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NATIONAL REPORT OF THE REPUBLIC OF ARGENTINA ON THE IMPLEMENTATION OF  
COMMITMENTS FROM THE FOURTH SUMMIT OF THE AMERICAS

## ARGENTINA

### NATIONAL REPORT ON FULFILLMENT OF THE MANDATES FROM THE FOURTH SUMMIT OF THE AMERICAS

#### I. INTRODUCTION

This document describes the actions being pursued by the Argentine government in keeping with the mandates in the Plan of Action of the Americas relating to the themes of "Growth with Employment" (II) and "Creating Decent Work" (I).

This introduction offers a summary overview of the results of action by the government of President Kirchner in terms of employment and labor trends and the collective bargaining process:

- Since the government took office, some 2.7 million jobs have been created in the country's urban areas (not counting the beneficiaries of employment programs), representing a 20% increase in the employed population.
- This intense pace of job creation has produced a sharp drop in the unemployment rate, which at 10.4% is now the lowest in the last 10 years. This milestone is all the more significant if it is recalled that when this government took office the unemployment rate was among the highest in Argentina's history. At the end of 2005 the number of unemployed Argentines was barely half the number at the beginning of 2003; more than 1,300,000 people ceased to be unemployed.
- At the same time, the new jobs show further improvements in working conditions. While only six of every 100 jobs generated during the 1990s were registered, today 92 of every 100 are registered, they entail dignified work, and they offer social protection.
- Growth in the opportunities for work has allowed a significant number of beneficiaries under the Heads of Household Program to find genuine jobs. From the beginning of the present government, slightly over 400,000 beneficiaries have joined the labor market.
- One of the most notable trends can be seen in formal employment in the private sector, which has accelerated over the last three years. At the present time, formal employment in the private sector has grown steadily for 39 months, and the growth rate in 2005 was the highest of the last 10 years (with a year-over-year increase of 9.7%).
- As a result of this performance, employment initially returned to the level that prevailed before the series of crises unleashed in 1998, and has subsequently exceeded the highest level attained during the convertibility period. Specifically, in December 2005 the number of formal jobs was 5% higher than that recorded in July 1998, which represented the peak level of employment in the last five years of the convertibility régime.

- While manufacturing and construction lead the way in creating formal employment during the last three years, this expansion was generalized to all economic activities during the course of 2005.
- The current economic model offers conditions ripe for the emergence of new firms, and this is reinforcing the rising employment trend. In fact, over the last year 60,000 formal enterprises were created in the country, hiring some 200,000 registered workers. This is the biggest number of firms created in the last ten years.
- The pace of collective bargaining accelerated in 2005 over the level recorded in the previous year, and is continuing to rise in comparison to the average of the 1990s. In 2005 a total of 568 collective agreements and contracts were signed, which was 63% more than in 2004 (348). Of those agreements, 83% stipulated pay increases.

## **II. FULFILLMENT OF THE MANDATES IN THE PLAN OF ACTION**

### **I.1. To eliminate forced labor before 2010 by strengthening measures and policies, to enable those countries that have not already done so to achieve this goal. To this end, promote the creation of national plans of action with the support of the International Labour Organization (ILO).**

The administration of President Kirchner has from the outset given priority to combating the worst kinds of working conditions. Special attention has been paid to one of the most vulnerable groups, undocumented migrant workers. Policies involve various areas of the State responsible for protecting the rights of citizens, decent working conditions, etc.

During 2005/2006, the Ministry of Labor and Social Security (MTEySS) gave special attention to certain sectors of activity where conditions bordering on forced labor were suspected: this was the case, for example, with textile workshops that employed foreign labor. In this specific case, over those two years, 2,051 workers were identified, nearly 54% of whom were not registered in the Social Security system (a percentage more than double the general average).

