree.

The Province of Neuquén shall comply with its monetary obligations by means of payment in United States dollars or its equivalent in local currency. The payments set forth in this agreement, in US Dollars, shall be paid at the selling exchange rate of the Banco de la Nación Argentina corresponding to the business day immediately preceding the date of effective payment. The

amounts established in this agreement regarding pecuniary reparations, costs, and expenses will be exempt from the payment of any existing or future tax, contribution, or fee.

3. Costs and Expenses:

The Province of Neuquén shall assume the payment of the costs of the petitioner's attorneys (CELS) in the amount of two thousand five hundred US dollars (USD 2,500.00).

Compensation for pecuniary and non-pecuniary damage and the reimbursement of costs and expenses shall be paid directly to the persons indicated, within one year, of the publication of the Provincial Decree.

The Province of Neuquén shall comply with its monetary obligations through payment in United States dollars or its equivalent in local currency. The amounts established in this agreement will be exempt from the payment of any existing or future tax, contribution, or fee.

V. Publicity:

1. Dissemination of the film "Ella se lo buscó."

The Government of the Province of Neuquén is committed to disseminating the film "Ella se lo buscó" (She asked for it) in educational institutions, for which purpose it has acquired five hundred copies of the film.

The Provincial State will guarantee that, within one year from the publication of the Provincial Decree, and within the framework of the International Day for the Elimination of Violence Against Women (November 25) or of the provincial Day against violence, established on September 6, in honor of Ivana Rosales, the film will be screened during the work day and in training sessions at schools throughout the Province. Likewise, it undertakes to use the film for training and awareness-raising activities within the framework of Micaela's Law.

2. Dissemination of provincial agreement.

The Province commits to disseminating the provincial and national agreement, following its approval by the Inter-American Commission on Human Rights in accordance with the provisions of Article 49 of the American Convention on Human Rights, in a national and provincial newspaper by means of a press release, as well as on the official website of the Judicial Branch of the Province of Neuquén (<https://www.jusneuquen.gov.ar/>). The content of the publication shall be agreed upon by the parties. The State will notify Abril Rosales with due notice through her representatives of the dates and media outlets in which the publications will be made to be able to adequately agree on their content.

3. Commitment not to use the name of Ivana Rosales.

The Province commits to not use the name Ivana Rosales for events, campaigns, programs, or any other State action without the explicit consent of Abril Rosales and her representatives. This clause does not include the commemoration of September 6, the day of the death of Ivana Rosales, as the Provincial Day for the Fight against All Forms of Violence against Women, in accordance with Law 3159.

III. Commitments assumed by the National State

In view of the acknowledgment of responsibility made by the Province of Neuquén, the Argentine State deems it appropriate to offer its most sincere apologies to Abril Rosales and to honor, in particular, the memory of Ivana Rosales and Mayka Rosales.

III.1. Measures of satisfaction

III.1.1. Public act in acknowledgment of international responsibility

Within a maximum period of six months from the signing of this Agreement, the Argentine State undertakes to carry out a public act in which, among other actions, the text of the acknowledgment of responsibility assumed in the present case will be read.

On that occasion, a public apology will be made to Abril Rosales, and the memory of Ivana and Mayka Rosales will be honored.

The event will be attended by National and provincial authorities related to the areas of justice, gender, and human rights sectors. The content and modality of the public act shall be agreed upon by the parties.

The event will be filmed, and its images may form part of the training activities on gender-based violence to be carried out under this agreement.

III.1.2. Publicity of the Friendly Settlement Agreement

The Argentine State commits to publicize this agreement within a maximum period of six months from its signature.

In particular, it shall publish the Agreement on the website of the National Human Rights Secretariat (<https://www.argentina.gob.ar/derechoshumanos>). A gazette will also be published in two newspapers of national circulation. The content must be agreed upon by the parties.

The Argentine State, for its part, commits to notifying Abril Rosales in advance through her representatives with due notice of the dates and media outlets in which the aforementioned publications will be made.

The parties agree that, upon presentation of evidence attesting the aforementioned publication, and the prior notification to Abril Rosales, the State will be considered to be in “full compliance” with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2. Guarantees of non-repetition

III.2.1. National Action Plan against Gender-Based Violence (2020-2022)

The Argentine State commits to continue with implementation of the National Action Plan against Gender-Based Violence (2020-2022) at the federal level. In particular, it will seek to further develop the measures indicated in this Agreement.

III.2.2. National Program for the Prevention of Gender-Based Violence

The Argentine State commits to continue to implement the National Program for the Prevention of Gender-Based Violence, under the Ministry of Women, Gender, and Diversity of the Nation (MMGyD).

This program includes awareness-raising, training, and coordination activities focused on preventing gender-based violence and promoting rights from a gender and diversity perspective with an intersectional approach.

The State commits to including the case of Ivana Rosales and to make express mention of this friendly settlement agreement in the curricula of the meetings held, especially when they refer to topics related to a comprehensive approach to extreme violence. The parties shall agree on the information to be disseminated on the case.

The parties agree that, with the presentation of a report per semester for 18 months as of the signing of this Agreement, which accredits the progressive execution of between 100 and 150 virtual and in-person meetings, with a wide and diverse audience given throughout the national territory, the State shall be considered to be in "full compliance" with this clause and, consequently, IACHR supervision with respect to its execution will conclude. In those reports, the State must present disaggregated information on the following items related to each meeting: date, name of the activity, type and modality of the activity, institutional affiliation of the participants, number of participants, location, and province in which it took place.

III.2.3. Promotion and training within the framework of Law 27,499 ("Micaela's Law")

The Argentine State, through the MMGyD, commits to adopt all the measures that are within its competence to continue with the effective implementation of the Law on Compulsory Training on Gender and Violence against Women (known as "Micaela's Law").

Specifically, the MMGyD undertakes to train the most senior government authorities with seat in the Province of Neuquén within the framework of the "Micaela's Law Highest Authorities Training Mechanism," by itself or in coordination with the provincial agency in charge of enforcing that law in the jurisdiction.

The MMGyD will also include the case of Ivana Rosales and the film "*Ella se lo buscó*" within the content suggested for the training sessions. For such purposes, the "Guidelines for drafting training proposals within the framework of Micaela's Law" (MMGyD Resolution No. 61/2021, Annex II) will be amended.

On the other hand, support and technical assistance will also be provided to the areas in charge of implementing Law 27,499 in the National Executive, Legislative, and Judicial branches throughout the national territory.

The parties agree that the State will be in "full compliance" with this clause with the submission of a report per semester for 18 months, as from the counted signing of this Agreement accrediting the actions taken by the MMGyD pursuant to the preceding paragraphs. With respect to the information provided on the training described in the second paragraph, it shall include disaggregated data on the number of workshops offered, the dates of trainings, modality, institutional affiliation and hierarchy of the persons trained.

The commitment made in the third paragraph shall be deemed fulfilled with the publication in the Official Gazette of the amendment to Annex II of MMGyD Resolution 61/2021 and with the accreditation of the steps taken by the MMGyD with Micaela's Law liaisons in the Ministries and decentralized agencies of the national government to promote the incorporation of the case in question in the training activities conducted.

The IACHR's supervision regarding the execution of this clause will cease once the State submits the information and the amendment to the law referred to in the two preceding paragraphs.

