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articles 16 and 17 of the Covenant**

Argentina*

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Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction.....	1–4	4
II. Article 1.....	5	4
III. Article 2.....	6–11	4
IV. Article 3.....	12	6
V. Article 6.....	13–201	6
A. The employment situation	13–21	6
B. The distribution of jobs.....	22–26	8
C. Protecting the unemployed	27–56	8
D. Policies to promote employment and enhance employability.....	57–67	13
E. Evaluation of measures.....	68–120	15
F. Programmes for vulnerable groups.....	121–160	23
G. Measures adopted in relation to undeclared workers.....	161–201	28
VI. Article 7.....	202–257	37
A. Wages	202–220	37
B. Employment contracts: characteristics, new contractual arrangements and other aspects.....	221–257	42
VII. Article 8.....	258–266	47
A. Union rights	258–261	47
B. Information on trade union law.....	262–266	47
VIII. Article 9.....	267–325	48
A. Social security expenditure.....	275	49
B. Financing and operation.....	276–325	51
IX. Article 10.....	326–482	64
A. Protection of the family	327–364	64
B. Protection for children and adolescents	365–382	71
C. Child labour	383–440	73
D. Street children.....	441–451	81
E. Activities to publicize children’s rights	452–482	82
X. Article 11.....	483–680	88
A. The current living standards of the population	483–486	88
B. Indigenous peoples	487–495	89
C. The right to adequate food	496–560	91
D. The right to housing.....	561–680	100

XI.	Article 12.....	681–751	117
	A. The right to health.....	681–686	117
	B. Measures taken by the State.....	687	118
	C. Programmes to guarantee the right to health	688–751	118
XII.	Article 13.....	752–880	130
	A. The right to education.....	752–755	130
	B. The right to education for vulnerable groups.....	756–802	131
	C. Statistical information.....	803	140
	D. Programmes implemented by the Ministry of Education to guarantee the right to education	804–880	143
XIII.	Article 15.....	881–901	155
	A. Measures to promote and protect the cultural identity of indigenous populations in Argentina.....	881	155
	B. Measures to safeguard the development of science and culture	882–901	155

I. Introduction

1. The Argentine development model during the 1990s was famously characterized by the pursuit of policies of deregulation and flexibility which produced severe consequences in terms of unemployment, vulnerability and rising inequality in income distribution. These measures led to an unprecedented political, social and economic crisis as whole swathes of the population became marginalized and excluded.

2. Following the political, social and economic crisis, the social situation tended to deteriorate over the course of 2002 as a result of rapidly rising prices. The proportion of people living in poverty rose to 57.5 per cent in October 2002, representing a total of 13,870,000 people in 3,198,000 households, which meant that 45.7 per cent of households were in a situation of indigence. During the first half of 2003, over half the population was considered poor (54 per cent), implying a figure of 11,074,000 people distributed among 2,524,000 households. At the same time, indigence (extreme poverty) affected 27.7 per cent of the total urban population covered by the Permanent Household Survey, meaning that 4,749,000 people in 1,044,000 households were below the indigence line.

3. Only after the fixed exchange-rate system was abandoned in 2002 did relative prices begin to shift in a way that enabled growth to be taken in a more inclusive direction, with new jobs drawing in excluded sectors of the population. Public policies implemented since 2003 have introduced a new conception of work, which is now treated not as a problem for the labour market but as a bridge between the economic and social spheres, as the basis of social cohesion, as a source of human dignity and as a constituent element in citizenship.¹

4. Notwithstanding economic growth and the gradual improvement in the indices of poverty, indigence and unemployment in recent years, a large percentage of our country's people still suffer from social exclusion and from situations in which economic, social and cultural rights are not fully operative. In this context, the struggle against poverty and exclusion is one of the main goals of the national State.

II. Article 1

5. In relation to the right to self-determination, we shall refer the reader, for the sake of brevity, to the latest report of Argentina to the Committee on Civil and Political Rights.

III. Article 2

6. With regard to action against discrimination, the National Institute against Discrimination, Xenophobia and Racism (INADI) is responsible for leading national action to eradicate discriminatory practices in whatever form they may manifest themselves. To this end, its main objectives include federalizing its operations (by reviving and/or creating INADI offices throughout the country), improving the service received by people suffering from discrimination through the provision of a comprehensive advice and guidance system (via implementation of the 0 800 999 2345 toll-free telephone advice line, the www.inadi.gov.ar website, the *INADI con vos* television programme and legal advice provided by legal counsellors in Institute reception areas) and creating and enhancing civil society forums that coordinate procedures on different discrimination-related issues.

¹ Marta Novick and Carlos Tomada, "Argentina 2003-2006. ¿Un nuevo modelo de política económica y laboral?", in press, International Institute for Labour Studies (IILS) of the International Labour Organization (ILO).

Since 2006, INADI has been developing an “open door” management style whereby civil society organizations and the different social movements are involved in the design, implementation and monitoring of public policies. Everyone collaborates to empower citizens and promote the cultural changes necessary to eradicate discrimination.

7. With the objective of strengthening civil society participation, different national forums are being created for organizations working against discrimination. Some of these forums are being organized by subject area: gender; children and adolescents; older adults; Afrodescendants; people with disabilities; sexual diversity; religious diversity; migrants and refugees; indigenous peoples; youth; people living with HIV and AIDS; other situations (people deprived of their liberty, ex-inmates, etc.). Others are transversal: poverty/exclusion; education; health; work; environment; communications media; sport). Similarly, campaigns are being designed to promote an appreciation of social and cultural pluralism, the integration of diversity and the elimination of all discriminatory, xenophobic and racist attitudes.

8. Pursuant to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, South Africa, 2001), the intention is for the recommendations of the National Plan against Discrimination, the text of which was approved by President Néstor Kirchner in Decree No. 1086/05, to become a cornerstone of the Institute’s work. Accordingly, among other measures, the national Congress was presented in 2006 with the legislative reform proposals suggested in the Plan. The aim of these proposals, entitled “Legislación para integrar la diversidad en equidad” (“Legislation to integrate diversity in equity”), is to put discrimination issues on the legislative agenda and seek commitments from members of both chambers to the effort to secure the passage of the initiatives described.

9. In general terms, the institutional goal of INADI is to raise the quality of institutions in the different areas of public life by setting priorities for the management agendas of government departments at the different levels (national, provincial and municipal) in relation to the situation of population groups whose rights have been infringed. To this end, INADI has been working to implement projects in coordination with ministries and other national, provincial and municipal institutions and with international organizations and non-governmental organizations (NGOs). At the local level, protecting victims of discrimination entails municipal action in the different areas that are most important for each community. INADI coordinates its local activities with its own local offices (2006: Chubut, Corrientes, Entre Ríos, Misiones, Mendoza and Tucumán; 2007: Buenos Aires, Catamarca, Chaco, Chubut, Córdoba, Jujuy, Neuquén, San Luis, Santa Fe), the Cities Free of Discrimination Programme (in coordination with the Provinces and Municipalities Secretariat of the Ministry of the Interior), the Argentine Federation of Municipalities (FAM), the Common Market of Cities (MERCOCIUDADES) and the Coalition of Cities against Racism, Discrimination and Xenophobia.

10. INADI is also sponsoring a public information campaign called “Digamos No a la Trata, No a la Esclavitud Moderna” (“Say No to Human Trafficking, No to Modern Slavery”), designed by the International Organization for Migration (IOM), and making available its 0800 999 2345 toll-free national telephone line, which operates around the clock. Calls on the subject of human trafficking are taken and referred to the competent bodies in each case.

11. Lastly, Act No. 26162, which was passed in November 2006, recognized the authority of the Committee on the Elimination of Racial Discrimination to receive and examine communications from people claiming that their rights have been violated by the State, as established in article 14 of the International Convention on the Elimination of All Forms of Racial Discrimination, and named INADI as the national body competent to receive and examine petitions from individuals or groups.

IV. Article 3

12. In relation to this article, we shall refer the reader, for the sake of brevity, to the latest reports of Argentina to the Human Rights Committee and the Committee on the Elimination of Discrimination against Women.

V. Article 6

A. The employment situation

13. The situation in the labour market underwent great changes between the period of the fixed exchange-rate regime (1991-2001) and the administration of President Kirchner (2003-2007). Average annual gross domestic product (GDP) growth rose from 2.9 per cent to 8.6 per cent, while average annual employment growth rose from 1.3 per cent to 5.3 per cent. After rising by 1.6 per cent a year in the first period, unemployment fell by 1.4 per cent a year in the second. Likewise, (cumulative) registered employment growth was 27.7 per cent in the administration of Néstor Kirchner, whereas in the fixed exchange-rate period it was about 1.5 per cent.

14. The unemployment rate in the first quarter of 2007 was 9.8 per cent, the second consecutive time it had been in single digits after 13 years of double-digit rates. The main importance of this development is that it shows that one of the most serious problems in the Argentine labour market, its inability to create enough jobs to absorb the unemployed population, is on its way to being solved. This reduction in unemployment to a single-digit rate is the consequence of employment growth of a strength and consistency unparalleled in the past 30 years. The figures for the national urban total bear this out: 3.1 million jobs were created between the first quarter of 2003 and the first quarter of 2007.

15. The number of jobs created in the past year has also been much higher than the annual average for the 10 years during which the fixed exchange-rate regime lasted. An average of 77,000 jobs a year were created in the 1990s, just 10 per cent of the number generated between the first quarters of 2006 and 2007.

16. A striking feature of this period is the fall in unemployment that resulted from higher employment growth, driven essentially by the expansion of registered employment. The evolution of the labour market situation between the first quarters of 2006 and 2007 was characterized by strong employment growth in which the essential factors were the dynamism of registered employment and of employers, two essential components in the construction of a labour market capable of providing all workers and their families with decent living conditions while at the same time creating an environment in which the production system can develop successfully.

17. The number of employers grew by 20.1 per cent in 2007, and this growth generated some 109,000 new jobs. This increase has not only expanded overall employment in its own right, but has shown that the current period is one of expanding job opportunities driven in part by the emergence of new businesses.

18. The number of jobs generated and the consequences in terms of lower unemployment take on even greater significance when it is realized that most of those newly employed are working in high-quality jobs, which is a fundamental shift in the employment dynamic by the standards of recent history in the Argentine labour market. Of all the wage-paying jobs created over the past four years, about 85 per cent were registered. This contrasts with the situation during the fixed exchange-rate regime, when there was a net decline in registered jobs.

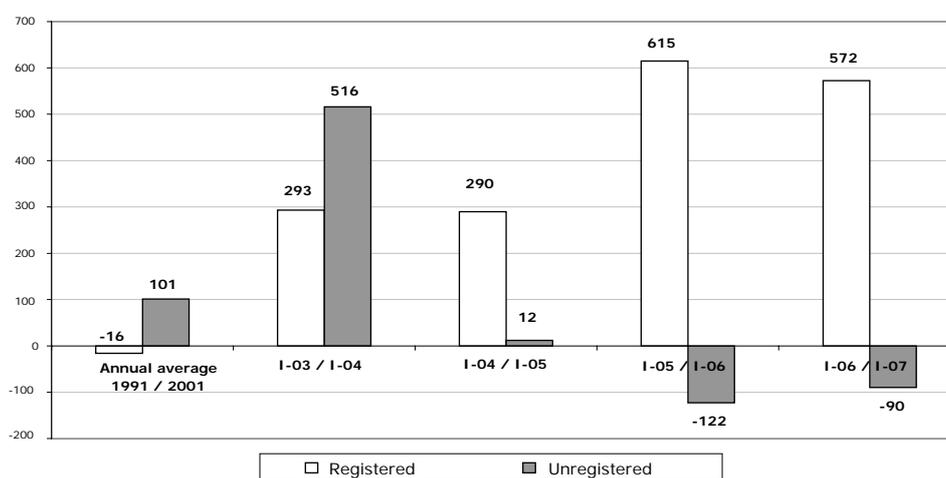
19. These contrasting developments in the two categories of wage employment mark the beginning of a phenomenon that stands in contrast to the recent history of the Argentine labour market and that has a vital role to play in reversing the relentless spread of substandard employment conditions over the past 20 years. This phenomenon is the sustained generation of registered employment, part of which has gone to replace unregistered work with jobs that comply with employment regulations and provide social protection.

20. How new this phenomenon is becomes apparent when the annual change in registered and unregistered employment between 2003 and 2007 and the average change in the 1990s are analysed. Thus, as long as the fixed exchange-rate regime was in force, employment growth came almost exclusively in the form of new unregistered jobs. Between 1991 and 2001, an average of 101,000 unregistered jobs were created even as 16,000 registered jobs were destroyed. Sustained over 10 years, this employment dynamic ultimately turned unregistered working into one of the most serious issues in the Argentine labour market.

Chart

Year-on-year change in registered and unregistered wage workers, urban total

(Thousands of people)



Source: Directorate-General of Labour Studies and Statistics (DGEyEL), Undersecretariat for Technical Planning and Labour Studies (SPTyEL), on the basis of the Permanent Household Survey (EPH) of the National Institute of Statistics and Censuses (INDEC).

21. To summarize, a step-change in the employment dynamic can be said to have taken place during the 2003-2007 period: a labour market with low job growth and worsening employment conditions gave way to one in which strong job creation was essentially driven by registered employment growth. These changes are reflected by the downward trend in the unregistered employment rate, although the shift has not yet been that great, for two reasons:

- (a) The cumulative effect of unregistered employment growth over the past 20 years is too great for the large improvements achieved since 2003 to have had much impact;
- (b) Unregistered working became deeply entrenched during the 1990s, and the shift in the characteristics of new jobs has taken place progressively.

B. The distribution of jobs

22. Since 2003, a form of economic development based on goods production has spread and consolidated, and its main drivers have been the construction, industry and agriculture sectors. In other words, the growth pattern that prevailed in the country during the 1990s has been changing.

23. The sectoral dynamic of employment presents changes consistent with economic growth based on productive sectors. Employment has grown more strongly in manufacturing industry and construction than in commerce and services.

24. Construction grew the most strongly between May 2003 and May 2006 (78.5 per cent), followed by industry with a cumulative increase of 28.9 per cent and by the commerce and services sector with a rise of 20.7 per cent.

25. As of May 2003, the commerce and services sector accounted for 69 per cent of all employment in firms with over 10 employees, while 24 per cent were in the industrial sector and 7 per cent in construction.

26. The sectoral breakdown of new job creation during the period is different. Manufacturing and construction were the most dynamic sectors and accounted for 46 per cent of all new jobs: 18 percentage points more than their share in the original structure. Conversely, the share of new jobs created by the commerce and services sector, the largest to begin with, was 54 per cent —almost 15 percentage points below its initial share.

C. Protecting the unemployed

27. One of the characteristic features of the 1990s was the dramatic behaviour of social indicators: growth in unemployment and substandard employment and a large decline in incomes for both wage earners and own-account workers, especially in the informal sector. The deep economic crisis of 2001-2002, following on from the recessionary developments of earlier years, resulted in a cumulative 20 per cent contraction of GDP in a period of four years. In 2002 alone, the decline was 11 per cent. Open unemployment peaked dramatically in May 2002 at a rate of 21.5 per cent because of the lack of activity in the economy.

28. To deal with the situation and minimize job losses, the Economic Emergency Act provided for severance payments to be doubled (100 per cent extra payment) for 180 days for those made redundant. The Act was then extended a number of times, with progressive changes to the additional redundancy payment. One provision of the Act was that it would be repealed once unemployment fell below 10 per cent, as measured by the National Institute of Statistics and Censuses (INDEC). With confirmation that unemployment had fallen to 8.5 per cent in the second quarter of 2007 and that the indicator was out of double digits for the first time (down to 9.5 per cent) if beneficiaries of redundancy programmes [*planes sociales*] were left out of the calculation, the issue of double redundancy payments ceased to be a factor as the index settled at a single-digit level.

29. Meanwhile, existing policies to protect the unemployed, as established by Act No. 24013, section IV, “On the protection of unemployed workers”, provided for a Comprehensive Unemployment Benefit System covering workers who were within the system of formal employment, having paid contributions to the National Employment Fund for a period prior to dismissal. This situation left a large number of workers affected by the unemployment crisis without coverage. In 2002, contributory insurance cover benefited just 7.3 per cent of unemployed workers, and this made it essential to bring in an emergency policy to cover people who were unemployed and unprotected.

30. In 2002, the Government of Argentina issued Decree No. 565, establishing a policy framework to protect the most vulnerable households when the household head was unemployed. The Heads of Household Programme (PJH) was set up within a framework known as the “family right to social inclusion”.

31. The goal of the Programme was to transfer financial assistance worth 150 pesos a month (equivalent in 2002 to 75 per cent of the adjustable living minimum wage) to everyone who met the following prerequisites: (a) being an unemployed household head; (b) belonging to a household that included children aged up to 18 or disabled people of any age, or where the household head or the spouse or cohabiting partner of the household head was pregnant; and (c) being permanently resident in the country. It also laid down obligations for beneficiaries as a condition for receipt of financial assistance. These were:

(a) To ensure that the children for whom the household head was responsible attended school and medical check-ups;

(b) To attend training activities or formal education with a view to improving their future employment prospects;

(c) To participate in production projects or community service with an appreciable impact on their employment prospects.

32. The two most important issues addressed by the PJH at the time of the crisis were unemployment and poverty. While there is a relationship between the activity status of beneficiaries and household poverty, it is possible to analyse the two effects separately.

33. First, it is possible to ascertain the impact the PJH had on the three main labour market variables: the activity, employment and unemployment rates. According to Permanent Household Survey (EPH) data, the activity and employment rates have increased since it was implemented, while the unemployment rate has fallen.

34. Taking the data for May and October 2002, a rise of 1.2 per cent in the activity rate is seen (to 42.9 per cent), a figure equivalent to 25,000 people. This rise in the economically active population (EAP) is explained by the “activation” of discouraged workers (hidden unemployment) and by the incorporation of typically inactive people (housewives).

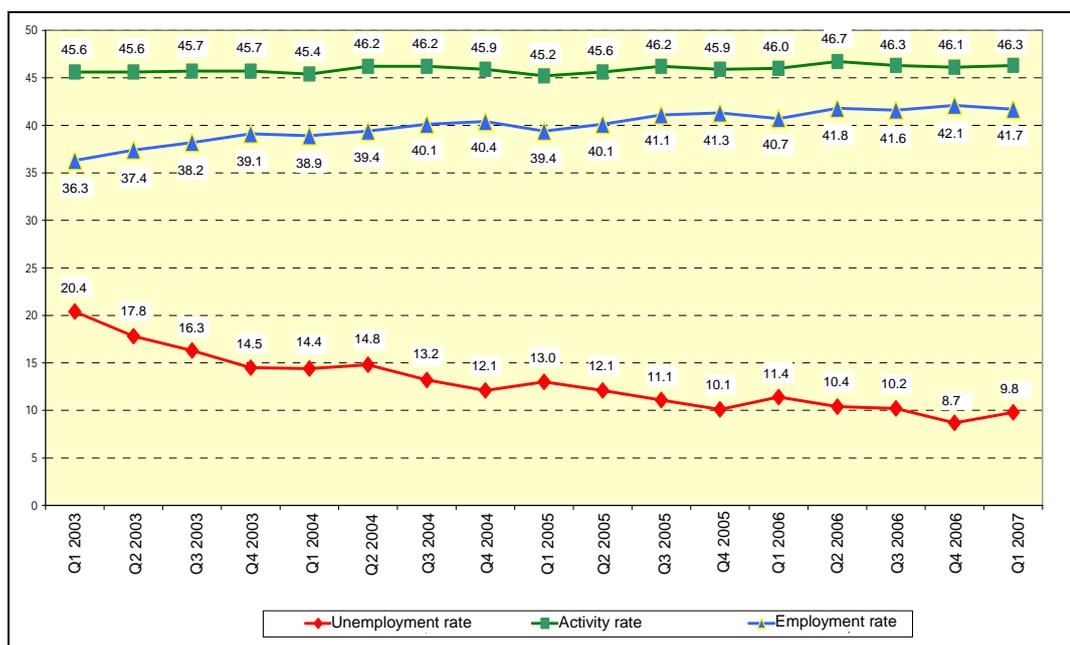
35. The employment rate also shows a positive change, from 32.7 per cent of the population in May 2002 to 35.3 per cent in October 2002. This represents an increase of 595,000 jobs, or a rise of 2.5 percentage points in the proportion of the EAP in work. Nine out of every 10 jobs generated in this period went to PJH beneficiaries.

36. Lastly, the unemployment rate fell by 4 points, from 21.8 per cent of the EAP, the highest level ever recorded in the country, to 17.8 per cent. It should be noted that people providing labour in return for benefits are categorized as employed.

37. The impact of the PJH on poverty and indigence has also been positive, as it successfully targeted the poorest households. This targeting produced a redistributive effect that resulted in some reduction in income inequality, mainly during the first two years. This effect was demonstrated by numerous studies conducted both by the Ministry of Labour, Employment and Social Security (MTEySS) and by the World Bank. The percentage of households below the indigence line fell by 2.4 per cent. The impact on poverty has been less, with just 0.5 per cent of households crossing the poverty line. Both indicators look even more positive if considered in terms of numbers of individuals.

38. The favourable evolution of the macroeconomic variables translated into an improved employment situation among the population generally and the heads of the poorest households in particular, with a large number of unemployed people entering work as a result.

Figure 1
Evolution of the main labour market indicators



Source: Ministry of Labour, Employment and Social Security (MTEySS), on the basis of the Permanent Household Survey (EPH).

39. Accordingly, the policy designed to deal with the social and employment crisis began to adopt a new approach in late 2004. With Decree No. 1506/04, the national Government reoriented the assistance provided to people in the PJH by pursuing specific policies to address two problems with particular characteristics: (a) the lack of jobs and (b) the low incomes of poor households. The approach establishes areas of action with the most vulnerable people in mind, on the assumption that the social and employment crisis is not yet over. Accordingly, it pursues two central goals to deal with the problems identified above. One is to promote a culture of work among PJH beneficiaries by enhancing their employability and their potential for gainful participation in the labour market through employment or self-employment. The other is to reduce the vulnerability of families whose structural position is particularly disadvantageous by coupling income transfers with measures to enhance and improve their human development prospects.

40. The aim of these changes was to progressively establish two complementary but differentiated approaches to the issues of poverty, exclusion and unemployment by decoupling minimum income policies from specific employment promotion policies:

(a) One set of policies centres on the poorest families and seeks to improve their living conditions, the intention being to develop a human development-centred income transfer strategy for poor households. PJH beneficiaries in this group of households are involved in actions implemented under programmes to assist vulnerable groups, improve incomes and enhance human development under the auspices of the Ministry of Social Development;

(b) Another set of policies is designed for people with problems of employment and employability, centring on the implementation of active measures to promote workforce participation. The Ministry of Labour's training and employment insurance (SCyE), set up under Decree No. 336/2006, is part of this effort.

41. The purpose of SCyE is to help unemployed workers actively seek work, update their occupational skills and find high-quality jobs. In an initial stage, SCyE is open to beneficiaries of the Unemployed Heads of Household Programme.

42. To help people enter work, the SCyE provides for a range of measures to be implemented by municipal employment bureaux and the Federal Network of Employment Services in the form of: (a) guidance and assistance for job-seekers; (b) job placement services for positions in the public and private sectors; (c) basic and vocational training services; (d) participation in job training activities; and (e) technical assistance for those wishing to plan for self-employment.

43. SCyE beneficiaries receive a monthly payment of 225 pesos. The months for which this benefit is received count towards effective length of service in calculating entitlement to the benefits provided for by Act No. 24241 and subsequent amendments.

44. Those wishing to take up the SCyE register with the municipal employment bureaux forming part of the Employment Services Network and sign a joining agreement setting out their rights and obligations. The insurance is implemented via agreements signed with the provinces, the Autonomous City of Buenos Aires and municipalities that also set out strategies for coordinating production, employment and vocational training policies. Local or provincial administrations must take out civil liability insurance to cover any harm that people might suffer in the performance of the activities concerned (MTEySS Resolution No. 502/06).

45. Among the most overlooked workers with the most substandard employment conditions are domestic service workers. The Programme for the Professionalization and Occupational Status of Domestic Workers was designed within the framework of the SCyE (Ministerial Resolution No. 876/2006) to meet the needs of this sector.

46. The Ministry of Labour is implementing an initiative to improve employment quality for PJH beneficiaries who join the SCyE and are employed as domestic service workers in private households. Vocational guidance and training for different careers and occupational fields will enhance the status of women's work and broaden the array of jobs available to them. Receipt of the monthly financial benefit provided by the SCyE does not disqualify beneficiaries from membership of the Special Social Security Regime for Domestic Service of the Federal Administration of Public Revenues (AFIP), giving women workers and their families access to health-care coverage and allowing them to make pension contributions. The central goal of the initiative is to improve the employment situation of this section of workers by integrating and reconciling active employment policies and social security policies implemented by different parts of the public sector. This programme is being accompanied and supported by a communication and publicization strategy implemented jointly by the MTEySS and AFIP to raise awareness and support among workers, employers, public-sector and civil society organizations and the general public.

1. Unemployment insurance (Act No. 24013)

47. Section IV of the National Employment Act (No. 24013) established the right of unemployed wage workers to receive "unemployment insurance" payments to offset the sudden drop in income resulting from involuntary loss of employment, reduce the risk of discouragement and long-term unemployment and help beneficiaries look for and choose a new job.

48. This unemployment insurance includes the following benefits: (a) a basic cash benefit, (b) payment of family allowances, (c) welfare medical coverage, (d) recognition of length of service for pension purposes, (e) the opportunity to receive career guidance or assistance with job-seeking from public offices and (f) the opportunity to capitalize the

unemployment insurance (lump-sum payment) and use the money for business ventures enabling beneficiaries to work.

49. Under current legislation, involuntarily unemployed wage workers are eligible to receive this benefit when they have been dismissed “without just cause” or as a result of “force majeure” and have a minimum amount of employer’s contributions to their name in the National Unemployment Fund of the social security system (for permanent workers the minimum is six months’ contributions in the 36 months prior to redundancy or dismissal, in accordance with Decree No. 267 of 9 March 2006, and eight months’ in the case of the construction industry regime).

50. The system covers wage workers as defined by the Employment Contracts Act (No. 20744) and workers in the construction industry regime (Act No. 22250) as defined by Act No. 25371, thus excluding workers in the agricultural employment regime (who have their own system of unemployment insurance), domestic service workers and most public-sector workers.

51. The amount of the benefit is 50 per cent of the worker’s highest normal and customary remuneration in the six months prior to dismissal, with a lower limit of 250 pesos and an upper limit of 400 pesos (Decree No. 267/2006), not counting family allowances, which are on top of the basic amount. To discourage people from becoming voluntarily unemployed and from remaining in the system (incentive to find a new job), the benefit is paid on a decreasing scale, changing at four-month intervals. The worker receives 100 per cent of the benefit during the first four-month period, 85 per cent during the second and 70 per cent during the third (always subject to the lower limit of 250 pesos plus family allowances). The duration of the benefit depends on the time actually spent working and paying into the social security system (National Employment Fund) in the three years prior to redundancy or dismissal, with the following distribution:

<i>Act No. 24013</i>		<i>Act No. 25371 (construction industry only)</i>	
<i>Contribution period</i>	<i>Duration of benefits</i>	<i>Contribution period</i>	<i>Duration of benefits</i>
6 to 11 months	2 months	8 to 11 months	3 months
12 to 23 months	4 months	12 to 17 months	4 months
24 to 35 months	8 months	18 to 24 months	8 months
36 months	12 months		

52. Unemployed workers qualifying for this benefit may opt, individually or collectively, for the procedure whereby the whole benefit is paid out as a lump sum by way of an investment in a productive enterprise at the start-up or development stage. An extension of the lump-sum procedure approved in 2002 allowed beneficiaries to double the amount of the instalments to be capitalized. Approval of this procedure and greater publicization of the lump-sum payment method by the Employment Secretariat resulted in a further increase in the number of ventures financed.

53. Formal checks on beneficiaries’ unemployed status and payment of benefits are carried out through the National Social Security Administration (ANSES) on a centralized basis using a computerized system that automatically cancels the benefit once the beneficiary is known to have taken up a new registered job. Under the terms of the legislation, beneficiaries are required to accept any checks, job offers or training courses that the implementing authority may offer. On this point it should be noted that guidance interviews, which are conducted with a sample of beneficiaries, have hitherto been used to

“double-check” beneficiaries’ unemployed status, to guide and support them in their job-seeking efforts and to further publicize the lump-sum payment option.

54. On 9 March 2006, the executive branch passed Decree No. 267, amending the unemployment insurance legislation. This provided for an increase in the upper and lower benefit limits and additionally increased the coverage of unemployed workers by lowering the minimum number of contributions needed to take up the insurance from 12 to 6 in the last 36 months and by extending the right to a six-month extension for all unemployment insurance beneficiaries aged 45 and over. The requirement that beneficiaries should be responsible for dependent minors was lifted, as was the need for an explicit application, with the benefit now being granted automatically.

Unemployment insurance beneficiaries

55. There have been large fluctuations in unemployment insurance take-up in recent years. During 2001, with the crisis under way, an average of 145,000 beneficiaries were receiving payments each month, and during 2002 this figure rose to over 200,000, peaking at 221,453 in May that year. During 2003, after the recovery had begun, the number of beneficiaries fell sharply to just under 100,000 a month, and this average declined to 63,000 a month in the next two years. During 2006 and the first half of 2007, the number of unemployment insurance beneficiaries rose back up to 80,000 and 92,000 a month, respectively, thereby returning to historical levels, or rather slightly exceeding them as a result of the legal changes introduced by Decree No. 267, which extended coverage to workers with fewer months of contributions and increased the duration of the insurance for over-45s. This change led to the incorporation of almost 1,000 extra beneficiaries a month (with two months’ benefits) and a six-month extension of the insurance for a further 2,100 beneficiaries each month.

56. In summary, a wide-ranging scheme of protection for the unemployed was thus put in place, combining contributory and non-contributory benefits and providing coverage to workers both in the formal system of the economy and outside it. Both tools are used with a view to bringing people back into the workforce by linking these cash benefits to active employment and vocational training policies.

D. Policies to promote employment and enhance employability

57. Since 2003, the Ministry of Labour, Employment and Social Security has made it a core part of its work to: (a) promote employment content in economic and social policies; (b) design a framework of action that integrates and coordinates institutions, actors and technical and financial resources for the implementation of active and passive employment policies; (c) design and implement, on a basis of institutional coordination and social consensus, policies and programmes to promote and sustain genuine employment, deal with the employment crisis, avert unemployment, restructure low-productivity, low-income sectors, enhance employment quality and assist the unemployed.

58. The Argentine Government thus recognizes that the scale and exceptional nature of the employment deficit and the substandard conditions in the labour market created new challenges for the scope and effectiveness of employment policies.

59. Accordingly, not only was there a need for appropriate policies and instruments to temper the crisis, but there also had to be a recognition that the contribution of these policies to solving the problem was significant but limited in scope. The severity of the problem meant that conventional employment policies were not enough. The situation required a much further-reaching effort from the State, transcending the conventional field

of action, bringing into play the totality of public policies and requiring concerted action with social stakeholders.

60. Accordingly, the “Más y Mejor Trabajo” (“More and Better Work”) Comprehensive Employment Promotion Plan was created in 2003 under MTEySS Resolution No. 256, as one of the policy approaches for dealing with this issue. It involves coordination between the different areas in which economic, employment and social policies operate and a comprehensive outlook in interventions designed to: (i) improve workers’ employability and (ii) strengthen the competitiveness of production units.

61. Its goals are: (a) to help sustain and promote genuine employment by strengthening production units as cornerstones of local development; (b) to help bring unemployed workers who are beneficiaries of employment programmes back into the labour market; (c) to enhance the capacity of the private sector to adapt to new production processes by way of improved workforce skills, ongoing training and technical assistance; (d) to support the development of productive partnerships among workers with a view to improving their productivity and business management capabilities; (e) to help integrate the capabilities possessed by institutions and firms that interact at the national, provincial and municipal level with a view to strengthening production sectors based on knowledge and innovation, the new sources of competitiveness.

62. Vocational skills and training measures are being designed and executed within this framework and with a view to creating and consolidating a national vocational skills training and certification system.

63. The Ministry of Labour intends to contribute to the enhancement of economic competitiveness and social equity through institutional mechanisms that ensure the quality of employment and the development of skills among the working population. Consensus between producers and workers, reached through a process of social dialogue, is indispensable for ensuring the effectiveness of its interventions. Accordingly, the Quality Programme has been institutionally consolidated on the basis of the objectives for which it was created and its areas of work in skills certification and institutional development, and it has been working to develop and implement technical assistance mechanisms that are beginning to be applied as part of the “More and Better Work” Comprehensive Employment Plan.

64. With regard to the Register of Training and Employment Institutions (REGICE), the following actions have been undertaken in recent years: (a) updating its database and making it compatible as far as possible with existing information and management systems used by the National Directorate of Vocational Guidance and Training (DNOFP) and with employment bureaux; (b) extending its registration functions to matters relating to competition rules, certified assessors, certified workers and skills certification bodies; (c) generating information for the different users (administrations, employment bureaux, training institutions, education authorities) about progress with the prequalification of institutions, the implementation of improvement plans and progress with the certification of institutions on the basis of the quality template created with the Argentine Institute for Standardization and Certification (IRAM).

65. The Sectoral Programme for Vocational Training, meanwhile, is working to implement sectoral skills projects. These represent a commitment to sustained joint action by the MTEySS and public- and private-sector actors, the aim of which is to respond to skills problems in a particular sector of activity (and in the context of particular local situations) to enhance its productivity and ability to generate high-quality jobs. The goals are: (a) to train employed and unemployed workers to meet the demand for skills in the sector, as determined by the different local situations; (b) to facilitate the entry of

unemployed workers into high-quality jobs in firms within the sector; (c) to promote measures to improve employment quality and skills development and recognition.

Table 19

Employment and training programmes. Implementation of training programmes. People trained

	2003	2004	First half of 2005
Sectoral training programme	-	2 512	20 972
Training component of the Heads of Household Programme	31 978	80 188	101 134
Total	31 978	82 700	122 106

Source: National Directorate of Vocational Guidance and Training (MTEySS).

66. Lastly, the Work Training Programme was set up to enhance the employability of beneficiaries of social programmes (Heads of Household Plan, training and employment insurance and the unemployed generally). The Programme is being implemented under agreements with provincial education authorities so that participants can certify their formal studies and undertake vocational training activities. It aims to make workers more employable by expanding and facilitating access to adult training services; to provide opportunities for certification of formal education levels (basic, multitrack and higher); and to create and institutionalize coordination mechanisms for decision-making in the area of vocational training. To this end, it is encouraging training institutions to become more open to the world of work and supporting the integration of general education and vocational training.

67. According to figures prepared by the National Directorate of Vocational Guidance and Training, the numerical results achieved in the 2003-2007 period are as follows:

Basic school-leaving qualification courses	110 000
Territorial vocational training	75 647
Sectoral vocational training	74 001
Vocational training institutions assisted	361
Assessors trained	250
Workers certified and registered	5 000
Vocational skills regulations	148

E. Evaluation of measures

1. Vocational training

68. The Work Training Programme began to be implemented in 2003 under agreements with provincial education authorities with a view to certifying the formal studies of Heads of Household Programme beneficiaries and the unemployed in general. Training and employment insurance beneficiaries were incorporated in 2006, when implementation began.

69. The Sectoral Skills Training Programme undertakes vocational training activities on the basis of sectoral agreements between the Employment Secretariat and representatives of producers (employers' organizations and firms) and workers (unions).

70. All training measures carried out under these programmes are supervised in their implementation by the Technical Follow-up and Oversight Department [*Coordinación de Seguimiento Técnico y Fiscalización*], which monitors activities and provides the resources to check that the objectives of each programme are actually being met.

2. External evaluation of the training component of the Heads of Household Programme

Process evaluation

71. The Employment Secretariat joined forces with the Ministry of Education, Science and Technology to agree on the implementation of training improvement measures in the provinces of Mendoza and Buenos Aires, with a view to enhancing the quality of teaching and the employment prospects of beneficiaries. The evaluation process involved General Sarmiento University and Cuyo National University, via the University Technology Institute (ITU), and Redes Foundation, all of them external institutions with no part in the implementation of this component.

72. The work of these institutions centred on evaluating the design and implementation of measures during the first stage, focusing on the relevance of the services provided in terms of helping people pursue their own employment plans, the quality of training and the effectiveness and efficiency of policy implementation at the provincial and local level.

73. The results of the evaluation were released in the different local authority areas around the country in coordination with the Ministry of Education.

74. The general objective was to formulate specific recommendations for the redesign of training activities with a view to forthcoming implementation phases.

75. The specific objectives were:

(a) To produce information on the quality of training services and teaching-learning processes that provides a basis for improvement strategies;

(b) To provide information on institutional training services management quality as an input for decision-making and for strategies to develop institutional capabilities;

(c) To enhance institutional capabilities in the province and evaluation in the area of basic and vocational training;

(d) To identify institutional problems or obstacles to implementation of the component between the local and provincial levels;

(e) To analyse the relevance of the areas of action, processes, instruments and benefits of the component in relation to the problems and needs it is meant to respond to.

76. The dimensions observed were:

(a) The impact of training on individuals;

(b) The quality of training processes;

(c) The quality of policy management.

77. Use was made of flexible qualitative methodologies that could be adapted to the different exploration needs and objectives identified. The instruments used were in-depth interviews, focus groups, observation and documentary analysis.

Social monitoring

78. During the 2003-2005 period, the Employment Secretariat agreed with the National Council for Administration, Execution and Oversight (CONAEyC) that social monitoring of the training component would be carried out by appointing one or more institutions from among its members to carry out the operational parts of this work.

General objective

79. The objective of social monitoring was to ascertain how far the results pledged in the agreements/programmes concluded with the subnational authorities had actually been achieved.

80. Between September 2003 and June 2005, agreements were signed and actions relating to this component were implemented with the following: Buenos Aires Province, Autonomous City of Buenos Aires, Córdoba, Jujuy (Punha Cooperative), La Rioja, Mendoza, Santa Cruz, Santiago del Estero, Santa Fe, Entre Ríos, Tucumán, Corrientes, Misiones, Salta, San Juan, Chubut and La Pampa.

81. To monitor these agreements, accords were signed with the following CONAEyC-designated institutions: the Social Sector Forum, the Jewish Argentine Mutual Association (AMIA), Caritas, the Argentine Federation of Evangelical Churches, the Argentine Federation of Municipalities and the Land and Housing Federation.

3. Evaluating the Sectoral Skills and Employment Promotion Programme

82. This programme was evaluated by the Undersecretariat for Technical Planning and Labour Studies of the Ministry of Labour.

83. The purpose of the study was to provide information that could be used when designing adjustments to the strategies being applied in the planning, implementation and follow-up of sectoral training projects.

Sample design

84. To procure the necessary information, three types of investigation were carried out in four sectors: construction, metallurgy, textiles and clothing, and software.

85. To obtain reliable information about the impact of the plans on registered employment, data were cross-checked between the training beneficiaries databases and that of the Integrated Retirement and Pensions System (SIJP) to ascertain how many beneficiaries had entered formal employment after completing training courses. The report on the findings of this study was presented in December 2004.

*Principal findings**General characteristics of beneficiaries*

86. Most beneficiaries of sectoral plans were men (66.6 per cent) and young people (just over 50 per cent were under 26). The educational level of the participants studied was relatively high. Almost half had complete secondary education or better, while 29.6 per cent had incomplete secondary education.

87. The employment situation before and after the course was as follows:

(a) Broadly speaking, beneficiaries who were employed at the beginning of the courses were still in work at the time of the survey. The great majority of them had changed jobs, consistently with the high level of turnover observed in the labour market;

(b) Of those who were unemployed to begin with, 64 per cent found work. A third of this group reported that the work they were doing was related to the course and that they had obtained the job because of it;

(c) A large minority of the small inactive group remained in that situation.

The training process and the quality of the skills acquired

88. The following characteristics were observed:

(a) The courses the beneficiaries attended lasted for an average of nine weeks and participants reported attending for an average of eight weeks. Their view was that the duration of the activities was either about right or too short, depending on the sector. The exception was software, with almost a third of beneficiaries considering the course too long;

(b) About 70 per cent of the beneficiaries trained struck up study relationships or friendships with others on the course;

(c) With regard to the venues for classes, almost all participants agreed that they were accessible and had the necessary infrastructure;

(d) Analysis of opinions about the characteristics of the specific teaching/learning process reveals that they were generally positive (with some variations by sector), particularly as regards teaching staff, opportunities for participation in classes, use of teaching materials, and the organization and implementation of work placements;

(e) Most of the activities included subject areas dealing with working conditions and environments, risk prevention, labour laws and vocational guidance;

(f) Most beneficiaries (between 80 and 90 per cent) agreed that their course taught them the essentials of the occupation or work for which they were being trained, and was essentially very useful to them;

(g) Regarding the usefulness of the course certificate in improving job prospects, opinions varied greatly depending on which of the sectoral plans was being participated in. It should be noted that between 32 and 43 per cent of participants received no certificate at all on the metallurgy, textiles and software courses, while the proportion was only 12 per cent in the case of construction;

(h) Asked if they had obtained work as a result of the course, over 60 per cent said no. The proportion was as high as 78 per cent in the case of textiles but only 19 per cent in that of software;

(i) Lastly, these training activities were found to have had some impact in changing participants' personal attitudes, including a more positive attitude towards training, a greater desire to continue learning, increased confidence in their own capabilities and greater self-assurance and belief in their potential for doing something new.

Impact evaluation

89. A new evaluation process has been designed to review the employment situation of beneficiaries from 2007 onward, consisting in cross-referencing between the databases on beneficiaries who have attended courses and the SIJP database. This evaluation focuses exclusively on registered employment and covers beneficiaries of vocational training courses and not beneficiaries of certification for formal studies.

90. Accordingly, the study being conducted will consider two basic indicators: the employment rate [*tasa de inserción laboral*] and the stable employment rate [*tasa de inserción estable*]. The latter provides a measure of how many beneficiaries hold stable jobs.

91. The study will establish whether beneficiaries have taken up work in occupations for which they have trained and allow employment indices to be differentiated by sector of activity, regional distribution, sex and age.

92. This evaluation will be supplemented by a qualitative study involving the formation of focus groups to analyse other dimensions that need to be considered for a full evaluation. They include the way training affects beneficiaries' view of employment and the steps they had to take to enter it. In this case, the focus groups will be made up of beneficiaries of vocational training and formal education certification courses.

4. The Heads of Household Programme

93. The Undersecretariat for Technical Planning and Labour Studies of the Ministry of Labour conducted a survey to evaluate the Heads of Household Programme (PJH), with fieldwork carried out in June 2004. The goal of the evaluation was to obtain information on beneficiaries in order to optimize the strategies implemented by the State, whether to help beneficiaries into work or to improve their social situation. Thus, the information provided by the study is used to adjust strategies and design specific policies.

Activities carried out in return for Programme benefits

94. The fieldwork consisted in the application of a face-to-face questionnaire to a probability sample (3,657 cases) representing a million beneficiaries in Greater Buenos Aires, Córdoba, Formosa, Tucumán, Santa Fe and the interior of Buenos Aires Province. It revealed information about beneficiaries and members of their households. The core subject areas dealt with centred on sociodemographic characteristics, employment histories, strategies for the labour market and for earning and other social programmes, and attitudes towards education and training, with particular emphasis on the activities Programme beneficiaries are required to carry out as a condition of their participation.

95. At the time of the survey, over 80 per cent of beneficiaries stated that they were participating in such activities. Community projects accounted for the largest share of beneficiaries (60 per cent) in all the provinces surveyed, followed by administrative work (20 per cent), attendance at school and on training courses (10 per cent) and productive microenterprises (8 per cent). Just 2 per cent were working in a firm.

96. Beneficiaries spent an average of 19 hours a week on these activities. Asked how well they functioned, over half said that their activities were well organized and that they were given the tools and materials they needed and a good working environment.

97. In general terms, most beneficiaries said they felt satisfied by their involvement in these activities, which are not only a requirement of the Programme but a way of engaging beneficiaries in working and community assistance activities and providing them with the opportunity to learn, whether it is school or training courses they attend, and generally keeping them active. When beneficiaries said they were dissatisfied, this was usually because of the amount of income they received.