### **I.2. To eradicate by 2020, at the latest, the worst forms of child labor and reduce the number of children that work in violation of national laws. We shall continue strengthening national policies that enable achievement of these goals. In addition to providing quality basic education, we undertake to build bridges between child labor eradication programs and other support programs, such as income support programs, extracurricular activities and training. To meet this objective, countries shall set national goals and deadlines based on the local situation.**

Consistent with the obligation assumed upon ratifying ILO Convention 182, Argentina is taking steps to involve all social stakeholders in preventing and eradicating the worst forms of child labor.

Thus, the National Plan for the Prevention and Eradication of Child Labor presented by CONAETI in June 2006 makes this one of its principal objectives, and lays out the following lines of action:

- Create public awareness of the worst forms of child labor.
- Identify, train and inform all social stakeholders so they can help to prevent and eradicate the worst forms of child labor.
- Promote constant updating of the list of hazardous child occupations.

If the comprehensive plan for eradicating child labor is to be effective, the approach must be comprehensive and interinstitutional. Accordingly, an interministerial roundtable has been established at the national level, reporting to the President's Social Policy Coordination Council.

An important factor was the approval of Law 26,061 on the Integral Protection of the Rights of Children and Adolescents, at the end of 2005, which reflects the Convention on the Rights of the Child in its recognition that children have full rights, and within this context calls for crosscutting actions that will address the various problems facing children in our country.

**I.3. To reduce youth unemployment and significantly lower the percentage of young people that neither study nor work. We shall strengthen our efforts in the development of specific policies for training, vocational training, reinsertion into the educational system and promotion of access of young people of either gender to their first job. In this respect, some countries promote youth employment in non traditional sectors such as in the conservation and rehabilitation of the environment and in areas of public-private partnerships to enable access to formal education and introductory professional courses in the workplace. We shall promote targeting these programs, in particular, towards youths that are most vulnerable, whether because of low levels of education or low income.**

Initiatives sponsored by the Employment Department of the MTEySS:

1. **Qualifying internships.** These involve placements in firms with periodic training provided by a specialized institution. They constitute a highly effective tool through which young people can learn a fairly challenging trade and come to appreciate work as the key to social inclusion while at the same time enjoying certain labor rights that were denied them in situations of precarious employment.
2. **Digital inclusion.** This is a proposal to help young people improve their employability in jobs that require technical know-how and skills. It involves participation in IT workshops and training sessions for a period not exceeding six months, with a workload of eight hours a week plus four hours of homework, in which young people are trained in three alternative profiles. At the end of the third month, trainees receive a computer which they can use as a working tool, and which they can take home for practice.
3. **“Apprenticeship firms” (*Empresas de aprendizaje*).** These are community organizations and "social economy" firms sponsored jointly by government, businesses, NGOs, and labor unions. They offer young vocational trainees six months' experience during which they can acquire specific and general skills and knowledge and receive support and coaching along the path to social and occupational integration.

- I.4. To eliminate discrimination against women at work through, among other measures, the implementation of a range of policies that will increase women's access to decent, dignified, and productive work, including policies addressing training and education and protection of the rights of women, as well as proactive policies to ensure that men and women enjoy equality in the workplace.**

Initiatives sponsored by the MTEySS:

1. **Review of training and employment plans** to incorporate the gender perspective in the processes of selection, orientation, training, and labor intermediation.
2. **"Domestic Service" Project.** Together with a campaign to promote registration of female domestic workers so they can earn pension rights and gain access to Social Security, a project is underway to upgrade activity through training and qualification of workers, awareness campaigns aimed at workers and employers, and intermediation mechanisms. The project is currently underway in three provinces (Chaco, Tucuman and Buenos Aires).
3. **Entrepreneurship support.** The principal objective is to create jobs for women in the provinces of Cordoba (jam making), Rio Negro (early childhood care center) and Neuquen (textiles).