III.2.4. Implementation and dissemination of the Program of Support for People at Risk of Gender-Based Violence (“Acompañar”)

, the Argentine State, through the MMGyD, commits to ensuring the implementation and dissemination of the Program of Support for People at Risk of Gender-Based Violence (“Acompañar”), of national scope. This comprehensive assistance mechanism contemplates the transfer of funds and the direct and comprehensive support of people in a situation of violence. Specifically, it provides for the granting of a non-refundable, personal, non-renewable and non-contributory financial support, paid for six consecutive monthly periods.

III.2.4.i. Progress on Implementing the Program

The National State commits to take steps to strengthen the implementation of the “Acompañar” Program, by calling on the different municipalities to sign agreements committing to join the program.

The parties agree that, with the submission to the IACHR of a report per semester for 18 months as from the signature of this agreement accrediting the number of agreements signed in each period, the State will be considered in “full compliance” with this clause and, consequently, IACHR supervision with respect to its execution will cease.

III.2.4.ii. Program Dissemination

The State undertakes to widely disseminate the Program through the MMGyD’s social media accounts and through government advertising in print, audiovisual and radio media outlets, and shall invite the provinces and the City of Buenos Aires to join in the dissemination campaign. In particular, the MMGyD will provide information on the program through its social media accounts once a month over the course of 12 months on a different day from the one on which the Program for Urgent Support and Immediate Comprehensive Assistance in Cases of Extreme Gender-based Violence is disseminated.

The State also commits to take steps to promote the dissemination of this program in homes, shelters, halfway houses, and centers for the care of women in the LGBTI+ community through the means it deems appropriate, as well as in the communications referred to the 144 hotline for assistance and counseling in situations of gender-based violence.

The parties agree that, with the submission of a report every 6 months for 18 months, from the signing of this agreement, accrediting the dissemination and actions specified in the preceding two paragraphs, the State will be considered in “full compliance” with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2.5. Interministerial Program for the Comprehensive Approach to Extreme Violence

The Argentine State is committed to continue with the development of actions within the framework of the Interministerial Program for a Comprehensive Approach to Extreme Gender-based Violence, of national scope, headed by the Ministry of Security of the Nation, the Ministry of Justice and Humans Rights of the Nation, and the MMGyD.

In particular, it will continue with the inter-agency work done within the framework of the Federal Council for the Prevention and Addressing Femicides, Travesticides, and Transfemicides, established through National Decree 123/2021, within the scope of the aforementioned inter-ministerial program.

The parties agree that the State will be in “full compliance” with this clause with the submission of one report per semester for 18 months, from the signing of this agreement,

reflecting the actions taken pursuant to the provisions of the first paragraph and the agreements reached in the framework of the Federal Council on Preventing and Addressing Femicides, Travesticides, and Transfemicides. With the submission of these reports, the supervision of the IACHR with respect to the execution of this clause will conclude.

III.2.6. Implementation and Dissemination of the Program for Urgent Support and Immediate Comprehensive Assistance in Cases of Extreme Gender-based Violence

III.2.6.i. Program Implementation

The Argentine State undertakes, through the MMGyD, to guarantee the implementation of the Program for Urgent Support and Immediate Comprehensive Assistance in Cases of Extreme Gender-based Violence, national in scope, with the aim of providing early and quick State intervention to provide comprehensive assistance to family members or close friends of victims of femicide, travesticide, and transfemicide.

The Program provides for non-reimbursable and non-remunerative financial assistance intended to cover travel expenses, transportation, accommodation, or other current and day-to-day expenses associated to the loss of life, which is granted on a one-time basis. It also includes an immediate psychological assistance and legal advice for family members and/or next of kin who require it through the MMGyD or through coordination with the mechanisms of other State agencies.

The parties agree that the State will be in “full compliance” with this clause and, consequently, the IACHR’s supervision of its execution will therefore conclude with the submission by the State of: (a) report per semester for 18 months, as from the signing of this agreement, reflecting the number of financial assistance granted under the program; and (b) a final report at the end of 18 months counted from the signing of the agreement, including disaggregated data on the number of persons assisted, according to the type of benefit provided, the link with the respective victim of extreme violence, the locality, and the province.

III.2.6.ii. Program Dissemination

The Argentine State, through the MMGyD, commits to widely disseminate the program through its social media accounts and through public advertising in print, audiovisual, and radio media outlets. It will also invite the provinces and the City of Buenos Aires to take part in the dissemination, within the Federal Council of the Ministry of Women, Gender, and Diversity and in the federal Council for Preventing and Addressing Femicides, Transvesticides, and Transfemicides. In particular, the MMGyD shall include information on the program in its social media accounts once a month for 12 months on a different day from the one on which the “Acompañar” Program is disseminated.

The parties agree that, with the submission of one report per semester for 18 months as from the signing of this agreement, reflecting the steps described above before the Federal Council of the Ministry of Women, Gender, and Diversity and the Federal Council for Preventing and Addressing Femicides, Transvesticides, and Transfemicides, as well as the specified dissemination actions, the State will be considered in “full compliance” with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2.7. Strengthening access to justice for people in situations of gender-based violence

The Argentine State commits to taking the necessary measures to ensure access to justice for women and LGBTI+ persons in situations of gender-based violence. In particular, it will seek to strengthen the Attorney Corps for Victims of Gender-based Violence (CAAVVG) created by National Law 27,210, as well as the Acercar Derechos Program (PAD).

III.2.7.i. Strengthening the Attorney Corps for Victims of Gender-based Violence

The Argentine State, through the National Executive Branch, will promote measures to progressively expand the intervention scope and capacities of the Attorney Corps for Victims of Gender-based Violence (CAAVVG), established by National Law 27,210.

In particular, it will increase the number of professionals in order to increase Corps representation in a greater number of jurisdictions throughout the country, providing them with regular training.

The parties agree that, with the presentation of one report per semester for 18 months as from the signing of this agreement, reflecting the measures taken by the State to ensure the call for competitive hiring processes and background reviews for the incorporation of 80 professionals to the CAAVVG, and to disseminate the process through the Federal Council of the MMGyD's social media accounts, the State will be considered in "full compliance" with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2.7.ii. Strengthening the Realizing Rights Program

Through the MMGyD, the Argentine State shall promote measures for the progressive strengthening of the scope and intervention capacities of the Acercar Derechos Program (PAD).

The parties agree that, with the submission of one report per semester for 18 months as from the signing of this agreement, accounting for the main actions taken under the program and accredits the progressive expansion of professionals working with the PAD up to a total of 60 interdisciplinary teams throughout the country, the State will be considered in "full compliance" with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2.8. Training for police and security forces

Through the Ministry of Security of the Nation, the Argentine State commits to guarantee the continuity, frequency and increase of 15% per year of training sessions for the personnel of the federal police and security forces on the "Guidelines for Federal Police and Security Forces for the Investigation of Femicides at the Scene of the Fact". The State will submit information on the training carried out during 2019 to 2021. Additionally, in the framework of a Security Council session, it commits to invite the police forces from different jurisdictions to participate in the training on this guide.

The parties agree that the State will be in "full compliance" of this clause with the submission of one report per semester for 18 months as from the signing of this agreement, accounting the number of training sessions carried out, the modality, the jurisdictions reached, the number of participants, the institution of origin, and the position, rank, and gender of all participants, as well as the 15% annual increase of training sessions with respect to federal officers. Also, with the presentation before the Interior Security Council and any other actions taken with the provinces and the Autonomous City of Buenos Aires. With the submission of these reports, IACHR supervision of execution of this clause will conclude.