98. In summary, it was found that the activities carried out by a large proportion of beneficiaries (as noted above) in exchange for benefits were not a hindrance but rather a spur to intensive job-seeking, as they involved only a modest commitment of time.

Activity status

99. To analyse the situation of beneficiaries who were active, i.e., unemployed or working, consideration needs to be given to the form and dynamic of the unemployment problem in Argentina. Reviewing the experience of the unemployed population as a whole reveals the instability that is the rule in many of their working lives, manifesting itself in a dynamic whereby periods of poor-quality work repeatedly alternate with bouts of joblessness. Thus, unemployment and participation in low-grade work are not so much clearly differentiated situations as successive stages in a single process.

100. At the time of the survey, a large proportion of beneficiaries were engaged in informal and unstable working activities. In other words, they were engaged in some paid employment in addition to participating in the Programme and carrying out activities in return for its benefits. This was the situation with 63 per cent of men and 36 per cent of women. A further 26 per cent of beneficiaries were not in work but were actively seeking it. It should be made clear that these were not regulated or registered activities, as anyone engaging in these is required to leave the Programme. Indeed, a large proportion of beneficiaries were found to be successful in entering registered employment in the formal economy, thereupon ceasing to receive the benefit. Lastly, 10.5 per cent of men and 37.6 per cent of women were not engaged in any type of working activity or job search at the time of the survey, and these formed the group categorized as inactive. When asked the reasons for this inactivity, women mainly stated that they did not have time because they were caring for their children or for infirm family members.

Job-seeking

101. One of the objectives of the study was to ascertain the attitudes, actions and strategies that guide Programme beneficiaries in their search for work, with a view to generating policies to improve job placement services. Consequently, it investigated the intensiveness of job-seeking among beneficiaries and the procedures they followed, as well as the difficulties they encountered and their perceptions and expectations.

102. Beneficiaries were constantly in search of employment, except temporarily when they found some odd job or piece of work. 51 per cent of beneficiaries were actively seeking work (the other 49 per cent had either found some temporary employment and called off the search for the time being, or were inactive), and they sought whatever kind of work their capabilities and skills best equipped them for. 50 per cent of men and 30 per cent of women sought work in skilled occupations, the rest in occupations not requiring previously acquired skills. Broadly speaking, men oriented their search towards occupations in the areas of construction and manufacturing and women towards domestic service, administrative work and, to a lesser extent, industry and repair work.

5. Joint projects between the ILO and the Ministry of Labour, Employment and Social Security

103. Pursuant to the commitments accepted by ratifying International Labour Organization (ILO) conventions, a number of agreements have been signed with that body.

104. These projects follow on from the commitment of the Government of Argentina to placing employment at the heart of its economic and social policies and stimulating the creation of high-quality jobs for all workers in pursuit of a fairer and more equitable and democratic society.

(a) "Coping with the challenges of decent work in the Argentine crisis" project

105. From early 2002, in the midst of the crisis in Argentina, ILO technical and financial resources were made available to the Ministry.

106. A memorandum of understanding signed in March 2002 established the main outlines of a Special Technical Cooperation Programme, financed and monitored by the ILO InFocus Programme on Crisis Response and Reconstruction (IFP/CRISIS). The purpose of the Programme was to support the Government in its efforts to cope with the social and employment effects of the crisis.

107. The objectives of this project were:

- (a) To improve methods and conditions for decentralized implementation of the social inclusion programmes introduced in response to the crisis;
- (b) To help preserve jobs by preventive intervention in crisis-hit firms, collective disputes and industrial restructuring;
- (c) To support the coordination and harmonization of policies, programmes and plans in the economic and employment fields;
- (d) To avert and counteract any deterioration of pay and other income during the crisis;
- (e) To increase the coverage of unemployment, retirement, disability, survivors' and workplace health and safety protection;
- (f) To improve the institutional and technical capabilities of social dialogue partners.

108. Additionally, with the support of IFP/CRISIS, a substantial contribution was obtained from the Italian Government to implement the Integrated Programme of Support for the Reactivation of Employment in Argentina (AREA). Implementation began in 2004 and has continued down to the present.

(b) *The AREA Programme*

109. The AREA Programme was set up to provide the Ministry of Labour with technical assistance as it rolls out its active employment policies within the framework of the More and Better Work Plan. Currently, it is also providing technical assistance for the implementation of training and employment insurance.

110. Via a territorial approach and the active participation of the different local actors, both public and private, the Programme is supporting the design and implementation of local or territorial economic development strategies that can build on existing resources and potential in the territories concerned and coordinate planning with the different levels of government to create the right conditions for the generation of jobs and incomes, always within the MTEySS active employment policies framework.

111. Technical support for the MTEySS is being provided by strengthening the specialist staff of employment and vocational training bureaux (GECAL) and the staff of municipal employment offices so that they can act as agents of local development, vocational training and employment. To attain this goal, coordination is being fostered between different territorial authorities associated with productive and business development, and between the public and private sectors in the different territories where the Programme operates.

(c) *Decent Work Country Programme – Argentina 2005-2007*

112. Lastly, in accordance with the Government's policy of placing decent work at the heart of its policies, the memorandum of understanding on implementation of the Decent Work Country Programme (DWCP) (2005-2007) was signed in June 2004. The two main strands of the Programme are:

(a) The integration of labour and employment policies with other policies that impact the quantity and quality of jobs;

(b) Integration of Ministry of Labour, Employment and Social Security policies.

113. The first strand implies the need for integrated approaches to policymaking in these areas, with priority given to decent job creation goals.

114. Where this strand is concerned, there has been substantial progress in enhancing the coordination and management of policies implemented jointly with the Ministry of Economic Affairs and Production, the Ministry of Health, the Ministry of Education, Science and Technology, the Ministry of Foreign Affairs, International Trade and Worship, the World Trade Organization and other bodies. A number of seminars have also been held to promote the concept of decent work in national, provincial and municipal public policies.

115. The second strand entails integration of Ministry of Labour, Employment and Social Security policies in five priority areas:

(a) Active employment and training policies. This includes converting temporary employment programmes into programmes that integrate people into the labour market, and implementing active employment policies for the vulnerable;

(b) Policies to regularize unregistered work and improve working conditions. This includes designing and implementing strategies to formalize the different forms of unregistered work and improve working conditions;

(c) The National Programme for the Eradication of Child Labour. The purpose of this is to coordinate and implement measures for detecting, quantifying and eradicating child labour;

(d) Policies to improve earnings by enhancing collective bargaining, raising the minimum wage and improving income distribution;

(e) Policies to extend the coverage of the social welfare system and unemployment insurance and policies to reform the State pension system.

116. Substantial progress has been made towards each of this strand's objectives.

(d) *The Building the Future with Decent Work Programme*

117. The Ministry of Education, Science and Technology and the Ministry of Labour, Employment and Social Security, with technical and financial assistance from the ILO, decided to implement the project entitled Building the Future with Decent Work with a view to promoting the values associated with the dignity of work.

118. With this initiative, Argentina means to enhance its strategies for disseminating the principles of decent work and the contents of the ILO Declaration on Fundamental Principles and Rights at Work.

119. The strategic goal was to secure approval for incorporation of fundamental rights at work and the principles of decent work into the curricula of secondary education institutions in all the country's local authority areas.

120. Accordingly, the Federal Council for Culture and Education agreed the following measures at its eighty-fourth extraordinary meeting in December 2006:

(a) Incorporate the fundamental principles and rights at work and the concept of decent work into the curricula of the different types of secondary education institutions in all the country's local authority areas, linking these to content dealing with social, civil and political rights and content tending to establish a close relationship between education and work;

(b) Establish that secondary education institutions should carry out such activities as are deemed relevant by local education authorities to reinforce students' learning about the fundamental principles and rights at work and the concept of decent work, using the teaching material prepared for this purpose;

(c) Agree that the Ministry of Education and educational authorities in the provinces and the Autonomous City of Buenos Aires should commit themselves to joint initiatives to facilitate the educational activities referred to.

F. Programmes for vulnerable groups

1. Women

121. Section VII, chapter I of the Employment Contracts Act provides:

“Women may enter into employment contracts of every kind, and neither collective labour agreements nor any regulations authorized may establish any kind of discrimination in their employment on the basis of their sex or civil status, even if the latter should change during the course of their employment. Any collective agreements or pay scales produced must ensure that the principle of equal pay for equal work is fully respected.”

122. An important development was the approval of Act No. 26171, passed on 15 November 2006 and effectively enacted on 6 December 2006, which ratifies the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. This law is a very important step towards equality between men and women.

123. The tendency in Argentina for the parliamentary committees women sit on to be mainly those dealing with social issues is also changing.

124. Of 12 ministries, three (Health, Social Development and Defence) have been held by women since the change of government in December 2007.

125. For the first time in the country's history, the Supreme Court of Justice has two female members (Elena Highton de Nolasco, Vice-President of the Court, and Carmen Argibay), representing 28 per cent of the total.

126. Also important was the approval in 2002 of Act No. 25674 on union quotas for women. This positive discrimination measure has not only enhanced the participation of women in the world of work but has also helped to establish them in positions of authority in unions. Thanks to this law, each unit responsible for collective negotiation of working conditions must include a number of women delegates proportional to the number of female workers in that branch of activity or type of business.

Actions and programmes

“Employment policies for gender and racial/ethnic equality in the MERCOSUR countries and Chile” – ILO-MTEySS technical cooperation

127. The ILO Regional Office in Santiago, Chile, supported by the Spanish Government, is providing technical and financial assistance to strengthen the capacity of the subregion's labour ministries to integrate the gender dimension effectively into public-sector labour and employment policies.

128. With this support, MTEySS set out to consolidate an institutional arrangement that would operate as a “gender focal point” to help the different services integrate this perspective into the design, management and impact evaluation of their policies, programmes and measures. Emphasis will be put on the following policy areas, among

others: services provided to the public by municipal employment offices; training and employment insurance; vocational training programmes; measures to improve employment quality via formalization, registration and social protection for male and female workers and compliance with labour laws, including interventions in particular groups of occupations or activities that have lower levels of protection and are mainly worked in by women (such as the remunerated domestic service sector); measures to promote the sharing of family responsibilities and mitigate the obstacles to employment facing working women with dependants.

129. The Project provides for a two-year implementation period, with systematic arrangements for regional cooperation.

Tripartite Commission on Equality of Opportunities between Men and Women in the World of Work (CTIO)

130. The Commission is a tripartite dialogue, consensus and policy recommendation forum involving government, union and business representatives, and its aim is to enhance social coordination and dialogue in relation to gender equality in the world of work. Its chairman's office is based at the MTEySS.

131. The CTIO was set up under memorandum of agreement No. 57 on 28 October 1998 as part of the MTEySS at the initiative of the ILO, which maintains a permanent presence.

132. Its composition was expanded by a new memorandum of inclusion which, together with the 2005 Action Plan, launched a new stage for the CTIO, taking the events of December 2001 as a starting and reference point.

133. The Commission provides a forum for the evaluation of gender equity policies and the promotion of social dialogue and democratic practices among actors and institutions associated with an emerging "new" world of work.

134. Its strategic goals are:

- (a) To make the public aware of male and female workers' rights in the formal and informal sectors, while promoting corporate social responsibility;
- (b) To develop tripartite action strategies for promoting equal treatment and opportunities for men and women in the labour market, in relation both to employment access and to vocational and technical training;
- (c) To support equal opportunities initiatives;
- (d) To make equal opportunities for women and men a more integral part of the design and implementation of anti-poverty strategies;
- (e) To incorporate the gender approach into national economic agendas;
- (f) To reorient women's capabilities and traditional skills towards new markets and to optimize their productivity and entrepreneurial potential, particularly in areas that have traditionally been the preserve of men;
- (g) To pursue the economic and social empowerment of women by promoting partnership between them at different levels through organizational training and technical assistance with the creation of networks to improve the terms on which they enter and compete in the market;
- (h) To encourage the organization of indigenous groups, migrants, entrepreneurs and small and medium-sized enterprises and defend their right to work;
- (i) To provide technical advice to the organizations concerned and to those presenting legislative initiatives.

Domestic Service Training and Employment Insurance Programme

135. This programme was created in view of the need for measures to improve the employment conditions of workers whose position in the labour market is particularly problematic —domestic service workers in this case. The aim, then, is to enhance the capabilities of these workers by helping them to specialize or professionalize.

136. This training and employment insurance caters to mainly female workers who usually lack opportunities for vocational training to raise the status of their occupation or improve their working conditions. It is intended for Heads of Household Programme beneficiaries working in domestic service.

137. This initiative is also helping to counteract the high level of informal working in domestic employment by encouraging registration (AFIP supplementary campaign: “El Trabajo en Blanco”).

138. The Programme offers the following training courses:

- (a) General domestic services;
- (b) Personal care and service;
- (c) Complete catering service (for restaurants and events);
- (d) Information and reception services in tourist accommodation;
- (e) Bakery workers.

139. Participation in training and employment insurance is compatible with a record of contributions for domestic service employees for up to 12 monthly periods, whether continuous or discontinuous, within a maximum of two years.

140. This programme is being publicized by sending out a letter and leaflets to Heads of Household Programme beneficiaries. Municipalities are also using other graphic media and radio spots to publicize it.

141. In each locality, municipalities will also identify potential training institutions, with which they will sign institutional agreements. These centres must have experience of working with the public and a track record with training in the vocational fields towards which the Programme is oriented.

2. Migrant workers

142. Among the groups that have received special attention are international migrant workers. The laws and policies generated have recognized the contribution of migrants to the country’s development and have paid special attention to defending their human rights and securing a proper place for them in society and the workforce.

143. The new National Migration Act (No. 25871) was passed in 2004 and is based on the principles of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, approved by the United Nations in 1990 and ratified by Argentina.

144. For citizens of MERCOSUR and its partner countries, the new law treats nationality as the sole criterion to be considered when residence is applied for, in accordance with the Agreement on Residence for Nationals of MERCOSUR States Parties and the Agreement on Residence of MERCOSUR States Parties and Partners.

145. It also brought in programmes to regularize migration. The first covered people from countries outside MERCOSUR, while the second is the National Programme for the Standardization of Immigration Documents, known as *Patria Grande*, which had

regularized almost 490,000 migrants from MERCOSUR and partner countries by 25 July 2007.

146. International migrant workers are guaranteed the same treatment and conditions as Argentine workers, with the rights arising from work being accorded even to workers whose migration status is irregular. At the same time, there are arrangements to promote and facilitate regularization of both migration and employment status.

147. The National Work Regularization Plan, which is being implemented by the Ministry of Labour, Employment and Social Security, seeks to formalize employment relations for workers who are not enrolled in the social security system. As part of the policy of combating unregistered work and promoting decent work, the Ministry is acting with other official bodies to deal with cases of human and employment rights violations involving both Argentine workers and those from other countries.

148. The Tripartite Commission on Equality of Opportunities between Men and Women in the World of Work also operates within the Ministry, dealing with complaints about violations of employment rights and referring them to the appropriate authorities, with particular emphasis on those affecting women and, within this group, migrant women. Seminars and conferences are also held to increase awareness of the issues, with the participation of different social actors and migrant communities.

3. The disabled

149. The Ministry of Labour is pursuing different initiatives to promote labour market participation and improve access to high-quality jobs for people with disabilities.

150. Non-discrimination against people with disabilities and equality of opportunities and treatment are cross-cutting elements in all actions and programmes. In addition, specific laws are applied to promote inclusion of these more vulnerable groups in the labour market.

Actions and programmes

Job placement

151. The MTEySS Employment Office itself and the network of municipal offices offer people with disabilities help with job-seeking, vocational training referrals and job placement, while measures and incentives are deployed to encourage firms to recruit these special groups.

152. The Club of Socially Responsible Companies [*Club de Empresas Comprometidas*] (CEC) has been set up to integrate workers with disabilities into the workforce. The main goal of the work being done by these firms is to improve the employment prospects of people with disabilities. The idea is to consolidate a formal network of employers that promote employment opportunities for people with disabilities. Most firms already have people with disabilities on their staff.

153. The employer tax benefits provided for by current national and provincial legislation are being systematically publicized by employment office agents: Act No. 22431 on the system of protection for the disabled, as amended by article 23 of Act No. 23021, and Acts No. 24147 and No. 24013.

154. Other programmes providing occupational training and assistance in finding work such as the Community Employment Programme (PEC), the Employment Participation Programme (PIL), the Heads of Household Programme and training and employment insurance include specific quotas to ensure that people with disabilities are included in appropriate projects that help to improve their job prospects, with a view to their obtaining high-quality employment.

155. Particular mention should be made of the Disabled Workers' Employment Participation Programme, created by Ministry of Labour, Employment and Social Security Resolution No. 802/2004. Its aim is to help workers with disabilities and those belonging to vulnerable groups among the unemployed to find jobs in the private sector. Workers receive 150 pesos a month for 9 months on top of the sum contributed by the employer to make up the remuneration due to them. Once enrolled in the National Register, employers must sign a participation agreement that lays down the conditions, rights and obligations of participation in the Programme.

156. Once the participation agreement concerned has expired, workers who continue to work for the employer must be paid exclusively by the latter, and the remuneration they receive must be equal to or greater than the total they were paid while the participation agreement was in force, including the amount of the Programme subsidy.

157. The Regional Training and Job Placement Programme for the Blind is designed for certain specific groups, namely the visually impaired. The goal of this initiative is to equalize job opportunities for people with visual handicaps so that they can participate in productive activities, on the basis that genuine integration is achieved through employment.

158. Lastly, the Microenterprises Financial Support Programme for Workers with Disabilities (PAEMDI) has the goal of helping disabled people aged over 18 to set up business ventures by providing them with non-reimbursable financial support to purchase capital goods, working tools and inputs, with a limit of 10,000 pesos.

159. These people must be unemployed and have been granted a concession to use and/or operate a small business, or be participating in production or services projects on a partnership basis. The Programme components are: (i) production or services projects; (ii) small business concessions covered by Act No. 24308 and other provincial and municipal regulations encouraging the establishment of such businesses with the same end in view.

4. Youth employment

160. The main initiatives pursued by the Employment Secretariat of the MTEySS in this area with a view to combating youth unemployment are:

(a) **Work and training placements:** These are placements in firms with spells of training by a training institution. This is a highly effective tool whereby young people embark upon a reasonably challenging learning process that encourages a renewed appreciation of work as the cornerstone of social inclusion while at the same time providing them with some labour rights denied them in casual employment;

(b) **Digital inclusion:** This is a scheme designed to improve young people's prospects of employment in jobs requiring technological know-how and skills. It involves attending information technology lectures and working in laboratories for a period not exceeding six months with a time commitment of eight hours a week plus four hours at home, during which young people are trained in three alternative skill sets. At the end of their third month in the programme, they are provided with computer equipment that will form part of their working equipment and that they can use to do practical work at home;

(c) **Learning enterprises:** These are community organizations and social economy enterprises set up with the coordinated participation of social actors (government, firms, NGOs and unions). These enterprises provide young workers undergoing training with six months' experience that enables them to acquire specific and general skills and knowledge, supporting them and helping them along the path to integration in society and the workplace.

G. Measures adopted in relation to undeclared workers

161. One of the main tasks of the State where employment policy is concerned is to rebuild the labour inspectorate, which is playing a renewed strategic role at the heart of an active policy to combat unregistered employment and protect working conditions. The labour inspectorate was practically dismantled during the 1990s and open-ended employment contracts lost ground to different types of working arrangements implemented as a result of the deregulation of employment law, making the task of inspection harder.

162. The Ministry of Labour sought to restore and strengthen the labour inspectorate by raising its institutional status, substantially increasing its staff and resources and launching the National Work Regularization Plan, which involves a high-profile publicity campaign and determined inspection efforts with a view to reforming behaviour patterns and bringing about a change of culture as regards non-compliance with employment and pension contribution laws. The goal of this policy, at a time of growth and rising corporate earnings, is to reduce the vulnerability of people with less bargaining power and provide social security and protection for both workers and their families.

1. The National Work Regularization Plan

163. The National Work Regularization Plan (PNRT) was put into effect on 28 August 2003. The Plan arose as a response to the high level of unregistered wage employment. Its purpose is to combat unregistered working; ensure that working conditions are consistent with fundamental employment rights and proper social protection; achieve greater efficiency in the detection and correction of breaches of employment laws and social security requirements; bring excluded workers into the social security system; encourage employers to regularize their situation voluntarily; and publicize the issues that arise from unregistered employment and the benefits of regularizing it.

164. Although it is employers who are required to register workers, it is through the PNRT that the State exercises its oversight role to verify that labour laws are being complied with and thereby achieve full worker registration, the ultimate aim being what the ILO terms “decent work”, i.e., productive work carried out in conditions of freedom, equity, security and human dignity.

165. The inspection measures taken by the National Inspection Office are aimed at improving registration of workers so that they have access to the social security system. Inspectors visit company premises as part of their daily work and complete inspection reports to ensure that workers’ rights are being respected.

166. In 2004, the PNRT gained 140 new permanent staff. The Plan was consolidated as a policy in the 2005-2006 period and by early 2007 a staff of 568 people were carrying out inspections, hearings and administrative support work. The MTEySS acquired 30 vehicles and over 300 computers, enlarged the floor area of its headquarters by 2,500 square metres and developed a computer application to support the work of inspection.

2. Creation of the Undersecretariat for Work and Social Security Inspection

167. Because of the size to which the PNRT grew during 2005 and the results obtained in the detection of unregistered working, the new Undersecretariat for Work and Social Security Inspection and the National Inspection Office were created by Decree No. 628/2005. These operate jointly with the National Office for Federal Relations, which coordinates inspection activities undertaken by local offices of the MTEySS outside the capital. Their main functions include:

- (a) Supporting and assisting the Secretary for Labour in his functions, within the area of their competences;
- (b) Exercising the functions conferred by the authority to apply the Integrated System of Labour and Social Security Inspection (SIDITYSS), which was created by Act No. 25877 and whose purpose is the monitoring and enforcement of labour and social security regulations throughout the country;
- (c) Checking and enforcing compliance with social security requirements by employers throughout the country and applying the appropriate penalties where these are flouted;
- (d) Working with the competent national public authorities and the different subnational authorities to coordinate measures to verify compliance with labour and social security regulations throughout the country, drawing up recommendations and plans for improvement;
- (e) Exercising the functions assigned to the central authority by ILO Conventions 81 and 129, their supplementary recommendations and any others that contribute to the better performance of services, while monitoring compliance with them by the different subnational authorities;
- (f) Undertaking supplementary inspection measures in local areas where a high level of non-compliance with employment and social security regulations has been observed, after first informing and notifying the local service;
- (g) Promoting coordinated participation and collaboration by organizations representing workers and employers with a view to detecting unregistered working;
- (h) Executing, coordinating and carrying out follow-up and oversight of national inspection plans or any others that might be implemented, deploying the resources and staff allocated for this purpose.

3. Labour inspection procedures

168. The MTEySS has two procedures for carrying out labour inspections:

(a) **Full inspections:** these inspections are to verify the employment conditions of workers operating within the federal purview in the following cases: transportation of cargo and passengers by road, sea and river (Act No. 18695/70 and amendments). Inspections are carried out jointly with the Occupational Risks Inspectorate (SRT) and the National Transport Commission (CNRT). In late December 2005, the Port Office was reopened after 15 years. Its function is to provide assistance to port workers by carrying out inspections, receiving complaints and advising workers in the sector. During 2006, 4,099 medium- and long-distance buses were inspected, as were 6,398 workers in the sector;

(b) **PNRT inspections:** these are carried out throughout the country and their main purpose is to detect unregistered working in all sectors of the economy. From the outset of the Plan to date, inspections have covered over 1 million workers in 320,000 workplaces. Inspections are planned by the Productive Economy Planning and Analysis Unit and the work is then distributed to each of the country's provinces. On the basis of complaints received, the Productive Economy Planning and Analysis Unit, which comes under the National Labour Inspection Office, plans special inspections of establishments reported for non-compliance by workers.

PNRT: type of infractions

169. Irregularities in the following areas are treated as employer infractions:

(a) Employer registration: a check is carried out in the Employer Database of the Federal Administration of Public Revenues (AFIP) to see if the employer is registered as such;

(b) Pension contributions: a check is carried out with the SIJP to see if all the workers encountered during the inspection are registered in the employer's affidavit for the period prior to the inspection date;

(c) Initial Recruitment Code [*Clave de Alta Temprana*] (CAT): the CAT database of the AFIP is checked to see if all the workers encountered during the inspection have this code. This is checked only if pension contributions have not been made for a particular worker in the period considered and he or she was recruited after 17 November 2003.²

PNRT – Analysis of results 2003-2007

170. The presence of the PNRT in the labour market has been increasing since its implementation. Some 89,000 workplaces were inspected in the 2003-2004 period, and this figure was exceeded by 20 per cent in 2005 and 110 per cent in 2006, when 187,451 workplaces were inspected.

Total establishments and workers inspected each year nationally

<i>Year</i>	<i>Establishments</i>	<i>Workers</i>
2003-2004	89 000	295 038
2005	106 120	310 408
2006	187 815	498 594
2007	76 206	236 568
Total	459 141	1 340 608

Source: PNRT system. Data to 20 July 2007.

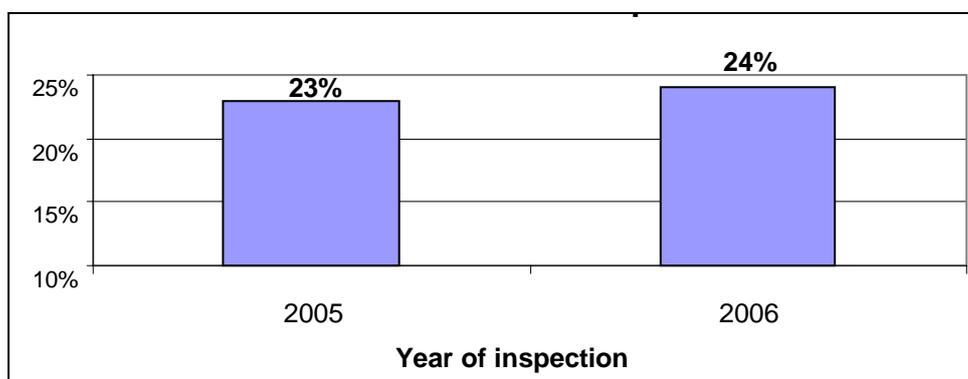
171. The PNRT has now carried out inspections on over 1,340,000 workers in almost 460,000 establishments. Just over 50 per cent of these workers and establishments have been in Buenos Aires Province and the Autonomous City of Buenos Aires (table 2).

PNRT – Results of cross-checking with SIJP databases

172. In 2006, one in every four workers was not registered with the SIJP at the time of the inspection (24 per cent). This figure was one percentage point higher than in 2005. During 2007, 19.05 per cent of workers were found to be unregistered; this figure is expected to increase as more workers become subject to inspection and a larger quantity of results are entered in the PNRT 2005 system.

² This was the date on which it became compulsory to obtain an Initial Recruitment Code for new workers.

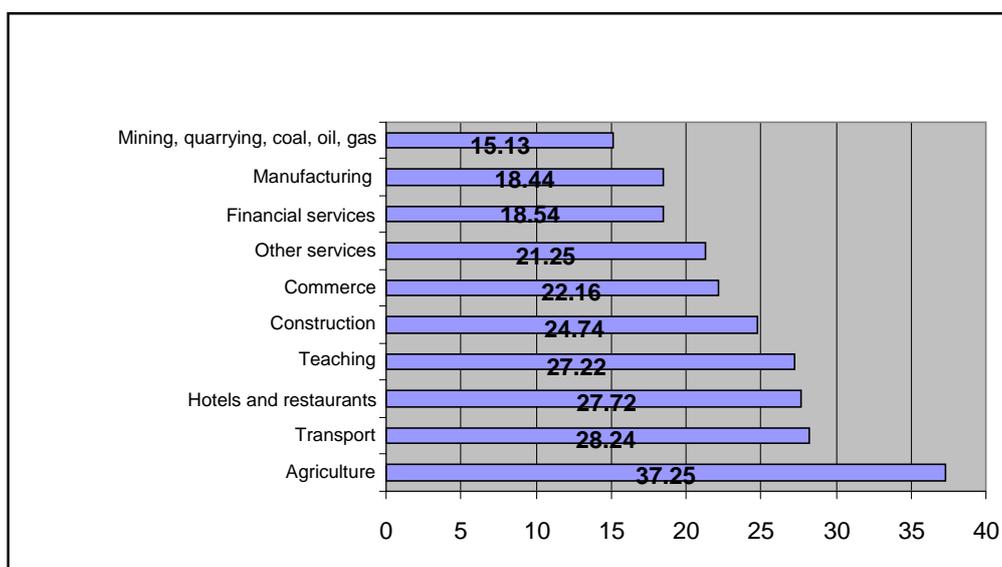
Figure 1
Proportion of unregistered workers detected nationally by the PNRT, by year of inspection



Source: PNRT system. Data to 20 July 2007.

173. The areas of economic activity in which the proportion of unregistered workers detected is higher than the national average are construction, food, drinks and tobacco production, teaching, transport and storage, industrial wood and paper production, restaurants, agriculture, stockbreeding, hunting, forestry, logging and fishing.

Figure 8
Proportion of unregistered workers detected nationally by the PNRT, by employer's sector



Source: PNRT system. Data to 20 June 2007.

4. Regularization

174. The regularization rate increased by just over five percentage points from 2005 to 2006 and by a further half point from 2006 to 2007, so that there has been an improvement in the main objective of the Plan. However, social security contribution records now need to be followed up to analyse the extent to which workers actually remain in the system.

175. Employers in catering, construction, manufacturing and commerce are the most likely to obtain the Initial Recruitment Code for workers who did not have one at the time of inspection. A large number of unregistered workers in the construction sector were employed on projects forming part of the Federal Housing Plan. Where workers were not properly registered in these cases, their employers were liable to forfeit interim payments for ongoing work, quite apart from any penalties that might be ordered under PNRT procedures.

5. The Informal Employment Module applied with the Permanent Household Survey

176. The Ministry of Labour launched a study to form a comprehensive picture of the characteristics of informal working in Argentine society. The study began almost two years ago and its conclusions will be used solely to improve the design and development of efficient public policies to deal with this issue.

177. Government policy for action against informal working required a more in-depth diagnosis of this issue, and the method used to obtain this was the addition of an Informal Employment Module to the Permanent Household Survey (EPH). The Module was applied in the fourth quarter of 2005 in Greater Buenos Aires, jointly with INDEC and the World Bank.

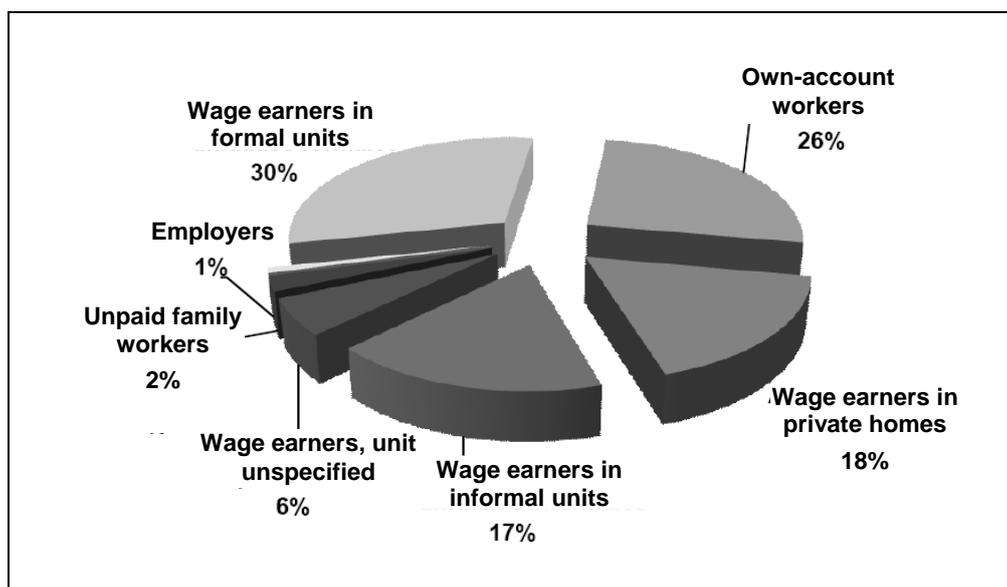
178. One of the most important findings to come out of the document is that informal working not only affects a substantial proportion of workers, but is a heterogeneous and complex phenomenon. Informal workers may be employers, own-account workers or wage earners and are found not only in informal production units, where employment might be expected to share the characteristics of the production unit, but also in formal production units and private households. This diversity of situations indicates that policies to reduce informality need to be specific enough to take account of these differences. Accordingly, the Module findings have been used to identify major occupational groups within the generality of informal working arrangements in which informality presents different causes and characteristics, with policy actions being differentiated accordingly.

179. Thus, the policy adopted by the national State to combat informality combines plans and programmes that deal with these groups on the basis of a common principle: the generation of decent work as a means to social inclusion and the eradication of informal working.

Heterogeneity as a primary characteristic

180. The major groups of informal workers and the actions taken by the national State will now be described, with emphasis on the need to continue progressing with the design and implementation of public policies that respond to the employment problems facing workers in informal jobs.

**Informal working by occupational category and formality of the production unit,
fourth quarter of 2005, Greater Buenos Aires**



Source: EPH, Informality Module.

Informal wage earners in formal production units

181. Some 30 per cent of informal workers are employed in formal production units. These are wage earners hired in disregard of employment regulations by firms that have at least a minimum of financial capacity so that they could, in principle, regularize the employment relationship. The main actions taken by the national State for this group include:

(a) The National Work Regularization Plan, whose goal is to achieve ever-higher levels of employment registration by detecting unregistered and partially registered work, atypical and concealed working arrangements and “evasive” subcontracting. Over the past few years it has inspected over 442,000 firms around the country and checked the registration situation of almost 1.3 million workers, inducing a substantial proportion of these establishments to regularize their employees;

(b) The Simplified Registration Programme has established a new system of registration entailing a single procedure that facilitates the enrolment of workers, the identification of employers and the monitoring of compliance with regulations, preparing the way for a reduction in informal working.

The regulations laid down for small and medium-sized enterprises (SMEs) (Act No. 25877) provides for a discount on their employer’s social security contributions for a period of 12 months for each worker recruited. This consists of a partial waiver of social security contributions, equivalent to one third of contributions at current levels.

Informal workers in informal production units

182. One group of workers is identified as being employed in informal production units, i.e., units that are in contravention of all regulations governing their activities. This group poses the most complex set of issues because it involves different actors with highly differentiated characteristics: wage earners and self-employed workers totalling 44 per cent of the whole informal labour force. These workers operate within the informal sector of the

economy, whose existence is, generally speaking, a consequence of underdevelopment in the production system.

183. To deal with this group, the national State has been implementing a number of measures that prioritize two dimensions: social inclusion and productive and regional development. It is this context that gives meaning to programmes such as the simplified social tax [*monotributo social*] (a single low tax conferring the right to issue official invoices and access to social security, medical and pension benefits), training and employment insurance and the different economic development plans that provide for measures to support young entrepreneurs and new businesses, the promotion of production clusters and networks with an impact on regional development, productive development agencies, lending programmes for micro, small and medium-sized enterprises (MISMEs) and others that, taken together, serve to guide and support productive development and the generation of high-quality employment.

Informal wage earners in private households

184. Some 18 per cent of informal workers are employed in private households, most of them being women in domestic service. The national State has brought in specific measures to regularize the employment situation of domestic service workers. They include tax-deductibility for the employer of the worker's wage and social charges, simplification of the registration and contribution payment system, and the launch of an intensive media campaign to drive home the importance of worker registration. AFIP information indicates that the employment of some 140,000 domestic service workers was formalized during 2006.

185. The new regime for domestic service personnel is designed for those working as maids, nannies, cooks, gardeners, caretakers, housekeepers, lady companions, butlers, nurses and governesses, provided they work for the same employer for at least six hours a week.

186. The sum of the worker's and employer's contributions paid give the domestic worker the right to join a social insurance scheme [*obra social*] of his or her choice and entitlement to future pension benefits.

187. There is a table of contributions for the regime that gives the amounts to be paid depending on the number of weekly hours worked by domestic service personnel. In 2007 this was as follows:

2007

(Pesos)

<i>Weekly hours worked</i>	<i>Monthly employee contribution</i>	<i>Monthly employer contribution</i>	<i>Total</i>
6 to less than 12	8	12	20
12 to less than 16	15	24	39
16 plus	24.44	35	59.44

188. Looking at the table, it can be seen that in the first two cases the employer's and worker's contributions do not add up to the 59.44 pesos needed to access the benefits described. The shortfall must be made up by the domestic worker, or by the employer if he or she wishes to meet this cost voluntarily. Someone working in more than one household may combine the contributions paid at each and thus make up the 59.44 pesos.

189. With the receipt showing that the 59.44 pesos have been paid, domestic employees can choose between more than 200 social insurance schemes, and will be entitled to

medical coverage from the day they make their first social security payment. They will thus have access to the services included in the Compulsory Medical Plan. Furthermore, by paying another 22.22 pesos for each member of the group (children and dependent family members), they can also extend the coverage of the social insurance scheme to members of their family.

Impact of the policies applied to reduce informal working

190. The results of the policies implemented to reduce informal working are reflected in the evolution of the formal (registered) and informal (unregistered) wage employment regularly measured by the EPH. These two are the only occupational situations consistently quantified by the EPH where the formality of working arrangements is concerned.

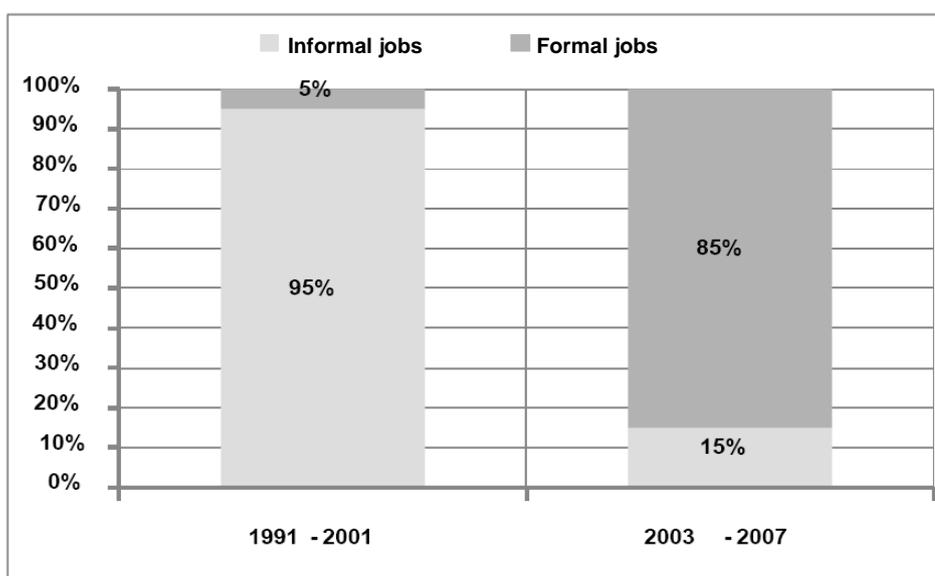
191. Formal wage employment is the occupational category that contributed most to employment growth between 2003 and 2007, increasing by 38 per cent in the period.

192. The sustained creation of formal employment marks a change of trend in the recent history of the Argentine labour market, and one that has been vitally important in reversing the spread of substandard working conditions seen over the past 20 years.

193. As long as the fixed exchange-rate regime lasted, almost all new jobs were informal. Specifically, 95 of every 100 new wage-paying jobs created between 1991 and 2001 were informal.

194. This occupational dynamic ultimately made informal working one of the most serious problems in the Argentine labour market.

Formal and informal share of every 100 new wage-paying jobs, urban total



Source: SSPTyEL, on the basis of the INDEC permanent household survey (EPH).

195. Since 2003, an economic growth pattern very different to the one prevailing formerly has combined with the application of specific policies to produce a striking change in the quality of the jobs created.

196. Over the last four years, 85 of every 100 new wage-paying jobs created have been formal. This major transformation in the quality of new employment has brought down the

unregistered employment rate by 8 percentage points from its peak in the third quarter of 2003 (49.7 per cent) to its current value of 41.6 per cent, the lowest of the past four years.

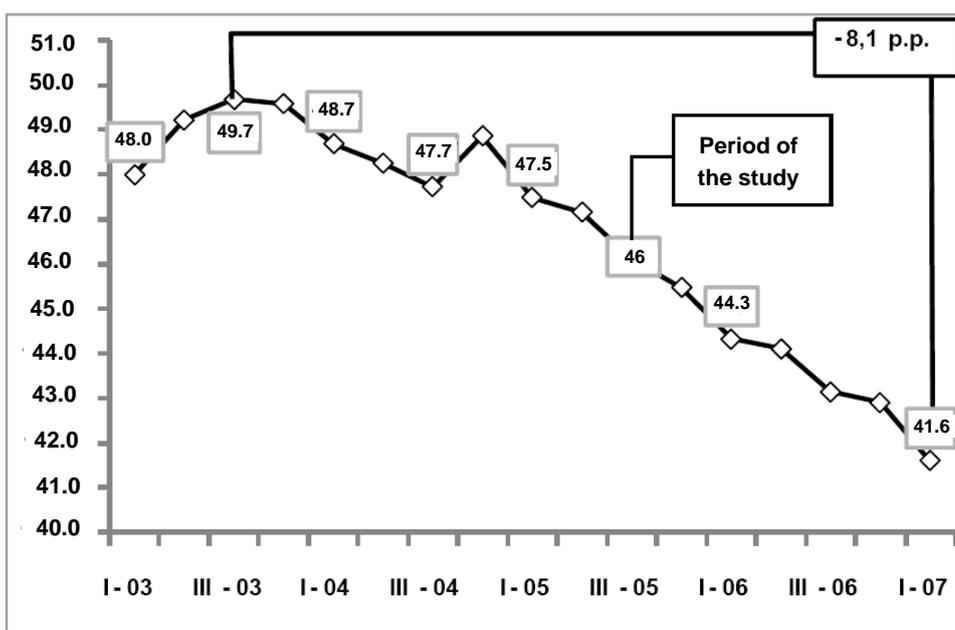
197. In conclusion, it can be said that while a large proportion of workers are in informal employment, the policies implemented have led to a substantial shift in the employment dynamic over the past few years, from a labour market with weak job creation, high unemployment and rising informality to one with strong job creation, sharply lower unemployment and steady growth in formal employment.

198. For all the improvements, further measures are needed to achieve the goal of eradicating informal working and thereby improving the living conditions of the population.

6. The MERCOSUR Regional Labour Inspection Plan

199. Labour inspection is an essential tool for achieving real compliance with labour regulations in the member countries of MERCOSUR, which in turn is an indispensable condition for the creation and protection of decent working conditions.

Unregistered employment rate, all urban areas surveyed



Source: DGEyEL, SPTyEL, on the basis of the INDEC permanent household survey (EPH).

200. Accordingly, Work Subgroup 10 is working on the implementation of a Regional Labour Inspection Plan (PRIT), which was approved at the meeting of the Subgroup in Asunción in May 2007. This summarizes and sets in context the different labour inspection actions carried out up to that time at the regional level, such as the joint inspection operations in which different production activities were selected and actions carried out in each country. These yielded a wealth of experience with labour inspection regulations, methodologies and logistics in each geographical area; in addition, surveys were carried out on working conditions in the international road cargo haulage industry and a basic template for labour inspection statistics was agreed so that a regional report could be compiled within the parameters laid down by the ILO Convention concerning Labour Inspection in Industry and Commerce (No. 81 of 1947), among other actions.

201. Guided, then, by the two decisions of the MERCOSUR Council (which also resulted from the work done by Work Subgroup 10) relating to minimum conditions for inspection procedures (CMC/DEC No. 32/06) and minimum requirements for labour inspectors (CMC/DEC No. 33/06), the PRIT is structured around two main dimensions:

(a) Inspection activity: this encompasses the creation of geographical areas for strategic coordination of inspections where effective communication and coordination channels can be created between labour inspection services, in principle in border areas. The Plan also calls for a more determined effort to produce and publicize labour inspection statistics, with the creation of a regional report, and for the implementation of information and awareness-raising campaigns on the subject of compliance with employment regulations;

(b) Training for labour inspectors: what is proposed in this area is the preparation of a regional programme led by Brazil, whose inspectors are trained to a higher level.