- I.6. To develop and strengthen policies to increase opportunities for decent, dignified, and productive work for senior citizens and persons with disabilities, and ensure compliance with national labor laws in this area, including eliminating discrimination against them in the workplace.**

1. **Employment programs to expand opportunities for persons with disabilities:** community or association-sponsored productive activities; economic support for microentrepreneurs; training for self-employment; employment in a relationship of dependency, improved economic benefits to businesses that hire the disabled; support for disabled persons to return to school to complete their studies; and strengthening the Sheltered Workshops Program.
2. An outreach campaign to sensitize businesses to issues of disabilities and employment, including the promotion of "**Committed Business Clubs**".
3. **Program in support of disabled jobseekers.** This program is supported by specialists in the area of employment and disabilities, and is offered throughout the country, via the MTEySS employment and training offices and the "selective employment areas" that have been setup in municipal employment offices, which are being reinforced through the Employment Services Network.

- I.8. To significantly reduce the levels of unregistered work by implementing or strengthening mechanisms that ensure enforcement of national labor laws in the workplace.**
- I.9. To promote goals for the gradual registration of workers who are wage earners but not covered by social protection, especially domestic workers.**

The Ministry of Labor, Employment and Social Security has implemented policies for enforcing labor legislation in the workplace. In 2003 the National Work Regularization Plan was introduced to encourage employers to regularize the situation of workers who are not properly registered. The plan conducts factory inspections to detect irregularities. During 2005/2006 it was reinforced with technical and financial resources, and the number and quality of inspectors was substantially increased.

Over the last three years, the prevalence of unregistered work has declined: in the third quarter of 2003, 49% of all workers were not properly registered in the Social Security system; that figure drops to 43.6% of private-sector workers excluding domestic workers and employment program beneficiaries (according to the INDEC Permanent Household Survey). While the proportion of unregistered workers is still high, the trend has been reversed. Subsequent quarters have shown a gradual but steady decline, to 46.2% for all workers and 41.7% for the more restrictive category, in the first quarter of 2006.

Through the National Work Regularization Plan, the MTEySS is encouraging the registration of workers who are not included in the Social Security system. Between September 2003 and August 2006, official inspections covered a total of 268,036 businesses and 836,686 workers, 23.6% of whom were not registered at the time of inspection. As a result of the Plan, employment registration certificates (the CAT, *Clave de Alta Temprana*) have been issued to 33.3% of workers who did not have the CAT and for whom no Social Security contributions were being made.

In December 2005, the National Revenue Administration (AFIP) introduced new measures of benefit to domestic workers. Upon payment of a small contribution by their employers, domestic workers can now obtain health cover and pension rights. Their employers also benefit from an income tax deduction if they join the scheme. In the first five months after these measures came into effect, a total of 150,000 female domestic workers were registered, representing 16% of all domestic workers.

- I.10. To provide, improve, or widen, as appropriate, comprehensive social protection systems so that all workers have access to relevant social safety net mechanisms.**

Decree 336 of March 2006 instituted **Training and Employment Insurance**, a noncontributory system, as part of a broad strategy for dealing with unemployment, and a fundamental element of a pro-active policy to promote employment and vocational training.

This insurance is intended for unemployed workers seeking to enhance their employability and to enter the labor market. The system was initially opened to beneficiaries of the Unemployed Heads of Household Program.

A notable feature is that this insurance offers subscribers a stipend of \$225 during the first 18 months, and \$200 during the last six months while on unemployment insurance. The worker in turn can count these payments as credits for Social Security benefits.

Workers who join the system are also eligible for assistance through the municipal employment offices. That support includes: (a) guidance and job-seeking services; (b) labor intermediation services for finding work in the public and private sectors; (c) basic and vocational training services; (d) job preparedness training; (e) technical assistance for developing self-employment projects.

**Changes have been made to the rules governing contributory unemployment insurance** as well, to broaden coverage and expand the benefits. As a result, 87,770 workers had insurance cover in August 2006, an increase of 23,659 over the same month in the previous year.