III.2.9. Program to Strengthen Territorial Mechanisms of Comprehensive Protection for Persons Experiencing Gender-Based Violence

The Argentine State, through the MMGyD, commits to guarantee the implementation of the Program to Strengthen Territorial Mechanisms of Comprehensive Protection for Persons

Experiencing Gender-Based Violence, of national scope, which aims to consolidate the network of shelters, refuges, and mechanisms of protection by funding projects aimed at renovating, equipping, and expanding them.

The State commits to actively disseminate the Program in the provincial and/or municipal territorial comprehensive protection mechanisms, as well as through the MMGyD's Federal Council.

The parties agree that the State will be in "full compliance" with the submission of one report per semester for 18 months as from the signing of this agreement, reflecting the number of existing territorial protection devices existing throughout the country of which the MMGyD is aware, the projects financed by the program, the destination of the budget allocated (renovation, expansion, or equipping), the total budget per fiscal year assigned to the program, and the details of the dissemination actions carried out pursuant to the above paragraph. With the presentation of these reports, IACHR supervision of execution of this clause will conclude.

III.2.10 Production of strategic and systematized information regarding gender-based violence

Through the MMGyD, the Argentine State commits to continue with the production of information on the causes, frequency, prevalence, and incidence of gender-based violence. Specifically, it will deepen the implementation of the measures listed below.

III.2.10.i. Comprehensive System on Cases of Gender-Based Violence (SICVG)

Through the MMGyD, the Argentine State commits to implement and disseminate the SICVG, which replaces and strengthens the Unified Registry of Cases of Violence against Women (RUCVM).

It is an instrument that systematizes information on cases related to gender-based violence in order to contribute to the design and monitoring of public policies for the prevention, assistance, punishment and eradication of such violence. The SICVG is made up of a series of modules for entering information, including a module corresponding to the 144 hotline, a module for MMGyD programs, and a federal module for inputting data from national and provincial agencies.

For the generation of information, the different agencies with competence over cases of gender-based violence must join the registry by signing agreements. Once they have joined, implementation of the mechanism for inputting the data to the SICVG (via upload or intake) must be carried out jointly with the contributing province or agency.

The parties agree that the State will be in "full compliance" with the submission of one report per semester for 18 months as from the signing of this agreement, accounting for the steps taken to promote the signature the agreements to join the SICVG; detailing the progress made on the design, development, and implementation of the federal module of the system (including the module variables and categories and the technical support provided to provinces and agencies on uploading or inputting data to the SICVG); and describing the actions taken to train users of the system (including disaggregated information on the number of people trained, the number of workshops held, and the training modules implemented).

With the presentation of these reports, IACHR supervision of execution of this clause will conclude.

III.2.10.ii. Creation of the lethal risk module of the Comprehensive System on Cases of Gender-Based Violence (SICVG)

Through the MMGyD, the Argentine State will promote the implementation of a lethal risk alert system for cases of gender-based violence. The system will handle reliable information from public agencies at all levels of the State and will function as a module of the risk analysis tool of the Comprehensive System for Cases of Gender-Based Violence (SICVG).

The parties agree that the State will be in “full compliance” with the submission of report per semester for 18 months as from the signing of this agreement, which will report on the progress made in the design, development, and implementation of the lethal risk alert system of the SICVG, including information on the variables and categories of the module and the technical support provided to provinces and agencies involved on uploading or inputting data to the SICVG. With the presentation of these reports, IACHR supervision of execution of this clause will conclude.

III.2.10.iii. Unified System for Registering Reports of Gender-based Violence (URGE)

Through the Ministry of Security of the Nation, the Argentine State commits to implement a Unified System for Registering Reports of Gender-based Violence (URGE). In addition, it commits to invite the provinces that have not yet joined to do so, within the Interior Security Council.

It also undertakes to disseminate the “Protocol of Police Action for the Reception and Registration of Complaints of Gender-Based Violence” and to invite the jurisdictions that are members of the URGE System to join in disseminating the protocol.

Additionally, the State commits to train all police operator with access to the URGE System in the integral approach to gender-based violence complaints and in the implementation of the “Protocol of Police Action for the Reception and Registration of Complaints of Gender-Based Violence.

The parties agree that the State will be in “full compliance” with the submission of a report per semester for 18 months as from the signing of this agreement, certifying the actions taken by the Ministry of Security of the Nation pursuant to the above paragraphs. In particular, with regard to implementation of the URGE System and the invitations to the provinces mentioned in the first paragraph, data shall be included to show the state of implementation of the system and how many and which provinces have joined.

As regards the obligation taken pursuant to the second paragraph, the report shall address the actions taken by the Ministry of Security toward disseminating the protocol.

Finally, regarding the commitment established in the third paragraph, the Ministry of Security will provide information on the number of police operators with access to the URGE System who received the aforementioned training.

With the presentation of these reports, IACHR supervision of execution of this clause will conclude.

III.2.11. Drafting of a protocol for managing lethal risk cases

Through the MMGyD, the Argentine State commits to draw up an action protocol for the management of high-risk cases flagged through the SICVG. The process of drafting this protocol will be carried out in consultation with the petitioners and with the Federal Council of the MMGyD.

The parties agree that the State will be in “full compliance” with this clause upon presenting the protocol indicated in the above paragraph. With it, IACHR supervision of execution of this clause will conclude.

III.2.12. Dissemination of the documentary “Gotas de Lluvia”

The State, through the National Secretariat for Children, Adolescents and Family (SENAF), commits to acquire the rights to the documentary “Gotas de lluvia” (Raindrops, 2020, Nuevos Aires Producciones, directed by Susana Nieri), to be used as material for the territorial teams of the Secretariat, deployed in the all 24 of the country’s jurisdictions, to address the issue of child sexual abuse.

Likewise, the State, through SENAF, commits to carry out workshops aimed at the personnel of provincial child welfare agencies and civil society organizations involved in the subject—mediated by local SENAF officials—on how to properly approach child sexual abuse.

Lastly, through SENAF, the State commits to manage the participation of Abril Rosales and Susana Nieri in the activities described above through a video and/or virtual chat in which they will share with the community their personal experience and their work on raising awareness, prevention, and training. To this end, the State shall inform the petitioners of the tentative dates of each workshop at least one month in advance to ensure the participation of Abril Rosales and Susana Nieri in all of them.

The parties agree that, with the presentation to the IACHR of the instrument or official document reflecting the operation described in the first paragraph of this clause and the holding of—at a minimum—one workshop per province with the participation of Abril Rosales and Susana Nierione—the State will be considered in “full compliance” with this clause and, consequently, IACHR supervision with respect to its execution will conclude.

III.2.13. Drafting and dissemination of general guidelines for work on masculinities without violence

The Argentine State undertakes to continue carrying out actions to prevent gender-based violence.

Specifically, it commits to biannually update the survey of experiences in working with men and masculinities in the national territory, including information on places where men who have been victims of violence receive care, and materials on the experiences of the public sector and organizations..

The State also commits itself to develop and disseminate at the federal level general guidelines for work on masculinities without violence. The process of drafting this protocol will be carried out in consultation with the petitioners and with the Advisor Council of the MMGyD.

