Argentina: Justice for sexual abuse of children

Argentina has experienced rapidly increasing awareness of the scale of sexual abuse of children within Catholic institutions. In recent years, an ever-increasing number of abuse survivors have been emboldened to come forward and take action against their abusers and the religious institutions that shielded them.

The scale of abuse

Since 2015, Argentina has seen a significant increase in the number of complaints alleging sexual abuse against Catholic clergy. In 2017, AP reported that 66 priests, nuns and other clergy had been accused of sexual abuse since 2001,1 and in June 2019, a year-long nationwide investigation by La Nación found that over the previous 20 years, at least 63 clerics had been accused of sexual abuse.2

Necessary legal reform

Limitation periods

It can take years, even decades, to come to terms with sexual abuse experienced in childhood and for survivors to feel ready to face their abusers and demand justice. It is common for people to disclose abuse for the first time more than 20 years after it took place. Strict limits on how quickly a complaint must be made after an offence is committed - known as limitation periods - can close off the justice system to abuse survivors entirely and prevent them from pursuing legal action when they are ready.

In Argentina, the limitation period for any crime, including sexual abuse of minors, is equal to the maximum imprisonment penalty, with a maximum of 12 years and a minimum of two years.3 If the victim died as a result of the sexual abuse the limitation period is 15 years.4 These limitation periods start running when the victim reaches the age of 18 and files a complaint or ratifies the report made by their parents or guardians.5

At the time of writing, Argentina was considering a bill to abolish limitation periods for a number of sexual offences involving children.6

Recommendation: abolish limitation periods for all sexual offences committed against children.

Mandatory reporting

Mandatory reporting of child sexual exploitation and abuse can be a highly effective way of ensuring that it is identified, further abuse is prevented and appropriate action is taken within the justice system. These measures usually require members of specific professions working with children to report suspicions of sexual abuse of children to appropriate social authorities or the police.

In Argentina members of public or private educational and health establishments, as well as public agents and officials who have knowledge of the violation of the rights of children must report it to the administrative authority responsible for the protection of rights at the local level.7

Recommendation: extend mandatory reporting to

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1 Las denuncias de abusos clericales se disparan en Argentina, 26 October 2017, AP News. Available at: https://www.apnews.com/da307f5194fd141a346e6033eb7e9633d.
4 Ibid. art. 62, section 1, and art. 124
6 Text of the draft bill available at: https://www.diputados.gov.ar/proyectos/proyecto.jsp?exp=5437-D-2018
7 Ley 26.061 de protección integral de los derechos de las niñas, niños y adolescentes, Article 30.
ensure that any professional working with children, including in church-run institutions, is required to report suspected abuse to the relevant civil authorities, including when disclosed to a religious leader during confession.

National Inquiries

National inquiries have proved an effective way of establishing the facts about large scale sexual abuse of children across the 19 countries that have adopted them to date, paving the way for national reforms to improve child protection, policy and practice and secure redress for survivors. In Latin America no country has yet conducted a national inquiry into child sexual abuse in residential settings or the Catholic Church.

For information on how to establish a public inquiry into institutional abuse, see CRIN, The Third Wave: Justice for survivors of child sexual abuse within the Catholic Church in Latin America.

Support services

The following support services to survivors of child sexual abuse are available in Argentina:

Helplines

- **Government Helpline** - Tel: 0800-222-1717
- **Line 102 for Boys and Girls, Buenos Aires** - Línea 102 de Niños y Niñas, Buenos Aires

Survivors’ networks

- **Argentina’s Network of Clergy Sexual Abuse Survivors** - Red de Sobrevivientes de Abuso Sexual Eclesiástico de Argentina
- **Adults for children’s rights** - Adultxs por los derechos de la infancia

Civil society organisations

- **The Argentinian Association for the Prevention of the Mistreatment of Infants and Youths** - Asociación Argentina de Prevención del Maltrato Infanto-Juvenil (ASAPMI)
- **The Argentinian Committee for the Application of the Convention on the Rights of the Child** - El Comité Argentino de Seguimiento y Aplicación de la Convención Internacional de Derechos del Niño (CASACIDN)
- **Grooming Argentina**

Women’s organisations

- **The Foundation for Studies and Research on Women** - Fundación para Estudio e Investigación de la Mujer
- **The Meeting House** - La Casa del Encuentro (also for boys and adolescents)
- **The Informative Network of Argentinian Women** - Red Informativa de Mujeres de Argentina (communication by email)

For further information about support services across the region, see: [https://home.crin.org/issues/sexual-violence/child-sexual-abuse-catholic-church-latin-america](https://home.crin.org/issues/sexual-violence/child-sexual-abuse-catholic-church-latin-america).

Resources

- **CRIN, The Third Wave: Justice for survivors of child sexual abuse within the Catholic Church in Latin America**
- **Support services available for survivors of child sexual abuse across Latin America**
- **Ending Clerical Abuse - Global Justice Project**
- **Economist Intelligence Unit, Out of the Shadows Index**

About CRIN

CRIN is a creative think tank that produces new and dynamic perspectives on human rights issues, with a focus on children’s rights. We press for rights - not charity - and campaign for a genuine shift in how governments and societies view and treat children. You can contact us at info@crin.org.