With respect to other social welfare systems, the government recently introduced a mechanism (the “moratorium”) in the retirement program for incorporating persons of retirement age who do not have the necessary years of contributions, allowing them to apply for a pension and enter a “moratorium” that would be paid as a percentage of pension rights. About 200,000 persons have applied for these benefits which, if granted, would mean a 20% increase in the adult population covered by Social Security.

Since 2003 there has been a **policy in place to restore the minimum entitlement levels of the Social Security system**. Minimum entitlements were in fact raised from \$220 in July 2003 to \$470 in June 2006, i.e. an increase of over 200%, benefiting more than 1.6 million persons.

**I.11. To promote tripartite and inclusive social dialogue and cooperation among social partners and governments and call on the ILO for support as needed**

After more than 12 years of inactivity, the National Council on Employment, Productivity and the Minimum Wage was convened in 2005. This is a tripartite body that, among other functions, establishes the minimum wage. The Council met in June 2005 and again in July 2006, and issued resolutions on matters within its competence.

One of the principal tools of social dialogue in labor relations is, of course, collective bargaining. Following the deep crisis of 2001, the sustained economic boom that began in 2003 has sparked a surge in collective bargaining, and the bargaining culture of the social partners, promoted by the State as a mechanism of income distribution, has been such that the pace of negotiations has accelerated at a rate not seen in the last 15 years.

A first record was set in 2003, when the MTEySS approved a total of 406 collective bargaining agreements and contracts. While the number declined to 348 in 2004, it was still significantly above that for every year from 1991 to 2002.

The year 2005 exceeded expectations, with a total of 568 agreements and contracts. In the first half of 2006 alone, 390 agreements and contracts were approved, i.e. 69% of the total for all of 2005.

**I.12. To encourage, as appropriate, with the corresponding educational authorities, the inclusion in educational curricula of the study of the Fundamental Principles and Rights at Work and the dimensions of decent work, bearing in mind the approach of the ILO.**

In March 2004 the Ministry of Labor, Employment and Social Security and the Ministry of Education, Science, and Technology signed an agreement, with the cooperation of the ILO, to implement a program for "Building the Future with Decent Work".

The project calls for the Federal Council on Culture and Education to incorporate the contents of the Declaration on the Fundamental Principles and Rights at Work and on Decent Work into the curricula of intermediate education in its different forms in all jurisdictions of the country, so as to promote the dignity of work and the democratic culture as core values.

In order to evaluate the procedures, conditions, and requirements for implementing this project in all the country's intermediate schools, the National Institute of Technical Education (INET) of the Ministry of Education selected a pilot set of schools. The experience gained from these months of work, which involved both teachers and students, was reported in the evaluation workshops, which clearly demonstrated the satisfactory results obtained. The most tangible achievement has been the design of a manual with contributions from specially invited consultants, officials of the ministries involved, ILO officials, and teachers and students from the different schools that participated in the pilot project.

**I.13. To carry out actions towards the promotion of the fundamental principles and rights at work and develop, together with the ILO, cooperation strategies to be complied with by member countries.**

Argentina's Ministry of Labor is now working with the ILO to develop the National Decent Work Program, in order to promote the fundamental principles and rights at work.

**I.14. To increase the proportion of the active population, both employed and unemployed, that participates in occupational training activities to acquire or update their skills, including those required in the knowledge-based economy, making use of the good practices developed by CINTERFOR/ILO in various countries in the region.**

1. Training activities throughout the country are targeted specifically at the unemployed, the employed, and groups that face special obstacles of entry to the labor market, including young people, women, and prison inmates.

The intention is to ensure that training also includes upgrading studies, embracing literacy work as well as encouragement for people to complete their education at various levels.