VI. Article 7

A. Wages

1. Evolution of the remuneration of registered wage workers in the private sector of the economy (January 2003-April 2007)

202. In April 2007, the normal permanent remuneration of registered wage workers in the private sector averaged 1,881 pesos, an increase of 1.4 per cent on the March figure. More established workers who had been with the same firm for over five years were paid an average of 2,514 pesos, a figure which was almost 34 per cent higher than the average for all registered workers and represented an increase of 7 per cent in the year.

203. In real terms, considering inflation in the period, the pay of registered private-sector wage workers was 0.6 per cent higher than in March 2007.

204. Between January 2003 and April 2007, pay continued to trend upward in both nominal and real terms:

(a) The average worker's normal permanent remuneration doubled in nominal terms, with an increase of 107 per cent. When inflation over the period is taken into account, the real-term increase in the average wage was 50 per cent;

(b) Median pay grew by considerably more than the average: 140 per cent in nominal terms and 74 per cent in real terms. This means that the wages of lower-paid workers are continuing to recover;

(c) The average remuneration of workers with more than five years' employment at the same firm increased by more (132 per cent in nominal terms and 69 per cent in real terms) than that of registered private-sector wage earners generally (including those entering and leaving employment). In other words, the entry of new workers tended to moderate average wage growth in the period analysed.

2. Evolution and status of wages set in collective labour agreements (2001-2006)

205. The freezing of minimum wages from the mid-1990s and the large declines in purchasing power from that time on were the most obvious manifestations of the regressive income distribution that predominated between 1991 and 2001. Consequently, 10 years after the last increase in the minimum wage (1993), the State had to take firm action on pay. Among the most important of the measures implemented was the enactment of decrees by

the national executive branch setting successive increases in the adjustable living minimum wage. Wage policy for employed workers initially centred on decreed fixed-sum increases, whose purpose at the start of the economic recovery was to improve the purchasing power of lower-income strata among wage earners who had been severely affected by devaluation. When these sums were transferred to the basic wages set in collective labour agreements, very intensive negotiating activity ensued, and there was a knock-on effect for workers who were unregistered or not covered by collective bargaining arrangements.

206. Besides the social and economic goal of equity and encouragement for economic activity via higher consumption, the national Government set itself the task of re-legitimizing an institution that had been devalued during the 1990s: the adjustable living minimum wage. Accordingly, after more than 12 years of inactivity, in 2005 the National Council for Employment, Productivity and the Adjustable Minimum Living Wage (CNEPSMVM, created under Act No. 24013), a tripartite body whose main functions include setting the minimum wage, was reconvened. The CNEPSMVM met in September 2004, June 2005, July 2006 and July 2007, in each case issuing resolutions on the matters within its purview. Thus, the minimum wage rose from 450 pesos in 2004 to 980 pesos after the last meeting in 2007.

207. It should be noted at this point that the adjustable living minimum wage exerted a pull on pay in the unregistered economy, which has increased by about as much as that of workers registered with the social security system from 2003 to the present day.

208. After falling sharply in 2002 and 2003 (mainly because of inflation in the period), real wages for unregistered private-sector workers have been recovering their purchasing power. The average index value in 2004 was 106.6. This indicates a gradual improvement from the value of 100 seen in the first quarter of 2003, partly because of nominal increases and partly because of relative price stability.

209. Pay rose more strongly in 2005, when the average index value for real wages in the sector over the year was 115.0, with higher levels in the third quarter (116.9) and the fourth (118.3).

Index values for the average real wages of registered and unregistered wage workers and average wage ratios

Period	Average real wage index, base first quarter 2003 = 100			Wage ratio: registered/unregistered	
	SIJP remuneration Registered	EPH income		SIJP/EPH	EPH
		Registered	Unregistered		
Year					
2003	104.6	105.2	99.9	2.59	2.17
2004	115.4	113.5	106.6	2.68	2.19
2005 (1)	122.4	120.1	115.0	2.65	2.15
Quarter					
2003					
I	100.0	100.0	100.0	2.49	2.06
II	101.8	101.6	91.9	2.73	2.27
III	106.3	108.9	100.6	2.61	2.22
IV	110.5	110.2	107.2	2.55	2.11

Period	Average real wage index, base first quarter 2003 = 100			Wage ratio: registered/unregistered	
	SIJP remuneration Registered	EPH income		SIJP/EPH	EPH
		Registered	Unregistered		
2004					
I	115.9	113.2	109.3	2.62	2.13
II	115.8	111.8	104.4	2.75	2.20
III	114.6	114.7	104.2	2.72	2.26
IV	115.4	114.5	108.6	2.63	2.17
2005					
I	117.0	116.6	113.0	2.59	2.12
II	119.6	117.6	111.7	2.66	2.16
III	124.7	123.3	116.9	2.65	2.17
IV (1)	128.4	122.8	118.3	2.70	2.13

Source: SSPTyEL, on the basis of the Permanent Household Survey (EPH).

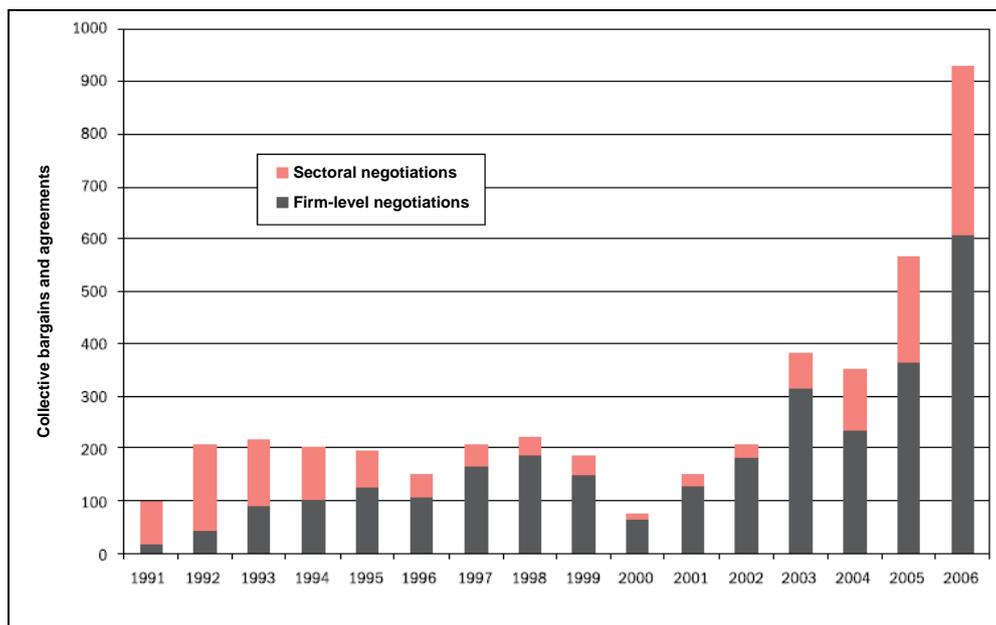
210. The wage policy of the Government helped to improve the real incomes of these workers, restoring almost all the pre-devaluation purchasing power of their wages, and was a factor —probably a decisive one— in the new trend towards lower inequality between them, by improving the relative incomes of the worst-paid. This last development was influenced by the substantial rise in the legal minimum wage (adjustable living minimum wage), with the most recent level set in July 2005, and the decreed fixed-sum increases, which had a larger percentage impact on lower earnings. In 2004 and especially 2005, collective bargaining became more dynamic and progressively took on the leading role in wage-setting.

211. Collective bargaining is undoubtedly one of the main tools for translating the exercise of social dialogue into labour relations. Even considering that the sustained economic growth seen since 2003, after the deep crisis of late 2001, has been a powerful driver of collective bargaining, the negotiating culture of social actors, combined with the support given by the State to this instrument as an income distribution mechanism, has led to an acceleration in the pace of negotiations that has no precedent in the past 15 years.

212. The first record was set in 2003, when 406 collective bargains and agreements were recognized by the MTEySS. In 2004 the number fell to 348, but this is considerably higher than the figure for any of the years in the 1991-2002 period. In 2005, 568 collective bargains and agreements were recognized, 64 per cent more than in 2004 and three times the average for the 1990s (when 177 recognized agreements were registered each year).

213. Sectoral collective bargaining, which includes the main negotiating units by worker coverage (commerce, metal-working, catering, road haulage, etc.), also became more vigorous, which meant that the collective bargains and agreements recognized in 2005 covered a larger number of workers than those recognized in earlier years.

Chart
The dynamic of collective bargaining, 1991-2006



Source: Labour Relations Research Directorate of the Undersecretariat for Technical Planning and Labour Studies (SPTYEL), prepared from information on recognized collective bargains and agreements provided by the Labour Secretariat of the Ministry of Labour, Employment and Social Security (MTEySS).

214. Wage increases were agreed in 83 per cent of the negotiations recognized in 2005. This tendency was driven both by the wages policy of the Government, based on increases in the minimum wage and fixed-sum rises established by decree, and by the demands of unions. The combined effect of these factors on wages set in collective agreements can be seen from the fact that 77 per cent of all the agreements that provided for new pay scales during 2005 set basic wages in excess of 800 pesos, a figure higher than the 630 peso minimum wage that applied at the time.

215. This tendency contrasts with the one that prevailed for the period of almost a decade when wage bargaining was suspended, since from the mid-1990s until 2003 the wages in the main sectoral bargains were left unchanged. At the present time, economic and employment growth, minimum wage increases and the executive branch's policy of promoting a framework of balance between actors with asymmetrical levels of power have resulted in a surge of collective bargaining that marks a clear break from the situation prevailing during the fixed exchange-rate period and the great crisis that followed.

216. By following the evolution of wages set in collective agreements, and specifically the *salario conformado* (comprising basic wages, any supplements agreed upon and increases decreed by the executive branch, if not incorporated into wages set in collective agreements or already absorbed by increases), it is possible to distinguish clearly between two periods in the last decade.

(a) From the mid-1990s until the 2001 crisis, wages set in collective agreements remained unaltered. In late 2001, on average, wages actually paid were practically twice as high as negotiated *salarios conformados*, leaving ample scope for corporate strategies pursuing flexible and individualized labour relations;

(b) Between 2001 and 2006, all collective bargains increased wages by amounts ranging from 561 pesos (glass) to 1,824 pesos (private banking). Four stages in wage formation can be distinguished in this period, each with its own characteristics and nuances:

(i) In the first, between 2002 and 2003, *salarios conformados* increased as a result of the wages policy of the national executive branch;

(ii) In a second stage that began in May 2003, *salarios conformados* rose as a result of the revival of collective bargaining, driven by the incorporation of decreed fixed-sum increases into the basic wages set in collective agreements. Higher wage increases were secured in collective bargains that arose from the reopening of negotiations (lorry drivers, food, bankers, etc.) than in those where there were no negotiations (commerce and health);

(iii) From 2004 to 2005, still a period of wage catch-up, the dynamic of collective bargaining, which had now spread to all branches and sectors of activity, was what drove the increase in wages set by collective agreements. Collective bargaining progressively took over from incomes policy as the main factor in wage formation: wage rises were negotiated in all collective bargains, and nominal increases in the latest year were the largest in the whole period analysed;

(iv) In 2006, the basis was laid for collective bargaining aimed at maintaining the purchasing power of wages while progressively restoring real wages, in the light of sectoral characteristics.

217. To sum up, in 2006 collective negotiations came back to the fore in determining wage levels applicable to different categories of workers and different sectors of activity.

218. The collective bargains and agreements that received official recognition in the latest stage were mainly concerned with wage-setting. Wage increases were established in 90 per cent of agreements recognized in 2006, 86 per cent in 2005 and 76 per cent in 2004, this being the issue that predominated in labour negotiations. Talks were not confined to this one aspect, however, as clauses dealing with labour relations and union membership and with working conditions were also on the table.

219. In the first stage after devaluation and the end of the fixed exchange-rate regime, negotiations were oriented towards restoring the purchasing power of wages against a background of excessive uncertainty about the trend and likely destination of the main economic and political variables. State intervention played a primordial role at this stage, with fixed-sum pay increases and wage rises generally being set by executive decree. This paved the way for a resurgence of collective negotiations, essentially from 2003, when the wage increases fixed were incorporated by government fiat into the basic wages stipulated by collective agreements.

220. The resurgence of collective bargaining, together with economic and employment growth, continued as the government sought to coordinate wage policies, which included the imposition of across-the-board rises and minimum wage levels, and to promote collective bargaining. Only in 2006, when the purchasing power of workers' wages had returned to somewhere close to pre-devaluation levels, did one of the pillars of this system disappear: the State as setter of across-the-board pay increases. In the new situation that thus arose in 2006, collective bargaining took on the central role in wage-setting and as a mechanism of social dialogue to resolve the distributive struggle.

B. Employment contracts: characteristics, new contractual arrangements and other aspects

221. The different types of employment contract implemented by laws designed to increase flexibility in the 1990s led to a substantial rise in unregistered employment. In fact, labour market deregulation resulted in a series of reforms to employment laws that permitted and encouraged the widespread use of atypical and insecure employment arrangements, often unstable in the extreme, which ultimately shaped a highly polarized, segmented and heterogeneous labour market (over 20 different types of employment contract existed) in which open-ended employment quickly lost its central place.

222. The Labour Legislation Act (No. 25877), in force since 2004, replaced article 92 of the Employment Contracts Act (No. 20744), limiting the probation period to three months and removing the option of extending this through collective bargaining. This option had been introduced by article 92 *bis* of Act No. 24013 and carried through into subsequent employment reforms before finally being repealed by Act No. 25877.

223. Given the above, it can be appreciated that the observation made by the Committee about the scope for negotiating collective labour agreements that undercut legal employment norms, making direct reference to the possibility of extending the probation period and touching in particular on the regime applicable to small and medium-sized enterprises (Act No. 24467), has been responded to positively with the reform introduced by Act No. 25877 and the repeal of Act No. 25250.

224. With respect to the observation about time-limited jobs and the rights of workers contracted on this basis, the Employment Contracts Act assumes that when someone carries out work for another physical person or a firm on a voluntary and personal basis under conditions of dependent employment or subordination, receiving remuneration in return, a contract of employment exists even if the parties have not signed a written document, with all the rights and obligations this contract creates for both parties, irrespective of the form or duration of the employment relationship.

1. Open-ended employment contracts (articles 90 to 92 of the Employment Contracts Act)

225. Workers are typically employed on an open-ended basis, with the employment relationship lasting until some particular cause arises to bring it to an end. Should it end because of arbitrary dismissal by the employer, the latter must make the worker a severance payment equivalent to one month's wages for every year of service or fraction thereof in excess of three months.

226. Without prejudice to the above, the Employment Contracts Act makes provision for other special forms of employment in order that the legal framework established may meet the specific needs of the production or service activities carried on by firms and the workers themselves, namely: fixed-term employment contracts, seasonal employment contracts, temporary employment contracts, group or team employment contracts and part-time employment contracts.

227. It is important to stress that employers need to comply with each and every requirement laid down by law to enter into a special employment contract, since if the relationship has not been properly defined to comply with a special employment format, the rules governing open-ended contracts will apply.

2. Fixed-term employment contracts (articles 90 and 93 to 95 of the Employment Contracts Act)

228. This type of contract is characterized by its fixed duration, which may not exceed five years. The parties shall be entitled to establish their relationship on this basis so long as there is good reason for it.

229. The contract must be in writing and must explicitly state its duration. In addition, the employer is obliged to give the worker clear warning of the expiry of the contract with no less than one month's and no more than two months' notice, except in cases where the duration stipulated is less than a month. If this obligation is not complied with, the contract will become open-ended.

230. If an employment relationship comes to an end because the term of the contract has expired or the work contracted for has been carried out, and provided this term was a year or more and the proper notice has been given, the worker shall be entitled to severance pay equivalent to half the amount that would be payable for arbitrary dismissal under an open-ended contract.

231. In the event of arbitrary dismissal before the term of the contract expires, the worker shall be entitled to the severance pay receivable under an open-ended contract plus damages for the prejudice caused by the sole fact of the contract being terminated prematurely.

3. Seasonal employment contracts (articles 96 to 98 of the Employment Contracts Act)

232. Article 96 of the Employment Contracts Act states that a seasonal employment contract shall exist when the work entailed by the normal business of the firm can by its very nature only be carried out during certain seasons of the year and is liable to recur at the same times each year by virtue of the type of activity.

233. In an employment relationship where the seasonal work format applies, the contract shall be fully applicable during the period of activity, but the obligations laid down by it shall not apply at times of inactivity, so that the worker does not provide services and the employer does not pay remuneration.

234. The law treats this as an open-ended contract, on the understanding that it covers a period or season of activity and a period of inactivity. For this reason, if the worker was employed during one season he or she is entitled to be employed at the beginning of the next.

235. This is a very special type of employment contract because there is no presumption of continuity; thus, to enforce this right, the employer is obliged to call upon the worker to take up his or her employment within a period of no less than 30 days from the start of the new season and the worker must reply within five days. Should the employer not thus call upon the employee, the latter may consider him or herself to have been dismissed without fault and shall be entitled to receive a severance payment calculated from the time actually worked plus damages for prejudice suffered because the time the current season is or might be expected to last has not yet elapsed. Should the worker fail to reply, either in writing or in person, the employment contract shall be deemed to have lapsed.

4. Temporary employment contracts (articles 99 and 100 of the Employment Contracts Act)

236. When labour is required by an employer to carry out tasks that are not a normal part of the current activities of the firm or that do form part of the normal work of the firm but surpass it in quality or quantity, the employer may use the temporary employment contract arrangement.

237. Since the duration of these contracts cannot be set in advance, being determined rather by the task or activity to be performed, the employment relationship shall begin and end with the execution of the task or provision of the service.

238. In accordance with the provisions of the National Employment Act, however, if the purpose of the contract is to meet extraordinary demand in the market, the duration of the cause giving rise to it may not exceed six months in a year, with a maximum of one year in any period of three (Act No. 24013, article 72).

239. The employer must be aware that this type of contract cannot legally be entered into to replace a worker who has ceased to provide services because he or she has taken part in legitimate industrial action, or if the employer has suspended or dismissed workers in the last six months because of a lack of work or reduction in the workload of the firm.

5. Group or team employment contracts (articles 101 and 102 of the Employment Contracts Act)

240. Another arrangement is the so-called “group or team employment contract”. This is a contract entered into between an employer and a group of workers, represented by one of their number acting as team leader or head, to undertake an activity or tasks common to the whole team or group.

241. The employment relationship is established between the employer and each of the workers in the team so that, once appointed, each of these shall have the rights and obligations arising from any employment contract.

242. Alongside the employment contract formats provided for by the Employment Contracts Act, the legal regime in Argentina makes provision for certain contractual arrangements, involving the provision of labour or otherwise, that supply a legal framework for in-company vocational training for individuals without work experience, the aim of which is to help young people enter the labour market. Apprenticeship and internship contracts are the leading examples.

6. Special civil contracts associated with employment

Apprenticeship contracts

243. These are a type of employment contract whose purpose is the provision of theoretical and practical training, and they are regulated by article 1 of Act No. 25013. They can be entered into by an employer and a young unemployed person aged from 15 to 28, provided there has been no other kind of employment relationship between them previously. They have a minimum duration of three months and a maximum duration of one year, and the working week may not exceed 40 hours.

244. Once the employment relationship has ended with the expiry of the contract period, the employer need not make any kind of severance payment to the worker, but will be required to give the apprentice 30 days’ advance notice of the agreed expiry date of the contract or, failing this, make a severance payment of half a month’s pay in lieu of notice.

245. If the employment relationship is ended before the agreed time period has elapsed without any notification of cause by the employer, on the other hand, the worker shall be entitled to severance pay as provided by the laws applicable to workers employed under open-ended contracts.

246. In all cases, the worker or apprentice shall be entitled to require the employer to furnish a certificate providing accreditation of the experience or specialism acquired.

247. Non-compliance by the employer with the obligations laid down in the contract shall cause the employment relationship to become open-ended, with all the rights that legally ensue for the worker.

Internships

248. Internships are regulated by Act No. 25165 and by article 2 of Act No. 25013 and its regulations. In neither case are they deemed to constitute employment.

249. Act No. 25165 regulates educational internships, by which is meant an organic extension of the education system in the environment of a firm or public- or private-sector organization where students carry out planned internships or other forms of supervised work experience related to their education and specialization, organized and supervised by the educational units in the system to which they belong, as specific conditions and characteristics determine.

250. The main purpose of the system of educational internships is to provide students with practical experience to supplement the theoretical training opted for and thus equip them to carry on their profession or trade, and to connect the students concerned with the environment operated in by businesses or public-sector organizations in areas related to their studies.

251. Meanwhile, article 2 of Act No. 25013 and its regulations govern the system of vocational training internships and establish that an internship contract shall be entered into when the relationship is between a private-sector employer and an unemployed student aged between 15 and 26 with the primordial aim of providing work experience related to his or her education and training.

252. The core characteristics of vocational training internship contracts are as follows:

(a) They must be in writing and must specify the content of the internship and its duration and hours, and must provide for at least 10 paid days off each year for study purposes;

(b) Their duration shall depend on the level of skills to be obtained, but may not in any event be longer than two years or less than three months;

(c) The intern shall be entitled to monetary compensation of a non-remunerative character for the activity carried out in the firm. This compensation may not be less than the minimum remuneration laid down in the collective labour bargain for the activity, trade, profession and/or category for which he or she is training. For activities not covered by a bargain, it shall not be less than the adjustable living minimum wage;

(d) The intern's working day shall not exceed six hours unless the implementing authority authorizes otherwise, stating its reasons.

253. The employer must provide the intern with health-care coverage whose benefits are to equal or exceed those provided by the Compulsory Medical Programme, and must also take out the accident and sickness insurance stipulated in the Occupational Risks Act (No. 24557), to cover accidents and illness arising as a consequence of the internship and/or in the establishment where the intern is working.

254. To prevent abuses, the law establishes maximum quotas of interns per production unit that must be taken into account by employers when they take on young people to follow this training method. Different measures are also applied to prevent this arrangement becoming a vehicle for employment fraud.

255. Similarly, Decree No. 1694/2006 (“Regulation of temporary services”) was passed to prevent indiscriminate use of temporary employment contracts. Its main elements were as follows:

- (a) It limited the scope for fraud by defining possible instances of temporary work more strictly;
- (b) It gave greater powers to the inspection corps of the Ministry, enabling it to act whenever a situation of fraud or dissimulation was encountered;
- (c) To further safeguard the dignity of the workers concerned, the time limits for suspension from service while in employment were shortened and the operational aspects of reincorporation were improved;
- (d) It contributed to the development of reasonableness in the use of temporary staff, leaving it to collective bargaining to set a sensible and justified proportion between temporary workers and the number of permanent workers at the company concerned, and to set a time limit appropriate to the services to be provided;
- (e) It regulated temporary product exhibition, promotion or sales activities at fairs, congresses, conferences, exhibitions or events, assigning an important role to temporary work agencies;
- (f) It made invoicing by temporary work agencies more transparent, requiring them to include only the price of the placement service and not wages;
- (g) It improved the system of sureties and regulated the withdrawal of surpluses and values remaining in the event of resignation or dismissal;
- (h) It vigorously prohibited unauthorized temporary work agencies from operating;
- (i) Lastly, modern instruments developed around the world are being used to create an Observatory of Good Practices in the area of temporary services as a permanent quadripartite forum for dialogue that will serve to support inspection activities, analyse particular cases, secure formulas for agreement and develop recommendations, among other functions, improving the operation of this business and, ultimately, of the system of labour relations being regulated.

256. This decree was arrived at by consensus and reflects an ongoing concern and determination to pursue the paradigm of decent work.

257. The following are also part of this initiative:

- (a) A bill to reform the Occupational Risks Act that allocates clear risk prevention roles to temporary work agencies and the organizations using them, which will avert the conflicts currently seen and benefit worker health and safety;
- (b) A bill to regulate the activity of services outsourcing firms, particularly those that carry out cleaning and security work, with requirements similar to those laid down for temporary work agencies, to prevent them from being used to infringe workers’ rights and engage in unfair competition.

VII. Article 8

A. Union rights

258. Legal protection for trade union rights in Argentina is threefold, operating at the constitutional, supralegal or legislative level depending on the nature of the legal instrument that applies.

259. Generally speaking, the relevant laws are article 14 *bis* of the national Constitution, the international covenants and conventions ratified by the country, ILO conventions and various national laws, Act No. 23551 being the main instrument where unions are concerned.

260. In addition to the international declarations, covenants and conventions ratified by the country in which union rights are recognized, those ILO conventions that deal particularly with this matter have been incorporated into Argentine law with supralegal status, and thus complement the union rights and guarantees recognized by the national Constitution.

261. The conventions concerned are:

(a) The Right to Organise and Collective Bargaining Convention (No. 98 of 1949), approved by Decree-Law No. 11594/56;

(b) The Collective Bargaining Convention (No. 154 of 1981), approved by Act No. 23544;

(c) The Freedom of Association and Protection of the Right to Organise Convention (No. 87 of 1948), approved by Act No. 14932.

B. Information on trade union law

1. Act No. 23551

262. This is the fundamental law governing union activity. On the basis of the recognition given by the Constitution to the right of workers to form unions, Act No. 23551 institutes the trade union regime by guaranteeing freedom of association and establishing the rights and obligations of these bodies.

2. Act No. 25877

263. Article 24 of the Labour Legislation Act (No. 25877), regulated by Decree No. 272/2006, governs strikes in essential services, while article 25 provides that firms employing more than 300 workers must prepare an annual social audit giving systematized information on working and employment conditions, employment costs and social provision by the firm and submit this to the legally recognized union that is the signatory to the relevant collective labour agreement.

264. Act No. 25877 also introduced substantial modifications to the collective bargaining system, most particularly with its new standards for coordination and precedence of legal norms, the involvement of staff delegates in negotiations over the collective agreement applicable to the firm they belong to, and the obligation for the parties to negotiate in good faith.

3. Acts No. 14250 and No. 23546

265. Collective bargaining is regulated by Act No. 14250, the main instrument for the matter over which its legal regime is established. Act No. 23546 supplements it by laying down the procedure for formalizing collective negotiations.

4. Act No. 25674

266. Likewise with regard to unions, the Women's Union Quota Act (No. 25674) requires the number of female delegates in each collective bargaining unit dealing with employment conditions to be proportional to the number of women workers in the sector or activity. The same law also amended article 18 of Act No. 23551 (which lays down the requirements for membership of a union's governing body), introducing additional clauses establishing that female representation in elective and representative union posts must total at least 30 per cent when that percentage or more of the total workforce are women.

VIII. Article 9

267. Social security has become established as one of the most important policies in Argentina and is guaranteed by the national Constitution. In the special situation the country faced in 2001, when the social bond came under threat, it was of necessity one of the main instruments for achieving social cohesion and was at the forefront of State policies.

268. With this in view, mention may be made of some measures aimed at restoring the social bond as a basic factor in legitimizing the established order. Social inclusion measures were taken to restore registered employment and integrate all those excluded from it, while early retirement was implemented to provide for the subsistence of those who had become unemployed with enough years of work to qualify for a pension but had not yet reached the statutory age and had no prospect of finding another job. A system of arrears payments was also introduced to provide for those who were old enough to retire but could not do so because they had not paid any or enough contributions. Thus, provision was made for those lacking the two requirements (age and years of work) for obtaining income when inactive.

269. Of a piece with the above was the special provision made for inactive people on low and very low incomes, with minimum benefits being gradually increased from 220 pesos in July 2003 to 690 pesos since July 2008. There have also been increases across the board since 2004 to restore benefits, given the loss of value resulting from rising prices in the economy.

Table 2.4.5

Minimum and average incomes under the pay-as-you-go system, December 1995 to December 2006

(Pesos)

Period	Income			Total
	Minimum	Average		
		Retirement pensions	Other pensions	
December 1995	150	326.04	242.28	294.61
December 1996	150	337.41	246.40	302.82
December 1997	150	369.07	257.93	326.88
December 1998	150	375.86	260.44	331.23

<i>Period</i>	<i>Income</i>			
	<i>Minimum</i>	<i>Average</i>		<i>Total</i>
		<i>Retirement pensions</i>	<i>Other pensions</i>	
December 1999	150	398.32	276.38	350.38
December 2000	150	405.88	278.95	355.23
December 2001	150	411.66	280.82	358.97
December 2002	200	421.26	292.85	369.08
December 2003	220	438.52	312.95	387.01
December 2004	308	511.68	395.45	463.59
December 2005	390	562.30	465.16	522.38
December 2006	470	613.34	560.63	595.31

Source: National Directorate of Economic and Regulatory Planning, on the basis of data from the National Social Security Administration (ANSES).

270. In summary, the system strove to find effective solutions for those who had no access to social security benefits, such as the inactive. Social cohesion was thus gradually restored, and this provided the basis for national improvement strategies.

271. In this connection, mention should be made of the enactment of a pension reform (Act No. 26222) which gave workers the opportunity to move back from the capitalization regime to the public pay-as-you-go system (movement the other way was always allowed), as well as modifying the mechanism for assigning workers who do not express a preference for either of the two regimes in the SIJP, among a number of other reforms designed to enhance the status of the public system, thereby restoring the criteria of intergenerational solidarity.

272. A number of points were amended in the interests of better regulation of retirement and pension fund administrators (AFJP), an important change being caps on commission rates.

273. In 2008, the legislature passed two laws that entailed major reforms to the social security system. The Pension Benefit Uprating Act (No. 26417) was designed to respond to the failure to uprate pension benefits, and for this purpose established an objective, automatic mechanism which will come into operation in March 2009.

274. Act No. 26425, unifying the SIJP regimes, was passed in December and will have the effect of abolishing the individual capitalization system.

A. Social security expenditure

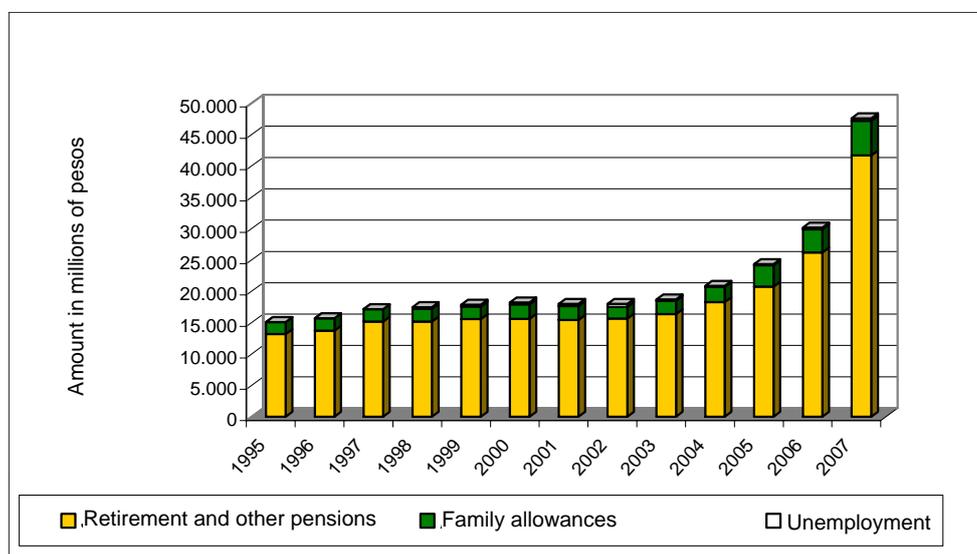
275. See the following tables.

Table 1.2
Accrued annual expenditure¹ on benefit payments, by system, 1995-2007
 (Millions of pesos)

Period	Benefits			Total
	Retirement and other pensions	Family allowances	Unemployment	
1995	13 176.6	1 930.0	n/a	15 106.6
1996	13 718.3	1 969.0	n/a	15 687.2
1997	15 189.4	1 972.2	n/a	17 161.7
1998	15 171.5	2 062.1	229.8	17 463.4
1999	15 570.9	2 016.3	280.4	17 867.5
2000	15 611.2	2 320.8	303.0	18 235.0
2001	15 455.7	2 183.4	350.1	17 989.2
2002	15 648.8	1 877.4	468.0	17 994.2
2003	16 350.6	2 135.7	235.7	18 722.0
2004	18 286.3	2 430.5	158.1	20 874.8
2005	20 773.2	3 378.6	181.5	24 333.3
2006	26 176.0	3 714.1	303.2	30 193.3
2007	41 676.5	5 554.6	385.2	47 616.3

¹ The figures for 1995-2000 are estimates.

Annual accrued spending on benefit payments, by system, 1995-2007
 (Millions of pesos)



Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES and AFIP data.

B. Financing and operation

276. The social security system seeks to provide coverage for different individual risks, both social and natural, by administering the resources of society on a basis of solidarity through the State. The main components of future contingencies include: sickness, childbirth, workplace accidents, unemployment, disability, old age and death and, taking a broader view, social assistance programmes.

277. In Argentina, coverage for the contingencies of disablement, old age and death is provided by the Argentine Integrated Pension System (SIPA), a pay-as-you-go system organized on a basis of solidarity that has been in operation since December 2008, modifying the mixed character of the Integrated Retirement and Pensions System (SIJP).

278. Financing for this system is tripartite, with three main sources of funding: (a) employers' contributions, (b) individual contributions and (c) tax resources.

279. It is run by the National Social Security Administration (ANSES), an autonomous agency that comes under the Social Security Secretariat of the Ministry of Labour, Employment and Social Security.

280. There is also legislation covering the other types of risk. The main subsystems provided for in Argentine legislation are:

- (a) Family allowances, Act No. 24714;
- (b) Unemployment insurance, Act No. 24013;
- (c) Occupational risks, Act No. 24557 and amendments.

281. Family allowances and unemployment insurance benefits come within the purview of ANSES. The bodies responsible for enforcing the Occupational Risks Act are the Office of the Superintendent of Occupational Risks and the Office of the National Superintendent of Insurance, while private-sector bodies called workers' risk insurers (ART) are responsible for dealing with occupational risks.

282. Health-care coverage is the responsibility not of the Ministry of Labour, Employment and Social Security but of the Ministry of Health.

Table 1.1

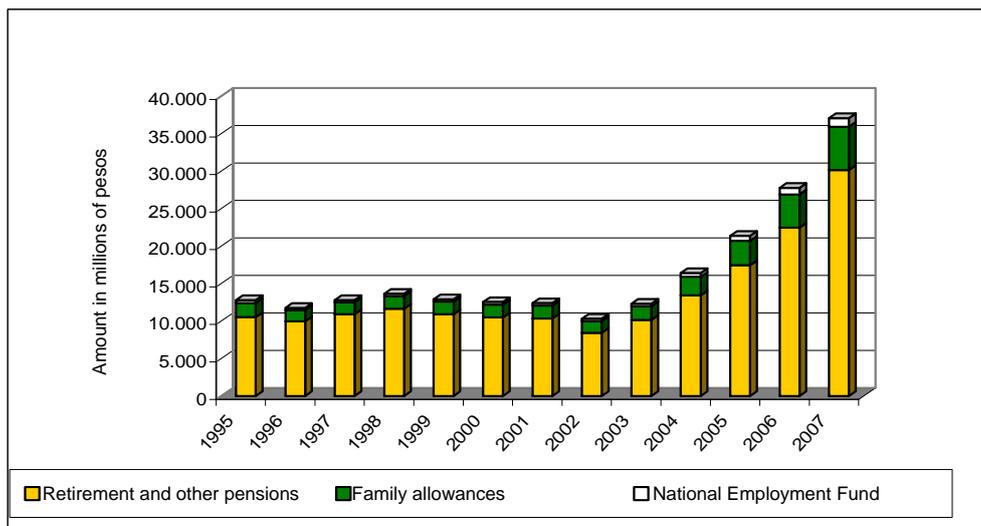
Estimated accrued annual revenues from employers' and employees' contributions, by system, 1995-2007

(Millions of pesos)

Period	System			Total
	Retirement and other pensions	Family allowances	National Employment Fund	
1995	10 509.7	1 919.8	384.0	12 813.5
1996	9 979.2	1 484.2	296.8	11 760.3
1997	10 926.7	1 570.6	314.1	12 811.4
1998	11 658.1	1 655.6	330.8	13 644.5
1999	10 894.3	1 682.2	337.2	12 913.8
2000	10 474.8	1 716.1	345.8	12 536.7
2001	10 355.9	1 700.3	341.6	12 397.7
2002	8 440.9	1 575.0	315.4	10 331.2
2003	10 145.5	1 813.9	363.3	12 322.7

Period	System			Total
	Retirement and other pensions	Family allowances	National Employment Fund	
2004	13 429.6	2 465.0	493.7	16 388.3
2005	17 433.9	3 273.9	655.7	21 363.5
2006	22 459.9	4 425.0	886.2	27 771.2
2007	30 142.5	5 755.3	1 152.6	37 050.4

Estimated accrued annual revenues from employers' and employees' contributions, by system, 1995-2007



Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES and AFIP data.

1. Pension benefits and non-contributory benefits

Pension benefits

283. The changes made to the social security system represent a genuine process of inclusion whose most important milestones include the passage of Acts No. 25994 and No. 25865. The first of these, in force since December 2004, prepared the way for the incorporation of people who were unemployed as of November 2004 and had paid enough years of contributions to qualify for a pension but not reached statutory pension age (with a maximum of five years). The benefit was also open to those who had reached the statutory age by 31 December 2004 but did not have the 30 years' contributions needed to take up the benefit. These contributions could be completed under the terms of the arrears payment scheme established in Act No. 25865, with payment plans of up to 60 instalments. These laws permitted a major advance in coverage, with over 1.8 million new beneficiaries being incorporated in four years.

Table 2.4.9
Persons newly registering for early retirement benefits (Act No. 25994)

<i>Month of registration</i>	<i>Early retirement (article 2)</i>		<i>Arrears payment benefit (article 6)</i>		<i>Total</i>
	<i>Retirement pensions</i>	<i>Other pensions</i>	<i>Retirement pensions</i>	<i>Other pensions</i>	
June 2005	922		165		165
July 2005	1 387		1 556		1 556
August 2005	1 596		1 890		1 890
September 2005	1 962		2 615		2 615
October 2005	1 568		2 764		2 764
November 2005	2 446		5 481		5 481
December 2005	3 292		8 168		8 168
January 2006	3 341		12 223		12 223
February 2006	1 158		5 224		5 224
March 2006	1 018		4 152		4 152
April 2006	1 120		7 687		7 687
May 2006	1 610		16 712	18	16 730
June 2006	1 592		28 576	14	28 590
July 2006	1 377		33 217	55	33 272
August 2006	938		40 777	86	40 863
September 2006	987		50 524	190	50 714
October 2006	855		44 577	213	44 790
November 2006	1 124		188 791	363	189 154
December 2006	789		210 223	333	210 556
January 2007	769		218 925	479	219 404
February 2007	543		171 201	536	171 737
March 2007	309		111 110	296	111 406
April 2007	802		91 964	677	92 641
May 2007	1 098		30 774	860	31 634
June 2007	1 284		86 482	984	87 466
July 2007	1 639		52 853	1 053	53 906
August 2007	1 762		55 953	1 362	57 315
September 2007	1 369		43 165	1 121	44 286
October 2007	1 315		65 764	1 154	66 918
November 2007	1 494		87 369	1 535	88 904
December 2007	1 084		29 992	1 274	31 266
January 2008	909		31 061	1 301	32 362
February 2008	575		26 130	1 125	27 255
March 2008	348		16 486	597	17 083
April 2008	476		19 924	1 063	20 987
May 2008	510		22 216	1 424	23 640
June 2008	528		23 268	1 763	25 031
Total	45 895		1 849 959	19 876	1 869 835

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

Notes: Early retirement: the benefit is equivalent to 50 per cent of the retirement benefit to which the person will be entitled upon reaching the statutory age, subject to the minimum benefit amount. Arrears payment benefit: the average benefit amount given is the amount made available before discounting the arrears payment instalment.

Table 2.2
Population structure and coverage of the SIJP,¹ June 2008

(Thousands of cases)

<i>Total population</i>	<i>Total</i>	<i>Aged under 19</i>	<i>Aged 20 to 49</i>	<i>Aged 50 to 64</i>	<i>Aged 65 plus</i>
EAP	17 386.5	838.1	12 546.5	3 356.6	645.4
Working	15 892.8	595.1	11 580.5	3 128.6	588.6
Unemployed	1 493.7	242.9	966.0	228.0	56.7
Inactive	22 359.1	13 785.0	3 519.5	1 741.3	3 313.3
Total population	39 745.6	14 623.1	16 066.0	5 097.9	3 958.6
SIJP contributors	8 070.8	123.6	6 184.4	1 644.7	118.2
Employees	6 643.6	117.7	5 256.3	1 177.8	91.9
Self-employed	311.5	0.3	165.8	136.7	8.8
Simplified system taxpayers [<i>monotributistas</i>]	894.8	3.7	609.3	265.9	15.8
Domestic service	220.9	1.9	153.0	64.3	1.7
SIJP beneficiaries²	4 536.4	67.2	88.0	754.3	3 627.0

Source: National Directorate of Economic and Regulatory Planning, on the basis of AFIP and ANSES data, and authors' estimates based on INDEC and Latin American and Caribbean Demographic Centre (CELADE) data.

¹ Estimated values based on the authors' own methodological review.

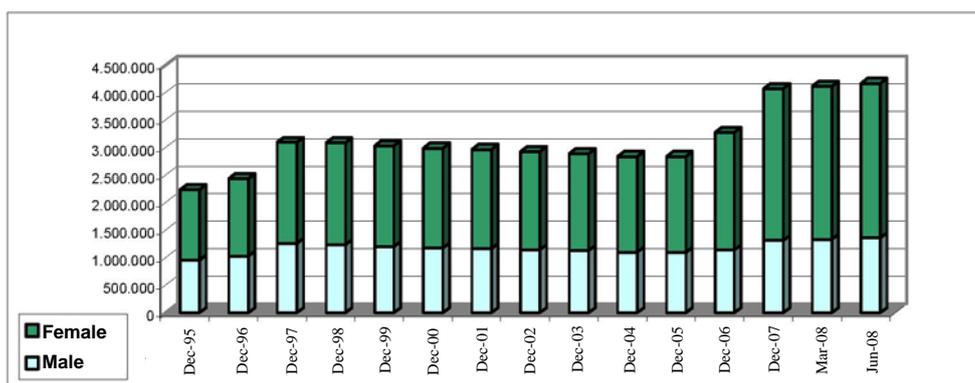
² Beneficiaries receiving benefits from both the pay-as-you-go system and the capitalization system are counted only once.

284. Analysis of the pension system as of June 2008 reveals that out of an economically active population in excess of 17 million people, just 8 million are counted as contributors. At the same time, over 4.5 million beneficiaries currently belong to SIPA. The data attached are broken down by system because of the point in time at which they were prepared.