The parties agree that the State will be in “full compliance” with the submission of one report per semester for 18 months as from the signing of this agreement, accounting for the updates made pursuant to the second paragraph and with the submission to the Federal Council of the MMGyD of the general guidelines indicated in the above paragraph. Consequently, IACHR supervision of execution of this clause will conclude.

IV. Renunciation

The petitioning party expressly renounces any claim based on the facts alleged before the IACHR, both against the Province of Neuquén and against the National State.

V. Petition

The Government of the Argentine Republic and the petitioners hereby sign this agreement, expressing full acceptance with its content and scope, mutually affirming the goodwill shown, and formally request that the illustrious Inter-American Commission on Human Rights to ratify it and adopt the report provided for in Article 49 of the American Convention on Human Rights, at which time this agreement will acquire full legal force.

Three copies of the document are hereby signed in the Autonomous City of Buenos Aires on September 23, 2021.

IV. DETERMINATION OF COMPATIBILITY AND COMPLIANCE

14. The IACHR reiterates that in accordance with Articles 48(1)(f) and 49 of the American Convention, the purpose of this procedure is to “reach a friendly settlement of the matter based on respect for the human rights recognized in the Convention.” The acceptance to pursue this process expresses the good faith of the State to comply with the purposes and objectives of the Convention pursuant to the principle of *pacta sunt servanda*, by which States must comply with the obligations assumed in the treaties in good faith.¹ It also wishes to reiterate that the friendly settlement procedure set forth in the Convention allows for conclusion of individual cases in a non-contentious manner, and has proven, in cases involving a variety of countries, to provide an important vehicle for resolution that can be used by both parties.

15. The Inter-American Commission has closely followed the development of the friendly settlement reached in this case and highly values the efforts made by both parties during the negotiation to reach this friendly settlement, which is compatible with the objective and purpose of the Convention.

16. Pursuant to the provisions of Clause V of the FSA and in accordance with the requests of October 1, 2021, and March 10, 2022, respectively, of the State and the petitioning party, in which they requested approval of said agreement, it is appropriate at this time to assess compliance with the commitments established in this instrument.

17. The Inter-American Commission expresses its appreciation for Declarative Clauses I and II of the FSA and of the memorandum of commitment, respectively, in which the Province of Neuquén and the Argentine State acknowledge their international responsibility for the violation of the rights to humane treatment, judicial guarantees, honor and dignity, equal protection, and judicial protection guarantees, established in Articles 5, 8, 11, 24, and 25 of the American Convention, in relation to Article 1(1) of the Convention and Articles 4 and 7 of the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women, to the detriment of Ivana Emilse Rosales and her daughters Mayka and Abril Rosales. Similarly, the Commission values Declarative Clause V (3) whereby the government of the Province of Neuquén commits to not using the name Ivana Rosales for events, campaigns, programs, or any other State action without the explicit consent of her daughter, Abril Rosales, through her representatives.

18. As regards to clause III (1) of the provincial agreement regarding the creation of the *Ivana and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence in the town of Plottier*, Province of Neuquén, the State indicated that construction of the living quarters and restrooms was 70% complete and that projects are being formulated for the management of financial allocations from the National State for the administrative sector as of June 2021. Likewise, on September 13, 2022, it was reported that the Province of Neuquén had entered into a construction contract with CORFONE S.A., and that the work had been carried out and completed. It also stated that, by means of an act dated August 23, 2022, the Province received the work and assumed the execution of the rest of the project, through the Undersecretary of Public Works. In

¹ Vienna Convention on the Law of Treaties, U.N. Doc A/CONF.39/27 (1969), Article 26: “**Pacta sunt servanda**” *Every treaty in force is binding upon the parties to it and must be performed by them in good faith.*

this regard, it reported that the refurbishment and new construction project covers a total area of of 124 m², which involves the finishing and closing of an existing semi-covered space, as well as the construction of a covered space to connect the existing building to the one being built and two future buildings. Specifically, it consists of remodeling an existing structure belonging to a semi-covered outdoor area with a kitchen, grill, and bathrooms (the remodeling will close in the outdoor area to make it a dining area and develop a separate kitchen and shared laundry area). This area will also have a hallway to connect the bedrooms, access, and administration areas. The installation of a perimeter fence with concrete posts and chain-link and a vehicular and pedestrian access gate remain pending. In conclusion, the State indicated that the work execution was expected to be completed within 180 calendar days. In this regard, the petitioners did not offer any comments or additional information. Therefore, taking into consideration the information available, the Commission finds that this part of the agreement has been partially complied with and so declares it. In this regard, the Commission will await updated information from the parties on the completion of the Protection Center and its opening.

19. Additionally, regarding Clause III.2 of the provincial commitment *on legal aid*, on March 25, 2022, it was reported that by Provincial Decree 1469/2020, Law 3106 on the creation of a provincial attorney corps was regulated and that, in March 2021, hiring of all candidates was already in process. For its part, in their brief of July 5, 2022, the petitioners did not submit comments on this point of the commitment agreement but indicated that they maintain an open channel of dialogue with Neuquén authorities. Therefore, taking into consideration the information provided by the State, the Commission finds that this part of the commitment agreement meets with partial compliance and so declares it. In this regard, the Commission awaits information on the demand for legal aid in the Province, the material and budgetary resources provided to meet it, and the hiring of professionals for that purpose.

20. As regards Clause III.3 of the provincial commitment *on the publication and wide dissemination of the informational pamphlet on gender-based violence*, on April 19, 2021, the State reported that a social media campaign called "*#Vaporahí*" was launched in the framework of the Provincial Program on the Prevention of Violence in Dating Relationships, aimed at young people and adolescents. For its part, in their brief of July 5, 2022, the petitioners did not submit comments with respect to this point of the commitment agreement. Consequently, in view of what the State reported, the Commission finds this clause meets with partial compliance, and so declares it. The Commission therefore awaits information on the printing of the pamphlet and its distribution in schools, hospitals, police stations, and victim support centers, along with information on how it will be effectively incorporated as a permanent policy in Neuquén.

21. On the other hand, regarding Clause III.4 of the provincial commitment (*training public officials*) and Clause III.2.3 of the FSA (*promotion and training framework of Law 27,499, Micaela's Law*), the State reported that between 2020 and 2021, 73 awareness-raising sessions were held in which 4,793 officials from all three branches of government participated. The State clarified that two training cohorts were created for authorities of the National Government based in the Province of Neuquén. Regarding amendment of the "Guidelines for drafting training proposals within the framework of Micaela's Law," the State did not report any progress. Regarding promoting efforts to support and provide technical assistance to the areas in charge of implementing Law 27,499 in the three branches of government, on March 25, 2022, the State reported that the mechanism of "Institutional Strengthening for the design of Training Programs for Micaela's Law", aimed at pedagogical and management teams of the agencies, was strengthened. To date, the Ministry of Women, Genders, and Diversity of the Nation has certified 51 training programs in Micaela's Law, reaching 111 agencies, with 12 more agencies in the process of certification. Lastly, regarding the inclusion of the case of Ivana Rosales and the film "Ella se lo buscó" in the content suggested for the trainings, the State said it is currently reviewing the training courses offered by the Office on Gender and Diversity Training for the Public Sector to ensure that specific reference to the case is included. In particular, it is expected to be incorporated as suggested content in the following virtual courses: "The ABCs of Micaela's Law," aimed at government officials; "Micaela's Law in Action," aimed at authorities of the National Executive Branch; and "Promoting Access and Job Stability For Travestis, Transexuals, and Transgender Persons in the Public Sector," for officials and authorities of the public sector at a national, provincial and municipal levels. Subsequently, on September 13, 2022, the Province of Neuquén reported that 2,787 people had been trained during the period from April to July 2022.

