

**Reparation Regime for Former Political Prisoners of the
Argentine Republic**

LAW 26.913

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In force, of general scope

Id SAIJ: LNS0005890

Summary

deprivation of liberty, Armed Forces, ex gratia pensions, Criminal law, National defence, Security social

The Senate and the Chamber of Deputies of the Argentine Nation, meeting in Congress, etc. sanction with force of Law:

ARTICLE 1 - An ex gratia pension shall be established for those persons who, up to 10 December 1983 meet one of the following requirements:

- (a) Have been deprived of their liberty as civilians and/or military personnel convicted by a Council of War, placed at the disposal of the national executive branch, and/or deprived of their liberty as a result of action of the Armed Forces, Security Forces or any other group, for political, trade union or students. Those who have been reached by Laws 25.914 and 24.043, their extensions and complementary;
- (b) Have been deprived of their liberty as civilians and/or military personnel by acts of units or special military tribunals or courts-martial, whether or not there has been a conviction in this jurisdiction, under the National Security Doctrine;
- (c) Have been deprived of their liberty by civil courts, under the application of Law 20.840/74 and/or article 210 bis and/or 213 bis of the Criminal Code and/or any other law, decree or resolution of that nature, having held under the regime of "special detainees", in violation of human rights constitutionally protected.

ARTICLE 2 - The ex gratia pension provided for in this scheme is independent of any other form of reparation which may be due, for any person covered by the object of this law, without damage to the compensation that any affected person may be entitled to, for moral damage; physical and/or psychological consequences of institutionalised torture and prolonged and vexatious detention has been subdued. Persons receiving a national, provincial or of the same nature and emanating from the same situations, leaving the right to to be able to opt for this or any other pension.

ARTICLE 3 - In the event of the death of the beneficiary, the following shall be entitled to the benefit the following order:

- a) Surviving spouse or concubine who proves that they live together according to the rules pension scheme in force;
- b) Children who are minors at the time of death and up to the age of majority;
- c) Children who are incapable of work, for the duration of the incapacity.

ARTICLE 4 - The application of the present regime, by contributing from the National State to the reparation of crimes against humanity, is protected by the non-applicability of the statute of limitations, which determines the existence of temporary maximum periods for the submission of applications to exercise the rights granted by the scheme.

ARTICLE 5 - The benefit established by this law shall be equal to the monthly remuneration assigned to the Category D Level 0 (zero), Permanent Plant No Tier -General Grouping- of the personnel of the National Public Employment System -SINEP- under the terms established by the application.

ARTICLE 6 - The Secretariat for Human Rights of the Ministry of Justice and Human Rights of The Nation will be the body responsible for the application of this regime, and will be in charge of the articulation with the areas of government involved with this law, being in charge of the coordination, diffusion, advice of the beneficiaries and the design and implementation of a systematic and rigorous monitoring plan for its application, which may to adopt such clarifying and supplementary rules as may be necessary to comply with the established in the present law and decide on the origin of the benefit in a very summary manner.

ARTICLE 7 - The necessary funds to implement the present regime will be provided by the Treasury National.

ARTICLE 8 - Communicate to the National Executive.

Signatories

BOUDOU-DOMINGUEZ-Estrada-Bozzano