Table 2.4.3
Beneficiaries of the pay-as-you-go system, by sex, December 1995 to June 2008

<i>Period</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>n/a</i>
December 1995	2 239 894	955 012	1 280 140	4 742
December 1996	2 460 379	1 031 344	1 406 721	22 314
December 1997	3 213 069	1 258 785	1 836 826	117 458
December 1998	3 151 345	1 238 695	1 850 241	62 409
December 1999	3 092 666	1 201 657	1 833 032	57 977
December 2000	3 048 367	1 175 017	1 818 267	55 083
December 2001	3 019 990	1 165 354	1 803 164	51 472
December 2002	2 976 605	1 146 385	1 781 914	48 306
December 2003	2 933 262	1 128 680	1 759 431	45 151
December 2004	2 881 458	1 101 381	1 737 483	42 594
December 2005	2 880 177	1 098 717	1 741 403	40 057
December 2006	3 312 942	1 141 224	2 134 336	37 382
December 2007	4 106 924	1 314 912	2 757 579	34 433
March 2008	4 148 673	1 334 538	2 780 229	33 906
June 2008	4 204 245	1 362 710	2 808 098	33 437

Beneficiaries of the pay-as-you-go system, by sex, December 1995 to June 2008



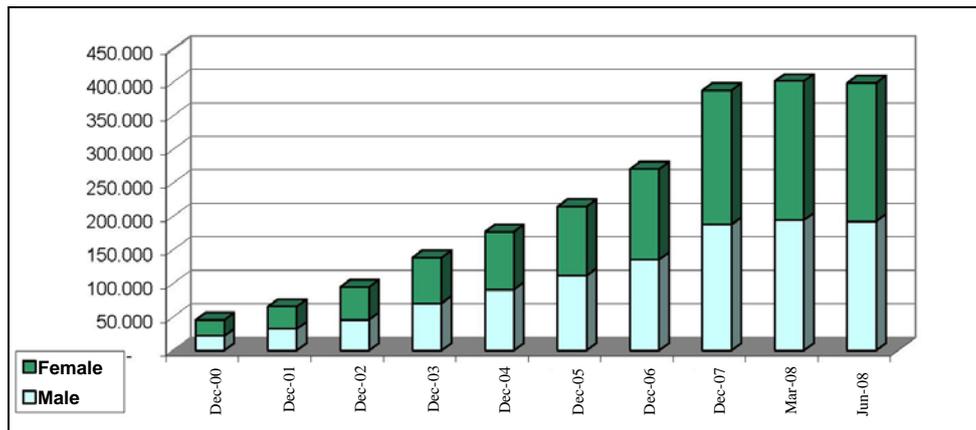
Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

Table 2.5.4

Beneficiaries of the capitalization system, by sex, December 1995 to June 2008

<i>Period</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>n/a</i>
December 1995	512	171	341	
December 1996	3 243	1 124	2 111	8
December 1997	9 540	3 639	5 887	14
December 1998	16 977	7 225	9 696	56
December 1999	29 594	13 260	16 205	129
December 2000	45 633	21 752	23 508	373
December 2001	66 070	32 062	33 222	786
December 2002	95 278	45 931	48 853	494
December 2003	139 427	70 430	68 304	693
December 2004	178 203	90 946	85 912	1 345
December 2005	217 307	111 436	103 235	2 636
December 2006	271 628	135 414	134 701	1 513
December 2007	388 953	187 542	200 328	1 083
March 2008	402 541	194 096	207 140	1 305
June 2008	400 246	192 624	206 065	1 557

Beneficiaries of the capitalization system, by sex, December 1995 to June 2008



Source: National Directorate of Economic and Regulatory Planning, on the basis of SAFJP data.

Non-contributory pensions

285. 586,629 people are currently receiving pensions from the social welfare system.

Pension for mothers of seven or more children (Act No. 23743, Regulatory Decree No. 2360/90)

286. This is a benefit paid to women who can show that they are or have been mothers of seven or more live-born children, irrespective of the age, civil status or nationality of these or the mother.

War veterans pension

287. This is governed by: Act No. 22674 (extraordinary subsidy); Act No. 23598 (discretionary life pension); Act No. 23848 (life pension); Decree No. 2634/90 (list of life pension beneficiaries); Resolution No. 86/90 (date of pension payment); Act No. 24310 (discretionary life pension); Act No. 24343 (life pension); Decree No. 1083 (life pension); Decree No. 1550/94 (monthly benefit top-up); Act No. 23848, Resolution No. 1336 (creation of National Register of War Veterans' Organizations); Act No. 24652 (war pension); Decree No. 779 (credit provisions in compliance with Act No. 23848); Act No. 24892 (extension of benefit established by Acts Nos. 23848 and 24652).

288. The non-contributory war veterans pension is a life pension granted to former conscripts who took part in actual combat in the South Atlantic conflict, civilians performing duties in the places where these actions took place, officers and NCOs in the armed forces and security forces who were in a situation of retirement or voluntary or compulsory leave, except where the latter was the result of the situations referred to in article 6 of Decree No. 1357/04, and who would have been posted to the Malvinas theatre of operations or actually participated in combat in the South Atlantic theatre of operations.

Malvinas veterans, number of cases and average benefits, 2006

<i>Period</i>	<i>Veterans</i>	
	<i>Cases</i>	<i>Average benefit (pesos)</i>
January	18 606	1 157.7
February	18 781	1 157.0
March	18 913	1 156.6
April	19 112	1 156.6
May	19 280	1 155.7
June	19 451	1 393.6
July	19 611	1 393.2
August	19 667	1 393.2
September	19 740	1 393.8
October	19 791	1 393.8
November	19 836	1 393.4
December	19 857	1 393.4

Source: ANSES.

Non-contributory disability allowance

289. This is the allowance paid to people who can demonstrate total or partial (at least 76 per cent) permanent disablement and are not drawing any type of retirement benefit or working as employees, and who do not have property, income or resources of any kind to provide for their own subsistence and that of their families.

Non-contributory old-age pension

290. This is the pension paid to people aged 70 or over who can provide proof of identity, age and nationality. Foreign citizens must prove at least 40 years' uninterrupted residence in the country, and this will be demonstrated by presenting the applicant's National Identity Document. To qualify, neither the applicant nor his or her spouse may be covered by any non-contributory benefit, retirement or pension regime or have relatives who are legally obliged to pay maintenance to them, unless these relatives are unable to do so, or have property, income of any kind or resources to provide for their subsistence, or be in custody awaiting trial. In the case of married couples, the pension will be payable to only one member.

291. Amount of the pension: 285 pesos a month. Payment of family allowances is not covered. Welfare medical coverage is provided through the Federal Health Programme (PROFE).

Non-contributory pensions, payments by benefit type, number of cases, 2006

<i>Period</i>	<i>Legislators¹</i>	<i>Special laws²</i>	<i>Social protection³</i>	<i>Total</i>
January	133 513	94 417	210 641	438 571
March	133 244	100 851	220 677	454 772
April	134 505	103 644	210 168	448 317
May	132 141	104 896	230 694	467 731
June	130 813	97 824	216 827	445 464
July	131 822	99 232	219 428	450 482
August	135 414	100 968	222 364	458 746
September	133 288	112 850	249 785	495 923
October	132 961	115 474	252 205	500 640
November	135 298	118 469	258 104	511 871
December	132 343	120 094	260 890	513 327

Source: ANSES.

¹ Discretionary allowances granted by members of Congress.

² Former president or vice-president, Nobel prize-winner, Olympic medal-winner, first call-up, Antarctic pioneer, Malvinas veterans, prelates, bishops, family members of the disappeared and mothers of seven or more children. Decree No. 1357/04 of October 2004 provides that the functions [...].

³ Disability and old age.

Table 3.1

Non-contributory pensions by benefit type, December 1999 to June 2008

<i>Period</i>	<i>Total</i>	<i>Benefit type</i>			
		<i>Welfare pensions</i>	<i>Special laws</i>	<i>Discretionary</i>	<i>Malvinas veterans</i>
December 1999	345 849	164 048	2 259	166 495	13 047
December 2000	356 957	167 846	2 204	173 173	13 734
December 2001	332 144	171 878	2 116	144 059	14 091
December 2002	341 494	175 982	1 982	149 185	14 345
December 2003	344 630	183 563	1 979	144 651	14 437
December 2004	416 111	259 468	1 934	140 202	14 507
December 2005	454 423	299 806	1 909	135 502	17 206
December 2006	540 293	384 471	1 929	134 404	19 489
December 2007	624 457	474 446	1 894	128 009	20 108
March 2008	646 795	497 234	1 897	127 422	20 242
June 2008	672 036	524 122	1 877	125 720	20 317

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

Table 3.4
**Average non-contributory pension payments, by benefit type, December 1999
to June 2008**

(Pesos)

Period	Total	Benefit type			
		Welfare pensions	Special laws	Discretionary	Malvinas veterans
December 1999	143.35	118.92	275.73	152.35	312.61
December 2000	144.61	119.41	275.41	154.05	312.54
December 2001	139.65	119.88	277.31	144.32	312.52
December 2002	139.02	120.23	287.75	142.55	312.32
December 2003	186.56	176.35	390.11	172.07	433.62
December 2004	255.14	245.44	512.86	201.13	916.24
December 2005	320.57	318.32	624.87	212.03	1 180.68
December 2006	386.07	375.00	827.71	260.70	1 425.32
December 2007	528.61	481.96	1 039.61	489.51	1 830.06
March 2008	570.61	530.75	1 143.10	488.86	2 010.66
June 2008	579.93	532.57	1 155.21	537.47	2 011.25

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

Pension reforms: Acts No. 26222, No. 26417 and No. 26425

292. The Argentine Congress passed Act No. 26222 reforming the Integrated Retirement and Pensions System (SIJP) Creation Act (No. 24241). It increased the upper remuneration limit treated as taxable income from 4,800 to 6,000 pesos. It also provided that people starting work and not expressing a preference between the capitalization system and the pay-as-you-go system would automatically be assigned to the latter, contrary to the existing provision.

293. Workers enrolled in the SIJP since 1 April 2007 and included in the pay-as-you-go system because they have not expressed a preference within the time period allowed may opt for the capitalization system until the last day of the next period brought in by the national executive branch for this purpose.

294. The formula for calculating the Additional Length of Service Benefit (PAP) has been modified, with the weighting for each year of service in which contributions are paid into the public system being raised from 0.85 to 1.5 per cent. This creates a strong incentive, as the change has a very large impact on pension benefit amounts.

295. SIJP affiliates may opt to change system once every five years, but no later than the age of 50 for women and 55 for men. During the first period allowed for this choice, which began on 12 April 2007 and extended to 31 December that year, there was no age limit. Choices made during that time came into effect on 1 January 2008.

296. Another innovation is the cap on the commissions that the AFJP are allowed to charge for accreditation of compulsory contributions, which may not exceed 1 per cent of wages. The cost of disability and life insurance may be added to this percentage until 31 December 2007. From 1 January 2008, disability and life benefits will be financed by the constitution of an AFJP mutual contributions fund.

297. It is also established that the AFJP are to invest a minimum of 5 per cent and a maximum of 20 per cent of the investment portfolio administered by each in instruments

created to finance medium- and long-term production or infrastructure projects in the country.

298. Personal contributions payable by SIJP workers are set at 11 per cent. This does away with the reduction in contributions payable by capitalization system members, which stood at 7 per cent.

299. Men over 55 and women over 50 who are affiliated to the capitalization system and have a balance of up to 20,000 pesos in their individual capitalization account are automatically transferred to the pay-as-you-go system, unless they request otherwise. The amount accrued is transferred to ANSES in kind, forming the Public Pension System Sustainability Guarantee Fund. Likewise, those meeting the above criteria after 1 April 2007 have a period of 90 calendar days from the date they reach this age to notify their choice.

300. Substantial reforms were made to the Argentine pension system in 2008 with the passing of two laws: the Pension Uprating Act (No. 26417), and Act No. 26425 creating SIPA.

301. The Pension Uprating Act guarantees that all pension benefits granted by Act No. 24241, by general-purpose national systems predating it, by special regimes or by former provincial or municipal funds or institutes transferred to the nation will be adjusted twice a year using the formula introduced, with the first adjustment applying to benefits accrued as of 1 March 2009.

302. The same procedure will be applicable to remunerations accrued after the law comes into force and to reference incomes for the self-employed. The law will also apply to the minimum and maximum pension amounts and the remuneration ceiling on which contributions are payable.

303. The law stipulates that in no case shall application of the uprating provision cause the income received by a beneficiary to be reduced.

304. The uprating formula consists of two components, (a) and (b), of which the lesser will always apply. The first (a) takes account of changes in wages and tax funding allocated to ANSES, giving each a weighting of 50 per cent. The second (b) limits uprating to 103 per cent of the total resources available to ANSES, i.e., tax funding plus employee and employer contributions.

305. Act No. 26425 provides for the SIJP to be unified into a single pension regime called the Argentine Integrated Pension System (SIPA), entailing abolition of the capitalization system, which is absorbed and replaced by the pay-as-you-go system.

306. SIPA is financed via a pay-as-you-go solidarity system that guarantees contributors and pensioners of the capitalization system exactly the same coverage and treatment as provided by the public pension system (RPP).

307. Capitalization system contributors and beneficiaries are guaranteed the same benefits as they were entitled to at the time the Act came into force, or better.

308. Periods during which contributors paid into the individual capitalization system will be treated for benefits calculation purposes as though the contributions had been paid into the public pension system (personal contribution rate of 11 per cent).

309. ANSES will pay the benefits due under the capitalization system from the date SIPA comes into effect. The amount payable will be the highest benefit amount obtained between January and September 2008. This does not apply to those who opted when in the capitalization system to receive their benefits in the form of an annuity, which they will continue to be paid by the retirement insurance company concerned.

310. The funds in the individual capitalization accounts of capitalization system contributors and beneficiaries will be transferred in kind to the Sustainability Guarantee Fund, which comes within the purview of ANSES. It will be audited externally by the Bicameral Social Security Funds Audit Committee created within the Argentine Congress, and internally by the Sustainability Guarantee Fund board. The regulations clearly establish that Fund resources are for the sole use of SIPA.

Family allowances

311. The family allowances system set up by Act No. 24714 allows coverage to be provided to beneficiaries with dependent family members.

312. Considering the economic situation, the strong commitment of the national executive branch to the redistribution of wealth, and the powers available to it, family allowance benefits have been increased, as have the earnings brackets and ceilings for entitlement.

313. The current system can be analysed using the tables presented below.

Table 4.1

Number of economically active family allowance claimants and estimated accrued benefit amounts, by earnings bracket, December 2007

Earnings bracket (pesos)	Total	Allowance type		
		Child	Disabled child	Prenatal
Claimants (thousands)				
Total	3 994.1	3 866.0	54.9	73.2
Up to 2 000	3 083.9	2 986.9	38.3	58.6
2 000.01 to 3 000	684.6	663.5	9.8	11.3
3 000.01 to 4 000	222.5	215.6	3.5	3.3
Over 4 000	3.2	-	3.2	-
Amount (millions of pesos)				
Total	405.8	378.3	20.2	7.3
Up to 2 000	332.9	311.4	15.4	6.1
2 000.01 to 3 000	58.0	53.8	3.2	0.9
3 000.01 to 4 000	14.1	13.0	0.8	0.2
Over 4 000	0.8	-	0.8	-

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

Table 4.2

Number of inactive family allowance claimants and estimated accrued benefit amounts, by income bracket, December 2007

Income bracket (pesos)	Total	Allowance type		
		Spouse	Child	Disabled child
Claimants				
Total	972 883	709 124	201 002	62 757
Up to 2 000	932 841	676 495	195 417	60 929

<i>Income bracket (pesos)</i>	<i>Total</i>	<i>Allowance type</i>		
		<i>Spouse</i>	<i>Child</i>	<i>Disabled child</i>
2 000.01 to 3 000	31 102	25 467	4 402	1 233
3 000.01 to 4 000	8 664	7 162	1 183	319
Over 4 000	276	-	-	276
<i>Amount (thousands of pesos)</i>				
Total	66 139.4	21 976.4	19 593.8	24 569.2
Up to 2 000	64 245.5	20 908.2	19 221.4	24 115.9
2 000.01 to 3 000	1 470.6	827.4	313.9	329.3
3 000.01 to 4 000	365.7	240.8	58.5	66.4
4 000.01 and over	57.7	-	-	57.7

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES and SAFJP data.

Table 4.3

Number of active and inactive claimants of non-periodic family allowances and average accrued benefit amounts, 2007

<i>Allowance type</i>	<i>Claimants</i>	<i>Average amount (pesos)</i>
Active claimants		
School assistance	2 342 541	150.76
Birth	175 449	334.07
Adoption	576	1 486.81
Marriage	60 397	494.55

Source: National Directorate of Economic and Regulatory Planning, on the basis of ANSES data.

2. Special wages for inhospitable areas

314. While current laws make no provision for differential wages to be paid in inhospitable areas, collective labour agreements usually include clauses providing for extra payments in particular areas. This is a subject, in other words, that is left to the discretion of collective bargaining and decision-making.

315. Notwithstanding this, the family allowance per child, the prenatal allowance and the annual school assistance allowance payable by the social security system to those in dependent employment do vary depending on the geographical area where the worker is stationed.

3. Occupational risks

Information about occupational accidents, risks and conditions

316. The system for preventing and redressing occupational accidents and diseases in Argentina is not of long standing. It was in 1995, with the passing of the Occupational Risks Act (No. 24557) (LRT), that the country incorporated a system of prevention, protection and redress into its legal structure, within the framework of the social security system.

317. Implementation of the LRT meant a substantial change in the legal system, since occupational risk prevention and coverage were being brought in as a subsystem of social security for the first time. Prior to this, Acts No. 9688 and No. 24028 focused purely on monetary compensation once the damage had occurred, with no preventive element at all.

318. The subsystem is based on compulsory insurance that must be taken out by all employers in both the private and public sectors, with scope for decentralized management of private insurers, occupational risk insurers (ART) and self-insured firms, subject to State regulation and oversight through the Office of the Superintendent of Occupational Risks (SRT). In practice, this means employers taking out compulsory insurance with one of the occupational risk insurers authorized by the SRT, or self-insuring; before this can be allowed, a number of requirements have to be met to demonstrate that occupational accident and sickness risks are properly covered and guaranteed.

319. Occupational health and safety is primarily the responsibility of employers; nonetheless, risk prevention and the adoption of measures to reduce occupational risks are a duty and commitment of all social actors involved in the LRT system.

320. The objectives can be summed up in four central goals:

- (a) Reduction of workplace accident levels by means of occupational risk prevention measures;
- (b) Redress for harm caused by work accidents and occupational diseases, including rehabilitation for affected workers;
- (c) Assistance with the retraining and redeployment of affected workers;
- (d) Promotion of collective labour negotiations to improve prevention measures and redress.

321. Occupational risk insurers charge fees that reflect the risks involved in the economic activity concerned. The cost of this insurance is met in full by employers, with no contribution being payable by the worker or the State. In turn, these insurers are required to seek continuous improvements in workplace health and safety in the establishments of the employers affiliated to them by supporting and advising them in their efforts to comply with the relevant regulations. Although prevention is central to the system, the benefits due in money and kind in the event of a work accident or occupational disease must be paid promptly and in full.

322. The occupational risks system covers work accidents and occupational diseases. By a work accident is meant any harm to the worker's health arising violently and suddenly because or on the occasion of work. Within this broad definition must also be included accidents *in itinere*, i.e., those occurring during the journey between the worker's home and the workplace. Recognized occupational diseases are those specified in the list of occupational diseases (Decrees No. 658/1996 and No. 1167/2003), ensuring the greatest objectivity and certainty regarding the occupational origin of the affliction.

323. The only types of work accidents and occupational diseases excluded from LRT coverage are those caused by wilful misconduct on the part of the worker or by force majeure unconnected with the work.

324. While the Act is oriented towards preventing occupational accidents and diseases, when systems of prevention fail it is necessary to seek ways of rapidly meeting the reasonable needs of the affected worker.

325. The LRT makes provision for workers to receive medical treatment for their condition and benefits to maintain their income as soon as they suffer a work accident or experience the first disabling symptom of an occupational disease.

IX. Article 10

326. The first point to make is that in 2008 Argentina submitted its third periodic report on the application of the Convention on the Rights of the Child, by virtue of its article 44.

A. Protection of the family

327. The manifold consequences of the implementation of neo-liberal policies in the 1990s boiled down to a process of “deprivation of citizenship”, which led to violations of the social rights of broad sectors of the population, children in particular, thereby precluding individual and collective development in a context of social inclusion.

328. Under these circumstances, in 2003 the National Council for the Coordination of Social Policies, a body that provides a strategic linkage between the Ministries of Social Development, Education, Health, Labour, Justice, Economic Affairs, and Planning, and the National Secretariat for Children, Adolescents and the Family (SENNAF), launched a process of reinterpretation of social policies based on the following key principles:

(a) The concept of a promotional, high-profile and active State requiring the State to assume a proactive role in the decision-making process in continuous coordination with different national and regional social sectors;

(b) Individuals, the family and communities are acknowledged as subjects of rights. Accordingly, public policy serves as a tool for the recovery and promotion of social, cultural and economic rights. This approach recognizes a strong link between the acquisition of rights and personal and community capacity-building;

(c) A comprehensive approach to social policies, which recognizes the complexity of social issues and seeks to incorporate their different dimensions. The efforts of the national Government and its various ministries and programmes are therefore coordinated with a view to optimizing intervention strategies.

329. In line with this approach, the Ministry of Social Development has designed the following strategic policy thrusts for its work throughout the country:

(a) The development of integrated working methods: an integrated approach to management, combining and coordinating resources between ministries and at different levels of government; in terms of perspective, “bottom-up” planning, promoting the involvement of diverse actors and strengthening participatory forums; in terms of approach, generating promotional proposals that look beyond piecemeal intervention;

(b) Promotion of local social policies: social policies are formulated in the light of the underlying patterns discernible in each district, neighbourhood, municipality, province or region. This type of management needs to draw upon and apply various types of local knowledge, experience and other distinctive characteristics;

(c) The implementation of social policies based on regional equity: regional equity is based on the idea of “equality through difference” as opposed to situations involving regional inequity. The Ministry makes arrangements for activities to be distributed in a way that equalizes access to these, while respecting local characteristics;

(d) Promotion of community organization and participation: a policy linked to the democratic redistribution of power conducive to the mobilization of community resources. This process of “empowerment” is a flexible one in which local authorities provide feedback for central planning.

330. A new social policy has been built around these strategic pillars, leaving behind the fragmentation of piecemeal and targeted interventions and resolving into four national plans aimed at eradicating extreme poverty by developing the forces of production and social inclusion, namely:

(a) The **National Food Security Plan**, which primarily assists families by strengthening institutions and emphasizing health care and the provision of appropriate food to guarantee the right to food security. The Plan works with 24 provincial authorities and reaches 1,330,000 families;

(b) The **National Plan for Local Development and the Social Economy**, which promotes and strengthens production facilities in accordance with the characteristics of each municipality, province or region, contributing substantially to job creation and improved living conditions by providing opportunities for socio-economic inclusion. The design of the Plan encourages people to participate actively in their communities and in governmental and civil society organizations, promoting local development;

(c) The purpose of the **National Sports Plan** is to consolidate a public policy on sports and thus improve the quality of life of all citizens. A sports policy is meant to promote the practice of social sports in order to encourage the creation and maintenance of sporting habits, firmly rooting them in people's lifestyles. Thus, the National Sports Plan is directed at the entire population of the country and is designed to facilitate access to the universal right to carry out physical activities and sports regardless of a person's social situation and place of residence;

(d) The **National Families Plan**, which treats the family as a primary institution in human development, plays a key role in the implementation of public policies aiming at social integration and the full development of individuals, as it promotes the values that provide the cohesion and indeed the very basis for a harmonious life in the family and society.

331. The National Families Plan is considered to be a core State policy, as it provides a transversal organizing structure for different Ministry initiatives.

332. Lastly, the National Council for the Coordination of Social Policies has launched the **National Programme of Comprehensive Strategies** with the slogan "There, with the people" [*Ahí, con la gente*]. This Plan is designed to improve programmes in areas of hard-core poverty by increasing the territorial presence of the State, creating access and restoring local networks and identities.

333. The Plan promotes the social and human development of individuals, families and communities who live in situations of high social risk through the implementation of comprehensive public policies designed to ensure the fulfilment of social rights such as education, community health, work, housing, culture, recreation and access to essential public service infrastructure.

334. During the first stage, the National Council for the Coordination of Social Policies plans to optimize and maximize State resources with a view to reaching more than 6 million people, 1.2 million of them with unmet basic needs.

335. In 2008, the Plan was carried out in 223 areas with populations of less than 12,000 throughout the country and in 140 neighbourhoods, settlements and slums in eight administrative divisions known as *partidos* in the outlying areas of Buenos Aires

[*Conurbano Bonaerense*].³ In other words, the intention is for the Plan to impact every area that is in a situation of high social vulnerability.

New tools for new social policies

336. Social policy restructuring has been carried out by means of an institutional reorganization that has placed the Ministry of Social Development at the heart of local life, creating decision-making arrangements that involve a whole variety of actors and span different programmes, with a strategic role for community participation and the special needs of local areas. The main tools being developed include:

(a) **Ministry of Social Development reference centres.** Established up and down the country, these house interdisciplinary teams of professionals, specialists and administrative staff responsible for applying the different social plans. Being so close to the issues they have to deal with, these centres are in a position to implement measures that match local situations and needs, in constant coordination with provincial governments. This comprehensive approach involves identifying issues, setting priorities and planning possible approaches and responses developed and sustained by the different national, provincial and municipal actors and social and political organizations, which thus form the Federal Social Policy Network;

(b) **Community integration centres (CICs)** carry out integration and coordination of health and social development activities. They embody an interdisciplinary, intersectoral and participatory working approach to the development and enhancement of social work and preventive social health care. Their operations are organized by management boards staffed by national, provincial and municipal government personnel, with the participation of local communities and neighbourhood and social organizations, constituting a comprehensive local model of social management based on the Social Networks approach. A total of 246 CICs have been set up and brought into operation throughout the country, furnished and provided with dental equipment and utility vehicles. Another 250 CICs are planned.

Older adults

337. Policies for older adults have been developed from a comprehensive standpoint, treating them as participants in public policy and encouraging active involvement by them with a view to strengthening their individual and collective identity. This work has been carried out via the following programmes: the National Programme of Home Care, Social Volunteering for Older Adults, Prevention of Discrimination, Abuse and Ill-treatment of Older Adults, Food Safety and Residences for Older Adults.

338. Resolution No. 2950 of 9 October 2008 created the Office for the Promotion and Protection of the Human Rights of Older Adults as part of the Ministry of Justice, Security and Human Rights, reporting directly to the minister. The Office will carry out promotion, publicization and training work with a view to raising the different social actors' awareness of the existence and enforceability of older adults' human rights.

³ The operational definition of the INDEC Permanent Household Survey (EPH) will be used for Greater Buenos Aires. By Greater Buenos Aires is meant the conurbation comprising the 24 municipalities that surround the Autonomous City of Buenos Aires and form its periphery.

Act No. 26061 on comprehensive protection of the rights of children and adolescents

339. The process and reforms described have created the indispensable preconditions for implementing and enforcing the content and guiding principles of Act No. 26061 on comprehensive protection of the rights of children and adolescents.

340. Act No. 26061, passed in 2005, is a product of the doctrine of comprehensive protection for children and adolescents.

341. The provisions of the Act are designed to supersede the previous specialized intervention regime which, relying on the characterization of a state of material or moral danger and/or negligence, provided for mandatory State intervention on behalf of a target population consisting for the most part of children and adolescents from poor families with parenting difficulties; the regime applied predominant values and parameters of “normality”, the definition of which had been evolving or undergoing a process of modernization while Act No. 10903 on the welfare of minors was in force.

342. This is a legal instrument that adopts an innovative approach to the purpose and scope of State intervention, which should be regarded as a different type of action when it affects children and adolescents. This relates to both the content of policies, services and programmes on behalf of children and adolescents and to the powers, responsibilities and relations among the different State and non-governmental actors responsible for guaranteeing their well-being and the protection of their rights.

343. This Act established the **National Secretariat for Children, Adolescents and the Family (SENNAF)**. As the body within the executive branch that specializes in the rights of children and adolescents, it oversees public policies in that area.

344. Pursuant to Decree No. 416/06 regulating the Act, the national executive branch determined that SENNAF should be placed under the Ministry of Social Development, thus ensuring that it would carry out its work within the framework of comprehensive social policies, and endowed it with a separate financial administration regime to enable it to implement its policies more expeditiously.

345. In addition, to ensure that work in this area is cross-cutting, SENNAF serves as a full member on the National Council for the Coordination of Social Policies, a body that coordinates the policies of the national ministries of Social Development; Education; Science, Technology and Productive Innovation; Health; Economic Affairs and Production; Justice, Security and Human Rights; and Federal Planning, Public Investment and Services.

346. The new institutional framework, which was designed to put into effect the doctrine of comprehensive protection for the rights of children and adolescents and of older adults, involves a renewed organizational structure, as set forth in Decree No. 28/2007. This entails a higher status for the implementing agency, with the creation of the Undersecretariat for the Rights of Children, Adolescents and the Family, the Undersecretariat for Institutional Development and Federal Integration, the National Directorate for Comprehensive Promotion and Protection, the National Directorate for Adolescent Offenders against Criminal Law and the systems of comprehensive protection of the rights of children and adolescents, institutional management and development, and policies for older adults.

347. At the federal level, **the body responsible for protecting rights is the Federal Council for Children, Adolescents and the Family (COFENAF)**. Its membership consists of the head of the National Secretariat for Children, Adolescents and the Family, who chairs it, and the representatives of the Child, Adolescent and Family Rights Protection Agencies that operate in each of the provinces and the Autonomous City of Buenos Aires. At its inaugural session of 15 December 2006, COFENAF confirmed its determination:

(a) To intensify the process of institutional change and the promotion of legislative adjustments at the national level and in the provinces and municipalities in order to ensure that the country's institutions and legal frameworks are harmonized and consistent with the rights, principles and guarantees enshrined in the Convention on the Rights of the Child;

(b) To introduce forms of organization at all levels of administration that sustain a vigorous regime of comprehensive protection of the rights of children and adolescents, that promote universal access to rights and that are capable of effective and appropriate action against any threat to or infringement of those rights, while making allowances in such interventions for the distinctive characteristics of each community;

(c) To promote community participation, through civil society organizations, in the formulation and implementation of policies aimed at the promotion, defence and/or restoration of rights, and in the exercise of the right of children and adolescents to be heard as well as their right to participation;

(d) To strengthen procedures for the review and modification of institutional practices pertaining to children and adolescents, aligning them with the model of comprehensive protection, avoiding overlap of efforts, duplication of structures and contingent target-setting, so that administrative resources and channels are combined, coordinated and optimized; to develop minimum quality standards of assistance, intervention protocols and general record systems for activities involving children, with special emphasis on matters pertaining to children and adolescents who are deprived of parental care;

(e) To develop general operating standards and guiding principles consistent with the doctrine of comprehensive protection for public and private institutions offering direct assistance to children and adolescents;

(f) To establish a federal assessment and monitoring system based on data generation and collection tools that are mutually compatible for all jurisdictions;

(g) To promote exchanges between jurisdictions for training and technical assistance in support of public or private mechanisms that enable all jurisdictions to have access to the resources and arrangements they require for the promotion, defence and/or restoration of rights;

(h) To assign priority as a matter of special urgency to joint efforts aimed at protecting child and adolescent victims of crime, and to take coordinated action against such pernicious phenomena as child trafficking, smuggling, sexual exploitation and pornography and issues related to migration, child labour and all other violations of fundamental rights.

348. The national executive branch also drew up a **National Plan of Action for the Rights of Children and Adolescents**. This Plan, which is implemented by SENNAF, serves as an interministerial policy (currently in the second stage of implementation), entitled *Niñas, niños y adolescentes: Protagonistas del Bicentenario* (Children and adolescents: Protagonists of the Bicentennial). This National Plan of Action will serve as a common planning tool for the major strategic areas of policies on children, adolescents and the family over the next four years.

349. This is a medium-term integrating mechanism whereby objectives are prioritized, goals are established, actions are coordinated, adjustments to rules are made, and guidelines are laid down for monitoring and following up on policies for action which, under the new legal and institutional order, guarantee the rights of children and adolescents as State policy.

350. The priority goals set for 2008-2011 are: to guarantee the rights of children and adolescents as a matter of overriding importance; to increase equality, particularly across geographical areas and between the sexes; and to ensure access to goods and services of uniform quality.

The System of Comprehensive Protection of the Rights of Children and Adolescents

351. Act No. 26061 on comprehensive protection of the rights of children and adolescents created what is known as the System of Comprehensive Protection of the Rights of Children and Adolescents, a mechanism that brings together all agencies, entities and services that design, plan, coordinate, guide, implement and oversee public policies, under State or private management, at the national, provincial and municipal levels, for the promotion, defence, support, protection, safeguarding and restoration of the rights of children and adolescents.

352. The object of this system is to transcend the fragmentation of piecemeal approaches and interventions, on the understanding that the satisfaction of any right influences the exercise of other rights.

353. The system of comprehensive protection is made up of the following levels:

(a) At the national level, SENNAF is the specialized agency for matters relating to the rights of children and adolescents within the national executive branch;

(b) At the federal level, COFENAF is the body responsible for coordination and consensus-building and for the design, planning and implementation of public policies throughout the Argentine Republic;

(c) At the provincial level, each province has designated an authority responsible for planning and implementing policies on children and adolescents.

354. At the local level, the provinces have in many cases begun to conclude agreements within the existing legal framework with their own municipalities and communes, and have established an agency responsible for monitoring programmes aimed at comprehensive protection of the rights of children and adolescents in close coordination with non-governmental organizations acting in support of children, adolescents and the family.

355. A case in point is the Province of San Juan which, in the context of national Act No. 26061 and provincial Act No. 7338, signed the Covenant on Children and Adolescents and the Protocol for Action by Municipalities on Issues Relating to Children and Adolescents.

356. Pursuant to these agreements, departmental mechanisms were created in 2007 within the municipal agencies responsible for children's affairs. The idea was to break away from the pattern of piecemeal programmes dictated by institutional interests and move towards programmes that would better reflect the realities of the communities.

357. All this institutional re-engineering is now fully under way; practices and rules, both legal and administrative, are constantly under review. As an indicator of this, we might mention the latest subnational authorities⁴ to have enacted legislation to implement the standards laid down in the Convention on the Rights of the Child and/or Act No. 26061, namely: Buenos Aires, Chaco, Córdoba, Corrientes, Entre Ríos, Jujuy, Misiones, Neuquén, Río Negro, Salta, San Juan, San Luis, Santiago del Estero and Tierra del Fuego.

⁴ The pioneering initiatives in this area were carried out in the Autonomous City of Buenos Aires, Chubut and Mendoza.

358. Act No. 26233, which promotes and regulates child development centres, was enacted bearing in mind the guiding principles set forth in Act No. 26061 on comprehensive protection of the rights of children and adolescents. The purpose of Act No. 26233 is to promote and create such centres to provide comprehensive care for small children in order to provide essential care of good quality and to supplement, guide and support families in their role, taking a preventive, promotional and healing approach.

359. The Commission on Promotion and Assistance to Community Child Development Centres was created by Decree No. 1202/08 for the purpose of coordinating the logistics, administration and organization of inter-jurisdictional programmes, as well as any other aspects that might be pertinent to preparations for and organization of child development centres, and to determine and facilitate measures and actions aimed at achieving the objective stated.

360. In addition, Decree No. 1703/2008 ratifies the organizational structure of the Commission on Promotion and Assistance to Community Child Development Centres within the framework of SENNAF, establishing that the membership of the Commission will include a chairperson, who will hold the rank of Under-Secretary, and an Executive Secretary.

361. Article 2 of Decree No. 1202/2008, regulating Act No. 26233, provides that the centres shall serve children in the age group between 45 days and four years of age, this being understood as early childhood. It also provides that the institutional design for individual centres must take into account the particular situation of the territory in which the centre will operate, with a view to meeting the needs and requirements of the families and communities concerned.

362. Article 6 of Decree No. 1202/2008 lists the actions to be carried out by each child development centre, including the following:

- (a) Carrying out activities aimed at ensuring that the inhabitants of each community are able to achieve a healthy balance between their work and their family life;
- (b) Promoting activities and settings that will encourage the inclusion of children with special needs;
- (c) Guaranteeing access to local health services, preferably within the public health system;
- (d) Ensuring that children are properly fed and facilitating activities intended to be carried out in workshops for parents and/or members of the family and the community;
- (e) Reporting on the results of periodic check-ups and the development of each child;
- (f) Reaching agreement with parents and/or family members as to how long their child will spend at the centre each day, bearing in mind the child's specific needs given his or her current stage of development and family circumstances, always with a view to strengthening families as the best environment for rearing children;
- (g) Guaranteeing personalized care for the children.

363. In order to set up comprehensive programmes of promotion, prevention and care tailored to the specific circumstances of individual children and their families in their home communities, each child development centre must coordinate its actions with the health, education and social development departments in each jurisdiction and with organizations representing the community.

364. All these facts and developments are creating a new institutional framework that is shaping the “rights protection system” whose interrelationships are serving to give effect to the principles, rights and guarantees enshrined in the comprehensive rights protection legislation in force in the country.

B. Protection for children and adolescents

365. The passing of Act No. 26061 on comprehensive protection of the rights of children and adolescents elevated the National Secretariat for Children, Adolescents and the Family (SENNAF) into the agency with overall responsibility for public policies in this area and created an obligation to review institutional practices in dealings with children and adolescents to align them with the comprehensive protection model.

366. Even since the completion of the transfer process⁵ initiated in 2007 in accordance with this law and the provisions of Acts No. 13298 and No. 13634, whereby SENNAF has transferred programmes directly serving children and adolescents to the local authorities within whose area the children and adolescents concerned live, the policy of federal integration has continued to be strengthened and consolidated via decentralization of resources earmarked for reinforcing the family structure and activation of local capabilities, both governmental and non-governmental, with a view to building up the Systems of Comprehensive Protection of the Rights of Children and Adolescents.

367. Accordingly, acting through COFENAF, SENNAF has earmarked a federal fund in its budgetary allocation for distribution among all local authorities. This funding is to be used to pursue comprehensive rights protection in its different aspects, as detailed in the inaugural statement of COFENAF.⁶

368. Following an analysis of priorities in its area, i.e., the main issues detected, each province submits a financing plan within the limit of its budgetary allocation.

369. The main areas of action financed during 2007 and 2008 include work to address specific issues such as sexual exploitation of children and trafficking, child abuse, street children, addictions and young people alleged to have committed criminal offences.

370. For example, the Province of Catamarca has reported holding recreational and vocational training workshops for adolescents and young people in street situations, supplemented by a food programme.

371. The Province of Tucumán has implemented a project to reconnect street children and adolescents with their families.

372. The existence of this fund and its geographical distribution meant that in 2007, for the first time, the agency with overall responsibility for child-oriented public policies disbursed most of its funds outside the capital, and the historical asymmetry of its direct involvement in cases as an auxiliary of the federal courts in the Autonomous City of Buenos Aires became a thing of the past.

373. Notwithstanding the above, SENNAF has provided training and held technical assistance events dealing with prevention, rights promotion and child and adolescent development for both governmental bodies and social organizations in all parts of the country.

⁵ For further details, see the third periodic report on the application of the Convention of the Rights of the Child.

⁶ Ibid.

374. One example of the work carried out jointly with provincial authorities was the preparation and approval on 6 November 2008 of the National Protocol for Assistance to Victims of Trafficking and Sexual Exploitation to meet the challenge of consolidating a national system for assisting children and adolescents who have been subjected to sexual exploitation and trafficking.

375. In another important development, the national State and provincial authorities agreed at the Federal Council in 2008 to move forward with the principle of speciality that is supposed to govern work with adolescent offenders, ensure that young people in young offenders' institutions can exercise their rights, strive to ensure that people are deprived of their liberty only as a last resort and for as short a time as possible, create and/or strengthen alternatives to imprisonment, and promote policies to improve conditions for ex-inmates.

376. SENNAF, meanwhile, has pledged to support the different projects designed to achieve these goals and expand technical assistance and the creation of arrangements for training and the sharing of experience at the national, regional and provincial levels.

377. Part of this same effort were the publication of "Adolescentes en el Sistema Penal" [*Adolescents in the Penal System*], which identifies the guiding principles applying to the treatment of adolescents in the criminal justice system in the light of international law and the Argentine Constitution, and the holding of the "Jornadas Nacionales de dispositivos alternativos a la privación de la libertad. Experiencias en nuestro país" [*National conference on alternatives to imprisonment. Experiences in our country*] on 9 and 10 December 2008, with the participation of 23 subnational authorities from around the country.

Central government public spending on children

378. As explained in the third periodic report on the application of the Convention on the Rights of the Child, the effort by the Argentine State to protect and promote the rights of children and adolescents is clearly reflected in the investment made in this area by the national treasury.

379. Pursuant to article 72 of Act No. 26061, funds earmarked for bodies engaged in the protection of rights at the national and federal level are inalienable and the budget allocation may in no event be less than the highest estimate or delivery of funds during previous financial years.

380. Under an agreement with the United Nations Children's Fund (UNICEF), the Argentine State has set about determining how much funding from the national budget is spent wholly on children and adolescents and what the composition of this spending is, an essential proceeding if there is to be proper analysis and evaluation of policies in this area.

381. It has been possible to establish that national public expenditure on behalf of children during the period under review shows a marked increase in national investment. Nominal growth in millions of pesos was 160 per cent between 2002 and 2006.

382. The following table shows a sustained increase in investment per child, reflected in the ratio of investment to gross domestic product. The increase was some 25 per cent during the period under review.

National public expenditure on behalf of children, 2002-2006⁷

<i>Year</i>	<i>Millions of pesos</i>	<i>Pesos per child</i>	<i>Percentage of total national public expenditure</i>	<i>Percentage of national public social expenditure</i>	<i>Percentage of GDP</i>
2002	4 967.3	405.5	9.7	14.4	1.6
2003	6 771.5	553.0	10.4	16.0	1.8
2004	8 602.1	702.7	11.5	16.9	1.9
2005	10 660.5	871.0	10.7	17.2	2.0
2006	13 214.9	1 079.8	10.8	16.8	2.0

Source: Directorate for Analysis of Public Expenditure and Social Programmes, Ministry of the Economy and Production.

C. Child labour

383. The Argentine Republic established that the Convention on the Rights of the Child had constitutional status (article 75, section 22, of the 1994 Constitution) and ratified the ILO Convention concerning Minimum Age for Admission to Employment (No. 138 of 1973) in November 1996 and the ILO Convention on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (No. 182 of 1999) in February 2001.

1. Aspects of child labour

384. Ratification of Conventions 138 and 182 entails a commitment to eradicate child labour with the following characteristics.

Children working before the age of 14

385. While an increase to 15 in the minimum age for admission to employment is currently being debated in the legislature with a high level of consensus in civil society, the legal limit is currently 14.

386. ILO Convention No. 138 establishes that each country may set this minimum age, provided it is not less than 15 or the age of completion of compulsory schooling.

387. In ratifying Convention No. 138, a country undertakes “to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment...”.

388. The Convention establishes the concept of “light work” as an exception to the minimum age for admission to employment. National laws or regulations may permit the employment or work of persons 13 to 15 years of age on light work which is not likely to be harmful to their health or development and not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes or their capacity to benefit from the instruction received.

Children carrying out dangerous work

389. The same Convention 138 establishes that no-one under 18 may carry out dangerous work, i.e., work that “by its nature or the circumstances in which it is carried out is likely to

⁷ It should be noted that these figures are unconsolidated; in other words, all national outlays are considered irrespective of the level of government disbursing them.

jeopardise the health, safety or morals of young persons”. Notwithstanding, “...national laws or regulations or the competent authority may, after consultation with the organisations of employers and workers concerned, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity.”

The worst forms of child labour

390. The rapidity with which 154 countries ratified ILO Convention 182 is indicative of the determination of governments to eradicate child labour and the priority they give to the issue.

391. The central purpose of ILO Convention 182 is to build on the provisions of Convention 138 by identifying those forms of child labour that require immediate and effective measures for their eradication. Accordingly, Convention 182 not only establishes the “worst forms” of child labour as recognized by international consensus but urges the countries ratifying it themselves to amend their rules through consultations with the organizations of employers and workers concerned.

392. In Argentina, two lists of “worst forms” of child labour have been drawn up (Occupational Risks Inspectorate and Ministry of Justice, with support from UNICEF), and these will need to be reconciled with a view to taking urgent concrete measures to abolish these forms.

393. In addition, as already mentioned, Act No. 26061 on comprehensive protection of the rights of children and adolescents was passed. In line with the Convention on the Rights of the Child, the Act emphasizes children’s status as full subjects of rights.

394. These developments form part of the National Plan of Action for the Rights of Children and Adolescents, which is the national State strategy to confirm them in the full practical exercise of their rights. It was launched by the President of Argentina on 17 June 2005.

2. The National Plan for the Prevention and Eradication of Child Labour

395. Child labour is a complex social issue, and accordingly requires coordinated, networked action from a whole variety of social actors.

396. The Ministry of Labour has been taking measures to promote participation by the different social actors in the prevent and eradication of the so-called worst forms of child labour. At the national level, the National Commission for the Prevention and Eradication of Child Labour (CONAETI), based at the Ministry of Labour, exists to coordinate, evaluate and follow up efforts to prevent and eradicate this. CONAETI is made up of representatives of different ministries, unions, employers’ organizations and the Catholic Church, making it the national focus of coordination efforts to prevent and eradicate child labour in the country. At the provincial level, there are the Provincial Commissions for the Prevention and Eradication of Child Labour (COPRETI), multisectoral commissions that act within their respective local areas.