22. In this regard, the petitioners expressed interest in obtaining more quantitative and qualitative information on each of the points. Therefore, taking into consideration the information provided by the parties, the Commission finds that clause III.4 of the commitment agreement and clause III.2.3 of the FSA have been partially complied with and so declares it. In this regard, the Commission awaits information that would allow verifying the training in Micaela Law's of 15% of all officials of the provincial Executive ranch and a 30% increase in training for members of the judiciary (public health services and security forces). The Commission also awaits the report that the State committed to providing with disaggregated data on the number of workshops held, training dates, modality, institutional affiliation, and rank of the persons trained, along with publication in the Official Bulletin of the amendment to Annex II of MMGyD Resolution 61/2021 and with the validation of the steps taken by the MMGyD with Micaela's Law liaisons in the ministries and decentralized agencies of the national government to promote inclusion of the case in question in the training activities conducted. Lastly, the Commission awaits concrete information on dissemination of the film "Ella se lo buscó" in the framework of the trainings held in compliance with these parts of the FSA and the provincial agreement.

23. As regards Clause III.5 of the provincial agreement *on the National Registry of Gender-based Violence*, the Commission did not receive information from the parties. Therefore, the Commission finds that this part of the agreement remains pending compliance and so declares it. In this regard, the Commission awaits up-to-date information on cases reported in police stations, health services, comprehensive women's centers/gender offices (or the name the gender institutions use in each location), and courts throughout the regions or municipalities of the Province of Neuquén.

24. Regarding Clause III.6 of the provincial commitment *to provide Abril Rosales with legal assistance*; Clause IV.1 *on granting housing to Abril Rosales*; Clauses IV.2 and IV.3 *on pecuniary compensation and costs and expenses*; and Clause V.1 *on the dissemination of the film "Ella se lo buscó,"* both parties stated that they have been fully complied with. The Commission therefore finds that this part of the agreement meets with full compliance and so declares it.

25. As regards Clause V.2 of the provincial commitment *to disseminate the provincial agreement*, as established in its text, it must be complied with following issuance of the approval report by the IACHR. The Commission therefore finds that this part of the agreement is pending compliance and so declares it. In this regard, the Commission awaits proof of effective publication in a special section of a national newspaper and a provincial newspaper, as well as on the official website of the Judicial Branch of the Province of Neuquén.

26. Regarding Clause III.1.1 of the FSA *on the public act of acknowledgment of international responsibility*, as informed by the parties, on September 23, 2021, the public act of acknowledgment of responsibility and apology was held at the National Archives of Memory in the Autonomous City of Buenos Aires. The event was attended by authorities from the Province of Neuquén and the National State, including the following: the Minister of Justice and Human Rights of the Nation, the Minister of Women, Gender, and Diversity of the Nation, the Secretary of Human Rights Human Rights of the Nation, the Secretary for Children, Adolescents, and Family, the Governor of the Province of Neuquén, and a member of the Superior Court of Justice of Neuquén. Also in attendance were the Minister of Citizenship of the Province of Neuquén, the Undersecretary for Human Rights of the Province of Neuquén, a national deputy, the Secretary of Policies against Gender-Based Violence of the Ministry of Women, Gender, and Diversity of the Nation, the Undersecretary for Law, Well-being, and Gender of the Ministry of Security of the Nation, the Undersecretary for a Comprehensive Approach to Gender-Based Violence of the Ministry of Women, Gender, and Diversity of the Nation, the Undersecretary for Protection and International Exchange of the Human Rights Secretariat of the Nation, and the Director for International Human Rights Litigation of the Ministry of Foreign Affairs, International Trade, and Religion of the Nation. Also participating in the event were Abril Rosales, daughter of Ivana Emilse Rosales, and the organization representing her in the processing of the petition before the IACHR, the Centro de Estudios Legales y Sociales (CELS), through its legal director. Lastly, the president of the IACHR and rapporteur for Argentina, Julissa Mantilla Falcón, participated on behalf of the IACHR.²

² Available electronically at: <https://www.youtube.com/watch?v=u240NB4Mhys>

27. In this regard, the State reported on the content of the agenda of the act of acknowledgment of responsibility and its publication, which included at the beginning, the broadcast of an interview with Ivana Rosales and welcoming remarks by the Secretary of Human Rights of the Nation. Afterwards, the member of the Superior Court of Justice of the Province of Neuquén spoke, and then the Governor of the Province of Neuquén read out the acknowledgment of responsibility. Following that, the National Secretary on Children, Adolescents, and the Family took the floor followed by the Minister of Justice and Human Rights of the Nation, and the Minister of Women, Gender, and Diversity continued with a public apology from the State. Then, on behalf of Ivana Rosales' daughter, journalist Virginia Trifogli presented her speech, followed by the Executive Director of the Centro de Estudios Legales y Sociales. Lastly, the Chair of the IACHR and rapporteur for Argentina, Julissa Mantilla Falcón, closed the event. Therefore, the Commission finds that clause III.1.1 of the FSA meets with full compliance and so declares it.

28. Regarding Clause III.1.2 of the FSA on the publicity of the FSA, on July 5, 2022, the petitioners reported that on April 10, 2002, the gazettes of the summary of the friendly settlement agreement were published in two national newspapers. The representatives of the petitioners also indicated that the drafting of the gazette was done by mutual agreement and that they were notified prior to the publication. In this regard, the State reported that, in addition, the Office of the Secretary of State was developing a website that would include all the friendly settlement agreements and recommendations compliance signed by Argentina, meaning this agreement would also be published there. As of the date of preparation of this report, it was not possible to verify that the FSA was available on the website of the Secretary of Human Rights of the Nation,³ as committed. Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the agreement meets with partial compliance and declares thusly. In this regard, the Commission awaits the publication of the corresponding content on the website of the Office of the Secretary of Human Rights of the Nation.

29. Regarding Clause III.2.1 of the FSA *on implementation of the National Action Plan against Gender-Based Violence (2020-2022) at the federal level*, on March 25, 2022, the State indicated that more than 83% of the products committed to in the Plan report progress and results. Specifically, it noted that 43% are being implemented, 11% completed their implementation, and 27% of the products are in the development stage. In addition, the State reported that 41% of the products are of continuous execution, —that is, their implementation extends beyond the deadline for completion of the current National Plan and accompanied the progress report of the National Action Plan against Gender-Based Violence 2020-2022 of July 2021. Finally, it added that execution of the remaining products that have not yet reported progress is scheduled for the first half of 2022. In this regard, the petitioners stated that most of the information contributed by the State refers to actions and interventions from 2020, and that the agreement was signed afterwards. They pointed out, with regard to the information for 2021, it is possible to make a time cut, but it is not clear whether the actions and interventions refer to this agreement or to the public policy on the subject set by the Ministry for Women, Gender, and Diversity of the Nation, the agency in charge of implementing the plan. In this regard, the petitioners said more information was needed on which aspects of the State's actions correspond to compliance with the agreement. Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the FSA remains pending compliance and so declares it.