Vocational training is being offered in a range of sectors, and encouragement is given to training based on labor skills. In this line of work, in order to develop the necessary institutional structures to promote standardization and certification of skills, representatives of the worlds of production and of work are coordinating their efforts. The sectors involved in this training are the following: automotive maintenance, metallurgy, forest products, the winemaking industry, the hotel and restaurant industry, construction, fruit and olive growers, the automobile industry, software, call centers, leather and footwear, bakery and related goods, the graphic arts, shipbuilding, textiles and clothing, tourism, meat processing, administration, commerce, among others.



Since 2003 the MTEySS has provided vocational training to 140,365 individuals, and has helped 100,480 persons to complete their studies at various levels.

2. **Quality of training.** Based on nationally coordinated sector experiments as part of the social dialogue, a National System of Labor Skills Certification and Training is to be established.

To date, 16 sectors have been covered, and 140 skills standards have been prepared, with their respective evaluation tools, corresponding to the sectors of activity mentioned above. The target for this year is to certify at least 4,200 workers.

In addition, the MTEySS has been pursuing institutional strengthening to enhance the quality of vocational training provided by institutions. It has signed an agreement with the IRAM Institute, through which a quality benchmark was prepared, establishing the required standards and constituting the basis for third-party certification of a quality of vocational training institutions.

**I.15. In addition to public efforts in this area, to promote the development of business services that support occupational training that facilitates the entry into the formal labor market and the upgrading of the skills of the labor force.**

1. From the subnational perspective, Argentina is promoting institutions for building consensus among social and economic stakeholders ("territorial roundtables"), with which the MTE and SS negotiate agreements for preparing local development strategies, with a focus on employment and employment generating activities. In these "territorial roundtables" businesses play an important role in analyzing the situation of each territory and forging commitments for training unemployed workers and helping them enter the labor market.

In the course of this strategy, 140 territorial roundtables have been set up for implementing employment policies, and training plans have been developed, geared to labor market requirements in each territory: 15,318 unemployed workers in 24 provinces have been trained to date, and a further 19,535 are now taking training.

2. **The Sectoral Qualification Plans** include a coordinated set of actions that employers and workers are pursuing with financial and technical support from the Ministry of Labor and other State agencies (Department of Industry, Department of Agriculture, National Technical Education Institute, the national institutes of industrial technology and agriculture) to address qualification problems, enhance productivity and competitiveness, and expand employment opportunities and their quality.

To date, sector agreements have been negotiated and implemented with the following sectors: food processing, agriculture, agroindustry, construction, leather and footwear, textiles and clothing, automotive, metallurgy, plastics, glass, wooden furniture, graphic arts, bakeries, software, call centers, and tourism. More than 50,000 workers have been trained in various occupations in these sectors, as a result of those agreements.

**I.16. To promote occupational health and safety conditions and facilitate healthy work environments for all workers, and, to that end, ensure effective labor inspection systems. For this purpose, it is essential to foster strategic alliances between the labor, health, environment, and education sectors.**

Initiatives sponsored by the MTEySS in coordination with other federal entities:

1. **Technical and financial assistance to all provincial labor administrations** (23), through the negotiation of agreements to step up workplace hygiene and safety inspections and make lasting improvements in the quality of employment, by promoting "decent work" in the country's various jurisdictions.
2. Encouraging workers to become involved in workplace health and safety issues, including clauses dealing with **working conditions and environment ("CyMAT" clauses)** in collective labor agreements, and fomenting political and social pressure to have them included as legal obligations in all companies with more than 20 workers.
3. Various **activities for disseminating and updating** scientific and technical knowledge, such as seminars, workshops, meetings, and conferences on risk prevention and best practices in workplace health and safety, involving workers, employers and social stakeholders linked directly or indirectly to the world of work.
4. Promoting **worker training** through contracts with associations grouping workers from various economic sectors, providing financial and technical support for annual training programs and for trainers in workplace health and safety.
5. Promoting **interaction with legislators and ongoing dialogue between the labor, health and education portfolios**, to build political commitment to effective long-term measures for steadily improving the working conditions and environment, fostering a culture of prevention.