397. In June 2006, CONAETI presented the National Plan for the Prevention and Eradication of Child Labour, which outlines the main elements in the preparation and implementation of a public policy to prevent and eradicate child labour as part of a comprehensive approach to the protection of children’s rights. It establishes the following lines of action:

- (a) Publicize the so-called worst forms of child labour;

- (b) Identify, train and inform all social actors involved in the prevention and eradication of the worst forms of child labour;
- (c) Ensure that the list of jobs that are dangerous for children is continually revised.

3. Areas of action for the Labour Secretariat of the Ministry of Labour

398. The Labour Secretariat “is responsible for the elimination of forced labour and child labour” (Decree No. 357/02). In compliance with the provisions of the Decree, the Secretariat addresses the subject from different angles.

Labour inspection

Labour inspection powers

399. Article 35 of Act No. 25877/04 on the Reorganization of Labour establishes: “Without prejudice to the labour inspection powers possessed in their own right by the provincial governments and the Autonomous City of Buenos Aires, MTEySS will work with the appropriate inspection authorities throughout the country to coordinate measures for the eradication of child labour. Cases in which the work of the Ministry reveals non-compliance must be referred to these local administrations, which will carry forward the procedure for applying the relevant penalties.”

400. It is on this basis that the Ministry of Labour has been signing agreements with provincial governments since 2003 with a view to implementing simultaneous and sustained actions that contribute to the permanent eradication of child labour.

401. Again, while the primary goal of the National Plan for the Regularization of Employment is to normalize workers’ status by bringing them into the social security system, it has a special interest in detecting situations of child labour in its inspection work.

402. In the event that they find children working, Ministry of Labour inspectors will act in accordance with the terms of article 35 of Act No. 25877 referred to above; that is, they will prepare a report on the infringement committed by the employer in employing child labour and refer it for punitive action to the relevant provincial labour authority.

The Child Labour Inspection Monitoring Unit

403. The Unit was created by Resolution No. 125 and its activities consist in:

- (a) Identifying and informing the competent authority of the conditions under which children work, the nature of their activities and the level of risk to which they are exposed;
- (b) Analysing and systematizing the information supplied by the provincial labour administrations about their respective child labour inspection services;
- (c) Supervising the fact-finding work of provincial and/or local authority inspection services in relation to child labour;
- (d) Submitting reports from the inspection services to the National Commission for the Eradication of Child Labour;
- (e) Assisting the National Commission for the Eradication of Child Labour with the design, planning, coordination and evaluation of plans, programmes and/or projects relating to child labour;
- (f) Recording cases of child labour that constitute criminal offences;

- (g) Promoting the establishment of special inspection units in the provincial labour administrations;
- (h) Coordinating activities with the Federal Labour Council and the provincial labour administrations, including measures to facilitate the conduct of surveys of child workers;
- (i) Asking the provincial administration to call in the police in cases where inspectors' work is obstructed;
- (j) Implementing mechanisms to assist working children's families with a view to their entering or returning to school.

Child labour inspection and the Federal Labour Council

404. Each year, the Labour Secretariat and the Federal Labour Council (CFT) carry out child labour publicization, awareness-raising and inspection work throughout the country. To this end, the provincial labour administrations and the regional directorates and territorial agencies of the MTEySS regularly implement a joint and simultaneous national operation whose aims are:

- (a) To detect working children;
- (b) To check on the conditions of adolescents found to be working;
- (c) To use large-scale publicity campaigns to convey the importance of monitoring child labour;
- (d) To publicize the existence and work of the Provincial Commissions for the Prevention and Eradication of Child Labour (COPRETIS);
- (e) To collaborate with the community in raising awareness of the scourge of child labour.

405. Two national operations have been executed so far, with very good results.

Training

406. At the request of provincial labour administrations throughout the country, the Labour Secretariat provides training in the regulatory aspects of child labour and the operational aspects of labour inspection. These training courses are attended by provincial and national labour inspectors and stakeholders in society.

407. In this same area, it has implemented the Programme for Systemic Training and Information on the Prevention and Eradication of Child Labour, and this gave rise to the book *Por una Niñez sin trabajo infantil* [For a Childhood without Child Labour], which provides theoretical and operational information on the issue of child labour.

Awareness-raising

408. A photography contest entitled "Invisible-Visible, No al trabajo infantil en la Argentina" ["Invisible-Visible: No to child labour in Argentina"] was held in 2005 to raise awareness of the different forms of child labour.

409. The entries were exhibited in February 2006 at the Borges Cultural Centre and in May at Quilmes National University. During 2007 the exhibition travelled right around the country in response to a request from the labour administrations submitted through the Federal Labour Council, providing a talking-point for the issue.

ILO Convention 182 on the Worst Forms of Child Labour

410. The Labour Secretariat coordinated the “Luz de Infancia” [“Light of Childhood”] Programme for the prevention and eradication of the commercial sexual exploitation of children, which was implemented in the town of Puerto Iguazú, Misiones Province, and received ILO financial support.

411. The Programme was implemented in response to the priority given in public policy to the eradication of the commercial sexual exploitation of children, and it came on top of existing efforts and actions on the frontiers of Paraguay and Brazil to coordinate institutions around a common goal and enhance and harmonize the different legislative regimes.

412. Five fundamental issues were addressed during the course of the Programme, namely:

- (a) Characterization of commercial sexual exploitation of children in local contexts;
- (b) Strengthening of institutions and organizations with competences in this area;
- (c) Social reintegration of the target population;
- (d) Community information and awareness-raising activities relating to the commercial sexual exploitation of children;
- (e) Harmonization and adaptation, publicization and implementation of the applicable legislation.

413. An analytical approach was adopted during the first stage of Programme implementation and this was followed by practical action.

414. In view of the lack of community infrastructure and of adequate support for child victims of commercial sexual exploitation, it was necessary to establish a Comprehensive Assistance Centre; to that end, the Labour Secretariat signed an Agreement with the Municipality of Puerto Iguazú on 24 February 2005 on the construction and maintenance of the Centre.

415. Where intervention measures are concerned, 80 cases were investigated and 48 of them proved to involve situations of commercial sexual exploitation of children.

Project implementation with international organizations

416. In August 2005, the Ministry of Labour, Employment and Social Security signed Cooperation Agreement No. 132 with the United Nations Children’s Fund (UNICEF) on the promotion of activities aimed at the prevention and eradication of child labour and the protection of adolescent labour.

417. Agreement was reached in this context on the implementation of the project “Action for the Coordination of Public Policies Aimed at the Prevention and Eradication of Child Labour in Argentina”, which has two components: (a) “The school and child labour: a forum for awareness-raising”; and (b) “Awareness-raising for the prevention and eradication of child labour”.

4. Actions by the Undersecretariat for Technical Planning and Labour Studies

418. The Undersecretariat has been carrying out essential tasks that include conducting a survey on the subject, setting up a Child Labour Observatory and carrying out qualitative and quantitative studies to measure, analyse and explain the characteristics of child labour throughout the country as inputs for public policy design and targeting.

419. Particular mention should be made here of the Children's and Adolescents' Activity Survey (EANNA), conducted as part of the IPEC/ILO project, which is the source for the most recent data on child labour and is the first such specific survey to be held in the country. The area of coverage encompasses Greater Buenos Aires, Mendoza Province, the North-East Argentina region (Salta, Jujuy and Tucumán) and the North-West Argentina region (Formosa and Chaco). The regions selected were singled out for their poverty levels or because of their large informal economies and widespread family-based employment methods.

420. Going by the country's latest census, the regions covered by EANNA contain about 18 million resident inhabitants, half the national total. They are home to over 4 million children and adolescents aged between 5 and 18 (4,309,652), or almost half the total population in this age group.

421. EANNA covered urban and rural areas and was conducted during the last four months of 2004, using a representative sample. It took in the 5 to 17 age group, with 5- to 13-year-olds being categorized as children and 14- to 17-year-olds as adolescents for the purposes of the analysis. The survey was conducted in homes, and it was the children and adolescents themselves who responded.

422. It should be stressed that the findings of the survey cannot be extrapolated or expanded to other regions or the country as a whole.

423. EANNA asked about the economic activities of children, defining child labour in a restricted sense that roughly equates economic activity by children with the definition of work for adults. Thus, child labour means all remunerated and unremunerated goods and services commercialization, production, processing, distribution and sales activities undertaken independently or on behalf of another natural or legal person by persons under 18 years of age (IPEC, 1998).

424. Because certain types of work are not deemed economic in some surveys and studies, EANNA includes activities that are not market-oriented but involve the production and processing of primary goods for consumption in the home, plus construction or remodelling of the home. Also included are domestic tasks carried out for an excessive number of hours a week and those done when the parents or the adult responsible for the child are out at work or absent for other reasons (extracted from the EANNA conceptual framework).

425. In view of the aspects described, three differentiated categories were defined by activity type:

(a) Work: labour that generates goods and services for the market, including primary sector activities;

(b) Home consumption: production and processing of primary products for consumption within the home (including looking after the family vegetable garden or poultry yard) and self-building or repair of the home;

(c) Housework: work done within the home that interferes with the child's development by competing with school, study, play and rest.

426. According to these categories, 6.5 per cent of children in the 5 to 13 age group worked in activities equivalent to adult work, 4.1 per cent carried out production activity for home consumption and 6.1 per cent did demanding housework.

427. 20.1 per cent of the 14 to 17 adolescent group worked, 6.6 per cent carried out production activity for home consumption and 11.4 per cent did demanding housework.

428. As regards gender, the survey data show men being over-represented relative to women in the work category, but women being over-represented in the demanding housework category.

Children aged 5 to 17 by age group, sex and employment status in the week of reference

(Percentages)

	<i>Male</i>	<i>Female</i>
5 to 13		
Work	7.6	5.2
Other	92.4	94.8
14 to 17		
Work	23.8	16.3
Other	76.2	83.7

Source: EANNA, MTEySS/INDEC.

Children aged 5 to 17 by age group, sex and other economic activities in the week of reference

(Percentages)

	<i>Male</i>	<i>Female</i>
5 to 13		
Production for home consumption	4.8	3.3
Housework	4.0	8.4
Other	91.2	88.3
14 to 17		
Production for home consumption	10.9	2.3
Housework	4.0	18.9
Other	85.1	78.8

Source: EANNA, MTEySS/INDEC.

429. As regards differences between urban and rural areas, the percentage of children aged 5 to 13 who are in the work category is higher in rural areas. The difference is substantially greater in the case of adolescents aged 14 to 17.

Children aged 5 to 17 by age group, type of area and employment status in the week of reference

(Percentages)

	<i>Urban</i>	<i>Rural</i>
5 to 13		
Work	6.4	8.0
Other	93.6	92.0
14 to 17		
Work	19.1	35.5
Other	80.9	64.5

Source: EANNA, MTEySS/INDEC.

Children aged 5 to 17 by age group, type of area and other economic activities in the week of reference

(Percentages)

	<i>Urban</i>	<i>Rural</i>
5 to 13		
Production for home consumption	3.4	12.8
Housework	5.9	8.3
Other	90.6	78.9
14 to 17		
Production for home consumption	6.0	17.2
Housework	11.7	6.9
Other	82.3	75.9

Source: EANNA, MTEySS/INDEC.

5. MERCOSUR and the United Nations Global Compact

430. In July 2002, the Presidential Declaration on the Eradication of Child Labour was signed jointly with Brazil, Paraguay and Uruguay as States parties of MERCOSUR. Mention should also be made of the MERCOSUR Workers' Rights Declaration, by virtue of whose article 6 on Child and Underage Labour the States parties undertake to adopt policies and actions conducive to the abolition of child labour and the progressive raising of the minimum age for entry into the labour market. Another important measure that comes within the remit of Work Subgroup No. 10 "Labour Affairs, Employment and Social Security" and the Workers' Rights Committee of MERCOSUR is the preparation of the Regional Plan for the Prevention and Eradication of Child Labour in MERCOSUR, which has been approved by the Common Market Group (GMC/EXT./RES. No. 36/06).

431. In April 2004, the Global Compact was launched in Argentina with the participation of over 200 firms and representatives from the Ministry of Labour. This initiative was introduced by the United Nations Development Programme (UNDP), the ILO and the Economic Commission for Latin America and the Caribbean (ECLAC) and has been promoted by the Secretary-General of the United Nations with the aim that firms should respect a set of 10 basic universal values within their organizations and also in their wider sphere of influence, including the abolition of forced and compulsory labour and of all forms of child labour.

432. Inspired by the principles of the Global Compact, the Ministry of Labour, the only ministry to be represented at the signing of the Compact, has issued a proposal to the Argentine business community for the upholding of corporate social responsibility right along the value chain, with emphasis on the eradication of child labour.

6. Specific protections for working minors aged 14 to 18

433. The Employment Contracts Act (LCT) allows over-14s to enter into contracts of employment, subject to a system of special protection for working adolescents, governed generally by section VIII of the LCT.

434. It is important to mention that the country has ratified ILO Conventions 138 and 182, which were accorded supralegal status by the constitutional reform of 1994. ILO Convention 182 prohibits the employment of minors in activities deemed to qualify as "the worst forms of child labour".

435. Regarding the special protection regulated by section VIII of the Employment Contracts Act, article 187 allows minors of both sexes aged over 14 and under 18 to enter into employment contracts of every kind, while also establishing that minors must receive equal pay for equal work when their working hours or the work they do are the same as adult workers’.

436. As regards the specific protection received by adolescent workers, article 190 of the Employment Contracts Act limits the working hours of under-18s to six hours a day or 36 hours a week, although they may be unevenly distributed. Notwithstanding this, over-16s may work eight-hour days or 48-hour weeks with prior authorization from the administrative authority.

437. Likewise forbidden is the employment of minors on night work, meaning the period between 20.00 and 6.00 the next day, and in jobs of an arduous, hazardous or insalubrious nature.

438. With regard to the special protection established by the Employment Contracts Act for adolescent workers, article 195 modifies the burden of proof in the event that a minor employed on any prohibited task, or any task carried out in breach of legal requirements, should suffer an occupational accident or disease. In these circumstances, the employer shall be deemed ipso facto liable for the accident or disease and no evidence to the contrary shall be admitted.

439. Article 25 of Act No. 26066 on the comprehensive protection of the rights of children and adolescents states that “agencies of the State must guarantee the right of adolescents to education and recognize their right to work subject to the restrictions laid down by current legislation and international conventions on the eradication of child labour, having an obligation to inspect working conditions to prevent the exploitation of children and adolescents in the workplace. This right may be limited only when the working activity entails risks or danger for adolescents’ physical, mental or emotional health or development. State agencies, society and unions in particular shall coordinate their efforts to eradicate child labour and limit any form of legally permitted work when the individual’s development is thereby affected or impeded.”

440. Article 26 of the Act guarantees adolescents’ right to social security benefits.

D. Street children

441. In the interests of effectiveness and responsiveness, and by application of article 4, letter (b), of national Act No. 26061, which provides for the decentralization of specific rights protection plans and programmes, the provinces and the Autonomous City of Buenos Aires are empowered to create specific programmes for street children and adolescents with a view to restoring them to their place in the family/community and the education system.

442. Within the framework of public policies for children and adolescents, each subnational authority creates, executes and implements its own programmes of positive action and comprehensive provision to restore the rights of street children in coordination with the different agencies involved.

443. SENNAF held the first federal meeting on the issue, with a view to creating a forum in which knowledge, experience and methodologies for addressing the subject could be shared to enhance situation analyses at the federal level and enable areas of action to reflect each region’s particular character.

444. To this end, provincial authorities responsible for children’s affairs were issued with invitations by SENNAF through the Federal Council, and the meeting was attended by

representatives of the provinces of Catamarca, Misiones, Jujuy, Salta, Formosa, Chaco, Tucumán, La Rioja, Corrientes, Entre Ríos, Santa Fe, Santiago del Estero, Córdoba, Mendoza, San Juan, San Luis, La Pampa, Río Negro, Chubut, Tierra del Fuego and Neuquén and the Autonomous City of Buenos Aires.

445. 150 workers from different departments attended, including directors of children's services, members of provincial and municipal specialist teams, representatives of civil society organizations invited by the provincial teams, and SENNAF staff and specialists.

446. Drawing on the technical expertise of all the provinces attending, the meeting arrived at a far more precise characterization of the situation facing street children today, and on this basis was able to begin creating or refashioning specific policies and programmes and unifying intervention criteria and procedures, without losing sight of the uniqueness of each region.

447. It was agreed that the State, at the national, provincial and local levels, needed to take up its rightful role as guarantor of the violated rights of street children and try to present its function in this light to the children themselves and the community.

448. In determining the main areas of work, the factors underlying this phenomenon cannot be ignored. Similarly, specific interventions cannot lose sight of the individual characteristics of each child or adolescent being assisted, and this means working systematically with the individuals concerned to recover their family and personal history and, most importantly, to help them plan for a future in which they are subjects of rights.

449. To identify the population concerned, the meeting set out from the recognized terminology that differentiates between "children on the street" and "children of the street", before concluding that these concepts needed to be revised and modified with a view to finding a term that would not be stigmatizing and exclusive.

450. The position taken is that all street children and adolescents are experiencing a violation of their rights and that, accordingly, the place where they live out their daily lives should not be turned into a category that serves as a pretext for social discrimination (article 28, Act No. 26061). This does not mean that the particular and highly complex aspects of the situation in itself should not be considered when devising methods to address it.

451. Strategies and actions for interacting with this group of children must necessarily encompass two differentiated and interrelated levels. First, it is essential to take measures so that those rights which have been most severely violated (access to food, hospital, temporary shelter, protection from sexual exploitation, child labour, etc.) can be restored in situ on the street. Second, such actions cannot lose sight of an ultimate strategic goal, which is to take children off the street by helping them reintegrate into their families or into an alternative family environment or other form of care, ensuring in all cases that these environments are appropriate and favourable to the individual's development.

E. Activities to publicize children's rights

452. As part of the National Action Plan on Children's and Adolescents' Rights, regional meetings were held throughout the country during 2005 with the participation of officials, specialists, children and adolescents. The purpose of these meetings was to have a debating forum in which the current characteristics of public policies and their consistency with the rights perspective could be analysed on the basis of a conception of children as subjects of rights.

453. Meanwhile, the Human Rights Secretariat, which is the technical committee for the National Action Plan, has implemented a number of campaigns to raise awareness among

the different actors working with children's issues and in the rest of society, laying particular emphasis on the importance of guaranteeing all the rights of children and adolescents.

454. Mention should be made here of the training sessions, events and workshops held since 2004 to promote rights, provide training and create awareness of the issues, some of which are detailed below.

1. Regional meetings: "Political orientations for the National Action Plan on Children's and Adolescents' Rights: the role of the State"

455. The general aim of these meetings was to design a national action plan that would constitute the public policy instrument for children and adolescents, guaranteeing a comprehensive rights protection system. They were as follows:

First regional meeting – North-West Argentina region

Dates: 28 and 29 May 2004

Place: San Miguel de Tucumán

Venue: National University of Tucumán, School of Law, 25 de Mayo 453

Provinces invited: Tucumán, Salta, Jujuy, Catamarca, Santiago del Estero and La Rioja

Intended for: officials from the legislative, executive and judicial branches in the provinces and municipalities, civil society representatives, children and young people.

Second regional meeting – North-East Argentina region

Dates: 26 and 27 August 2004

Place: City of Corrientes, Corrientes

Venue: teaching hospital auditorium

Provinces invited: Corrientes, Chaco, Formosa, Misiones, Entre Ríos

Intended for: officials from the legislative, executive and judicial branches in the provinces and municipalities, civil society representatives, children and young people.

Third regional meeting – Patagonia region

Dates: 13 and 14 October 2004

Place: Cities of Neuquén and Cipoletti

Venue: National University of Comahue

Provinces invited: Río Negro, Neuquén, La Pampa, Santa Cruz, Chubut, Tierra del Fuego.

Fourth regional meeting – Centro and Cuyo regions

Dates: 16 and 17 December 2004

Place: Paraná, Entre Ríos

Provinces invited: Córdoba, Santa Fe, Entre Ríos, San Juan, Mendoza, San Luis

Intended for: officials from the legislative, executive and judicial branches in the provinces and municipalities, civil society representatives, children and young people.

2. Workshops on the commercial sexual exploitation of children

456. The purpose of these workshops was to contribute to the prevention and eradication of the sexual exploitation of children throughout Argentina.

Aristóbulo del Valle, Misiones Province: 22 October 2004

457. On 22 October, a Conference on the Commercial Sexual Exploitation of Children was held in Aristóbulo del Valle, Misiones Province, by the Special Programmes Unit of the Human Rights Secretariat of the national Ministry of Justice and Human Rights as part of the activities stipulated in the cooperation agreement with UNICEF.

3. Workshops on the right to identity

458. The general aim was to provide a forum for reflection, with representatives of governmental and non-governmental organizations, about the issue of undocumented children and the duty of the State to guarantee the exercise of the right to identity within the framework of the Convention on the Rights of the Child. The following events were organized.

San Miguel de Tucumán, Tucumán Province: 16 November 2004

459. Participated in by officials from State institutions, this workshop led to the creation of a working committee on the right to identity that will take in the following subject areas: arrangements for identification, registration and documentation of the documentation process and the design of strategies to coordinate the different State authorities.

Santiago del Estero Province: 16 February 2005

460. The workshop in Santiago del Estero was supported by the province's Human Rights Secretariat and participated in by a total of 48 people, including government officials and representatives of civil society organizations.

Paraná, Entre Ríos Province: 7 April 2005

461. The Undersecretariat of Human Rights of the Province of Entre Ríos invited different stakeholders and officials from the Paraná community.

Concordia, Entre Ríos Province: 2 and 3 June 2005

462. The general aim of the Concordia workshops on the right to identity, attended by officials from institutions working with undocumented children and by civil society organizations in contact with community trainers, was to consider the duty of the State to guarantee this right, the possible strategies for doing so and the obstacles in the way.

La Rioja Province: 13 September 2005

463. The La Rioja workshop was held jointly with the provincial Department for Children and involved 20 promoter-coordinators and some 300 adolescents from the province's interior and capital. Other national and provincial officials also attended.

4. Workshops on comprehensive protection for children's and adolescents' rights

464. The purpose of these is to act as forums for educating educators and discussing and sharing ideas about the way to approach childhood and children's issues from a human rights perspective.

La Rioja, La Rioja Province: 10 May 2005

465. The participants were community workers, teachers, lawyers, health workers, police personnel, prison personnel and staff from the Human Rights Secretariat.

Hurlingham, Buenos Aires Province: 6 June 2005

466. The Workshop on Comprehensive Protection for Children's and Adolescents' Rights was held at the National Centre for High Performance Athletics (CENARD) as part of the series of training events for coordinators of sports promoters held on the 6, 7 and 8 June 2005. The workshop was for programme coordinators and physical education instructors, who will implement the programme nationally. It was attended by 75 coordinators of the Sports Promoters Training Programme.

Paraná, Entre Ríos Province: 13 and 14 September 2005

467. This workshop was for public-sector and NGO staff from the following: Social Tourism, Council for Minors, Secretariat for Women, Human Rights Secretariat, Youth Secretariat and the education system.

5. Workshops on the commercial sexual exploitation of children

468. The aim of these workshops was to contribute to the prevention and eradication of the sexual exploitation of children throughout Argentina.

Paraná, Entre Ríos Province: 8 April 2005

469. This was participated in by officials and members of the community, totalling 120 people.

Concepción del Uruguay, Entre Ríos Province: 28 April 2005

470. The participants included provincial and municipal officials, a juvenile magistrate, a member of parliament, teachers, health workers, social work students and members of the community, numbering over 100.

Concordia, Entre Ríos Province: 2 June 2005

471. The participants included officials, teachers, health workers, social science university students and members of the community.

La Cumbre, Córdoba Province: 28, 29 and 30 September 2005

472. Level I local teacher training seminar-workshop "The exploitation of children, a violation of rights".

473. The participants, who came from La Cumbre, Valle Hermoso, La Falda, Capilla del Monte, Los Cocos, Córdoba, Villa Giardino, Cosquín, Cruz Grande, Las Varillas, Cruz del Eje and Casa Grande, were officials, professionals and specialists from different departments of the municipal government, teachers, health workers, representatives of workers' organizations and NGOs working with children's issues, numbering 87 people.

Seminar-workshop: "The exploitation of children, a violation of rights"

474. The aim of this seminar-workshop was to contribute to the prevention and eradication of child labour throughout Argentina.

Corrientes, Corrientes Province: 19 to 21 December 2005. Child Labour Awareness-raising Workshop

475. The activities lasted three days and dealt with the exploitation of children, focusing on child labour, from a rights perspective. The social construction and historical contextualization of childhood were discussed. Also broached during these workshops was

the identification of the dimensions of analysis of child labour as a social issue and its naturalization in society. A total of 45 people participated, including officials and specialists from the Ministry of Health and the formal, non-formal and special education systems, and representatives of civil society organizations.

476. Notable activities in 2006 included the following:

(a) 20 and 21 April: Seminar-workshop on the Niñ@sur Initiative and special protection for rights. Forum for discussion of the documents issued by meetings of the MERCOSUR human rights authorities;

(b) 5 July: Presentation of the Niñ@Sur Initiative for the Promotion and Protection of Children's and Adolescents' Rights. The objective of this presentation was to publicize the initiative, stimulate dialogue with officials and interministerial specialist teams, study and analyse the documentation and actions of the Niñ@Sur Initiative, identify issues to be considered in the effort to prevent children and adolescents subjected to exploitation and trafficking from falling victim to these again, help coordinate different actors in the country and involve different national actors in this initiative;

(c) 6 to 8 July: Seminar-workshop: "The exploitation of children, a violation of rights". Mar del Plata. Introduction to the issue of child labour. Basic concepts. Social and legal aspects;

(d) 13 July: Seminar-workshop: "Child labour. Children with violated rights". Comprehensive Training Project for the Union Sector in the Southern Cone: "Union strategies for the prevention and eradication of child labour";

(e) 13 July: Presentation of the report "Privados de Libertad. Situación de niños, niñas y adolescentes en la Argentina" ["Deprived of freedom. The situation of children and adolescents in Argentina"]. This study depicts the situation of children and adolescents in custody in Argentina as of 31 December 2005;

(f) 14 July: Training event on the rights of children and adolescents held jointly with the National School of Public Administration (INAP) for the various forces of public order (National Gendarmerie, Argentine Federal Police, Police Force of Buenos Aires Province and Prefecture);

(g) 23 August: Presentation of the Missing Latin Americans Network Project. This project is sponsored by the Organization of American States (OAS) and consists in the creation of a multiple-sourced Latin American information network with a view to helping locate, identify and reunite missing people and/or migrants in the region, especially those who might be victims of trafficking and/or enslavement, with particular emphasis on children and adolescents;

(h) 31 August: Meeting at the Triple Frontier. Working and coordination group bringing together State agencies, civil society and international organizations to discuss the issue of sexual exploitation of children and enslavement in border towns (Puerto Iguazú, Foz de Iguazú and Ciudad del Este);

(i) 10 October: Specialist training seminar-workshop: "Comprehensive protection for children's and adolescents' rights. Paradigm shift: legislation and application". La Cumbre, Córdoba Province;

(j) 11 October: Intermediate assessment workshop: "Local handling and follow-up of the issue of child exploitation. Achievements and obstacles". La Cumbre, Córdoba Province;

(k) 30 and 31 October: Workshop on the system of rights protection for the Early Years Programme of the national Ministry of Health, Education and Social Development;

(l) 4 November: Bolivian Migrants' Human Rights Observatory. Workshop with the community of Ezpeleta on the rights of migrant children;

(m) 22 November: National conference: "The commitment of public policies in safeguarding the right to identity", held in the Salón Leopoldo Marechal of the Ministry of Education, Science and Technology and supported by UNICEF;

(n) 24 November: National conference "Promoting intergenerational solidarity". The purpose of this conference was to promote public policies and measures that encourage and facilitate intergenerational relationships and the transmission of knowledge. It was held jointly with the National Directorate for Youth, the Permanent Assembly for Human Rights and the Argentine Committee for Follow-up and Application of the International Convention on the Rights of the Child (CASACIDN);

(o) 20 November: Training for members of the security forces organized by the International Organization for Migration (IOM). Paraná, Entre Ríos Province;

(p) 30 November and 1 December: Participation in the MERCOCIUDADES meeting, presentation of the Niñ@sur Initiative.

477. The following activities were carried out over the course of 2007:

May 2007. Training for non-governmental organizations and the security forces

478. A joint excursion was made to Jujuy with the National Directorate of Economic, Social, Cultural and Collective Rights in order to provide training and create awareness of the penalties for slave trading and the assistance available for its victims among the different NGOs dealing with the issue and in the province's security forces.

8 June to 5 October 2007. Seminar-workshop: "Strategies for addressing and dealing with child labour"

479. The Unit for the Promotion of the Eradication of the Sexual Exploitation of Children of the Secretariat's National Directorate for Direct Assistance to Vulnerable Persons and Groups is working with the Conscience Association and the Pro-child Programme to hold a training seminar-workshop for provincial and municipal teachers in the city of Mar del Plata. This consists of five monthly face-to-face meetings to be held between June and October.

3 and 4 August 2007. Seminar-workshop: "The exploitation of children, a violation of rights"

480. Introductory and awareness-raising seminar-workshop on the exploitation of children, with emphasis on the sexual exploitation of children, held jointly with the Secretariat's regional delegation in the city of Las Varillas, Córdoba Province. The purpose of the seminar was to create a forum for sharing information and thinking about the exploitation of children, with emphasis on sexual exploitation, from the perspective of rights promotion and protection. Its specific goals were to provide instruments for analysing and addressing the issue and promoting organizational arrangements at the local level, following a model of participatory and dynamic action by social stakeholders.

29 August 2007. Seminar-workshop: "Introduction to the issue of sexual exploitation of children"

481. Introductory and awareness-raising seminar-workshop held jointly with the Professional Councils of Social Work and Sociology Graduates. Auditorium of the national Senate, Alfredo Palacios building, Hipólito Yrigoyen 1708, fifth floor, City of Buenos Aires.

482. The aims of the event were to create an opportunity to share information, allowing the issue of the sexual exploitation of children to be addressed and creating awareness of the need for strategies to address the issue on a professional basis, including a process of increasing specialization.

X. Article 11

A. The current living standards of the population

483. Following the severe political, economic, social and institutional crisis of 2001, Argentina experienced the highest poverty levels in its recent history.

484. The macroeconomic measures implemented resulted in continuous GDP growth from 2003 onward. As a result, the indices of poverty and indigence fell radically.

1. Percentage of households and individuals with unmet basic needs

485. Households with unmet basic needs (UBNs) are those presenting at least one of the following indicators of deprivation:

- (a) Overcrowding: households with more than three people per room;
- (b) Housing: households living in substandard housing, meaning living quarters annexed to another's home, makeshift dwellings or any arrangement other than a house (including adobe houses with earth floors) or apartment;
- (c) Sanitary conditions: households not containing a toilet of any kind;
- (d) School attendance: households with some school-age child (aged 6 to 12) not attending school;
- (e) Capacity for subsistence: households with four or more people per employed member, when the head has not completed the third grade of primary school.

Households and population: total and those with unmet basic needs (UBNs), 2001

<i>Households</i> ¹			<i>Population</i> ¹		
<i>Total</i>	<i>With UBNs</i> ²	<i>Percentage</i> ³	<i>Total</i>	<i>With UBNs</i> ²	<i>Percentage</i> ⁴
10 075 814	1 442 934	14.3	35 927 409	6 343 589	17.7

Source: INDEC, 2001 National Population, Household and Housing Census (CNPV2001).

¹ Includes households and people interviewed on the street.

² Unmet basic needs were defined using the methodology employed in "La pobreza en la Argentina" (Estudios INDEC series, No. 1, Buenos Aires, 1984).

³ Households with unmet basic needs as a percentage of all households in each province.

⁴ People living in households with unmet basic needs as a percentage of the whole population of each province.

2. Percentage and number of households and people below the poverty and indigence lines

486. See the tables that follow.

	<i>Reference population</i>	<i>Poverty (%)</i>	<i>Indigence (%)</i>	<i>Poor</i>	<i>Indigent</i>
Households	7 245 436	19.2	6.3	1 391 124	456 462
People	24 007 368	26.9	8.7	6 457 982	2 082 641

Source: INDEC, Continuous Permanent Household Survey, second half of 2006.

Incidence of poverty and indigence in all urban areas ¹ and by statistical region, first half of 2007

(Percentages)

<i>Region</i>	<i>Below the poverty line</i>		<i>Below the indigence line</i>	
	<i>Households</i>	<i>People</i>	<i>Households</i>	<i>People</i>
All urban areas	16.3	23.4	5.7	8.2
Greater Buenos Aires	15.6	21.8	6.0	8.2
Cuyo	15.6	22.4	4.0	6.5
North-East	30.0	41.0	11.2	17.2
North-West	26.9	36.4	8.1	11.4
Pampas	12.9	19.5	3.8	6.1
Patagonia	9.5	12.9	3.4	4.7

Source: INDEC, Continuous Permanent Household Survey.

Note: statistical regions are the aggregate of the urban areas covered by the Permanent Household Survey as detailed below:

Cuyo: Greater Mendoza, Greater San Juan, San Luis-El Chorrillo

Greater Buenos Aires: City of Buenos Aires, outlying districts [*partidos*] of Greater Buenos Aires

North-East: Corrientes, Formosa, Greater Resistencia, Posadas

North-West: Greater Catamarca, Greater Tucumán-Tafí Viejo, Jujuy-Palpalá, La Rioja, Salta, Santiago del Estero-La Banda

Pampas: Bahía Blanca-Cerri, Concordia, Greater Córdoba, Greater La Plata, Greater Rosario, Greater Paraná, Greater Santa Fe, Mar del Plata-Batán, Río Cuarto, Santa Rosa-Toay, San Nicolás-Villa Constitución

Patagonia: Comodoro Rivadavia-Rada Tilly, Neuquén-Plottier, Río Gallegos, Ushuaia-Río Grande, Rawson-Trelew, Viedma-Carmen de Patagones.

¹ The Permanent Household Survey (EPH) is a national programme designed to ascertain the sociodemographic and socio-economic characteristics of the population. In its original form, it was applied in Argentina from 1973, with spot measurements being taken in two annual rounds (May and October).

Since 2003 it has taken the form of a continuous survey producing results at quarterly and half-yearly intervals. The Continuous Permanent Household Survey is applied in 31 conurbations (the total number of conurbations rose from 28 to 31 in the third quarter of 2006). The information presented here relates to the situation of the population covered by the Continuous Permanent Household Survey and not the whole population of the country.

B. Indigenous peoples

487. The Directorate for the Development of Indigenous Communities, which comes under the National Institute of Indigenous Affairs (INAI), is primarily responsible for

designing and implementing, alone or together with other national, regional or municipal bodies, short-, medium- and long-term programmes for the comprehensive development of indigenous communities.

488. Development projects are essentially designed to legitimize and consolidate land ownership (in application of Act No. 26160), which is the main focus of action for the next two years.

489. The goals set are based on the implementation and sustainability of projects to strengthen the identity, representativeness and organization of indigenous peoples in individual territories and nationally. Accordingly, the Directorate has set itself the following objectives:

(a) Create the basis for comprehensive, sustained development that is compatible with conservation of the environment and the territories where these peoples live, ensuring they have channels for trade and access to goods and services with a view to providing a better quality of life;

(b) Act with awareness of the cultural diversity of these peoples, their socio-economic situations, the natural and social resources available to them and their links to the wider society around them. The selection of issues to be resolved must take the priorities of the different communities into consideration;

(c) Enhance the potential of existing human, technical and financial resources by coordinating actions with the different State agencies responsible for solving the problems affecting them and with civil society organizations working in indigenous areas;

(d) Improve and/or provide productive and social infrastructure so that these peoples can effectively occupy the lands they inhabit;

(e) Create conditions such that families from rural communities in the territories where they have traditionally lived are not compelled to migrate to cities;

(f) Improve these peoples' living conditions in the light of the requirements they express and community diagnosis findings;

(g) Train members of communities, especially in urban areas, to enable them to participate in the world of work, in the light of their resources and knowledge and the local opportunities available.

490. The different programmes and projects have helped to improve the quality of life of these communities through a wide range of remedial initiatives aimed at promoting and strengthening communities and organizations, as detailed below:

1. Provision of water, irrigation systems and renewable energy

491. Projects are focused on building dams and cisterns, purifying water to make it drinkable, boring wells, installing pumps for water extraction, creating systems to collect rainwater for human consumption, aqueducts and irrigation systems, installing alternative energy systems and improving community services in general.

2. Local and community productive development

492. The purpose of these projects is to enhance traditional stockbreeding, agricultural, forestry and craft production, generally for home consumption and/or commercialization. Financing is also provided for purchases of machinery for community use, agricultural inputs and inputs for craft workshops. Lastly, there are projects to further the development, organization and institutional strengthening of communities and the training of community leaders.

3. Training

493. There are training workshops and events covering different issues such as indigenous rights, legislation, project design, monitoring and accountability, legal administration, etc.

4. Community infrastructure and rural communication

494. Different projects are being implemented to improve communication in rural areas and enhance community infrastructure in indigenous communities, examples being the installation of two-way radios and community FM, repair of access roads, construction of medical centres, electrification, etc.

5. Housing improvements

495. Financing is being provided for projects to improve housing (roofs, extensions and refurbishment) and build latrines.

C. The right to adequate food

496. Argentina has had a food surplus since the late nineteenth century, and so does not have to cope with problems of production or distribution. Access problems derive from income levels and the distribution of wealth, rather than being a public health issue.⁸

497. The availability of food in Argentina, as measured by the food balance sheets of the Food and Agriculture Organization of the United Nations (FAO), has historically presented values very close to or in excess of 3,000 kcal. a day per inhabitant. In the most recent period (1997-2001), availability has been 3,174 calories per inhabitant, or 30 per cent more than the average requirement of the population. Apparent consumption of protein is also high (over 100 grams a day per person), while calcium is one of the few nutrients whose availability falls short of the recommended average.

498. The food supply is not only adequate but has been very stable over the years. The coefficient of import dependency for the supply of calories, at less than 5 per cent, is marginal.⁹

499. It can thus be seen that the food insecurity and vulnerability of certain population groups in Argentina is attributable rather to constraints on access to and consumption of foodstuffs. The regressive trend of poverty and indigence indicators in recent years may account for many of the food access and insecurity problems facing certain population groups.

500. The synergy between job losses and rising poverty and indigence has been a major determinant of constraints on access to and consumption of food, creating conditions of food insecurity that subsequently produce various nutritional effects.

501. Argentina is at an advanced stage of the demographic, epidemiological and nutritional transition in the Latin American context.

502. The situation is one of moderate natural growth, steady population ageing and a high percentage of urbanization. This last reinforces the importance of incomes, food prices and

⁸ According to the Pan-American Health Organization (PAHO), the cut-off point is 2.5 per cent, while the National Nutrition and Health Survey (ENNyS, 2004) reports an acute malnutrition level of 2.2 per cent.

⁹ Mission statement [*Cartilla institucional*] of the National Nutrition and Health Survey.

the operation of the market as determinants of food consumption patterns and food security in households, particularly poor ones.

503. The nutrition transition is characterized by high consumption of meat, other saturated fats and refined sugars and relatively low consumption of fibre and complex carbohydrates. These characteristics of the average diet have been associated with high specific rates of circulatory disease and tumours in countries with mortality patterns similar to those of Argentina. The other characteristic of the Argentine transition is the marked heterogeneity in all the indicative variables between the different provinces and regions of the country.

504. Numerous nutritional studies have been carried out and these, although fragmentary and/or incomplete in terms of the geographical areas or age groups they cover, provide material for useful hypotheses regarding the nutritional situation in the country.

505. Iron deficiency anaemia is the most prevalent nutritional pathology among small children. Iron, zinc and copper come from the same food sources, so that iron deficiency can be regarded as a marker for other micronutrient deficiencies.

506. In the past 15 years, there have been a number of studies involving anthropometric diagnoses in the infant population aged 0 to 5. The degree of geographical representativeness is variable, as are the other aspects of nutritional status included. Nonetheless, all the studies present a common pattern:

- (a) Low prevalence of indices compatible with moderate to severe acute malnutrition;
- (b) Moderate prevalence of linear growth retardation (stunting);
- (c) Excess body weight as a public health problem.¹⁰

507. Public policy efforts set out from this assumption, which means that food assistance activities for specific groups are implemented case by case, while different organizations converge in their action for safe water, sewage treatment and local economic development.

1. Information sources (nutritional studies in particular)

508. The national Ministry of Health conducted the National Nutrition and Health Survey (ENNyS) from 2004 to 2005.

509. The ENNyS information describes the nutritional situation of the different human groups at the national, regional and provincial level, including the health and nutrition of children under 6 and women aged 10 to 49, particularly expectant mothers.

510. The general and specific goals of the survey were:

- (a) To obtain information useful for policy and programme design regarding the nutrition and health status of children between 6 months and 5 years old, women of childbearing age and expectant mothers;
- (b) To evaluate factors associated with different nutritional status profiles in the populations studied;
- (c) To obtain information on access to and use of health services and the coverage of food programmes in the populations studied;
- (d) To characterize the population studied by socio-economic and demographic variables;

¹⁰ ENNyS, Documento de implementación [Implementation document], p. 8.

- (e) To use anthropometric indicators and their associated factors to evaluate the nutritional status of the population;
- (f) To evaluate the nutritional status of the population through biochemical measurements of iron, ferritin, folate, vitamin B12, vitamin A and vitamin D levels and the associated variables;
- (g) To estimate nutrient intake and compare it with recommended levels in each of the subpopulations studied;
- (h) To estimate the prevalence of breastfeeding and its duration for under-2s;
- (i) To estimate the prevalence of risk factors for non-transmissible chronic diseases, with particular emphasis on smoking, hypertension, alcohol consumption, patterns of physical activity and plasma cholesterol levels;
- (j) To estimate perception profiles for morbidity associated with the nutritional status of children between 6 months and 5 years old;
- (k) To estimate how far children between 6 months and 5 years old are developing normally;
- (l) To estimate the prevalence of factors affecting women's sexual and reproductive health;
- (m) To estimate the coverage of nutrition programmes in each household and among its members;
- (n) To estimate the coverage of different health-care systems and the type of affiliation;
- (o) To estimate access to health services and their preventive or curative use.

2. Federal programmes to guarantee the right to adequate food

Undersecretariat for Food Policy – National Food Security Plan

Objectives

511. The objectives of the Plan are:

- (a) To encourage shared family mealtimes;
- (b) To provide food assistance to socially vulnerable families in accordance with Act No. 25724,¹¹
- (c) To implement specific measures for the benefit of targeted risk groups;
- (d) To facilitate food production by families and networks of service providers (canteens, community centres, nurseries, schools, etc.) for their own consumption;
- (e) To strengthen implementing institutions with technical cooperation, training and financing;
- (f) To promote the integration of national, provincial and municipal resources and facilitate participation by the voluntary sector with a view to each province implementing the Plan in accordance with its needs and resources;

¹¹ Act No. 25724 creating the National Nutrition and Food Programme was enacted on 27 December 2002, with the national Ministry of Health and Ministry of Social Development having shared authority to implement it.

(g) To foment a comprehensive approach to the issue of food and nutrition by giving a higher priority to health care, the provision of appropriate food and nutritional education, with full participation by the community;

(h) To take comprehensive measures to improve nutritional education and health care and strengthen families;

(i) To take specific measures for the benefit of targeted risk groups.

Structure of the Plan

512. The Plan comprises a number of approaches and components in three working areas: (a) with governments, (b) with civil society and (c) transversally by means of training and technical assistance:

(a) With governments:

(i) Federal approach, budget category;

(ii) Special projects approach;

(iii) Supplementary food;

(iv) Extra food for the school meals service.

(b) With the community:

(i) Community approach – UNDP ARG/06/001;

(ii) APAC;

(iii) Assistance to the Prohuerta food security programme.

(c) Transversal training and technical assistance area:

(i) Families and Nutrition Programme;

(ii) Training and technical assistance activities;

(iii) Dietary and nutritional education activities.

(a) National Food Security Plan – governments area

Objectives

513. Ensure access for vulnerable population groups to appropriate and adequate food that takes into account the characteristics and customs of each region of the country.

Beneficiaries

514. Population at nutritional risk. Priority is given to indigent families, families with children under 14, expectant mothers, the disabled, people who are malnourished, and people over 70 who live in socially disadvantaged conditions and present a situation of nutritional vulnerability.