30. Regarding Clause III.2.2 of the FSA *on implementation of the National Program for the Prevention of Gender-Based Violence*, on March 25, 2022, the State indicated that so far, 283 awareness-raising seminars have been held and added that no progress has been made with respect to including the Ivana Rosales case and the family settlement agreement in the curriculum of these seminars. For their part, the petitioners expressed that most of the in-person seminars seemed to have taken place in the province of Buenos Aires, aside from 21 held in other provinces. They therefore asked if there was any specific obstacle in other provinces, and if so, which provinces pose challenges. Additionally, with respect to including the case of Ivana Rosales in the curriculum, it expressed its willingness to participate in future meetings to agree on how to do so. Therefore, taking into consideration the information provided by the parties, the Commission finds that Clause III.2.2 of the FSA meets with partial compliance and so declares it.

³ Pursuant to the FSA, the publication must be available on the website <https://www.argentina.gob.ar/derechoshumano>

31. Regarding Clause III.2.4 of the FSA *on Implementation and Dissemination of the Support Program for People at Risk of Gender-Based Violence (“Acompañar”)*, the State reported that from September 24, 2021, to March 2022, 104 agreements were signed with different municipalities, and that there are a total of 668 agreements in place. Regarding dissemination, it indicated that 46 publications were made on different social networks and that the program was mentioned in 223 press articles between September 23, 2021, and December 31, 2021. Lastly, it added that 118 more articles were published in the first months of 2022. In this regard, the petitioners noted the need for indicators or data, quantitative or qualitative, on the direct and indirect results referred to in the program, as well as information on requests to access the programs that were not granted. The petitioners also expressed interest in knowing the data on the geographic location, disaggregated by provinces, of the persons who accessed the program, and to know if there is or is possible to cross-reference information between these persons who accessed the benefit and the number of complaints of gender-based violence that appear in the Integrated System of Cases of Gender-Based Violence (clause III.2.10.i of the FSA). Regarding dissemination of the program, the petitioners asked for information regarding the months of February and March 2022 and congratulated the State on the wide dissemination via social media and through different activities that it had reported. Therefore, taking into consideration the information provided by the parties, the Commission finds that clause III.2.4 of the FSA meets with partial compliance and so declares it.

32. Regarding Clause III.2.5 of the FSA *on carrying out actions in the framework of the Interministerial Program for a Comprehensive Approach to Extreme Gender-Based Violence*, the State reported that, with regard to the interagency work in the framework of the Federal Council on Preventing and Addressing Femicides, Travesticides, and Transfemicides, three regional meetings were held with representatives of the country’s northeast and central provinces during which agreements were signed to coordinate with the 144 hotline and the emergency telephone system, to join URGE, and to implement dual protection provisions. In this respect, the petitioners communicated that the information provided by the State was prior to the signing of the FSA, so they are awaiting information on meetings held subsequently. Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the FSA remains pending compliance and so declares it.

33. Regarding Clause III.2.6 of the FSA *on implementation and dissemination of the Program for Urgent Support and Immediate Comprehensive Assistance in Cases of Extreme Gender-based Violence*, the State reported that 257 cash transfers have been made since the plan began to be implemented. It also stated that since September 24, 2021, 120 cash transfers had been made to the relatives and next of kin of victims of gender-based violence. Regarding dissemination of the program, during 2021, it indicated that three posts were made on the different social media accounts of the Ministry of Women, Gender, and Diversity of the Nation, and that during 2022, only one post referred to the program. Regarding news items published in the media, the program appeared in three news articles between September 23 and December 31, 2021, and in five articles during 2022. For its part, the petitioners expressed interest in having information on the geographic location (province) in which the persons requiring access to this particular program are located, as well as information related to the destination of monetary amounts provided, or what type of additional assistance is provided, or the effects that the assistance has had and on the dissemination of the program. Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the FSA meets with partial compliance and declares thusly.

34. Regarding Clause III.2.7 of the FSA *on enhancing access to justice for persons in situations of gender-based violence*, the State reported that a bill was sent to the Congress of the Nation of Argentina to amend Law 27.210 which created an Attorney Corps for Victims of Gender-Based Violence (CAAVVG) in order to change its name and guarantee its performance in judicial proceedings. The State indicated that in order to strengthen the CAAVVG, it will report on the measures taken to ensure the call for competitive examinations and background for the incorporation 80 professionals to the CAAVVG, and to disseminate the process on social media and through the Federal Council of the Ministry. It added that the competitive hiring process will be held in two sections, with at least 40 individuals hired through each process, and that the first would be carried out in the initial months of 2022. Regarding the Realizing Rights Program for persons dealing with gender-based violence, on March 25, 2022, the State indicated that a total of 4,700 women are being accompanied in a number of provinces throughout Argentina and reported that as of March 7, 2022, 43 interdisciplinary teams had been

formed, amounting to 54% of the total number of teams projected for the entire country. For their part, the petitioners expressed approval of the number of teams that had been formed so far, along with interest in having more information on the modalities of the accompaniment of women and the number of people who make up the teams to be }"interdisciplinary." Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the FSA meets with partial compliance and so declares it.

35. As regards Clause III.2.8 of the FSA *on training for police and security forces*, the State reported that, from the National Office on Gender Policies of the Ministry of Security of the Nation, it was reported that, during 2019, a training entitled "Femicides: Gender approach and the Role of Police And Security Forces" was carried out, promoted by the gender area of the Ministry of Security of the Nation and sponsored by the Inter-American Development Bank (IDB). The training was offered in 12 locations and to a total of 845 female officials. Additionally, on March 15, 2022, it was reported that, during 2020 and 2021, the same specialized teaching team, both from the gender area of the Ministry of Security of the Nation as well as from the four federal Police and Security forces, designed another virtual course entitled "Femicide: Actions with a Gender Approach at the Scene of the Crime." The course is available on the Ministry of Security's virtual platform and is expected to be launched in April 2022. On the other hand, the State communicated that, from 2020 to March 15, 2022, a virtual course entitled "Comprehensive Approach to Reports of Gender-Based Violence at Police Stations" was developed. It also noted that, in 2020 and 2021, a total of 1,088 vacancies were offered to police officers from 20 provinces and that, of that number, 62% of the officers hired immediately accessed the platform and 42% were able to pass the curricular content. Regarding this, the petitioners, in their observations dated July 5, 2022, stated that the report of the Ministry of Security only gives an account of the number of trainings held in 2019, but not the number held in 2020, 2021, nor what has elapsed in 2022, or its projection for this year. In addition, regarding the new course being developed by the aforementioned agency, they noted that it would be useful to learn the content of this training, its duration, whether it is mandatory, and the actions that the Ministry of Security will take to ensure the platform is disseminated to all provinces. Lastly, the petitioners indicated that the report does not provide information on invitations to provinces to participate in the training within the Interior Security Council. Therefore, taking into consideration the information provided by the parties, the Commission finds that clause III.2.8 of the FSA remains pending compliance and so declares it.

36. Regarding Clause III.2.9 of the FSA *on implementing the Program to Strengthen Territorial Mechanisms of Comprehensive Protection for Persons Experiencing Gender-Based Violence*, the State reported, on March 25, 2022, that to date, there are 229 territorial protection mechanisms have been implemented throughout the country and that the budget allocated for fiscal year 2021 was 10 million Argentine pesos.⁴ Regarding the dissemination of the Program, the State indicated that, between September 2021 and March 2022, eight virtual training events had been held in the framework of the initiative entitled "Training on Gender Perspective, Diversity, and Intersectionality for a Comprehensive Approach to Territorial Mechanisms of Protection" of the Ministry of Women, Gender, and Diversity, and that during the events, information was provided on the aforementioned program. In this regard, the petitioners indicated that the State included in its report, information on 26 budget request projects, but the report does not contain the name all the mechanisms, the funds requested and/or assigned to each, the purpose of the budget, or the expected size of this budget's program for 2022. Likewise, regarding dissemination, the petitioners indicated their interest in knowing more details on these trainings, particularly on the location and date of each one, as well as on the measures that will be taken to disseminate the program in the future. Therefore, taking into consideration the information provided by the parties, the Commission finds that this part of the FSA meets with partial compliance and so declares it.

37. Regarding Clause III.2.10 of the FSA *on producing strategic and standardized information on gender-based violence*, on March 25, 2022, the State reported that, with regard to the implementation and dissemination of the Comprehensive System on Cases of Gender-Based Violence (SICVG) (clause 2.10.i of the FSA), the Federal Module is the component of the SICVG designed to upload information for provincial, municipal, and national agencies, along with any other external input to the MMGyD. In this regard, the State confirmed that the Federal Module is fully developed, operational, and in the implementation phase. Regarding

⁴ Available electronically at: <https://www.economia.gob.ar/onp/documentos/presutexto/proy2021/jurent/pdf/P21J86.pdf>

the way of loading cases, it clarified that each jurisdiction could choose to upload them and make queries directly in the SICVG or provide information they manage by sharing their data, which are “ingested” into the system automatically, through the connection between databases. It also added that as of August 2020, the MMGyD had provided three spaces for collectively building the system: federal technical tables, training and pilot tests. As far as the technical assistance provided to provinces and agencies, the State expressed that, in total, 122 technical roundtables were held: 39 during 2020, 77 during 2021, and, as of February 2022, six meetings had been held with the provinces. As for national agencies, a total of 15 technical meetings have been held. Lastly, regarding judicial bodies, eight technical meetings have been held, all of them during 2021.

38. Regarding the steps taken to encourage joining the SICVG, the State reported that of Argentina’s 24 jurisdictions, 23 provinces had joined the SICVG, with the Autonomous City of Buenos Aires being the only one that had yet to be incorporated. Likewise, five bodies of the provincial administration of justice systems have joined the SICVG (the Supreme Court of Justice of the Province of Tucumán, the Attorney General of the Province of Salta, the Supreme Court of Justice of the Province of Mendoza, the Court of Justice of Catamarca, and the Attorney General of the Court of Catamarca). Of the national agencies, only the Ministry of Defense has signed a joint cooperation agreement to join and has yet to sign the complementary official document. Meetings and working groups have been held with six other agencies on joining the system. As for the municipalities, so far only seven have joined. Additionally, regarding training for SICVG users, it was reported that in July 2021, training began in the provinces that had opted to handle it directly. Specifically, training has been provided to 10 provinces and 4 municipalities in the Province of Catamarca. According to the State, so far, a total of 235 people has gone through the training area, while 114 people have attended pilot tests. The federal module currently has 179 users. Additionally, with regard to creating the lethal risk module (clause 2.10.ii of the FSA), the State communicated that implementation of the SICVG’s lethal risk alert system is planned for testing in the form of internal use by the Ministry of Women, Gender, and Diversity of a preliminary version of the module. Tests are being carried out and the necessary adjustments made.

39. Regarding the commitment to operate the Unified System for Registering Reports of Gender-based Violence (URGE) (clause III.2.10.iii of the FSA), the State indicated on March 11, 2022, that the Ministry of Security had expressed that it is in the development phase. In this regard, the petitioners indicated that they would be interested in learning what measures the Ministry of Women, Gender, and Diversity will take to ensure that all the provinces and agencies in the country would join the SICVG. Additionally, they express interest in knowing when the lethal risk module will be fully implemented, and which measures the State will take to achieve that objective. Additionally, regarding URGE, the petitioners asked when the State expected the registry would be ready, how the URGE system would complement or replace the SICVG, and which provinces had joined URGE, its presentation before the Interior Security Council, and any other actions taken with the provinces and the Autonomous City of Buenos Aires following September 23, 2021. Lastly, regarding the URGE training sessions, the petitioners asked for information on the number of training sessions carried out, the modality, the number of participants, and the institution of origin, position, rank, and gender of all participants, as well as on the 15% annual increase in training sessions for federal officers. Therefore, taking into consideration the information provided by both parties, the Commission finds that clause III.2.10 of the FSA meets with partial compliance and so declares it.

40. In relation to Clause III.2.11 of the FSA *on the preparation of a lethal risk case management protocol*, as indicated by both parties, no progress has been made on this part of the FSA. The Commission therefore finds that it remains pending compliance and so declares it.

41. Regarding Clause III.2.12 of the FSA *on dissemination of the documentary “Gotas de Lluvia,”* the National Secretariat for Children, Adolescents, and the Family reported that on March 9, 2022, a virtual meeting was held with the petitioners to finalize the purchase of the rights to the documentary. Talks were thus held with the director, Susana Nieri, with the aim of working out the administrative issues involved in acquiring the rights to the film. In this regard, the State confirmed that the agency will effectively purchase the rights to the documentary “Gotas de Lluvia” and use it in a series of trainings and awareness raising actions to take place virtually with SENAF technical teams with National Office on Systems of Protection that are present in each of the provinces throughout the country. Additionally, the State added that the provincial teams on children would be invited to participate in the trainings. In this regard, the petitioners expressed their agreement with the

information provided by the State, and therefore, taking into consideration the information provided by the parties, the Commission finds that this clause of the FSA remains pending compliance and so declares it.

42. Regarding Clause III.2.13 of the ASA *on the drafting and dissemination of general guidelines for work on masculinity is without violence*, the State reported that the first map of experiences in working with the men and masculinities in the country was drawn up in coordination with the Instituto de Masculinidades y Cambio Social and the Spotlight Initiative. Regarding dissemination at the federal level of the general guidelines for work on non-violent masculinities, in consultation with the petitioners and the Advisory Council of the Ministry on Women, Gender, and Diversity, the Secretariat on Policies against Gender-Based Violence of the MMGyD indicated it is in dialogue with the petitioners and that an initial working meeting has already been coordinated to begin to jointly formulate the aforementioned guidelines. In this regard, the petitioners confirmed what the State had said and praised the progress toward complying with this measure. In view of the foregoing, the Commission finds that this point meets with partial compliance and so declares it.

43. Lastly, the Commission welcomes the progress made toward executing the provincial commitment and the friendly settlement agreement signed in this matter. In this regard, the Commission notes that 20 of the clauses set forth in the FSA, include a State's commitment to provide periodic and detailed reports every 18 months on the progress made toward executing these measures. In this regard, the Commission observes that the State has issued general reports on implementation and functioning of public policies that do not detail the measurement information committed to in each of the clauses. In this sense, it should be noted that the Commission values the steps made by the State toward complying with the agreement. At the same time, it recalls that the monitoring of compliance with the FSA must be based on the specific measurement components that the parties have agreed upon. Therefore, it urges the State to submit the committed reports with the key components required for each clause so that progress can be made toward verifying that all the obligations arising from both instruments have been met. For such purposes, this report includes an annex listing the verification measures required by the Commission for monitoring the FSA and the provincial agreement.