Federal approach

515. The central government transfers funds to provincial government agencies, which determine their own implementation procedure (centralized, decentralized, mixed) and the type of benefits provided (individual or family food allowances, individual and/or family tickets/vouchers and/or cards, rations).

Targeted approach

516. The central government provides funding for specific measures aimed at particular social groups or geographical areas deemed to be socially vulnerable and high-risk, requiring a special approach. Food assistance, training and financing of inputs for the production of food for home consumption are provided alone or in combination. This can be done with provincial or local governments or with community social organizations.

Supplementary food assistance

517. Supplementary food assistance involves centralized buying of food that is then distributed according to a plan or to deal with one-off weather or social emergencies by government agencies and community social organizations.

Reinforcement for school meals services

Objectives

518. The school meals services component is intended to create appropriate nutritional and developmental conditions for children attending schools at particular socio-educational risk (initial, basic general education and rural) by reinforcing provincial school meals services so that children receive a free, high-quality full meals service. Teachers are also provided with training in nutrition and food security.

Beneficiaries

519. Students attending “school homes” with residential accommodation and rural schools in the lower cycles of general basic education located in critical areas and/or State-run special schools. The universe of schools is reviewed periodically with governments and specialist teams in each province.

Benefits

520. Back-up school meals service funding to supplement provincial funding.

Implementation procedure

521. Funds are transferred to the provinces to supplement the provincial budget and ensure the necessary food provision. Selection of schools is carried out jointly with each jurisdiction in accordance with general criteria set nationally.

(b) National Food Security Plan – civil society area*Community approach*

Objectives

522. This component provides partial financing for the food services of civil society organizations in the community.

Background

523. In consequence of the 2001 crisis and the ensuing “food emergency”, the Participatory Social Investment Fund (FOPAR) changed its operating method to finance canteens run by civil society organizations in the community. Financing is now used to provide food services and support the organizations administering them; this is called the “community approach” and is operated by UNDP programme ARG/06/001.

Beneficiaries

524. Civil society organizations operating food services and catering to indigent people throughout the country, with emphasis on under-18s, expectant and nursing mothers, over-60s and adults who are at risk or have some type of disability.

Provision

525. Technical and financial assistance for civil society organizations to provide food services.

Implementation procedure

526. Public invitations are issued for networks, federations (second-degree organizations) and other civil society organizations to submit community food provision projects.

527. Currently, UNDP transfers the financial resources and carries out follow-up and oversight of the former FOPAR project portfolio.

Support for Community Food Projects (APAC) component

Objectives

528. The aim is to improve the operating conditions of organizations running food services, in terms both of safety and hygiene conditions and of sustainability, by encouraging a social process whereby they are enhanced and transformed into community centres.

Beneficiaries

529. Organizations providing food services with financing from FOPAR (now known as the community approach) were selected.

Provision

530. Technical and financial assistance for infrastructure expansion and refurbishment.

531. Technical and financial assistance for community productive enterprises.

532. Food and nutrition training and education.

Implementation procedure

533. During 2006, agreements were signed with the organizations selected, which will be provided with technical assistance and financing for their projects.

Prohuerta

Objectives

534. Prohuerta is being implemented under an agreement between the Ministry of Social Development (MDS) and the National Institute of Agricultural Technology (INTA). Its objective is to improve the food situation of the poor by encouraging small-scale production of fresh food for home consumption to supplement their diets; improving diet quality; improving family food spending; encouraging community involvement in food production; generating appropriate technologies for the production of food for home consumption; and promoting small-scale alternative agricultural production systems. It works with provincial and local governments, civil society organizations, schools and families.

Beneficiaries

535. Urban and rural families with unmet basic needs.

Provision

536. Technical and financial assistance for the creation of family, school and community vegetable gardens and farms, special projects for tools and water and other innovative projects.

Implementation procedure

537. The procedure centres on two annual campaigns, autumn-winter and spring-summer.

538. Participation is voluntary, and the following are preconditions for entering the programme: (a) availability of sufficient land to create a vegetable garden, which must be marked out and fenced and (b) attendance at the training courses provided by the specialist Prohuerta teams. Before the seed is provided, furthermore, checks will be carried out to ensure the beneficiary has taken the necessary steps to prepare the plot (seedbed, fencing, provision of water, etc.) as a condition for taking up this benefit.

(c) **Cross-cutting approach to training and technical assistance**

The Families and Nutrition component

Objectives

539. The Families and Nutrition component comprises a programme that centres on children's rights, linking food and nutrition, early infant development and family and community relations from a human development perspective. This component sets out from a recognition of the central role of families in rearing and supporting their children, respect for their knowledge and experience and the existence of social networks that can strengthen them.

Implementation procedure

540. The Families and Nutrition Programme is being executed in collaboration with UNICEF in a total of 70 localities in six subnational areas (Buenos Aires, Jujuy, Tucumán, Chaco, Misiones and Santa Fe) with the aim of strengthening families by creating structures for training and the sharing of knowledge and experience in facilitator training activities. The production of material and publications extends to other training activities.

Technical assistance

Implementation procedure

541. Mention should be made of:

- (a) Preventive mother and child health care;
- (b) Family assistance with child nutrition and development;
- (c) Food and nutrition education/training;
- (d) Enhanced participation arrangements;
- (e) Technical assistance.

General objectives

542. To enhance the capabilities of Plan beneficiary populations and the different actors and partners involved in the Plan.

Beneficiaries

543. Government and civil society organizations, child development specialists, health workers, sociomedical workers, food and nutritional education promoters, home carers, community integration centres, etc.

Family assistance with child nutrition and development

Objective

544. To contribute to children's development from early ages and strengthen families in their basic role of supporting and rearing their children.

545. Consequently, activities include not only different aspects of diet and nutrition, food safety and preparation and healthy lifestyles, but also support for individuation with the participation of families.

Procedure

546. This component involves creating arrangements for training and the sharing of knowledge and experience and holding food and nutrition education workshops with the use of information material, manuals, primers and posters. There are also recreational activities designed to raise awareness, inform and educate, such as plays written to convey the importance of a healthy diet to students and teachers.

547. "Nutrición en Vivo" [Nutrition Live], "Calabaza va a la Escuela" [Pumpkin Goes to School] and "La Laucha Gaucha y El Misterio del Tronco Tembloroso" [The Gaucho Mouse and the Mystery of the Trembling Log] are plays whose primary goals include promoting proper eating habits, encouraging teaching staff to take up the subject of nutrition in the classroom and introducing children to drama. The plays are intended to be participatory and deal with basic food and nutrition concepts and ways of making mealtimes and the places where people eat both welcoming and enjoyable. These events have been designed on the basis of the Argentine nutrition guides and take account of different regional customs and habits.

Food and nutrition education/training

General objective

548. The fundamental objective of food and nutrition education is to develop people's ability to identify their food- and nutrition-related problems and the possible causes of and solutions to these, and to act accordingly with a view to improving their own nutritional status and that of their families and communities in a spirit of self-help, independence and responsibility for their own lives.

549. Another objective is to respect people's right to accurate and up-to-date information.

Theoretical framework

550. This consists of:

- (a) Dietary guides for the general and child population in Argentina;

(b) The *Manual de Multiplicadores* (a handbook for community trainers), standards of good practice, sanitary standards and food labelling legislation;

(c) Specific material from national ministries.

Implementation

551. In agreement with local agencies, needs are diagnosed and gauged and food and nutrition education activities are planned to fit in with other measures in the National Food Security Plan. These activities are cross-cutting, being incorporated into all kinds of federal actions, and are targeted as a poverty exit strategy.

552. The training given to community trainers throughout the country is oriented towards the development of nutritional knowledge that is manifested in healthy eating habits. These actions are coordinated by the Ministry of Social Development and the Ministry of Health as part of the National Food Education Programme.

553. All the activities carried out by the Undersecretariat for Food Policy involve provision of the educational and informational material prepared on food and nutrition topics.

554. Coordination with the other social policy ministries has taken the form of planning for the Food and Nutrition Education Campaign based on the dietary guides for the Argentine population, which will shortly be released across the country.

3. Initiatives carried out under the authority of the national Ministry of Health

National Food Security Plan – governments area

Mother and Child Programme

555. The National Directorate for Mother and Child Health comes within the purview of the Health Programmes Secretariat and is the body that formulates and applies policies for mothers with children. It implements the Mother and Child Programme, which is financed out of Argentine and external resources.

556. Its main goal is the reduction of mother and child morbidity and mortality. However, it takes in a complex range of activities in areas such as the quality of care provided by health teams, and prenatal and paediatric care; child development and the problems of adolescence; nutrition; ongoing in-service staff training and social communication in the interests of mother and child health; and infrastructure and equipment.

557. The national Mother and Child Programme delivers whole milk fortified with iron, zinc and vitamin C throughout the country, in accordance with national Act No. 25459/01.

558. The recommendations for each group are as follows:

(a) Expectant mothers: 2 kg/month from the fifth month of pregnancy until birth (10kg/year);

(b) Nursing mothers: the mother will receive 2 kg/month for six months (12 kg/year);

(c) Children between 6 months and 1 year old: 2 kg/month to supplement their diet (12 kg/year);

(d) Children aged 1 and 2: at least 1 kg/month throughout the year for each vulnerable child (12 kg/year);

(e) Undernourished children aged 0 to 6: 3 kg/month of milk fortified with iron, vitamins and minerals for five months (15 kg/course).

559. The passing of Act No. 25724 in January 2003 created the National Nutrition and Food Programme, a new departure for public food and nutrition policy. The objective of the Programme is to “help ensure access to appropriate and adequate food, with the State coordinating comprehensive intersectoral measures with a view to improving the food and nutritional situation of the population”.

560. The Programme is implemented by the National Nutrition and Food Commission, which is made up of representatives of the national Ministry of Health and Ministry of Social Development and the Environment. Programme beneficiaries include expectant mothers, children aged 0 to 5 and older adults aged 70 and upward who have no social coverage and are below the indigence line, while other sections of the population below the poverty line are being progressively incorporated.

D. The right to housing

561. According to the 2001 Population and Housing Census, the total population of the country was 36,260,130, with an average density of 13 inhabitants per square kilometre. The same Census counted 10,075,814 households.

562. In the area of housing and improvement of the living environment, the Argentine Government is implementing a strategy of coordinating and optimizing resources between the different jurisdictions of the executive branch.

563. This strategy stems from the belief that the national State needs to develop a comprehensive policy for housing and improvement of the living environment, with a view to giving practical effect to the right to “decent housing and acceptable conditions of habitability for all the country’s inhabitants” enshrined in the national Constitution.

1. Evictions

564. According to a report by the City of Buenos Aires government, there were 4,937 evictions in 2007 as against a total of 4,146 in 2006 and 3,974 in 2005, which reveals a rising trend over time. It is also important to realize that renting is almost unaffordable for the lowest-income sectors, particularly families with children.

565. With a view to developing proposals and finding solutions within a framework of human and citizen rights, a working group was set up by the City of Buenos Aires Ombudsman’s Service with a membership consisting of State and city agencies and NGOs. It was agreed in principle that those affected should be given advice and support by a team of lawyers belonging to the City of Buenos Aires Ombudsman’s Service, the Peace and Justice Service (SERPAJ) and the Centre for Legal and Social Studies (CELS), with a view to ensuring access to justice, while the need to produce the right policies is increasingly recognized.

566. The Human Rights Secretariat has involved itself in a number of urban eviction cases in the City of Buenos Aires with a view to finding a permanent solution through consensus among the different actors.

2. The disabled

567. Where disabled housing is concerned, the Undersecretariat for Urban Development and Housing established in the August 2005 Multiyear Federal Housebuilding Programme that at least 5 per cent of the 300,000 new units planned under the Programme would be for

people with motor disabilities. Accordingly, the architectural project must comply with the requirements laid down by the Undersecretariat itself in its urban accessibility guidelines [*Directrices para la Accesibilidad al Medio urbano*] and social housing accessibility guidelines [*Directrices de Accesibilidad para Viviendas de Interés Social*]. Financing for these homes also allows 10 per cent for additional costs.

3. Programmes implemented to guarantee the right to housing

(a) The National Housing Fund

Description

568. The Federal Housing System established by national Act No. 24464, enacted on 27 March 1995, was created with the object of putting the necessary conditions in place to provide fast and efficient access to decent housing for people who could not afford it, in accordance with the provisions of article 14 of the national Constitution. The System comprises the National Housing Fund (FONAVI), the implementing agencies in the provinces and the Autonomous City of Buenos Aires, which are responsible for applying the law in their respective areas, and the National Housing Council.

Particular objectives

569. The Programme involves measures to achieve the following priority objectives:

- (a) Meet housing demand from families with insufficient resources, improving beneficiaries' quality of life by helping them obtain a home of their own;
- (b) Reduce the housing deficit in the different subnational areas;
- (c) Promote the technological development of the construction sector by applying techniques and materials that improve product quality while saving time and reducing costs;
- (d) Contribute to direct and indirect job creation, supporting regional and local economies.

Legislation

570. Current legislation and provisions governing the implementation of the Programme are contained in the following instruments:

- (a) Act No. 21581, National Housing Fund financing regime. Creation of Provincial Housing Institutes;
- (b) Act No. 23966, amendments to the National Housing Fund Act;
- (c) Act No. 24130, agreement between the national Government and provincial governments – National Housing Fund: exclusive responsibilities of the implementing agencies in each province;
- (d) Act No. 24464, creation of the National Housing System. National Housing Fund. Use of funds. Oversight of fund use. National Housing Council. Subnational authorities. System of credits. Regularization of ownership. Other provisions. Mortgage portfolios;
- (e) Act No. 25570, ratification of the National-Provincial Agreement on Financial Relations and the Basis for a Federal Tax Revenue-sharing Regime, signed by the national State, the provincial states and the Autonomous City of Buenos Aires on 27 February 2002;

- (f) Decree No. 2483/1993, Housing Fund Regime Audit Committee;
- (g) Decree No. 518/98, approval of the consolidated text of Section II of Act No. 23966 on the liquid fuels and natural gas tax and amendments.

Works and investment

571. FONAVI resources are intended for the full or partial financing of projects designed to meet the aims of the law and are implemented with the involvement of residential construction implementing agencies in the provinces and the Autonomous City of Buenos Aires, either directly or with the participation of municipalities, communes or intermediate bodies, it being their responsibility to plan, implement, oversee, assign and recover the investments made.

572. Generally speaking, the following types of project, whether fully or partially financed, are implemented via different areas of action, with the implementing agencies being empowered to produce regulations and standards to ensure that funds are properly used as required by the Act:

- (a) Construction of housing, either directly or through intermediate bodies via the provision of individual or pooled credits;
- (b) Provision of individual credits for home purchases, improvements, completion and/or extensions;
- (c) Provision of materials and/or labour;
- (d) Development of programmes involving provision of plots with services and/or bathroom and kitchen infrastructure;
- (e) Implementation of urbanization, basic infrastructure and community equipment projects.

Distribution of Fund resources

573. The National Housing Fund is financed out of a percentage of the liquid fuel tax (article 18 of Act No. 23966 and amendments) plus recoveries on investments and contributions from the subnational authorities themselves.

574. Transfers of resources to subnational authorities are automatic, since they are allocated as they are credited in accordance with the allocation ratios laid down in article 5 of Act No. 24464. These ratios are subject to adjustment every two years in the light of the findings of the national Congress, which is required to evaluate whether they have been properly applied in each subnational authority area.

Auditing the use of transferred resources

575. These auditing checks on the use made of the resources transferred to the different subnational authorities are carried out via the Undersecretariat for Urban Development and Housing, giving effect to the provisions of article 9 of Act No. 24464 and Decree No. 2483/93, which establishes that at the end of each fiscal year the executive branch is to act through the competent housing agency to audit the use made of the National Housing Fund (both automatic transfers and recoveries on investments) in each subnational authority area.

576. The purpose of these audits is to monitor Programme implementation, with emphasis on follow-up of the physical progress of the projects undertaken and checks on financial, social and technological aspects to ensure that the resources transferred are being properly used by each of the implementing agencies.

577. The reports on the audits to which implementing agencies are subjected are submitted periodically to these agencies and the Housing Committees of both houses of parliament, together with an annual summary.

(b) Federal programmes

578. Federal programmes are the outcome of an active policy decision by the national State to find a permanent solution to the problem of growth, employment, social inclusion and equity. These programmes seek to reduce the housing deficit in the country by opening up access to decent housing and different basic infrastructure solutions so that all Argentines are provided with a better quality of life. The projects implemented have involved community organizations, cooperatives and other institutions seeking to deal comprehensively with today's social integration deficiencies.

FONAVI Federal Programme for Project Reactivation

579. The aim of the Programme is to reactivate housing plans financed out of FONAVI resources and implemented by provincial agencies via the provision of non-refundable financing by the national Government.

580. It is being implemented in two stages termed Reactivation Stage I and Reactivation Stage II.

581. In the second stage, beneficiaries of the Heads of Household Plan were drafted in to work on the construction of homes, thus being incorporated into formal employment.

582. The first stage of the Programme involved:

- (a) A contribution of 301,640,965.83 pesos from the national Government over 12 months;
- (b) A contribution of 301,640,965.83 pesos from subnational authorities over 12 months;
- (c) Reactivation of 24,611 homes;
- (d) Creation of 73,833 jobs.

583. Stages I and II of the Federal Reactivation Programme are providing housing solutions for 44,000 Argentine families.

584. The Programme has the following particular objectives:

- (a) To reactivate construction of homes on which work is progressing very slowly or has been completely suspended;
- (b) To use FONAVI resources, with financial support from the central Government, to spur and incentivize this reactivation of housing projects;
- (c) To contribute to job creation by bringing currently unemployed people into the labour market.

The Federal Housing Solidarity Programme

585. The Programme uses national resources to build housing and infrastructure in the country's worst-affected regions, recruiting Heads of Household Programme beneficiaries as labour and having them taken on as formal workers by the firms carrying out the work.

586. The first stage was executed in the provinces with the highest percentages of unmet basic needs (UBNs). The Programme operated in the following provinces to begin with: Corrientes, Chaco, Entre Ríos, Formosa, Jujuy, Misiones, Salta and Tucumán; these were

then joined by the provinces of Córdoba, Catamarca and La Rioja. The provinces of Chubut, Río Negro, San Juan and Tierra del Fuego were later incorporated so that action could be taken to deal with emergencies.

587. The Programme has the following particular objectives:

- (a) To meet the housing needs of the poorest sections of society;
- (b) To create jobs to mitigate the employment and social crisis.

Federal Housing Solidarity Subprogramme for Social Emergencies

588. This is a subprogramme to help areas affected by social emergencies by building homes with services infrastructure, the policy aim being to resolve housing, employment and production problems simultaneously.

Federal Housing Solidarity Subprogramme for Water Emergencies

589. This is a subprogramme to help areas affected by water emergencies by building homes with services infrastructure, the policy aim being to resolve housing, employment and production problems simultaneously.

Federal Housing Solidarity Subprogramme for Seismic Emergencies

590. This is a subprogramme to help areas affected by seismic emergencies by building homes with services infrastructure, the policy aim being to resolve housing, employment and production problems simultaneously.

Federal Housing Solidarity Subprogramme for Weather Emergencies

591. This is a subprogramme to help areas affected by weather emergencies by building homes with services infrastructure, the policy aim being to resolve housing, employment and production problems simultaneously.

Federal Housing Solidarity Subprogramme for Rural Homes

592. This is a subprogramme to build homes with services infrastructure in rural areas, the policy aim being to resolve housing, employment and production problems simultaneously.

Federal Housing Solidarity Subprogramme for Indigenous Communities

593. This is a subprogramme to build homes with services infrastructure for indigenous communities.

Federal Housebuilding Programme

594. The Programme is intended to meet the needs of low-income households requiring a home by using national budgetary resources to finance the construction of 120,000 new homes in all areas of the country. It is thus designed to strengthen the economic recovery in the construction industry.

595. The Undersecretariat for Urban Development and Housing is coordinating its activities with those of the Ministry of Labour, Employment and Social Security, since Programme implementation will generate 360,000 jobs (240,000 directly and 120,000 indirectly). Besides making substantial inroads into current unemployment rates, this will have to involve training programmes to provide the necessary human resources.

596. The Programme entails:
- (a) A central Government contribution of some 3.9 billion pesos;
 - (b) The building of 120,000 homes;
 - (c) The creation of 360,000 jobs;
 - (d) Minimum home sizes will range from 44 to 49 square metres, depending on the geographical area;
 - (e) Cost per home will range from 33,000 to 65,000 pesos, depending on location.
597. The particular objectives of the Programme are:
- (a) To consolidate the ongoing reduction of the housing deficit;
 - (b) To strengthen the economic recovery in the housing sector and construction industry;
 - (c) To help bring down unemployment by creating 360,000 jobs;
 - (d) To organize training programmes to provide the necessary human resources;
 - (e) To improve households' quality of life.

Federal Housebuilding Subprogramme with Municipalities

598. This consists in direct central Government financing for the implementation of housing projects under agreements with the municipalities concerned.

Federal Subprogramme for the Urbanization of Slums and Informal Settlements

599. Consists in central Government financing for full urbanization of slums and informal settlements.

Federal Subprogramme for the Improvement of the Urban Environment, Infrastructure Works and Supplementary Works

600. Consists in central Government financing for infrastructure works and supplementary works that are essential to make homes built under any of the federal programmes ready for occupation.

Federal Home Completion Subprogramme

601. Consists in central Government financing to reactivate halted projects in Buenos Aires Province.

Multiyear Federal Housebuilding Programme

602. This programme began in late 2005 and is intended for the same beneficiaries as the Federal Housebuilding Programme, which began a year earlier, except that its plans encompass the construction of 300,000 new homes throughout the country in a period of no less than three years.

603. The Undersecretariat for Urban Development and Housing is coordinating its work with that of the Ministry of Labour, Employment and Social Security, since almost a million jobs are expected to be created and this means that the greatest efforts are needed to reduce unregistered working and generate training activities for the available workforce, consisting essentially of the unskilled unemployed who need to be brought into the labour market.

604. The Programme entails:

- (a) A central Government contribution of some 17,452 million pesos at August 2005 values;
- (b) The building of 300,000 homes;
- (c) The creation of 900,000 jobs;
- (d) Minimum home sizes will range from 55 to 60 square metres depending on the geographical area, making them 25 per cent larger than those built under the Federal Housebuilding Programme;
- (e) Cost per home ranging from 50,000 to 108,000 pesos as of August 2005, depending on geographical location.

Federal Home Improvement Programme

605. The purpose of the Programme is to provide financing for home completion, extension or refurbishment work to any families that have begun construction on their own and need to complete and/or improve their only home but do not have access to conventional forms of credit.

606. The Programme covers 140,000 home improvement projects, distributed around the country in accordance with the level of qualitative deficits.

607. The Programme entails:

- (a) A central Government contribution of some 1.46 billion pesos;
- (b) Improvement work on 140,000 homes;
- (c) The creation of 250,000 jobs;
- (d) An investment per home ranging from 10,000 to 22,400 pesos, depending on geographical location.

Particular objectives

608. Programme actions are intended to meet the requirements of homes that are situated on land not subject to flooding, have regularized title deeds and lack at least one of the following:

- (a) Fitted bathroom;
- (b) Piped water on the property;
- (c) Properly finished floors, walls and ceiling;
- (d) An adequate number of rooms for the family.

Federal Home Improvement Subprogramme with Municipalities

609. This consists in direct central Government funding for home finishing, extension or refurbishment work carried out under agreements with the municipalities concerned.

Federal Housing Emergency Programme

610. This seeks to solve the housing and employment crisis by having Heads of Household Plan beneficiaries and unemployed people organize into working cooperatives and participate in housebuilding. The policy of the Programme is thus to solve housing and employment problems simultaneously by applying funds currently spent on emergency

unemployment benefits to the generation of a production process that reintegrates people into society and the world of work.

611. The Programme objectives are:

(a) To contribute to the development and improvement of the living environment, housing and basic infrastructure of households whose incomes are below the indigence line and vulnerable groups in a critical or marginal situation;

(b) To foment the social inclusion of the unemployed and Heads of Household Programme beneficiaries and of people in a critical housing and employment situation through the formation of working cooperatives;

(c) To implement sustainable projects, building new homes and the infrastructure to go with them;

(d) To use the Programme to create a route into employment;

(e) To invigorate local markets for the commercialization and production of building materials.

Target population

612. The target population or beneficiaries of the Programme are people in an unmet basic needs (UBNs) situation who are in the Heads of Household Programme or are unemployed, and people who have not yet got a home of their own.

Housing beneficiaries

613. The list of beneficiaries will be drawn up by each municipality for consideration by the social departments of the provincial housing institute (IPV).

614. The members of each cooperative will have priority when lists for access to this benefit are being compiled. Cooperative members must be heads of large families, own no other properties, have low incomes and meet other criteria determined by the relevant provincial social departments.

615. If the members of the cooperative do not take up all the homes, these may be offered to families identified by the municipality.

Labour beneficiaries

616. Working cooperatives shall have 16 members, comprising unemployed people and Heads of Household Programme beneficiaries:

(a) Eight recipients of the Heads of Household Programme unemployment benefit;

(b) Eight unemployed people not in receipt of this benefit.

617. In no event shall the homes being built by cooperative members be pre-allocated to them.

618. When first engaged, each cooperative shall receive a non-refundable one-off subsidy of 6,000 pesos to purchase equipment, tools, work clothes and books of accounts.

619. The Programme will be implemented through the coordinated action of different agencies operating at the national, provincial and municipal levels, namely:

(a) Nationally: Executive Branch Ministries Coordinating Committee:

- (i) Ministry of Federal Planning, Public Investment and Services, via the Undersecretariat for Urban Development and Housing (SSDUyV);
 - (ii) Ministry of Social Development, via the National Institute of Partnerships and Social Economy (INAES), and the National Register of Local Development and Social Economy Providers;
 - (iii) Ministry of Labour, Employment and Social Security, via ANSES and other specific departments;
 - (iv) Ministry of Economic Affairs, via the Federal Administration of Public Revenues.
- (b) Provincial authority: provincial housing institute – implementing unit;
 - (c) Municipal authority, governing councils and/or communes: the municipal government acts as the implementing unit for Programme projects.

Programme for Social Development in Border Areas of North-West and North-East Argentina II

620. The Programme for Social Development in Border Areas of North-West and North-East Argentina II (PROSOFA II) subsidizes works and equipment for the provision of universal basic services (drinking water, sanitation, health care, education, etc.) in deprived areas of the provinces of Salta, Jujuy, Formosa, Chaco, Misiones, Corrientes and Entre Ríos. Communities submit financing applications through governmental and non-governmental organizations. There is no cost either to those implementing these investments or to their direct and indirect beneficiaries.

621. Funds are disbursed directly to contractors against certification of progress with the works. This is a swift and efficient payment mechanism with clear accounting controls and social oversight arrangements in place.

622. PROSOFA II promotes, designs and uses sustainable technology at the community level. The technologies concerned are simple and can be adapted to local conditions and be operated and maintained by the community itself. PROSOFA II also provides social support and health-care and environmental education.

623. All actors participating in project development and implementation are involved with a view to ensuring the technical suitability, operation and maintenance and effective and ongoing use of the works and services installed.

624. Cooperation accords and memorandums of agreement are signed between the Undersecretariat for Urban Development and Housing, within the framework of the Programme, and the relevant private and public institutions, depending on the project type. The main objective of these accords is to establish commitments and responsibilities for the operation and maintenance of the works and services provided under the Programme.

625. The objective of PROSOFA II is to provide the populations of extremely deprived small border communities in North-West and North-East Argentina with basic services by providing technical and financial assistance for construction, extension and refurbishment projects and the provision of drinking water, basic sanitation, health and education services.

626. The Programme provides training in the use and maintenance of works and in the skills needed for stronger citizen organization and involvement.

Particular objectives

627. An average of 385 new projects are expected to be implemented in this second stage of PROSOFA, and it is estimated that basic service provision or improvements, together

with training in the proper use and maintenance of the facilities constructed, will be provided to over 300,000 people.

628. The projects financed by the Programme fall into the following categories:

(a) Drinking water: construction, expansion or improvement of household or community drinking water systems, and equipment for the facilities constructed;

(b) Basic sanitation: construction, expansion or improvement of individual human waste disposal systems and sewage systems, and equipment for the facilities constructed;

(c) Health: construction, expansion or improvement of health-care infrastructure (primary care centres, public hospitals, etc.), and equipment for the facilities built;

(d) Education: construction, expansion or improvement of education infrastructure (initial, basic general education and multitrack schools, agricultural colleges, etc.), and equipment for the facilities built;

(e) Community use: construction, expansion or improvement of infrastructure for community use (multipurpose centres, community centres, community canteens, nurseries, storage sheds, etc.), and equipment for the facilities built.

Community social promotion and training

629. In the targeted areas where the Programme operates, promotion workshops and project formulation workshops are held for potential beneficiaries and their representatives. Their participation is essential to create ties of community belonging and ownership.

630. The promotion stage is important to publicize the scope of PROSOFA and establish the programme in the region, as well as making known the targeting criteria and methodologies used to formulate each project.

631. Training workshops are also carried out to promote health care, environmental protection and maintenance of the facilities built.

632. The purpose of these actions is to help ensure that physical infrastructure projects are integrated, at the planning, implementation, use and maintenance stages, into a process of community mobilization and development to enhance their sustainability. A vital part of this, it is believed, is to encourage cooperative management, the creation of oversight committees in the community and the setting of budgets for future maintenance and operation, with responsibilities divided up among the social actors involved.

633. Consequently, training is provided to all those who have some stake in the planned action: beneficiaries, the organization presenting the project, the municipality, service providers, regulators, health and education services and NGOs.

634. The Programme is targeted at particular provinces and departments within them:

(a) Corrientes: Berón de Astrada, Concepción, General Alvear, General Paz, Itatí, Ituzaingó, Mburucuyá, Monte Caseros, Paso de los Libres, Saladas, San Cosme, San Martín, San Miguel, San Roque and Santo Tomé;

(b) Chaco: Almirante Brown, Bermejo, General Belgrano, General Güemes, Independencia, Libertador General San Martín, Maipú, O'Higgins, San Lorenzo, Sargento Cabral, Tapenaga and 25 de Mayo;

(c) Entre Ríos: Colón, Concordia, Federación, Gualeguaychú, Islas del Ibicuy and Uruguay;

- (d) Formosa: Bermejo, Formosa, Laishi, Matacos, Patiño, Pilagás, Pilcomayo and Ramón Lista;
- (e) Jujuy: Rinconada, Santa Bárbara, Santa Catalina, Susques, Valle Grande and Yavi;
- (f) Misiones: Apóstoles, Candelaria, Capital, Concepción, Eldorado, General Manuel Belgrano, Guaraní, Iguazú, Libertador General San Martín, Montecarlo, Oberá, San Ignacio, San Javier, San Pedro and 25 de Mayo;
- (g) Salta: Anta, General José de San Martín, Guachipas, Iruya, La Poma, Los Andes, Molinos, Orán, Rivadavia and Santa Victoria.

Promotion

635. The project submission procedure starts with the promotion stage.
636. Promotional activities are being progressively extended to all departments where the Programme is implemented. First of all, provincial support hubs work with local organizations and institutions and potential beneficiaries to identify priority problems and determine the demand for projects in each community.
637. To implement this process, the following are invited to participate:
- (a) Organizations presenting the financing application (local agency);
 - (b) Representatives of municipalities;
 - (c) NGOs;
 - (d) Public service cooperatives;
 - (e) Firms providing services at the municipal and provincial levels;
 - (f) Local representatives of health and education services in the area;
 - (g) Representatives of the province's water, sanitation, education and health-care regulators.
638. Potential beneficiaries of the facilities applied for are:
- (a) Any other actor connected with works qualifying for PROSOFA financing;
 - (b) Consulting specialists from the municipalities and from NGOs.
639. Following on from this stage, interested parties submit financing applications to the Programme's provincial support hubs.

Project formulation

640. During this stage, the Programme works with stakeholders to define the Project in depth, considering the technical, social, environmental, institutional and economic aspects.
641. To find the right technical specification for the project and guarantee provision of the service and operation and maintenance of the facilities, equipment and services, negotiations begin between the Programme, the local agency, firms providing services, cooperatives, NGOs, provincial ministries, municipal governments, regulators, etc., leading to the signing of memorandums of understanding, letters of intent and notes and guarantees identifying the activities and resources that each has to contribute.
642. A strategic element of the Programme is to involve project beneficiaries from the outset (identification of priority problems in each community) right through to the stage of signing off on the work done by those responsible for operating and maintaining the

facilities, services and equipment concerned in accordance with their commitments. This involves different activities such as on-site inspections, meetings with beneficiaries, workshops and training activities.

643. Once a project has been formulated, the Programme hands it over to the local agency so that it can invite bids from firms for the project tender. Once the successful bidder has been selected by the local agency, a financial assistance agreement is signed between that agency and the Undersecretariat for Urban Development and Housing.

Project implementation

644. The execution of works or supply of equipment is carried out on a fixed-price basis with direct payment to the contractors by order and for account of the local agency, which is the lead agency for project implementation.

645. The implementation stage is supervised by specialists from the Programme and the local agency, with community involvement, in accordance with the timetable laid down for each project, until the work is completed.

646. Right from the outset, the Programme promotes citizen participation in each community and provides training in health care, environmental protection and employment and care of the facilities and equipment.

The Drinking Water, Social Assistance and Basic Sanitation Provision Programme

647. The Drinking Water, Social Assistance and Basic Sanitation Provision Programme (PROPASA) is operated by the Public Works Secretariat, which comes under the Ministry of Federal Planning, Public Investment and Services. The Undersecretariat for Urban Development and Housing acts as implementing agency for the Programme, arranging for rural locations in all the country's municipalities to receive technical and financial assistance for the provision of drinking water and sewage systems, as well as other types of social facilities to improve the general sanitary level and quality of life of these populations.

648. The objective of PROPASA is to supply technical and financial assistance for the provision of drinking water and sewage services and the eradication of latrines in both built-up and dispersed rural communities and in settlements around cities that face situations of deprivation, dilapidation or extraordinary environmental risk.

649. PROPASA is specifically intended for populations living in:

- (a) Rural or subdural settlements or localities;
- (b) Sparsely populated rural areas;
- (c) Suburbs or outlying areas of towns and cities not reached by institutional drinking water and sanitation systems;
- (d) Schools, medical centres, community centres and their catchment areas in the zones described above.

650. The particular objectives of the Programme are to:

- (a) Reduce levels of UBNs in small communities by facilitating the provision of drinking water and sanitation services, thereby improving the health and environmental profile of the areas benefited;
- (b) Reduce the risk of endemic waterborne diseases, thereby improving sanitary conditions and life expectancy and averting diseases that occur at early ages, such as those deriving from contamination;

- (c) Consolidate the permanent population of small rural settlements, forestalling population movements in search of safe water sources;
- (d) Provide access to water and basic sanitation services in rural communities and other isolated areas that are beyond the reach of firms providing these services;
- (e) Participate in the reconstruction of basic infrastructure systems in small communities affected by natural disasters;
- (f) Promote social inclusion via the employment of local labour and materials where feasible, in order to enhance the participation of the beneficiaries themselves and make people aware of the social value of sanitation.

The Neighbourhood Improvement Programme

651. The Neighbourhood Improvement Programme (PROMEBA) seeks to transform the quality of life of families with unmet basic needs and low incomes living in areas that lack basic social infrastructure.

652. A comprehensive plan, implemented by interdisciplinary teams, seeks to strengthen community organization through access to land ownership, provision of basic services and solutions to environmental and social problems. Access to drinking water (enabling structural health issues to be resolved) and implementation of essential infrastructure works are conducive both to the development of local economies and to social integration.

653. PROMEBA has a national coordination unit and provincial implementing units in each province operated in. PROMEBA operations are carried out on a decentralized basis by these provincial implementing units, with shared participation by municipalities, social organizations and services firms:

- (a) Encourage neighbourhood organization and community self-management so that beneficiaries participate actively in measures to improve their local area, be these legal, social, urban or environmental, and can sustain these over time;
- (b) Consolidate the population in the area it currently inhabits;
- (c) Provide and complete basic infrastructure networks with connections to homes, kitchen and bathroom installations and a neighbourhood community centre;
- (d) Regularize ownership status, providing each family with its title deeds;
- (e) Relocate families living in high-risk urban areas;
- (f) Undertake environmental mitigation measures;
- (g) Consolidate public spaces and incorporate basic private-sector sanitation infrastructure;
- (h) Promote community initiatives relating to work and vocational training, thereby fostering social development.

654. To achieve its goals, PROMEBA carries out the following activities:

- (a) Project implementation:
 - (i) Executing basic infrastructure works with construction firms by public tender: land zoning and surveying, network extension, household connections for drinking water, electricity, natural gas, sewage, sanitary solutions, access roads, street lighting, storm drains, road networks and pedestrian routes, kerbs and pavements, etc.;
 - (ii) Regularizing landholdings via the issue of title deeds to the actual occupants;

- (iii) Relocating the inhabitants of settlements in situations of critical socio-environmental risk;
- (iv) Strengthening community organization and implementing environmental mitigation measures: forestation, green spaces, clean-up of lagoons, waste collection, etc.;
- (v) Engaging technical assistance services.
- (b) Social, legal and urban environmental assistance:
 - (i) It assists social development by undertaking specific actions in the community:
 - Training;
 - Technical assistance;
 - Services for beneficiaries;
 - Action campaigns for community organization and involvement, including care and maintenance of the environment and any improvements achieved and knowledge of acquired citizen rights;
 - (ii) Strengthening local institutions.
 - (c) Community initiatives implemented by local people themselves:
 - (i) It enables street furniture and residential improvements to be constructed, as well as social, productive and recreational equipment (prioritized and executed in PROMEBA neighbourhoods);
 - (ii) It secures financing for trainers, material, training grants and insurance for local people implementing works during the term of the project.

Target population

655. The target population identified by the Programme are families that have unmet basic needs (at least 75 per cent of project beneficiary families to have UBNs) and live below the poverty line in settlements with the following characteristics:

- (a) Established on the site for two years or more;
- (b) A population of at least 50 families;
- (c) Incipient community organizations;
- (d) Localities of over 5,000 inhabitants and the Buenos Aires conurbation.

Provinces operated in

656. The provinces where the Programme is operational are: Buenos Aires, Catamarca, Chaco, Chubut, Córdoba, Corrientes, Entre Ríos, Formosa, Jujuy, La Pampa, La Rioja, Mendoza, Misiones, Neuquén, Río Negro, Salta, San Juan, Santa Fe, Santiago del Estero, Tierra del Fuego and Tucumán.

657. For operations to begin there, a province must:

- (a) Pass a law authorizing provincial borrowing;
- (b) Sign a relending agreement with the central Government, accepting its share of the debt;
- (c) Set up a provincial implementing unit by decree.

Rosario Habitat Programme

658. The Programme aims to channel the informal settlement processes that have taken place in the city of Rosario because of the arrival of numerous families fleeing the crises in their home provinces and entering the city, but without gaining access to formal land and housing markets. There are now 91 irregular settlements with almost 115,000 inhabitants, representing 13 per cent of the total population and occupying 10 per cent of the urbanized land area.

659. Rosario Habitat designs and executes urban land use, homebuilding or home improvement and basic infrastructure and community equipment provision projects. It also implements social advancement projects and employment, training and income generation initiatives to spur social development and strengthen institutions.

660. The objective of Rosario Habitat is to improve the quality of life of people living in irregular and informal settlements in the city of Rosario by helping them to integrate physically and socially into the formal city. To this end, it implements projects that include urban infrastructure improvements, the provision of social services and regularization of property ownership for beneficiary populations.

661. In this first stage, integrated urbanization projects in these settlements will benefit about 6,600 families (some 36,300 people). They will also benefit from social advancement projects and employment, training and income generation initiatives.

662. Settlements are being preselected on the basis of urban impact, social risk, environmental risk and cost-efficiency indicators, with investments being confined to those situated in areas that can be urbanized and not in environmental protection areas.

663. Rosario Habitat comprises four components: integrated urbanization, integrated services for children, adolescents and their families, job and income generation, and institution-building.

664. These components include financing for different types of works, services and actions as detailed below.

Integrated urbanization

665. Land purchases, drinking water, sewage systems, electricity and gas mains, basic sanitation facilities with household connections, storm drains, roads, environmental protection (public woodland, erosion control, parks, etc.), refuse collection (optimization of supporting jobs, containers for collection and work equipment for collectors, etc.), social infrastructure (community centres, production areas, day-care centres, etc.), public areas and recreational equipment, partial reconstruction of homes, relocation (new housing, compensation or purchase of buildings).

666. Mention may be made of the following initiatives:

- (a) Efforts to strengthen community social networks:
 - (i) Measures to promote beneficiary participation in project management during the planning, execution and consolidation stages. Includes financing to mobilize and organize communities so that they can be included in project planning, design and follow-up;
 - (ii) Workshops to provide training in the use and maintenance of sanitary, electricity and gas infrastructure;
 - (iii) Socio-environmental partnering: training in environmental care and protection.

- (b) Regularization of ownership:
 - (i) Technical and legal assistance with the regularization of land ownership;
 - (ii) Financing for the preparation of technical plans, legal assistance and registration for beneficiaries.
- (c) Integrated measures to assist children and adolescents and their families:
 - (i) Measures to increase educational inclusiveness and improve the employment prospects of young people aged 15 to 24 who have not completed basic education: these are aimed at offsetting the social and personal limitations affecting this age group because of situations of social exclusion;
 - (ii) Stimulation of psychomotor skills: this involves stimulating psychomotor development in children aged 2 to 5 with the aim of developing functions that help in the maturing process together with habits of social accommodation, communication and organization;
 - (iii) Nutrition: the purpose of these measures is to ensure that children develop to their full potential by averting and remedying cases of malnutrition with the provision of a daily quota of nutrition to vulnerable families;
 - (iv) Food production for home consumption: local people are trained to grow vegetables and rear animals, receiving technical support from a team of agronomists, veterinarians and anthropologists;
 - (v) Social education for children aged 10 to 14: this prioritizes inclusion in the formal education system, with school support, plus efforts to involve them in social activities with local institutions;
 - (vi) Family guidance: the objective of this is to develop the knowledge, habits and attitudes required to solve day-to-day problems, creating the potential for social inclusion;
 - (vii) Recreation: measures to promote recreational and sporting activities, including the creation of opportunities for social interaction, communication and organization for members of families involved with the Programme.

Work and income generation

667. The aim of this component is to provide beneficiaries with new skills that broaden the opportunities open to them in the labour market, while also improving incomes.

668. This involves an expansion of the measures being taken by the Social Welfare Secretariat (SPS), the Production, Employment and External Trade Secretariat (SPEC) and the Public Housing Service (SPV), including the following:

Integrated training, education and employment measures involving basic skills for young people aged 15 to 24 with primary schooling.

669. This component involves the implementation of a number of coordinated educational assistance, training and temporary employment activities designed to improve the technical skills and competitiveness of low-skilled young people living in the settlements targeted and thus enhance their opportunities for future employment and income.

Consolidation, technical support and operational development of microenterprise incubators, mainly benefiting women heads of households

670. The intention is to generate productive enterprises that sustainably contribute to family incomes by identifying business, training, financing and technical assistance opportunities.

Institution-building

671. Monitoring and evaluation: the Programme is financing an expansion of the current Public Housing Service monitoring system for the purpose of assessing project costs, impacts, cost-effectiveness and sustainability.

672. Studies: includes financing of studies for the design of:

- (a) Urban and housing policy instruments that stimulate the supply of housing solutions;
- (b) Instruments to avert the formation of irregular settlements;
- (c) Instruments to value indirect benefits and determine how improvements are to be charged for.

673. Team training: includes training for the specialist teams of the Public Housing Service and the secretariats participating in the Programme in areas related to the implementation and management of social projects and in environmental and applied engineering topics.

674. Technical assistance: this concerns actions to improve the management of the Public Housing Service. Assistance includes the provision of management methods, staff training and oversight systems and Programme financial administration, to help ensure work is properly carried out.

675. Civil society organizations will be supported with technical assistance and a management team to enhance their technical and project management capabilities, including environmental management and human resource training.

676. Social communication: financing is being provided for the documentation of projects implemented and publicization of the Programme to raise awareness among the public and the beneficiary community.

Housing Improvement and Basic Infrastructure Programme

677. The Housing Improvement and Basic Infrastructure Programme (PROMHIB) has been designed with a view to developing and improving the living environment, housing and social infrastructure of households with UBNs and vulnerable groups in situations of crisis, risk or exclusion living in small towns and settlements, rural areas or indigenous communities. The Programme provides non-refundable financing for the purchase of materials for building, improving or completing homes and constructing community facilities such as multipurpose halls, first aid posts and day-care centres, among other types of community infrastructure.

678. PROMHIB operates with resources from the national budget and serves the population in the first quintile (by average family income), reaching some 1.5 million households that account for about 50 per cent of the country's total deficit.

679. Counterpart funding for materials, labour, land and technical management is provided by each of the communities through municipal and provincial governments, provincial housing institutes or NGOs.

680. The objectives are:

(a) To improve the living environment for vulnerable population groups living in rural and small- and medium-sized urban areas and to facilitate access to a basic dwelling or completion of recoverable dwellings;

(b) To improve basic community infrastructure, ensuring social participation, training, support and a minimum of protection for population groups in situations of crisis, risk or exclusion;

(c) To enhance the subsistence and self-management capabilities of vulnerable groups so that they are better able to meet their UBNs, developing and strengthening the social, productive, technological and occupational organization of the residents and intermediate associations targeted.

XI. Article 12

A. The right to health

681. Around the beginning of 2002, the economic, financial and social situation of Argentina was critical in the extreme. The rapidly worsening environment, clearly reflected in a loss of welfare among the population following the sharp fall in GDP, high levels of poverty and unemployment, the dearth of financing for all agents in the system, growing difficulties in meeting foreign commitments and the severe imbalance in the fiscal accounts that ensued inevitably triggered a deep social crisis, causing conflicts to proliferate exponentially. Argentina had entered a vicious circle and the gravity of the situation seemed irreversible; the political crisis grew more and more alarming and the lack of immediate solutions further exacerbated the critical state of the country.

682. In these circumstances, public health was one of the worst-affected areas. The system for supplying medicines was plainly deteriorating. Medical centres faced severe difficulties with the supply of medicines and basic inputs, following the relative price changes that resulted from liberalization of the exchange rate. The drop in social security system revenues caused by large-scale formal job losses, the rising unemployment rate and falling wages made it impossible to provide statutory benefits in full, and bankruptcy and institutional collapse loomed. As the number of people covered by some form of insurance declined, meanwhile, demand for services and medicines was shifted steadily on to the public sector.

683. In parallel with this, the worsening of income distribution nationally made health spending more and more regressive as domestic purchasing power fell, medicine prices rose sharply and coverage levels in the population declined.

684. Unavoidably, then, the negative effects of the crisis manifested themselves in a severe deterioration in public access to health services, and medicines in particular, forcing the government to bring in emergency policy measures to somehow alleviate the harm being caused to society by the fundamental shift in domestic economic conditions at that time. Accordingly, within the framework of the national Public Emergency and Reform of the Exchange-rate Regime Act (No. 25561 of December 2001), which declared a national social, economic, administrative, financial and exchange-rate emergency, the National Health Emergency was established by national Decree No. 486 of March 2002, its fundamental purpose being to provide the Argentine population with access to the basic goods and services needed to maintain health by:

- (a) Re-establishing the supply of medicines and inputs to public institutions providing hospitalization services;
- (b) Guaranteeing the supply of medicines for out-patient treatment of people in situations of acute social vulnerability;
- (c) Guaranteeing access to medicines and essential supplies for the prevention and treatment of infectious diseases;
- (d) Guaranteeing access to essential medical services for beneficiaries of the social security system, including the system of social services for pensioners (PAMI).

685. Given the economic and social crisis, achieving this set of goals meant implementing measures that could quickly attain a high level of effectiveness and improve the welfare of the population, while at the same time taking care not to alter the workings and transparency of the health system in general. Specifically, the Ministry of Health was empowered to issue supplementary regulations to achieve a threefold objective:

- (a) Access to medicines for all;
- (b) Availability of medicines and critical supplies at medical centres;
- (c) Measures to strengthen the medicines side of the social security system.

686. Although these measures were implemented with the primary objective of minimizing the severity of the social situation the country was going through at the time, the medicines policy that has been broadly followed by the national government in the past two years represents a fundamental advance in terms of improving the long-term welfare of the population.

B. Measures taken by the State

Prescribing of medicines by their generic names

687. Act No. 25649, passed on 28 August 2002, establishes that any medical or dental prescription must state the generic name of the drug, followed by its pharmaceutical form, number of units per package and concentration. Pharmacists must also inform the public about all the commercial brands containing the same active principle with the same number of units, pharmaceutical form and concentration, and the various prices of each of these products. The consumer can thus choose the brand and price of the medicine prescribed by the doctor. At no time does it authorize the substitution of a drug prescribed by a doctor or dentist.

C. Programmes to guarantee the right to health

1. National Programme for Congenital Heart Disease

688. To respond to the issues raised by the congenital heart disease suffered by over 1,000 children in the country awaiting surgery, the national Ministry of Health has created the National Programme for Congenital Heart Disease.

689. The Programme serves to optimize response capabilities and thereby reduce waiting times for paediatric cardiovascular surgery, ensuring an appropriate and effective medical service for affected individuals in situations of risk. An average of 700,000 children are born in Argentina each year, of whom 6,100 are calculated to suffer from congenital heart disease, with 4,300 requiring surgery.

690. From the information yielded by a national survey conducted by specialists in the field, 1,083 cases were found to still require surgery, which means a sustained increase in national waiting lists. These cases are listed and classified by the severity of the affliction and the urgency with which surgery is required.

691. Although the primary goal is to carry out cardiovascular surgery, another aim of this initiative is to strengthen paediatric cardiovascular surgery centres, together with monitoring and evaluation of the results obtained.

2. National Programme for the Public Production of Medicines, Vaccines and Medical Products

692. With a view to stimulating the public production of medicines and other medical products, reducing indices of non-access and inequity in the health-care system and establishing a national register of public laboratories producing these products, the national Ministry of Health is creating the National Programme for the Public Production of Medicines, Vaccines and Medical Products.

693. On the basis that medicines represent a social good of the utmost importance and one that is indispensable for all citizens, the Programme is being established as a formal strategic framework to stimulate their production by orienting what are currently individual, piecemeal efforts by public laboratories across the country.

694. At the same time, a register of required medicines will be established, with their active principals and quantities; a census of laboratories carrying out public production of medicines will be taken; and interministerial links will be forged to improve production indices and the sharing of know-how and tools with a view to avoiding overlaps between the product ranges produced.

3. Argentine National Programme for the Surveillance of Hospital-acquired Infections

695. The Argentine National Programme for the Surveillance of Hospital-acquired Infections (VIHDA) is the official programme of the national Ministry of Health for the effective monitoring of hospital-acquired infections in Argentina. It comes under the National Programme for Epidemiology and Control of Hospital-acquired Infections and is based at the Dr. Juan H. Jara National Institute of Epidemiology in Mar del Plata. It has been operating since 2004 and comprises a network of 120 voluntarily participating public and private referral hospitals in all 23 provinces and the Autonomous City of Buenos Aires.

696. The VIHDA Programme has achieved unprecedented results in this field in the time it has been operating. Among them, it has contributed to a substantial reduction in hospital-acquired infection rates and outbreaks in participating hospitals, a large reduction in morbidity and mortality (some 300 deaths averted each year) and large savings for hospitals in the network (put at some 3 million pesos a year).

697. Four years ago there were no representative official statistics on the situation with hospital-acquired infections in the country. Now, the VIHDA Programme has the necessary statistics and makes them available as and when required. Argentina now collects and publishes its national indicators on hospital-acquired infections.

698. Each participating hospital can obtain the information it needs to take decisions and consult periodic national statistics on hospital-acquired infections.

699. Programme participation by hospitals is voluntary and they receive the training, material, software and technical support and assistance they need free of charge.

700. Internationally, work is under way on a joint project with PAHO/WHO to make VIHDA the programme of reference in Argentina for a hand hygiene project that would be coordinated with the Clean Care is Safer Care programme of the WHO World Alliance for Patient Safety.

4. *Remediar* Programme

701. *Remediar* is designed to strengthen the primary care model and promote healthy policies with participatory management, and to ensure access to essential medicines for the most vulnerable, especially those who are below the poverty line or are not covered by any social insurance scheme.

702. To achieve these goals, *Remediar* set out to supply essential medicines with the aim of reaching all the primary health-care centres in the country so that they could be prescribed and supplied free of charge to the target population.

703. *Remediar* was created in February 2002 to address the health-care crisis the country was going through, and it has become established as an essential tool of the National Medicines Policy. *Remediar* has become the instrument used by the national Ministry of Health to give a new direction to the Primary Health-care Reform Programme (PROAPS). The Federal Health Plan was established in 2004 and the Programme was brought into this, pursuing its objectives.

704. In this context, and in pursuit of the objectives described, free distribution of essential medicines began in October 2002, with financing through to the end of 2004. Thanks to effective implementation, the continuity of *Remediar* is assured until the end of 2008 within the original budget. In the light of the experience acquired by the Programme, of the different evaluations and of the analysis applied to the information yielded by it, it became possible to begin identifying health issues that could be responded to within the context of the Programme. Different strategies thus began to be drawn up and have now yielded excellent results.

705. *Remediar* operates via different initiatives that have emerged in response to the needs identified each day in the constant dealings between Programme workers and beneficiaries. Thus, bearing in mind the scale that *Remediar* has grown to over these years, free provision of medicines has been supplemented by a number of successful strategies in the areas addressed by the Programme, always in pursuit of the objectives mentioned above.

706. At the same time, *Remediar* encouraged and gave effect to the participation of civil society in different Programme areas, promoting healthy policies on a basis of participatory management for all. In pursuit of this goal, health teams are being provided with training in community participation, participatory local planning and project formulation, and financing and technical assistance are also being provided.

707. At the same time, it has assisted in the effort to improve the health system by supplementing National Medicines Policy measures to promote access to and use of generic drugs and encourage rational use of medicines, with the latter goal being pursued through the Programme for the Rational Use of Medicines, which has three components constituting the different areas of work: training for health-care teams, institutional coordination, and community information. In the area of human resources training, furthermore, *Remediar* is continuing to provide operational training for everyone working in the health-care centres of the different programmes being implemented by *Remediar*.

708. Lastly, it is implementing the National Mass Deworming Programme in a number of the country's regions. This encompasses two major strategies: the provision of medicines to deal with the problem of parasite infection in over 1.2 million children aged from 2 to 14

throughout the country, and an effective health education campaign that includes publicity material detailing preventive measures for the population and actions to promote healthy habits in this area.

5. The Childbirth Plan

709. The Ministry of Health set up the Childbirth Plan as part of the Federal Health Plan with a view to offering more and better health-care facilities to pregnant women and children under 6 without social security coverage.

710. The Plan is a strategic tool designed to diminish the health-care-related component of maternal and child mortality rates in Argentina, thereby reducing the number of avoidable deaths, enhancing social inclusion and improving the quality of care.

Benefits for expectant mothers not covered by a social insurance scheme

711. All these benefits are free:

- (a) Pregnancy test;
- (b) Five check-ups during pregnancy:
 - (i) Weighing and measuring of the expectant mother;
 - (ii) Breast checks;
 - (iii) Stomach measurement;
 - (iv) Listening to the baby's heart;
 - (v) Cervical smear test.
- (c) Education and information about:
 - (i) Care during pregnancy, after the birth and for the newborn baby;
 - (ii) Situations in which medical attention should be sought urgently during the pregnancy and after the birth;
 - (iii) Breastfeeding: its importance and how to breastfeed;
 - (iv) Activities to reduce smoking;
 - (v) Advice on contraceptive methods.
- (d) Dentistry: dental check-up;
- (e) Blood and urine analysis: blood group, Chagas disease, syphilis, AIDS, urine culture, etc.;
- (f) Vaccinations: two doses of diphtheria and tetanus vaccine during pregnancy and one dose of measles and rubella vaccine after the birth;
- (g) Two ultrasound scans;
- (h) Birth attended by specialists in hospital;
- (i) Care for the newborn baby;
- (j) Referral if necessary to:
 - (i) Medical specialists;
 - (ii) Nutritionist, social assistant, psychologist.

Benefits for children

712. All these benefits are free of charge:
- (a) Care for the newborn child;
 - (b) Medical check-ups with the following frequency:
 - (i) A week after birth: one check-up;
 - (ii) From 1 to 6 months: one check-up a month;
 - (iii) From 6 to 12 months: one check-up every two months;
 - (iv) From 1 year until a year and a half: one check-up every three months;
 - (v) From a year and a half until 3: one check-up every six months;
 - (vi) From 3 to 6: one check-up a year.
 - (c) Advice for parents:
 - (i) Promotion of breastfeeding;
 - (ii) Guidelines for diet and upbringing;
 - (iii) Advice on accident prevention, poisoning and cot death;
 - (iv) Recommendations for health promotion;
 - (v) Advice on when to seek medical attention urgently;
 - (vi) Oral health counselling;
 - (vii) Ophthalmology: one check-up at age 5;
 - (viii) Dentistry: an annual check-up from age 1 until age 6;
 - (ix) Vaccinations: as per national vaccination schedule.

Health-care targets

713. The targets are:
- (a) Timely care for pregnant women (before the twentieth week of gestation);
 - (b) Effective care in childbirth and the neonatal period;
 - (c) Effective antenatal care and prevention of premature births;
 - (d) Effective antenatal and childbirth care;
 - (e) Analytical audit of child and maternal deaths;
 - (f) Immunization coverage;
 - (g) Sexual and reproductive care;
 - (h) Healthy child monitoring (infants under 1);
 - (i) Healthy child monitoring (1 to 6 age group);
 - (j) Inclusion of indigenous communities.

Measures taken by the provinces

714. The provinces have a Provincial Insurance Management Unit (UGSP), which is the unit for the Childbirth Plan.

715. It is this unit that contracts for the services supplied by public providers. With the central Government resources received, the UGSP pays providers for the services in the Childbirth Plan schedule at the previously agreed prices.

716. In this way, the providers have the resources they need to better solve the health problems of the population in their charge.

Providers

717. The service providers concerned [*efectores*] operate in accordance with the agreement signed and receive funding directly in accordance with the values in the schedule and the quality of the services they provide.

Use of funds

718. The funds received by the provider may be used for:

- (a) Construction of and improvements to buildings;
- (b) Purchase and maintenance of medical equipment;
- (c) Human resources training;
- (d) Recruitment and incentivization of human resources.

Registered beneficiaries of the Childbirth Plan per province

Information on the Childbirth Plan, North-West and North-East Argentina, beneficiaries

Total number of registered beneficiaries per province

(Number of people, four months to August 2007)

<i>Province</i>	<i>Expectant and new mothers</i>	<i>Children</i>	<i>Total</i>
Catamarca	1 148	12 005	13 153
Corrientes	5 245	53 831	59 076
Jujuy	2 446	26 494	28 940
Salta	4 530	44 418	48 948
Santiago del Estero	5 181	56 481	61 662
Tucumán	6 673	74 401	81 074
Chaco	6 091	61 827	67 918
Formosa	3 143	30 151	33 294
Misiones	5 412	61 601	67 013
Total	39 869	421 209	461 078

Source: Childbirth Plan (site updated to November 2007).

6. National Tobacco Control Programme

719. The National Tobacco Control Programme of the national Ministry of Health provides a comprehensive approach to the issue of tobacco use, covering the main aspects determining the high consumption of tobacco in Argentina, particularly:

- (a) Ease of access to tobacco products;
- (b) Strong presence of positive images associated with tobacco;
- (c) High degree of exposure to environmental tobacco smoke;

- (d) Limited capacity of health services to assist smokers in giving up.

720. The Programme encompasses a range of action areas that operate on these four main determinants and are coordinated to control the problem of smoking in its three main areas: primary prevention, protection for passive smokers, and giving up:

- (a) Regulation of access to tobacco;
- (b) Promotion of smoking-free lifestyles;
- (c) Promotion and regulation of smoke-free environments;
- (d) Development of services and incentives to help smokers give up.

721. The Programme also has a guidance role originating, developed and sustained within the framework of the Ministry of Health, and this has been strengthened by the creation of a network of teams working under the provincial health ministries that develop and implement in their own areas the different general strategies devised and agreed within the framework of the Federal Health Plan.

722. The intervention strategy is harmonized with the guidelines of the Framework Convention on Tobacco Control (FCTC), signed in September 2003 by the President of Argentina.

723. The strategic actions that cut across the different lines of work and contribute to the development and sustainability of the Programme are:

- (a) Social, intersectoral and intergovernmental participation;
- (b) Social communication;
- (c) Education and training;
- (d) Local project promotion;
- (e) Studies and research;
- (f) Oversight.

7. Community Doctors Programme

724. The Community Doctors Programme is a national programme for training human resources in health care, and it has been implemented since 2004 with the objective of supporting the primary health-care strategy as a State policy within the framework of the Federal Health Plan. The strategies of the Community Doctors Programme encompass the reinforcement of medical centres throughout the country with qualified human resources by providing financial assistance and training grants, implementation of three in-service theoretical and practical training components, and consensus-building between the central Government, the subnational governments and universities. Community Doctors, in collaboration with provincial governments, municipalities and universities, runs a Social and Community Health postgraduate course, a Social and Community Health Research Methodology postgraduate course, and Community Teams for Indigenous Peoples throughout the country. For each training component, it provides all professionals with financial assistance grants and/or training grants financed by the national Ministry of Health, holding national public application rounds for these grants as and when necessary.

Strategies

725. The strategies of the Community Doctors Programme encompass the reinforcement of medical centres throughout the country with qualified human resources by providing financial assistance and training grants, implementation of three in-service theoretical and

practical training components, and consensus-building between the central Government, subnational governments and universities.

726. The objective of “social and community” training is preventive health care at medical centres and neighbourhood clinics with a teamwork approach oriented towards social engagement, active community involvement, the identification of vulnerable families and the search for solutions reached by consensus with the people being served. The intention is to give a role to individuals and the community, enhance democratic mechanisms and promote belonging, leadership and shared responsibility in the community being worked with.

Objectives

727. The specific objectives of the Community Doctors Programme are:

- (a) To orient and enhance primary health-care and social and community health-care training for human resources working at the first level of care;
- (b) To expand the coverage and quality of care provided by primary health-care centres (CAPs) by incorporating qualified human resources into their health-care teams;
- (c) To improve the ability of health-care teams to actively seek out and follow up the most vulnerable families or situations of socio-medical risk (indigent people, mothers of large families, adolescent mothers, the malnourished, indigenous populations, the infirm elderly, the disabled);
- (d) To consolidate preventive health care and health promotion actions.

728. At present, over 7,000 professionals are taking the Social and Community Health and the Research Methodology Applied to Social and Community Health postgraduate courses, of whom over 3,500 are in receipt of financial assistance grants. The Community Doctors Programme comes under the Health Programmes Secretariat of the national Ministry of Health. It began to be implemented on 1 October 2004 with the induction of the first cohort of professionals into the Social and Community Health postgraduate course. The second cohort began on 1 July 2005 and the third cohort on 1 June 2006. The Research Methodology postgraduate course began in 2007 [...] in-service training grants for all community professionals.

8. The national Sexual Health and Responsible Procreation Programme

729. Created by National Law 25673, the Sexual Health and Responsible Procreation Programme recognizes that the right to health encompasses sexual health, and that this includes the opportunity to have a gratifying sex life free of coercion, as well as preventing unwanted pregnancies. The fundamental principle is that all persons should have the individual freedom to elect an appropriate contraceptive method that is reversible, non-abortive and temporary so that they can decide whether or not to have children, how many to have and when and the interval between them, in accordance with their beliefs and on the basis of sound information and advice. Programme goals therefore include the provision of free, high-quality counselling in sexual and reproductive health at public health services throughout the country that contributes to autonomy and personal decision-making in the area of sexual and reproductive health.

730. Another goal is the timely detection of genital and mammary diseases, thereby contributing to prevention and early detection of infections and HIV/AIDS.

Scope of the Sexual Health and Responsible Procreation Programme

731. By the end of 2006 there were over 6,100 medical centres and hospitals providing Programme services and 1.9 million Programme users.

732. Implementation of the Sexual Health and Responsible Procreation Programme encompasses:

(a) Delivery of products to the provinces for free distribution upon request at primary health centres and public hospitals, with advice or specialized counselling. The sexual and reproductive health products distributed by the Programme currently include condoms, injectable hormonal contraceptives, hormonal contraceptives for breastfeeding mothers, combined hormonal contraceptives and emergency hormonal contraceptives, intrauterine devices (IUDs) and insertion kits;

(b) Technical assistance and support to the provincial authorities for the implementation of local programmes in all provinces;

(c) Training for health teams in conjunction with the Community Doctors Programme;

(d) Production and free distribution of educational publicity materials on the topic;

(e) Social communication activities and campaigns;

(f) Coordination of activities with units and programmes of the Health Programmes Department: the National AIDS and STD Programme, the Childbirth Plan, the Office for Mothers and Children, the Community Doctors Programme, the Health Programmes Directorate, the National Youth Directorate and the Families Programme of the Ministry of Social Development, as well as scientific, academic and community development NGOs.

The coverage of social insurance schemes and other health insurance

733. The contraceptive coverage that both the national social insurance schemes covered by Acts No. 23660 and No. 23661 and other health insurance providers [*empresas de medicina prepaga*] are obliged to offer is as specified in the Compulsory Medical Programme (PMO) (Ministry of Health Resolution No. 1991/2005 and specific national laws). Point 7.3 of another Ministry resolution, No. 310/2004 (also part of the PMO), states:

“Contraceptive medicines included in annexes III and IV and explicitly covered by the newly applicable provisions of Act No. 25673 on sexual health and responsible procreation shall be covered in full for beneficiaries, with the cost to be met by the health insurance agent.”

734. The medicines attracting 100 per cent coverage in this group (in annexes III and IV) are the following hormonal contraceptives for systemic use:

(a) Ethynylestradiol between 0.015 and 0.035 mgr. Combined with levonorgestrel between 0.10 and 0.30 mg;

(b) Gestodene 0.06/0.75 mg;

(c) Desogestrel 0.15 mg;

(d) Norgestimate 0.250 mg;

(e) Cyproterone acetate 2 mg;

(f) Norethisterone enanthate 50 mg/estradiol valerate 0.5 mg;

- (g) Medroxyprogesterone acetate 25 mg/estradiol cypionate 5 mg;
- (h) Algestone acetophenide 150 mg/estradiol enanthate 10 mg;
- (i) Ethynylestradiol between 0.03 and 0.04 mg combined with levonorgestrel between 0.05 and 0.125 mg;
- (j) Gestodene 0.05-0.1 mg;
- (k) Norgestimate 0.180-0.250, levonorgestrel 0.030 mg;
- (l) Lynestrenol 0.5 mg;
- (m) Norgestrel 0.075 mg;
- (n) Medroxyprogesterone acetate 150 mg.

735. Beneficiaries of these systems of coverage are thus not required to make any payment, always provided that the medical prescription for the contraceptive relates to the generics described, in their corresponding pharmaceutical forms (tablets or injectable).

736. Coverage also includes intrauterine devices or IUDs (Resolution 310/04): "Intrauterine contraceptives, copper IUDs. Insurance agents are to meet the cost in full." This includes both the cost of the IUD and its insertion, and the legislation makes no provision for any co-insurance or co-payment to be charged. Moreover, the system of coverage must have a network of registered providers offering this service. The regulations also provide for 100% coverage of the cost of condoms, diaphragms and spermicides.

737. Lastly, doctors are required to prescribe generic products at all times and not particular brands.

738. As of December 2006, free coverage extends surgical contraception (tubal ligation and vasectomy), and emergency hormonal contraception was added to the Compulsory Medical Programme (PMO) in March 2007.

9. National Mother and Child Programme

739. The National Directorate for Mothers and Children comes within the purview of the Health Promotion and Programmes Secretariat, Community Health Undersecretariat, of the national Ministry of Health. It is the body that formulates and applies central Government mother and infant policies. Among them is the Mother and Child Programme, which is financed out of State funds and also from international cooperation contributions. The strategic approach of the National Office recognizes the concept of citizen rights embodied in the National Mother and Child Commitment, adopted prior to the 1990 World Summit for Children. In particular, it takes account of the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, whose goals include equity in the area of health. Of the most recent national legislation, its activities are framed by the provisions of national Act No. 26061 (2005) on comprehensive protection of the rights of children and adolescents. The National Directorate for Mothers and Children provides technical and financial assistance to the health-care sector in the Argentine provinces in pursuit of the following objectives:

- (a) Reduce the likelihood of disease or death among the female, child and adolescent population;
- (b) Reduce inequalities in health indicators between the sexes, different geographical areas, socio-economic levels, ethnic groups, etc.;
- (c) Improve the coverage and quality of health services and access to them for the whole population, especially the most disadvantaged;

(d) Promote citizen participation on matters related to mother and child health;

(e) Three strategic priorities have been set for implementation of mother and child health policies: perinatal health, comprehensive childhood health and comprehensive adolescent health.

Perinatal health component

740. The general objective is to improve the quality and coverage of care for women prior to conception and during pregnancy, birth and puerperium, and for their children during the foetal and neonatal period, to reduce the likelihood of sickness or death.

741. The strategies followed are:

(a) Preparation of practical guides and standards for the organization of services, in agreement with scientific societies and experts on the subject throughout the country;

(b) Organization of perinatal networks involving services of every level of complexity, to improve the care given to expectant and new mothers and newborn children, whether healthy or suffering from some pathology;

(c) Training of perinatal health-care teams, ideally multidisciplinary (obstetricians, doctors, nurses, psychologists, social assistants, etc.), so that they engage with the psycho-sociocultural needs of women and their families, and not only their biological needs;

(d) Improvement of care during childbirth by promoting family-centred motherhood, which includes meeting essential obstetric and neonatal conditions;

(e) Ongoing analysis of mother and infant deaths, using the Perinatal Information System (SIP) in particular;

(f) Improvement of the quality of post-abortion care. In-service training for health-care teams in the country's main maternity hospitals, including production of a video on technical procedures;

(g) Development and improvement of recording instruments;

(h) Evaluation of the quality of maternal and neonatal care;

(i) Promotion of breastfeeding;

(j) Participation in the National Neonatology Advisory Commission, the National Gynaecology and Obstetrics Advisory Commission, the National Mother and Child Morbidity and Mortality Monitoring Commission and the Multi-centre Collaborative Working Group for the Prevention of Infant Blindness from Retinopathy of Prematurity.

Comprehensive Childhood Health Area

742. Its general objective is to promote a comprehensive care model based on effective interventions among the under-six population, promptly detecting situations of biological and social risk and improving the system of care in every aspect of its operation in order to safeguard children's right to health in the widest sense.

743. The specific objectives of the Department are essentially:

(a) To reduce infant morbidity and mortality from prevalent pathologies;

(b) To improve oversight of children's health;

(c) To prioritize and enhance the comprehensive approach to infant health, taking account of the role of environmental factors;

(d) To prioritize and enhance infant development within the framework of children's care.

744. The strategies are:

(a) A comprehensive approach to children's care: preventive health care and health promotion, growth and development, nutrition and concern with prevalent pathologies, giving priority to sustainable environmental conditions and child development protection factors, so that families receive the support they need to raise their children;

(b) Transformation of the care model by improving the organization and quality of paediatric services at every level in accordance with children's needs and a focus on family support.

Comprehensive Adolescent Health Area

National Programme for Comprehensive Adolescent Health

745. Its general objective is to contribute to the development of a State policy oriented towards the adolescent population with a view to averting and responding effectively to the problems that prevail among people in this age group by drawing on their strengths and contributing to the all-round development of their potential.

746. The strategies include:

(a) Incorporating interdisciplinary teams and outlooks;

(b) Establishing linkages between programmes, institutions and sectors;

(c) Adopting participatory multi-actor management methods in the quest for a culture of health as a positive process whose essence are the decisions people take at the different stages in their lives;

(d) Incorporating the outlook of adolescence within the "life cycle", considering its historical dimensions, adolescents' life plans and the implications for care models;

(e) Inviting the participation of civil society organizations and private-sector firms together with agencies, programmes and departments at the different levels of government;

(f) Working with health services, especially those operating at the first level of care;

(g) Focusing on the family, as it is there that the child-raising and stimulation practices that will create greater or lesser opportunities for the growth and development of children and adolescents are at stake;

(h) Working with schools, since life skills and socially significant knowledge are instilled there;

(i) Making use of community facilities (clubs, parish churches, youth centres, etc.) that include adolescents in a common socializing framework.

10. The Federal Chagas Programme

747. Act No. 26281, passed in 2007, declared the prevention and control of all forms of transmission of Chagas disease, until its final eradication throughout the country, to be a matter of national interest and a priority within the national health policy of the Ministry of Health.

General Programme objectives

748. The general objectives are to halt the transmission of Chagas disease and minimize its consequences for those affected.

749. The Federal Chagas Programme is implementing a comprehensive strategy based on prevention, promotion, communication and self-care for Chagas disease with a view to rapidly resolving the problem represented by this pathology in Argentina.

Specific objectives

750. The specific objectives are:

(a) To put Chagas disease back on the agenda of provincial and local governments;

(b) To denaturalize the problem in the community and specifically among health-care professionals;

(c) To implement a multidisciplinary technology for addressing the problems created by the disease;

(d) To optimize political and technical coordination of the national programme, restoring the functionality of the current structure and enhancing its management capabilities;

(e) To strengthen the team of health workers involved with Chagas so that a national network is consolidated;

(f) To retrain human resources involved in controlling the carrier so that they develop more comprehensive professional skills for this work.

11. The Eye Health Programme

751. The objectives of the Programme are:

(a) To ensure prompt and timely diagnosis of eye pathologies. To prevent avoidable blindness;

(b) To avert visual disabilities;

(c) To reduce the rate of blindness and visual disablement from cataracts;

(d) To give the country's people greater access to ophthalmological care for the treatment of diseases of the eye.

XII. Article 13

A. The right to education

752. Enacted in 2006, the National Education Act (No. 26206) establishes:

Article 2. Education and knowledge are a public good and a personal and social right, guaranteed by the State.

Article 3. Education is a national priority and a State policy whose aim is to build a fair society, reaffirm national sovereignty and identity, enhance the exercise of democratic citizenship, respect human rights and fundamental freedoms and strengthen the economic and social development of the nation.

Article 4. The national State, the provinces and the Autonomous City of Buenos Aires have the principal and inalienable responsibility for providing a comprehensive, permanent and high-quality education free of charge for all inhabitants of the nation, ensuring that this right may be exercised on a basis of equality and equity with the participation of social organizations and families...”

753. With respect to budgetary allocations, the Act stipulates:

“*Article 9.* The State undertakes to finance the national education system in accordance with the provisions of the present Act. When the financing targets laid down in Act No. 26075 are met, the consolidated budget of the national State, the provinces and the Autonomous City of Buenos Aires allocated exclusively to education shall not be less than six (6) per cent of gross domestic product (GDP)...”

754. In Argentina, State-operated education services at all levels and in all categories are guaranteed free of charge for all, as established in the National Education Act:

“*Article 12.* The national State, the provinces and the Autonomous City of Buenos Aires are responsible for planning, organizing, supervising and funding the national education system on a coordinated and concurrent basis. They guarantee access to education at all levels and in all categories through the creation and administration of State-operated educational establishments. The national State is responsible for creating and funding the national universities.”

755. Lastly, the Act establishes that schooling is to be compulsory throughout Argentina from the age of 5 (five) until the end of secondary education.

B. The right to education for vulnerable groups

756. The Ministry of Education, in agreement with the Federal Education Council, will implement policies to promote educational equality with a view to remedying situations of injustice, exclusion, stigmatization and other forms of discrimination, whether deriving from socio-economic, cultural, geographical, ethnic, gender or any other factors, that affect the full exercise of the right to education. Here, article 80 of the National Education Act provides:

“Policies to promote educational equality must ensure the necessary conditions for the inclusion, recognition, integration and educational attainment of all children, young people and adults at every level and in every category of education, but especially those that are compulsory. The State shall allocate budgetary resources with a view to ensuring equality of educational opportunities and outcomes for the most disadvantaged sections of society. The Ministry of Education, Science and Technology, in agreement with the Federal Education Council, shall provide school textbooks and other teaching, cultural, material, technological and financial resources to pupils, families and schools in a situation of socio-economic disadvantage.”

757. In addition, the National Education Act makes provision for different educational categories to respond to specific educational needs and deal with particular personal and/or contextual characteristics of a permanent or temporary nature. These categories include:

(a) Special education: this is designed to guarantee the right to education for people with disabilities at all levels and in all categories of the education system;

(b) Continuing education for young people and adults: this is designed to ensure that people who have not completed their compulsory schooling by the statutory age go on to do so and to acquire literacy;

(c) Rural education: this is designed to ensure that people living in rural areas complete their compulsory schooling;

(d) Education for people in places of detention: this is intended to guarantee the right to education for all those held in places of detention;

(e) Home and hospital education: this is designed for the education of students who are prevented by ill health from regularly attending an educational institution at the different levels of compulsory education;

(f) Bilingual intercultural education: this is designed to guarantee the constitutional right of indigenous peoples to an education that assists in preserving and reinforcing their cultural norms, language, world view and ethnic identity.

758. Another of the options applicable in the different levels and categories of the national education system is distance learning. This option is included in the National Education Act, but with the proviso that it can only be used for students over 18.

759. Article 141 of the National Education Act guarantees undocumented immigrants "...access to and facilities for continuing in and graduating from all levels of the education system upon presentation of documents issued by their countries of origin".

760. Where refugees are concerned, articles 42 and 51 of the Recognition and Protection of Refugees Act (No. 26165) guarantee access to education for asylum applicants:

"Article 42. [...] refugees who have been recognized as such and seek to revalidate their education diplomas or require authentication or certification of signatures from authorities in their countries of origin in order to exercise their profession in our country shall have the opportunity to obtain certification issued by the Argentine authorities, which may call upon the assistance of an international authority in order to issue this certification.

[...]

Article 51. The receiving authority shall provide the applicant and family members accompanying the applicant with a temporary document permitting him or her to remain legally in Argentina and carry out paid work and use basic social, health and education services and benefits [...]."

761. As regards indigenous peoples, the educational problems now affecting them in the country are connected to the absence during many years of the kind of education policy that would have recognized their right to receive an education conducive to preserving and reinforcing their cultural norms, language, world view and ethnic identity.

762. Establishing bilingual intercultural education (BIE) in the Argentine education system means, essentially, promoting educational strategies that guarantee indigenous students in all levels and categories of the system their constitutionally recognized right to a high-quality education that helps to preserve and reinforce their cultural norms, language, world view and ethnic identity. Implementing this category of education, meanwhile, will give all students the chance to enhance their educational careers with new contributions arising out of teaching practices based on consideration of interculturality and/or bilingualism.

763. Implementation of BIE will also help in the identification of strategies for action, not only within Argentina but at the regional and Latin American level too, especially among the member and partner countries of MERCOSUR, and the intention accordingly is to pursue teaching initiatives that incorporate interculturality and bilingualism in schools located in border areas.

764. The intention is also to create mechanisms for the continuing involvement of indigenous peoples in the construction of significant educational initiatives. In this area, the partnership between State bodies and indigenous organizations is a permanent source of enrichment and improvement in the working areas involved in this category.

1. Main actions undertaken by the Ministry of Education during 2008

765. The following may be mentioned:

- (a) Holding of a BIE presentation event to which stakeholders from all the provinces and the City of Buenos Aires were invited;
- (b) Holding of an event involving the Indigenous Peoples Autonomous Education Council (CEAPI), to which stakeholders from all the provinces and the City of Buenos Aires were invited;
- (c) Holding of bilateral technical meetings with Brazil and Chile within the framework of the projects shared with the two countries;
- (d) Technical assistance for the provinces to introduce and/or consolidate BIE at the local and regional level;
- (e) The development of regional boards under federal auspices to outline regional priorities with a view to incorporating BIE into the institutional organization structures of each of the education ministries involved;
- (f) Holding of the Eighth Latin American Congress on Bilingual Intercultural Education on 3, 4 and 5 December, with almost 1,000 delegates in attendance (education ministry representatives, teachers and indigenous people from a number of countries in Latin America);
- (g) Participation in the design and implementation of the procedure for selecting indigenous candidates for study grants to follow teacher training courses.

766. In this same area, the National Institute of Indigenous Affairs is pursuing the Indigenous Intercultural Education Support Programme, the background to which is the current legislation recognizing, among other rights, the ethnic and cultural pre-existence of the indigenous peoples of Argentina, which establishes a guarantee of respect for their identity and the right to a bilingual and intercultural education. In fact, a requirement of article 75, paragraph 17, of the Constitution of Argentina is: "To guarantee respect for their identity and their right to bilingual and intercultural education."

767. Similarly, ILO Convention 169, which was ratified by Act No. 24071 and came into force on 3 July 2001, clearly states:

Article 26. Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

Article 27. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations. (...) The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.

2. Indigenous Intercultural Education Support Programme

768. The priority of the Programme is indigenous participation, which is a constant in the formulation and follow-up of education projects, the detection of problems, the search for solutions and the flow of innovative ideas rooted in ancestral traditions, customs and cultures.

769. To this end, there is a need for community promotion based on an intercultural approach that reaffirms the continuing validity of indigenous identity in its feelings, thoughts and actions by looking afresh at particular historical, social and economic events, literary creations, artistic and spiritual productions, etc., and by doing away with discrimination and exclusion of any kind.

770. Interculturality refers to the cultural differences that exist in the country. It consists in a dialogue between cultures that, drawing on the cultural origins of each, selectively and critically incorporates cultural elements from Western culture and other cultures that exist alongside it. The assumption is that relations between the different cultural groups must be based on respect and stand on a footing of equality.

771. The Programme goals are to:

- (a) Give communities the opportunity to develop fully on the basis of a bilingual intercultural education;
- (b) Ensure the genuine participation of indigenous communities in decisions concerning their education;
- (c) Set up intercultural training arrangements with the various educational actors;
- (d) Work for the implementation of bilingual intercultural education at the national level, reasserting and empowering communities' culture, mother tongues and world views and fostering their integration into the formal education system and its curricula;
- (e) Help to strengthen and restore all aspects of traditional cultures.

772. The components of the Programme are:

- (a) Study grants for intermediate-level indigenous students;
- (b) Intercultural tutorials;
- (c) Literacy and the recovery and reinforcement of traditional knowledge in indigenous communities;
- (d) Support for indigenous students at the tertiary level;
- (e) Assistance for the institutional educational projects of national educational establishments that support intercultural learning.

Grants for intermediate-level indigenous students¹²

773. Grants for intermediate-level indigenous students were introduced in 1997.

774. The objectives of this component are as follows:

- (a) To use financial assistance to help indigenous students complete their secondary education;

¹² Financing source: budgetary funding from the national Ministry of Education. Framework agreement between the Ministry of Social Development and the Ministry of Education.

- (b) To improve drop-out rates.

775. This component consists of study grants for indigenous students in basic general education 3, multitrack or the equivalent, payable once a year. They help indigenous families to meet the costs involved in secondary education, with provision not just for the purchase of school clothing and equipment but also for travel to and from the secondary education establishments concerned, which are often a long way from their communities. The demand for secondary school study grants has been growing gradually but steadily since the Programme was introduced, resulting in progress with the active participation of indigenous students and their families in society from an intercultural perspective.

Intercultural tutorials¹³

776. The Support for Indigenous Intercultural Education Programme recognizes the need for intermediate-level indigenous students' study grants to be supplemented by intercultural tutorials and cultural reinforcement workshops, an idea that arose out of the concern felt by students' parents and members of their communities for the education they were receiving, whether grant recipients or not. The conclusion reached was that financial support needed to be matched by pedagogical and cultural support to bolster these students' self-esteem and identity and forestall academic difficulties.

777. It is the communities themselves that put forward candidates for the position of intercultural tutor, after which they are responsible for assessing how well these have performed their tasks, which essentially consist in:

- (a) Assisting indigenous students in basic general education 3 (EGB3) and multitrack education or the equivalent with the teaching-learning process and in their socio-affective development;
- (b) Helping students to develop a stronger cultural identity;
- (c) Facilitating communication between students, schools, families and the community;
- (d) Helping students to progress through the grades and mitigating the effects if they drop out.

778. A tutor's work encompasses two aspects: a *pedagogic* one, which involves helping students with the difficulties they may encounter in the various subjects, and a *cultural* one, which involves promoting teaching and learning of their native language, community history, characteristic artistic expressions (crafts, music), traditional food and medicine and all the other characteristic features of their people's culture.

Developing literacy and reclaiming traditional knowledge in indigenous communities¹⁴

Literacy training by indigenous instructors in indigenous communities

779. The Intercultural Bilingual Literacy (AIB) project employs an innovative teaching-learning methodology. Indigenous communities choose literacy instructors from among their members to develop a work plan tailored to the particular needs of each community. This takes the form of meetings during which the ancestral knowledge of the elders is shared along with that particular indigenous group's and community's cultural practices, legends, tales, history and information on indigenous rights in order to revitalize

¹³ This component is financed from the National Institute of Indigenous Affairs budget.

¹⁴ The subcomponents are financed from the National Institute of Indigenous Affairs budget.

the participants' self-esteem and encourage them to acquire basic literacy and numeracy skills and to learn how to do simple calculations to solve daily problems.

780. The objectives of the AIB project are:

- (a) To foster oral and written communication as part of a bilingual intercultural education;
- (b) To recover ancestral knowledge by drawing on participants' own learning;
- (c) To instil basic reading and writing skills;
- (d) To recognize the different aspects of participants' own traditional culture;
- (e) Oral, written, artistic and craft expression of the cultures of indigenous peoples.

781. This is a pre-literacy activity designed to enable young people and adults who have not had the opportunity to learn to read and write in Spanish to learn the alphabet so that later, if they choose, they can attend adult education classes.

The Mother Tongue Teaching project

782. The Mother Tongue Teaching project arose out of the needs of elderly people, chiefs, leaders and members of communities, and it aims to avert the loss of the mother tongues, cultures and world views of the peoples living in Argentina.

783. The Mother Tongue Teaching project has the following objectives:

- (a) To teach the mother tongue, culture and world view of the indigenous people concerned so that these are not lost;
- (b) To give children, young people and adults in the communities the chance to use what they have learned in the workshops in their everyday lives;
- (c) To use this training to develop the capacity for clear, precise expression in the ancestral language and thereby disseminate the customs, traditions and culture of the indigenous people.

784. This project is implemented in communities using working methods, content and timetables characteristic of the indigenous culture, by educators the community itself selects: one teacher from the education system and two qualified persons, one to teach the mother tongue and one who is familiar with the world view, tradition and history of the community concerned, thereby enhancing and strengthening the mother tongue learning process.

Intercultural support for indigenous students at the tertiary level¹⁵

785. Study grants for indigenous students at the tertiary level are paid in a lump sum once a year, with the objective of:

- (a) Providing economic support to help indigenous students pursue tertiary studies that offer employment prospects;
- (b) Multiplying the benefits of the knowledge acquired by these students by encouraging them to take the techniques they have learned to their communities and implement them there.

¹⁵ This component is financed from the National Institute of Indigenous Affairs budget.

786. This support helps students and their families to meet the costs of their studies, considering that they not only have to pay for clothing, photocopies and materials that are indispensable for these but also have to travel to their tertiary education establishments, most of which are a long way from their communities, and that indigenous families tend to be poor.

787. The National Institute of Indigenous Affairs (INAI) has been funding tertiary study grants since 1997 on the basis of projects presented by different organizations.

788. Emphasis should be laid on the work communities themselves have done in improving the administration of demand and the transparency of the grant allocation process.

789. Indigenous students receiving the tertiary grant participate in workshops that are of fundamental importance, as they stimulate intercultural dialogue, provide discussion opportunities for indigenous students at the tertiary level, encourage communication between students and the communities they belong to, and strengthen their cultural identity.

Support for the institutional educational projects (IEPs) of the system of national educational establishments that support intercultural learning

790. Indigenous communities have their own ways of providing education in accordance with their values, world view, ancestral culture and history as a people and a community. Community members accept the need for indigenous children to attend educational establishments so that they can receive the education these provide and acquire skills that will enable them to aspire to higher levels of education and participate successfully in the labour market. This education for the young has to be prepared for within the terms of their own cultural identity, which is why the task is entrusted to members of the communities themselves.