44. The Commission therefore finds that clauses III.6 (legal assistance to Abril Rosales); IV.1 (granting of housing to Abril Rosales); IV.2 (pecuniary compensation); IV.3 (costs and expenses); and V.1 (dissemination of the film "Ella se lo buscó") of the provincial commitment have been fully complied with. Additionally, the Commission finds compliance with clauses III.1 (establishment of the Ivana and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence), III.2 (legal aid), III.3 (publication and dissemination of an informational brochure on gender-based violence), and III.4 (training public officials on Micaela's Law) of the Provincial commitment to be partial. At the same time, the Commission finds clauses III.5 (National Registry of Gender-based Violence) and V.2 (dissemination of the provincial agreement) of the provincial agreement to be pending compliance.

45. Additionally, the Commission finds clause III.1.1 (public act of recognition of international responsibility) of the friendly settlement agreement has met with full compliance. At the same time, the Commission considers clauses III.1.2 (publicity of the FSA), III.2.2 (national program for the prevention of gender-based violence), III.2.3 (promotion and training related to Micaela's Law), III.2.4 (implementation and dissemination of the support program for people at risk of gender-based violence), III.2.6 (emergency support program and immediate comprehensive assistance in cases of extreme gender-based violence), III.2.7 (strengthening access to justice for people in situations of gender-based violence), III.2.9 (program to strengthen for territorial mechanisms for the comprehensive protection of persons in the context of gender-based violence), III.2.10 (comprehensive system of cases of gender-based violence) and 2.III.13 (preparation and dissemination of general guidelines for work on masculinities without violence) of the FSA to meet with partial compliance. Lastly, the Commission concludes that clauses III.2.1 (national action plan against gender-based violence), III.2.5 (interministerial program for a comprehensive approach to extreme violence), III.2.8 (training for police and security forces), III.2.11 (drafting of lethal risk protocol) and III.2.12 (dissemination of the documentary "Gotas de Lluvia") of the FSA are pending compliance and declares thusly.

46. Lastly, the Commission finds that the remaining content of the friendly settlement is of a declaratory nature, and therefore, supervision of it is unnecessary. Lastly, the Commission finds that the

friendly settlement agreement meets with partial compliance and will continue to monitor implementation of the aforementioned execution clauses until they are fully implemented.

V. CONCLUSIONS

1. Based on the aforementioned considerations and by virtue of the procedure established in Articles 48(1)(f) and 49 of the American Convention, the Commission wishes to reiterate its deep appreciation for the efforts made by the parties and its satisfaction at the friendly settlement agreement reached in this case, based on respect for human rights and compatible with the object and purpose of the American Convention.

2. In light of the foregoing considerations and findings,

THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

DECIDES:

1. To approve the provincial agreement signed by the parties on September 11, 2019, as well as the friendly settlement agreement signed by the parties on September 23, 2021.

2. To declare that clauses III.6 (legal assistance to Abril Rosales); IV.1 (granting of housing to Abril Rosales); IV.2 (pecuniary compensation); IV.3 (costs and expenses); and V.1 (dissemination of the film "Ella se lo buscó") of the provincial agreement meet with full compliance, pursuant to the analysis contained herein.

3. To declare that clauses III.1 (establishment of the Ivana Rosales and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence), III.2 (free, comprehensive, and specialized legal aid), III.3 (publication and dissemination of an informational brochure on gender-based violence), and III.4 (training public officials on Micaela's Law) of the provincial agreement meet with partial compliance, pursuant to the analysis contained herein.

4. To declare clauses III.5 (National Registry of Gender-based Violence) and V.2 (dissemination of the provincial agreement) of the provincial agreement to be pending compliance, pursuant to the analysis contained herein.

5. To declare that clause III.1.1 (public act of recognition of international responsibility) of the friendly settlement agreement has met with full compliance, pursuant to the analysis contained herein.

6. To declare that clauses III.1.2 (publicity of the FSA); III.2.2 (national program for the prevention of gender-based violence); III.2.3 (promotion and training related to Micaela's Law); III.2.4 (implementation and dissemination of the support program for people at risk of gender-based violence); III.2.6 (emergency support program and immediate comprehensive assistance in cases of extreme gender-based violence); III.2.7 (strengthening access to justice for people in situations of gender-based violence); III.2.9 (program to strengthen territorial mechanisms for the comprehensive protection of persons in the context of gender-based violence); III.2.10 (comprehensive system of cases of gender-based violence); and 2.III.13 (preparation and dissemination of general guidelines for work on masculinities without violence) of the FSA meet with partial compliance, pursuant to the analysis contained herein.

7. To declare clauses III.2.1 (national action plan against gender-based violence), III.2.5 (interministerial program for a comprehensive approach to extreme violence), III.2.8 (training for police and security forces), III.2.11 (drafting of lethal risk protocol) and III.2.12 (dissemination of the documentary "Gotas de Lluvia") of the FSA are pending compliance, pursuant to the analysis contained herein.

8. To continue monitoring clauses III.1 (establishment of the Ivana Rosales and Mayka Rosales Comprehensive Protection Center for victims of gender-based violence), III.2 (free, comprehensive, and specialized legal aid), III.3 (publication and dissemination of an informational brochure on gender-based

violence), and III.4 (training public officials on Micaela's Law), III.5 (National Registry on Gender-based Violence), and V.2 (dissemination of the provincial commitment) of the provincial agreement, pursuant to the analysis contained herein.

9. To continue monitoring clauses III.1.2 (publicity of the FSA), III.2.1 (national action plan against gender-based violence), III.2.2 (national program for the prevention of gender-based violence), III.2.3 (promotion and training related to Micaela's Law), III.2.4 (implementation and dissemination of the support program for people at risk of gender-based violence), III.2.5 (interministerial program for a comprehensive approach to extreme violence), III.2.6 (emergency support program and immediate comprehensive assistance in cases of extreme gender-based violence), III.2.7 (strengthening access to justice for people in situations of gender-based violence), III.2.8 (training for police and security forces), III.2.9 (program to strengthen territorial mechanisms for the comprehensive protection of persons in the context of gender-based violence), III.2.10 (comprehensive system of cases of gender-based violence), III.2.11 (drafting of protocol for lethal risk), III.2.12 (dissemination of the documentary "Gotas de Lluvia") and 2.III.13 (preparation and dissemination of general guidelines for work on masculinities without violence) of the FSA, pursuant to the analysis contained herein. With this purpose, to remind the parties of their commitment to report regularly to the IACHR on compliance.

10. To make this report public and to include it in the Commission's Annual Report to the OAS General Assembly.

Approved by the Inter-American Commission on Human Rights on November 21, 2022. (Signed): Julissa Mantilla Falcón, President; Edgar Stuardo Ralón Orellana, First Vice President; Margarete May Macaulay, Second Vice President; Esmeralda E. Arosemena de Troitiño; Joel Hernández García; Carlos Bernal Pulido and Roberta Clarke, members of the Commission.