791. INAI supports the different communities' desire to contribute to the institutional educational project (IEP) implemented by each school in accordance with its particular situation and needs, with the collaboration of teachers, students' parents and community members, to begin the transition towards a bilingual intercultural education (BIE).

792. The objectives of the IEPs are to:

- (a) Support indigenous communities in the IEP participation process;
- (b) Introduce BIE in schools that require it by supporting IEPs;
- (c) Train young people with a strengthened indigenous identity to take proactive measures in support of intercultural learning;
- (d) Encourage the sharing of ideas and experiences among pupils, community families and teachers so that education corresponds to real-life circumstances in each situation.

793. Where people with disabilities are concerned, the National Education Act already cited has a specific section dealing with special education. Thus, article 42 establishes that "special education is the part of the education system designed to guarantee the right to education for people with temporary or permanent disabilities in all the levels and categories of the education system. Special education is governed by the principle of educational inclusiveness, in accordance with letter (n) of article 11 of the Act. Special education operates in all those specific areas of difficulty that ordinary education cannot address. The Ministry of Education, Science and Technology, in agreement with the Federal Education Council, will ensure that students with disabilities are integrated in all levels and categories of the system in accordance with each person's potential."

794. Article 44, meanwhile, states that “with a view to ensuring the right to education and school integration and furthering the social participation of people with temporary or permanent disabilities, the subnational authorities shall arrange the measures needed to: (a) provide the basis for a comprehensive educational career that gives access to technological, artistic and cultural knowledge, (b) ensure that sufficient specialized personnel are available to work in teams with teachers in ordinary schools, (c) ensure the coverage of the special education services, transport and technical and material resources needed to implement the school syllabus, (d) provide different options for continuing lifelong education and (e) ensure that all school buildings are physically accessible”.

795. At the same time, the Act establishes that “the Ministry of Education, Science and Technology, in agreement with the Federal Education Council, shall create the necessary institutional and technical capacity to guide students with temporary or permanent disabilities towards the most suitable school careers in all levels and categories of compulsory schooling, and likewise the standards that will govern school assessment and certification. They will also participate in mechanisms of coordination between ministries and other State bodies serving people with temporary or permanent disabilities, to ensure an efficient and higher-quality service.”

796. While it is a statutory requirement for public education to be free of charge, the State provides financial assistance to families with disabled children so that these have access to school and can complete their studies. In addition to the study grant programmes of the Ministry of Education, other governmental organizations work with the families of disabled children, such as the National Advisory Committee for the Integration of People with Disabilities (CONADIS) and the National Institute of Social Services for Retirees and Pensioners. The social insurance schemes to which the families are affiliated also contribute.

Alternative systems of education

797. Besides the ordinary system and the specialized systems available to children with disabilities who have done well in the two systems mentioned, there are non-formal education projects, day centres, homes, etc. These are generally run privately or by social insurance schemes and the Comprehensive Medical Care Programme (PAMI).

The training of teachers and teaching assistants

798. In Argentina, the training of teachers to work with people who have special educational needs because of disability is the responsibility of the special education teacher training institutes and a smaller number of universities that offer teacher training courses designed for the needs of people with disabilities.

799. The higher teacher training institutes (the largest providers of training at this level) work to train and certify teachers who will then go on to special education schools or to ordinary schools where they will either carry out integration work or advise on the pedagogical approaches needed for each student with special educational needs.

800. This is a special training (for work with the mentally handicapped, the deaf or the blind) in higher institutes that equips trainee teachers with the skills they need to educate students with disabilities. This training lasts four years, and at least a secondary education certificate is required to embark upon it.

801. Teachers in ordinary schools, who also carry out their teacher training at higher institutes, only receive information about these issues on training courses arranged by the different provincial authorities as the needs of the system require. These have increased in recent years owing to the increased tendency to integrate students with disabilities into ordinary schools.

802. Special schools employ professionals to assist students with their different needs, such as speech pathologists, psychomotor specialists, music therapists, etc. Assistants work with teachers in charge of groups of students, helping them to prepare teaching material or attending to the children's hygiene. In these cases, general training is also provided on the characteristics of students with disabilities to help trainees understand each of these characteristics and thereby optimize the pedagogic and social work they do.

C. Statistical information

803. See the following table.

**Distribution of the population aged 15 and over by highest level of education attained and by sex.
Country total and by province
(2001)**

<i>Level of education</i>	<i>Total (100.0)</i>	<i>No education¹</i>	<i>Incomplete primary</i>	<i>Complete primary</i>	<i>Incomplete secondary</i>	<i>Complete secondary</i>	<i>Incomplete tertiary/ university</i>	<i>Complete tertiary/ university</i>
Country total	26 012 435	3.7	14.2	28.0	20.9	16.2	8.2	8.7
Male	12 456 479	3.5	14.3	28.7	22.8	15.6	8.1	7.0
Female	13 555 956	3.9	14.1	27.3	19.2	16.8	8.4	10.3
City of Buenos Aires	2 307 177	1.8	4.2	18.2	16.9	24.0	15.1	19.9
Male	1 020 551	1.5	3.4	15.9	19.9	23.1	16.7	19.5
Female	1 286 626	2.0	4.8	20.0	14.5	24.7	13.7	20.3
Buenos Aires	10 148 270	3.2	12.4	31.3	21.8	16.4	7.3	7.5
Male	4 856 323	3.0	12.0	32.0	24.0	15.9	7.2	6.0
Female	5 291 947	3.4	12.8	30.7	19.9	16.9	7.4	8.9
24 partidos in Greater Buenos Aires	6 347 436	3.4	12.0	31.0	22.6	17.0	7.1	6.8
Male	3 026 690	3.1	11.4	31.5	25.0	16.4	7.1	5.5
Female	3 320 746	3.8	12.5	30.6	20.5	17.5	7.2	7.9
Rest of Buenos Aires	3 800 834	2.8	13.1	31.8	20.5	15.4	7.6	8.8
Male	1 829 633	2.7	13.0	32.7	22.3	15.1	7.4	6.8
Female	1 971 201	2.9	13.3	31.0	18.9	15.7	7.8	10.5
Catamarca	221 152	3.2	15.3	27.0	23.2	15.8	7.7	7.9
Male	109 146	3.2	16.3	29.0	24.1	15.0	6.8	5.6
Female	112 006	3.2	14.4	25.0	22.2	16.5	8.5	10.1
Córdoba	2 249 150	2.8	15.0	25.1	21.0	15.9	10.6	9.6
Male	1 074 746	2.8	14.8	25.5	23.2	15.6	10.5	7.6
Female	1 174 404	2.9	15.1	24.8	19.0	16.1	10.7	11.4
Corrientes	609 408	6.6	22.7	24.7	18.5	14.4	6.4	6.7
Male	296 649	6.5	23.5	25.9	19.3	13.9	5.9	5.0

<i>Level of education</i>	<i>Total (100.0)</i>	<i>No education¹</i>	<i>Incomplete primary</i>	<i>Complete primary</i>	<i>Incomplete secondary</i>	<i>Complete secondary</i>	<i>Incomplete tertiary/ university</i>	<i>Complete tertiary/ university</i>
Female	312 759	6.8	21.9	23.6	17.7	14.9	6.8	8.2
Chaco	629 455	8.7	25.0	24.6	19.6	10.2	5.8	6.0
Male	310 678	8.0	25.9	26.5	20.0	10.1	5.3	4.2
Female	318 777	9.3	24.2	22.8	19.1	10.4	6.4	7.8
Chubut	285 913	4.8	14.0	25.7	25.6	16.1	6.8	7.0
Male	142 257	4.6	14.6	26.9	26.7	15.5	6.1	5.7
Female	143 656	5.0	13.3	24.5	24.6	16.7	7.6	8.3
Entre Ríos	813 486	3.7	18.8	29.1	19.4	15.1	6.1	7.8
Male	392 937	3.7	19.2	30.1	20.8	14.8	5.8	5.5
Female	420 549	3.6	18.4	28.2	18.0	15.3	6.4	9.9
Formosa	303 145	7.1	21.8	26.4	20.7	12.6	5.1	6.3
Male	150 979	6.2	22.5	28.3	21.2	12.7	4.4	4.6
Female	152 166	8.0	21.1	24.6	20.3	12.5	5.7	7.9
Jujuy	400 224	6.0	16.4	22.7	26.8	14.4	7.6	6.1
Male	194 490	4.1	17.1	24.7	28.8	13.9	6.7	4.7
Female	205 734	7.7	15.7	20.9	24.9	14.9	8.4	7.5
La Pampa	214 925	4.0	16.0	33.3	19.9	13.7	5.6	7.5
Male	106 294	4.0	16.9	35.1	20.7	12.7	5.1	5.5
Female	108 631	4.0	15.2	31.6	19.1	14.6	6.1	9.4
La Rioja	193 379	3.1	13.1	27.8	22.1	17.4	8.6	7.8
Male	95 995	3.3	14.2	29.9	22.6	16.7	7.7	5.7
Female	97 384	2.9	12.0	25.8	21.6	18.1	9.6	9.9
Mendoza	1 121 272	3.9	16.5	27.4	22.0	14.2	8.2	7.7
Male	536 158	3.6	16.5	27.9	24.0	13.6	8.3	6.1
Female	585 114	4.1	16.6	27.0	20.2	14.8	8.2	9.2
Misiones	600 695	6.3	27.4	26.1	18.9	10.6	4.9	5.7
Male	298 987	5.8	28.0	27.7	19.5	10.2	4.5	4.2
Female	301 708	6.9	26.9	24.5	18.2	11.0	5.2	7.3
Neuquén	322 129	4.8	14.5	24.2	26.2	15.0	7.2	8.1
Male	158 950	4.5	15.2	25.7	27.5	14.6	6.3	6.2
Female	163 179	5.1	13.9	22.8	25.0	15.4	8.0	9.9

<i>Level of education</i>	<i>Total (100.0)</i>	<i>No education¹</i>	<i>Incomplete primary</i>	<i>Complete primary</i>	<i>Incomplete secondary</i>	<i>Complete secondary</i>	<i>Incomplete tertiary/ university</i>	<i>Complete tertiary/ university</i>
Río Negro	381 379	5.6	17.4	26.2	23.7	13.2	6.2	7.6
Male	187 529	5.4	18.2	27.8	24.5	12.5	5.5	6.1
Female	193 850	5.7	16.7	24.7	22.9	14.0	6.9	9.0
Salta	692 017	5.5	16.9	23.2	25.2	15.0	7.4	6.7
Male	338 002	4.7	17.8	25.2	26.5	14.1	6.7	4.9
Female	354 015	6.3	16.0	21.3	23.9	15.9	8.0	8.5
San Juan	427 334	3.3	14.6	31.0	20.9	14.4	7.9	7.8
Male	204 732	3.5	15.3	31.3	22.8	13.7	7.7	5.7
Female	222 602	3.2	14.1	30.7	19.2	14.9	8.1	9.8
San Luis	252 700	3.5	16.1	27.5	21.8	16.3	7.5	7.3
Male	124 897	3.6	17.1	28.8	22.8	15.3	6.8	5.6
Female	127 803	3.4	15.2	26.2	20.9	17.3	8.2	8.9
Santa Cruz	133 539	2.9	11.9	23.5	28.4	17.9	6.9	8.3
Male	68 379	2.8	12.6	25.0	29.9	17.5	5.7	6.5
Female	65 160	3.1	11.2	22.0	26.8	18.4	8.2	10.2
Santa Fe	2 208 853	3.3	14.2	29.8	18.5	17.3	8.2	8.7
Male	1 054 159	3.1	13.8	30.9	20.5	17.0	8.0	6.7
Female	1 154 694	3.4	14.6	28.8	16.7	17.5	8.4	10.5
Santiago del Estero	517 546	6.1	24.6	28.8	17.3	12.3	5.4	5.5
Male	257 532	5.9	26.7	30.1	17.6	11.2	4.8	3.7
Female	260 014	6.3	22.6	27.4	17.1	13.4	6.0	7.3
Tierra del Fuego, Antarctica and South Atlantic islands	66 904	2.2	6.7	21.1	30.5	20.9	8.6	10.0
Male	34 316	2.1	6.7	22.5	32.3	20.6	7.9	7.9
Female	32 588	2.3	6.7	19.6	28.6	21.3	9.2	12.2
Tucumán	912 383	3.9	15.7	31.2	19.0	13.6	9.3	7.4
Male	441 793	4.0	16.5	31.9	20.3	13.0	8.9	5.3
Female	470 590	3.8	15.0	30.5	17.8	14.0	9.5	9.3

Source: National Institute of Statistics and Censuses (INDEC), National Directorate of Social and Population Statistics, Directorate of Sectoral Statistics, on the basis of specially processed data from the 2001 National Population, Household and Housing Census.

¹ Includes never attended, nursery and initial.

D. Programmes implemented by the Ministry of Education to guarantee the right to education

1. The “Learn by Teaching” Programme

804. The objective is to provide pedagogic and socio-affective support to children and young people aged from 6 to 18 in situations of educational, social and economic vulnerability in order to keep to a minimum the numbers repeating years and dropping out and to reintegrate students who have abandoned their studies.

805. The Programme involves tutoring activities carried out by students in their final years at teacher training institutes and public and private universities and volunteers from civil society organizations.

806. Institutions are required to submit projects describing the actions to be taken to achieve the proposed goal in accordance with the particular characteristics of the beneficiaries targeted, as detected by a diagnostic exercise.

807. Organizationally, each institution is to select a teacher to act as coordinator for both the teacher training institutes and the universities, while civil society organizations are to appoint one of their directors. Each of these will be in charge of 10 tutors, who will be students from the final years at the institutes, students on the courses concerned and volunteers from the organizations.

808. Each tutor will be in charge of 7 to 10 tutorial students.

809. These students are to be selected jointly with the beneficiary schools, which will appoint a contact teacher from within the educational team.

General objectives

810. The general objective is to encourage children and young people aged from 6 to 18 in situations of socio-educational vulnerability to remain at or return to school by creating systems of pedagogic and socio-affective support overseen by tutors, who will develop new pedagogical strategies in the process.

Specific objectives

811. The specific objectives are to:

(a) Encourage academic excellence and social responsibility on the part of the future professionals acting as tutors by integrating institutional planning with formal learning content;

(b) Ensure that the work of the tutors matches the requirements of each educational community;

(c) Make theoretical and practical tools available for the professional development of the different people operating the Programme (tutors, coordinators and contact teachers) by means of training provided at the different provincial, regional and national events;

(d) Expand the number of projects and participants by analysing and assessing quantitative and qualitative data on repetition and drop-out rates and participation levels;

(e) Create arrangements for the sharing of knowledge and skills among those carrying out this work at the basic, intermediate and higher levels through local, regional and provincial institutional networks and available communication channels;

(f) Coordinate with other programmes run by the national Ministry of Education, Science and Technology and by the provinces for the same target groups.

2. National Reading Campaign

812. Guaranteeing the right to read is a responsibility of the State. Accordingly, the Ministry of Education has undertaken to bring different types of reading material to the largest possible number of people in the country. Thus, in 2003 short stories and poems began to be distributed at football matches, in hospitals, school canteens, bus and train terminals and holiday resorts and at popular festivals and national celebrations, as an invitation for people to continue reading.

3. The National Programme of School Socialization

813. The National Programme of School Socialization [*Programa Nacional de Convivencia Escolar*] is designed to provide resources that make school a place where democratic values are instilled.

814. The Programme seeks to read the meaning of people's everyday interactions at school as seen from the platforms of meaning constituted by the cultures which come together there. To demarcate an institutional field of application, the National Programme of School Socialization has focused on the area of school rules, the relationship of supervision with the education system and the link between schools and families. The distinguishing characteristics of the programme are its focus on the views of teachers themselves, who are regarded as originators of educational theory, and on the independent design of controlled experiments in practical and theoretical change led, once again, by teachers.

Programme objectives

815. The objectives of the Programme are:

(a) To provide national authorities with technical support and advice on the development of programmes oriented towards the renewal and adaptation of schools' institutional cultures so that they can:

(i) Enter into a critical and open relationship with the new globalized cultural framework characterizing the present stage of history;

(ii) Include and reconcile the diversity of their members' cultural identities and open up to, communicate with and participate in the sociocultural milieux around them;

(iii) Construct an institutional culture that incorporates democratic values.

(b) To cooperate on the development of programmes aimed at improving the institutional environment in schools by improving standards of belonging, motivation, recognition and participation in school life and reducing difficulties in day-to-day interactions that interfere with the attainment of academic goals, and to reinforce the humanizing sense of educational aims;

(c) To advise the educational authorities on renewing the content, procedures and application of the standards governing intra-school relationships, so that these provide a practical lesson in the value of justice and equal dignity for all and contribute to the self-correction of behaviour that transgresses these standards, averting violence, discrimination and abuse of power and creating a situation in which all educational actors can concentrate on appropriating the knowledge that society deems important today;

(d) To cooperate with the authorities on the development of integrated plans for communication and construction of operational educational agreements between schools at the different levels of the education system and the families responsible for the students attending them, renewing institutional cultures so that they can sustain these agreements;

(e) To provide the authorities with technical advice on setting up a training programme for supervisors in the form of tutorials with specialists assisting in the analysis of practical application issues and with personal support for work in the field, with a view to developing their skills as advisers on issues of social interaction that arise in schools.

4. The National Programme for Solidarity in Education

Objectives

816. The objectives of the Programme are:

(a) To promote solidarity and community and citizen participation in education using the pedagogical method of service-learning at all State and private schools and higher education institutions;

(b) To coordinate solidarity measures taken by civil society in pursuit of education quality and equity with the actions of the Ministry and with the formal education system.

Areas of action:

Presidential awards

817. In alternate years, the Office of the President invites educational institutions that are implementing educational solidarity initiatives to apply for the “Schools for Solidarity” [*Escuelas Solidarias*] Presidential Award and the “Solidarity in Practice in Higher Education” [*Prácticas Solidarias en la Educación Superior*] Presidential Award. Since the award programme began, 14,826 educational solidarity projects have been submitted.

Educational solidarity training, update and promotion events

818. Mention may be made of the following:

(a) Provincial educational solidarity events: events at which members of provincial inspection and specialist teams, managerial staff, teachers and students in higher education and leaders and members of civil society organizations wishing to implement service-learning projects can share experiences, update their knowledge and receive technical assistance;

(b) International solidarity service and learning seminars: these have been held annually since 1997 and their purpose is to provide training, encourage the sharing of educational solidarity ideas and experiences and create forums for cooperation between schools, universities and civil society organizations in Argentina and Latin America. The tenth seminar was held on 30 and 31 August 2007.

Publications and communication

819. Supporting materials have been produced for teachers and community leaders and are available in printed form and via the Programme website and electronic newsletter.

Promotion of youth leadership for solidarity

820. Initiatives have been undertaken to give expression to the concerns and ideas of intermediate-level students:

- (a) Parliaments of Schools for Peace and Solidarity (2004-2006);
- (b) Cantata for Peace (2006);
- (c) Celebration of Global Youth Service Day (2005);
- (d) First MERCOSUR Schools for Solidarity Event (2005);
- (e) Day of Solidarity (2005).

Coordination with civil society organizations

Connecting civil society and public policies

821. In this area of work, the National Programme for Solidarity in Education encourages coordination between civil society organizations and the National Literacy Plan, the National Programme of Educational Inclusion and the national Learn by Teaching Programme, among other Ministry programmes. The National Programme for Solidarity in Education maintains direct contact with 490 civil society organizations in the educational field, from Argentina (455) and Latin America (35). It has become involved indirectly with another 350 organizations.

The Committee of Organizations that Support Education

822. The Committee of Organizations that Support Education [*Mesa de Organizaciones Solidarias con la Educación*] was set up “to develop a social movement in support of education and give education a central place in society”. The Committee helps to coordinate efforts with 48 civil society organizations in the field of education, offering learning support, material support for rural and vulnerable schools, reading programmes, environmental education, citizen participation, etc.

5. The “Choose Teaching” Programme

823. The “Choose Teaching” Programme is part of the National Programme for Pedagogic Renewal, implemented under the auspices of the National Directorate for Curricular Management and Teacher Training of the Ministry of Education. It has the twofold aim of improving teacher training and encouraging potential teachers to choose this career. The Programme originated in the need to strengthen training and raise the status of teaching as a career in the country by promoting a variety of opportunities, experiences and resources in student careers. It covers all the provinces, confining its action however to teacher training institutes. It is aimed primarily at students doing teacher training for the intermediate level, basic general education 3 and multitrack education.

824. The following objectives have been set for the Programme:

- (a) To contribute to a reappraisal of the work of teaching and the place of school today by promoting debate and inquiry among teacher training students in order to foster a concern with the relationship between the work of educators and the production, circulation and social distribution of knowledge;
- (b) To forge links between teacher training students and today’s society, culture and knowledge by generating commitments, responsibilities and inquiry about the progress of knowledge and the challenges this progress creates for knowledge work as a political and cultural praxis;

(c) To set students' training experiences in the context of current and future problems and needs in the education system and in local areas by taking concrete measures that open the way to ongoing dialogue and linkage between teacher training institutions and schools, and by creating discussion forums and ideas for action that are concerned with the social and cultural environment;

(d) To promote teaching as a choice for young people with the ability, awareness and commitment to cope with the challenge of teaching and transmitting culture in our society by offering study grants that make it easier for them to dedicate themselves to study and join the national effort towards pedagogic renewal in the education system.

825. The Programme encompasses three areas of work: (a) a study grants plan, (b) a training approach, translating into a number of areas of action, and (c) a tutoring system.

6. The National Literacy Programme

826. As part of the United Nations Literacy Decade, the Ministry of Education implemented the National Programme of Literacy and Basic Education for Young People and Adults.

827. The Programme is aimed at all illiterate adults and young people aged over 15, including the prison population.

828. Literacy educators are volunteers belonging to State agencies, civil society organizations, unions, neighbourhood groupings or teacher training institutes, students, teachers, etc. The only requirement is to be aged 18 or over and to have completed intermediate/multitrack education.

829. Literacy training is provided in literacy centres. These may operate in family homes, canteens, cafés, public libraries, development agencies, community centres, clubs, educational centres, schools and anywhere else that is able to serve this purpose.

830. The way to participate is through a governmental or non-governmental agency, organization or institution that has signed an agreement with the national Ministry of Education.

831. The Programme is implemented in two consecutive stages:

(a) Initial or introductory literacy training lasting five months;

(b) Coordination with the youth and adult education system in each province, with a view to completion of basic primary schooling.

832. It is essential to encourage and support the inclusion of all newly literate persons in youth and adult basic education institutions, with a view to their completing basic primary education.

7. The National School Mediation Programme

833. The main objective of the National School Mediation Programme is to develop new mechanisms to deal with growing conflicts in schools. The initiative, which is supported by the United Nations Educational, Scientific and Cultural Organization (UNESCO) office in Brazil, is inspired by the need to build an environment conducive to the development of behaviour consistent with harmonious, pluralist and participatory social relations and to guarantee students' right to guidance and to respect for their integrity, dignity and freedom of conscience and expression.

834. The idea for the Programme is to design and implement peer mediation projects that promote a constructive and non-violent approach to emerging situations of conflict between students. Within this framework, school mediation is conceived as a tool that helps prevent

situations from escalating into violence while at the same time providing an opportunity to educate young people for a life of democracy, peace and human rights.

835. To achieve these goals, the plan is to create and train provincial specialist teams who will define the specific characteristics of the Programme in their respective provinces and help to implement plans developed in schools. The Programme also provides for the production of materials to be used in the different actions and initiatives.

General objectives

836. The general objectives are:

- (a) To record examples of efforts made by the provincial authorities, school projects, etc., to prevent violence and improve the social environment in schools, and draw on these for new publicization, training and counselling measures oriented towards the design and implementation of specific projects;
- (b) To familiarize teachers and managerial staff in the provincial authorities with collaborative negotiation and mediation methods and techniques;
- (c) To help create and consolidate teams in each province;
- (d) To train members of these provincial teams to design and implement teacher training actions aimed at developing and implementing school mediation projects tailored to the characteristics and context of each institution;
- (e) To assist in the implementation of student-oriented institutional peer mediation projects to deal with emerging conflicts in the school community;
- (f) To collect reports, accounts, materials, etc., produced in the course of work in the different provinces in an experience database to be constructed on the Ministry of Education website so that the actions undertaken can be publicized and socialized;
- (g) To provide technical assistance, help with follow-up and orient project evaluation to improve effectiveness.

8. The Argentine Observatory on School Violence

837. The Argentine Observatory on School Violence is a joint initiative of the Ministry of Education, General San Martín National University (UNSAM) and the United Nations Educational, Scientific and Cultural Organization (UNESCO) office in Brazil. The idea is to join forces in studying the subject of school violence and to assist in consolidating democratic practices within schools and in building citizenship skills.

Objectives

838. The objectives of the Observatory are:

- (a) To create a research hub dealing with school violence in its different forms and guises;
- (b) To implement an information and documentation centre specializing in the issue of school violence;
- (c) To provide information to the academic community and society in general;
- (d) To build a network of researchers into school violence;
- (e) To study the issue of school violence from a multidisciplinary and interdisciplinary standpoint;
- (f) To discuss the implications of violence for teaching and learning;

- (g) To share information with similar organizations, including comparative research with other countries, chiefly in Latin America;
- (h) To create public awareness of the issue of violence in schools;
- (i) To promote the construction of an anti-violence “culture” in schools;
- (j) To contribute to the development of public policies for averting and dealing with violence in schools;
- (k) To assist with and evaluate public-sector youth policies, with an emphasis on averting and dealing with violence;
- (l) To provide services to the different sections of society via different forms of intervention combining research and action.

9. Provincial Education Services Administrative Management Reform Programme

839. The object of the Provincial Education Services Administrative Management Reform Programme (PREGASE) is to carry out a thorough-going reform at every level of management in the different provinces with a view to improving the efficiency and effectiveness of education provision and raising quality standards. To this end, it employs new management planning and monitoring tools that enable human, material and financial resources to be used in a rational way.

General objectives

840. The general objectives of PREGASE are:

- (a) To integrate educational management right through from schools to the organizations overseeing them, using modern systems of administration and management in which follow-up of actions, educational and budgetary planning and management control are complementary and ongoing at all levels, allowing school decentralization processes to take place;
- (b) To place management at the service of users;
- (c) To administer efficiently and transparently and make planning and management control tools available;
- (d) To provide tools that the people responsible for the different management areas can use to monitor budget implementation and spending.

Specific objectives

841. The specific objectives of PREGASE are:

- (a) To improve management of teachers and other human resources and organizational planning, using information technology to monitor the services provided and their compliance with regulations;
- (b) To improve management of information and direct services relating to students and schools in the education system by integrating them into the system of centralized information for each student;
- (c) To improve the efficiency of critical processes involved in organizational restructurings (opening and closing of sections) and student enrolment;
- (d) To improve the administration of school buildings and goods and services by organizing a centralized building information system and implementing expert systems and

procedures for monitoring and planning schools' physical infrastructure and goods and services;

(e) To carry out and consolidate a full re-engineering of critical administrative processes in provincial education administration, pursuing the greatest efficiency in terms of accessibility, response times and citizen satisfaction and the greatest effectiveness in controlling spending and complying with regulations;

(f) To provide the different stakeholders in the education system with a modern system of information, decision-making support and education management planning by integrating different information sources and adding value to data via automatic detection of models and behavioural relationships between the different variables;

(g) To modify the main organizational structures and rules currently in existence with a view to removing the administrative flaws and uncertainties they usually contain and to providing a basis for fast and effective processes that use available technology and modern organizational and human resource management techniques to the full.

Areas of action

842. The Programme is organized as a set of subprogrammes that share the same approach to the model it seeks to implement in the different provinces and many of the resources (software, consultants, services, etc.) available to it, but that differ in the objects and subjects of reform actions.

843. The sequence in which actions are implemented depends on provincial planning and their natural interdependence.

844. Each subprogramme includes the information records associated with it and the administration and management processes for which they provide scope.

845. Kept up to date by re-engineered procedures, standardized by the implementation of the relevant legal instruments and integrated and interlinked by expert software, these records can be used to carry out swift automated monitoring, calculation, projection and reporting operations necessary for administration and for management planning and control, thereby constituting comprehensive administration and management systems.

10. Education Sector Training and Skills Programme

846. The Education Sector Training and Skills Programme (PROFOR) was created in 1995 to meet the training and skills needs of education system officials and specialists, and comes under the Education Secretariat of the Ministry of Education.

847. It is vital for the central services of each provincial authority to have skilled specialists and administrative staff with a high level of responsibility and professionalism. Ministerial teams need to have the professional competences to deal efficiently with their ongoing workload and with specific requirements that arise from time to time.

848. Since its very beginnings, PROFOR has played a complementary role in strengthening provincial institutions by dealing with specific training and skills needs.

849. The Programme is implementing two areas of action that are making large numbers of specialists available in different areas of education in all the provinces and responding to the growing trend towards professionalization in provincial ministries: skills and training.

Activities and results achieved

Current Education Issues Discussion Seminar

850. Acting together with the International Institute for Educational Planning (IIEP), PROFOR decided to organize a forum for participatory discussion of the major issues facing education systems, with the aim of generating a shared approach to provide a framework for actions undertaken in the different provinces of the country.

851. Phase I was implemented in 2004 and consisted in a total of five sessions held between July and November with the involvement of two or more provincial officials.

852. The closing event of the Seminar was held in February 2005 with 48 provincial officials participating, bringing an end to the training that had occupied the whole of 2004.

853. Phase II of the Educational Policy Discussion Seminar was held in 2005. Seven events were held, involving activities with the whole group in Buenos Aires, activities by province and region and, to end the year, a study trip to Santiago, Chile.

854. 2006 will begin with presentation of the provincial proposal, regional socialization of the conclusions and, lastly, a meeting to carry out a national presentation.

School Socialization Seminar, institutional cultures and environments

855. In November 2004, the Ministry of Education, Science and Technology collaborated with the Organization of Ibero-American States for Education, Science and Culture to organize the School Socialization Seminar, since complex and far-reaching historical and social processes had combined with the institutional history of the school system itself to create a large communications gap between the agents who meet in classrooms each day. Relationships within schools create the environment in which education takes place, so the objective chosen was to learn about the programmes currently being applied in this area by ministries in MERCOSUR countries, with their strengths and difficulties; to share approaches and experiences relating to values and relationships; and to contribute to the training processes overseen by education ministries, among other things.

856. The participants were representatives of the education ministries of Argentina, Bolivia, Brazil, Chile, Paraguay and Uruguay in charge of programmes dealing with school socialization or of units working with the issue.

Training provided by the Educational Management Administration System

857. The Educational Management Administration System (SAGE) was coordinated by PREGASE for implementation in the provinces.

11. The Federal Programme for Educational Tourism and Recreation

858. One of the main objectives of the Federal Programme for Educational Tourism and Recreation is to enable students from all schools to experience, understand and explore the geographical diversity of the country and its people and culture, enjoy their free time and carry out socio-recreational activities that serve an educational and integrating purpose. For the purposes of the Programme, education is understood as an integral process that is lifelong and transcends the boundaries of the formal education system. The learning that takes place at school is supplemented by a whole variety of educational experiences which enrich and contribute to children's all-round development and education and to their growth and cultural advancement.

859. The Programme is being implemented jointly by the national Ministry of Education, the national Tourism Secretariat and the provincial education ministries. It encompasses

four projects: “Educational tourism and exchange” [*Intercambio y turismo educativo*], “Winter recess holiday camp” [*Colonia de vacaciones del receso de invierno*], “Graduation trip” [*Viaje de egresados*] and “Summer recess holiday camp” [*Colonia de vacaciones del receso de verano*], which vary in their specific characteristics depending on the time of year and the educational purpose pursued.

860. School tourism in its different guises is an educational endeavour whose purpose is to improve children’s school performance by enabling them to experience different group processes that combine new projects and forms of learning. Spending time with peers and teachers outside the school environment offers students significant learning situations in which they can incorporate and learn to respect new standards and rules. It is a chance to deepen the teacher-student relationship; experience the feeling of belonging to new groups, group processes and roles; focus attitudes around democratic values and ideals; recognize new customs, habits and traditions in other groups; and contribute to the construction of students’ own identity in a spirit of interaction with and openness to other cultures.

861. The Programme sets out to enhance social cohesion and integration with the idea that all children, and particularly those from vulnerable backgrounds, should rediscover and acquaint themselves with the natural and cultural heritage and make it their own.

862. We therefore believe that by promoting school tourism in a way that combines recreation with art we are appropriating an educational approach whose main goal is to meld together the formal and non-formal dimensions of education in a school environment.

General objectives

863. The general objectives of the Programme are:

(a) To contribute to the construction of social justice in education by promoting equality of opportunity through the egalitarian distribution of cultural and material goods, with particular emphasis on access for people from disadvantaged backgrounds, and to contribute to the defence and promotion of the natural and cultural heritage of the nation, the provinces and local communities, engaging children in the effort to care for and safeguard these;

(b) To promote the different forms of school tourism in a way that integrates the different regions of the country and respects federal principles;

(c) To further students’ all-round development by helping them to construct their own identity in contexts of cultural diversity;

(d) To provide learning experiences in different areas that enhance social interaction in a climate of acceptance and respect for differences;

(e) To strengthen the institutional and inter-institutional links of the establishments participating in the Programme by improving the communication, systematization and transmission of experiences.

12. The National University Grants Programme

864. The National University Grants Programme (PNBU) is designed to promote equal opportunities in higher education by implementing a system of study grants that helps poorer students with a good academic record to enter and/or remain on degree courses at national universities or university institutes. The PNBU has been operating since 1996 and was created by Ministerial Resolution No. 464/96.

865. The following can apply for grants:

(a) University students who are physically attending a degree course or technical course [*tecnicatura*] in systems or information technology at a national university or national university institute, are not in the final year of their course, do not have only their final exams or thesis to complete, and do not hold a prior degree;

(b) Students who have graduated from the intermediate level or multitrack system of secondary education, or are coming to the end of it and have no subjects left to complete, and wish to start a university degree course or technical course as indicated.

866. The benefit consists in:

(a) A grant of 2,500 pesos a year, payable in instalments;

(b) The grant may be renewed each year, provided Programme requirements are met.

13. The National Programme of Educational Inclusion

867. The object of the National Programme of Educational Inclusion (PNIE) is to address the problem of educational and social exclusion among children and adolescents who are outside the education system. Its primary aim is to ensure the inclusion in school of those who, for whatever reason, have never attended or have dropped out.

868. The intention is to do this by developing strategies to integrate students with different social and educational backgrounds into the education system as speedily as possible, enrolling them in the grade that corresponds most closely to their age or in the branch of education deemed most appropriate.

869. Four types of study grant and pedagogic assistance programmes have been created for different groups of beneficiaries with a view to ensuring that they return to or remain in school.

Study Time for All [Todos a Estudiar]

870. This initiative is designed to address the problem of educational and social exclusion of children and adolescents in the 11 to 18 age group who are outside the education system. The primary aim is the inclusion of those who, for whatever reason, have never attended school or have dropped out.

871. This programme seeks to develop bridging strategies to integrate students with different social and educational backgrounds into the education system as speedily as possible. The aim is to enrol them in the grade that corresponds most closely to their age or in the branch of education that is deemed most appropriate in the light of their individual circumstances.

872. The central strategy proposed is joint administration by the State and civil society organizations.

873. To support these activities, the Ministry of Education has created the first ever School Fund for Educational Inclusion (FEIE), which provides financial support for:

(a) Grants for young people embarking on the process of inclusion;

(b) A subsidy for implementation of each local committee's inclusion project;

(c) A subsidy for the acquisition of school equipment needed to implement the project;

(d) A bonus for educational facilitators involved in implementing the project.

Returning to School [Volver a la Escuela]

874. This initiative is intended for children of compulsory school age. It aims to respond to the problem of educational and social exclusion among children aged 6 to 14 who are outside the school system, pursuing the same objectives as “Study Time for All”, which was launched in 2004, and serving children and young people aged 11 to 18. With “Returning to School”, then, coverage is extended with a view to ensuring that all children and young people can complete their compulsory education.

The Rural PNIE

875. This initiative is an attempt to respond to the particular needs of rural schools, to which end joint activities are being carried out with the Rural Education Department and the Learn by Teaching Programme of the Ministry of Education. The aim is to prevent children in rural areas from dropping out of school. The initiative includes exceptional awards of study grants to:

(a) Pupils who are attending level 2 of general basic education (fourth, fifth or sixth grade) in isolated rural schools and are several years overage (a gap of three or more years between their chronological age and the age corresponding to the grade in which they are enrolled). Their parents or guardians must present evidence of their need for a grant to continue their studies;

(b) Pupils who completed level 2 of general basic education in isolated rural schools in 2005 and had not begun level 3 by 15 April 2006.

PNIE for People Brought to Trial

876. This scheme is a collaboration between the National Programme of Educational Inclusion (PNIE) and the National Inmates’ Education Programme, and provides for the study grant to be awarded to children, adolescents and young adults aged 6 to 18 who have been brought to trial on social and criminal charges, whether they are in institutions or not.

14. Training, Skills and International Grants Programme

877. This programme deals with skills and training; educational and academic mobility; support for regional integration; encouragement of intercultural dialogue with full respect for pluralism and plurilingualism; joint financing of technical assistance from international experts so that they can participate in actions and activities organized by the different departments of this authority and provincial education ministries; publicization of training opportunities in Argentina and abroad; and the establishment of research and communication networks among researchers, teachers, educators and students at different levels of the education system, in accordance with the policies and actions of the other components of this authority. It participates in exchange grant and cooperation programmes with other countries.

878. It promotes the training of human resources in areas identified as strategic for the country’s development and implements academic mobility activities for students, teachers and professionals in the context of MERCOSUR, Latin America and Ibero-America.

879. It is implementing new training and skills components, aimed especially at education professionals and officials and involving short courses and/or internships both in Argentina and abroad, with technical assistance provided by internationally renowned specialists. It has training, skills and grants components to meet the new challenges arising both nationally and in the provinces.

880. It promotes and supports joint initiatives with international and regional bodies, bilateral cooperation agencies and organizations, and universities and foundations, among

others, with which it shares common human resource training goals, always with a view to maximizing benefits via co-financing.

XIII. Article 15

A. Measures to promote and protect the cultural identity of indigenous populations in Argentina

881. The constitutional reform carried out in 1994 introduced major changes as regards promotion of the cultural identity of indigenous populations in Argentina. Article 75, paragraph 24, establishes:

“Congress is required:

[...]

To recognize the ethnic and cultural pre-existence of the indigenous peoples of Argentina. To guarantee respect for their identity and their right to bilingual and intercultural education; to recognize the legal capacity of their communities and the community possession and ownership of the lands they have traditionally occupied; and to regulate the granting of other lands that are adequate and sufficient for human development; none of them shall be sold, transmitted or subject to liens or attachments. To guarantee their participation in issues related to their natural resources and in other interests affecting them. The provinces may jointly exercise these powers.”

B. Measures to safeguard the development of science and culture

882. Article 17 of the national Constitution guarantees the development of science and culture:

“[...] Every author or inventor is the exclusive owner of his work, invention or discovery for the term granted by law [...]”

883. Article 75, paragraph 19, requires Congress:

“To provide whatever is conducive to human development, economic progress with social justice, the productivity of the national economy, the creation of jobs, the vocational training of workers, the defence of the value of the currency, scientific and technological development and its publicization and beneficial use... To enact laws protecting cultural identity and plurality, the unrestricted creation and circulation of authors’ works, the artistic heritage and cultural and audio-visual facilities...”

1. The right to scientific knowledge and technology

884. Within the framework of article 15 of the International Covenant on Economic, Social and Cultural Rights, the first seminar on “Disruption and reconstruction of Argentine science” [*Ruptura y reconstrucción de la Ciencia argentina*] was held with the objective of analysing the losses to the country’s scientific and technological output as a result of repressive violence and the adverse conditions for scientific production, and to establish a view of scientific knowledge as a human right in Argentine society.

2. Programmes implemented by the Culture Secretariat

Argentine Cultural Information System (SInCA)

885. The national Culture Secretariat is developing an integrated cultural information system of national and federal scope. This system comprises four cultural information fact-finding, measurement and processing projects: continuous generation of cultural statistics, production of a cultural map of Argentina, identification of different aspects of public-sector cultural management, and construction of a cultural economy documentation centre.

886. The view of the Secretariat is that to be able to evaluate and plan effective and efficient public policies, it is necessary to have exhaustive and rigorous knowledge available on the cultural situation of the country. SInCA is thus an indispensable tool for the design and implementation of high-impact public policies.

887. The main objective of SInCA is to remedy a historic shortcoming: the lack of reliable data on culture that would make it possible, among other aims, to develop public policies that respond to the needs of each region, carry out public consultations with citizens and cultural administrators, provide researchers and students with information sources, establish relationships between the supply of culture and sociodemographic variables, and promote dialogue between State agencies and social, cultural, business and political organizations.

888. The cultural map is an interactive map that can be used to simultaneously select and compare cultural and sociodemographic information in a particular area that includes the 23 Argentine provinces and the City of Buenos Aires, while also providing information on Greater Buenos Aires and each local area in the City of Buenos Aires.

889. The cultural statistics department publicizes information about the cultural industries and their contribution to the economy and the generation of employment in the country. Thus, it is possible to view tables and graphs covering the cinema, newspapers, books, music, advertising, magazines, television, video, external trade in culture and cultural employment.

890. The public-sector cultural management section provides access to all current provincial and national legislation dealing with culture (with a search engine that locates laws by subject, number, province or type) and to up-to-date information on the budgets and infrastructure of national and provincial culture departments.

891. The documentation centre contains some 500 journalistic articles, features and reports of various kinds on the cultural economy published in national and provincial newspapers and magazines, plus a compendium of documents and research on culture policy and cultural industries.

Citizen Culture and Diversity Programme

892. The national Culture Secretariat firmly believes that public culture policies aimed at children and youth are a vital tool in the construction of a country in which our children can enjoy a happy childhood and adolescence. Consequently, we are working to help them know, understand and claim their rights.

893. This is the purpose of the Citizen Culture and Diversity Programme, which is implemented jointly by the Projects and Special Programmes Unit (UPPE) of the national Culture Subsecretariat and the United Nations Development Programme (UNDP), and whose objective is to make information available and promote the exercise of economic, social, cultural and political rights among different populations around the country by distributing books in the "Miradas" ("Outlooks") series free of charge. This work is

supplemented by different activities and workshops of an artistic and cultural bent in schools, arts centres, “school homes” [*hogares escuela*], neighbourhood centres, social organizations, community integration centres (CICs) and other locations.

894. The goal of the Programme is for everyone to understand that they are subjects of their own rights and that they need to know and assert these for them to be enforced.

895. Since the beginning of 2006, more than 50,000 books have been distributed to 400 schools, governmental and non-governmental organizations throughout the country and workshop participants.

896. More than 3,000 children, adolescents and adults took part in the workshops “Children read and write their rights”, “Comic strips and young people’s rights” and “Cinema – debate on the exercise of rights” and a community theatre workshop in Buenos Aires, Catamarca, the City of Buenos Aires, Corrientes, Chaco, Chubut, Tucumán, La Pampa, La Rioja, Misiones, Neuquén, Santa Cruz, Santiago del Estero and Tierra del Fuego.

Indigenous Communities Subsidy Programme 2008

897. The objective of the Indigenous Communities Subsidy Programme is to uphold cultural diversity and promote communities’ autonomous project management capability.

898. The response by members of the country’s indigenous communities to calls for applications in earlier years was favourable, leading to the conclusion that the Programme should be continued in the current year with a third call for applications.

899. The intended beneficiaries of the Programme are indigenous communities with a national or provincial legal personality and indigenous communities with a legal personality registered with the relevant provincial bodies as citizens’ associations.

900. The projects selected will receive subsidies that are not to exceed fifteen thousand (15,000) pesos apiece, and may fall into one of two categories:

- Promotion of cultural diversity: projects designed to disseminate, recover, maintain and reinvigorate the traditions, customs, languages, arts, beliefs and forms of organization of the different indigenous peoples in the country;
- Support for development-oriented training: projects designed to further the skills and training of members of indigenous communities in any art, trade or science that promotes community development.

901. Thus, a key aim of national Culture Secretariat policies is to prompt a renewed appreciation for the indigenous cultures that exist in the country by generating a range of interconnected actions and programmes designed to strengthen the organization of communities.