**I.18. To adopt measures to encourage the full and effective exercise of the rights of all workers, including migrant workers, as well as application of core labor standards, such as those contained in the ILO Declaration on Fundamental Principles and Rights at Work and its follow-up, adopted in 1998. Explore ways for the ILO to provide technical advisory services to member states to help them accomplish that objective.**

To ensure workers the full enjoyment of the rights, they must be residing in the country legally. Given the large number of immigrants from countries that are members of MERCOSUR and associated states, the Ministry of the Interior launched the National Migrants' Document Standardization Program, known as "Patria Grande", to facilitate the process of obtaining legal residency in the country. What is innovative about this program is that it assumes good faith on the part of the persons involved, and this is the criterion for acceptance. This change in philosophy means a simplification of the legal settlement formalities.

In addition, the National Labor Regularization Plan of the Ministry of Labor, Employment and Social Security promotes the registration of workers who are not enrolled in the Social Security system. The objective of this plan is to regularize the status of all irregularly hired workers, whether or not they are performing forced labor.

**II.4. To promote increased communication between ministries responsible for economic, social, and labor policies at the national level with the objective of coordinating policies centered on job creation and poverty reduction.**

The National Social Policy Coordination Council (CNCPS) was created in 2002, reporting to the President of the Nation. Its task is to coordinate the planning and implementation of national social policy for improving government management, by formulating policies and defining articulated and comprehensive courses of action, optimizing resource allocation, transparency, and social oversight. The Council has permanent members from the Ministries of Social Development; Labor, Employment and Social Security; Education, Science and Technology; Health and Environment; Economy and Production; Federal Planning, Public Investment and Services; and the Department of Children, Adolescents, and Family of the Ministry of Social Development.

**II.11. To stimulate policies that improve income distribution**

Income distribution in Argentina, as measured by the Gini coefficient, has gradually improved since 2003: the indicator was 0.537 in that year, and it stood at 0.485 in the last quarter of 2005. This improvement reflects the income policies of President Kirchner's administration, through increases in minimum pensions, lump-sum wage increases, a higher minimum wage, and encouragement for collective bargaining. The minimum wage in fact rose by 213% from \$200 in May 2002 to \$760 in August 2006; average wages increased by 40% from the first quarter of 2003 to the fourth quarter of 2005, while the minimum wage went up by 213%. These measures not only improved the inequality indices but have also had a sharp impact on reducing poverty and indigence. The poverty rate in fact declined over the period 2003/2005, from 50% to 34%. Similarly, the indigence rate (proportion of households whose incomes do not cover a basic food basket) fell from 28% to 12% in the second half of 2005.

**III. OTHER MANDATES**

**A. MIGRATION**

**The Migrations Act**

An essential element for promoting recognition of the human rights of migrants is the new Migrations Act, which came into effect in Argentina on January 4, 2004. In this respect, Law 25,871 is an essential tool for Argentina's evolving migrations policy. The new law reflects Argentina's commitment to guarantee full respect for the human rights of migrants and their families, while establishing readily accessible mechanisms for regularizing their status, recognizing that this is essential to full integration of foreigners into the host society.

The following paragraphs of that law are particularly relevant in this context:

- **Respect for human rights and international commitments. Article 3.** "The objectives of this law are: (a) to fulfill the Republic's international commitments relating to human rights, integration and mobility of migrants; ... (f) to ensure that

any person seeking admission to Argentina enjoys nondiscriminatory rules and treatment in terms of the rights and guarantees enshrined in the national constitution, international treaties, valid bilateral agreements, and legislation; (g) to promote and disseminate the obligations, rights and guarantees of migrants, as established in the national constitution, international commitments and legislation, maintaining at all times their humanitarian and open tradition with respect to migrants and their families.

- **The right to migration. Article 4.** "A person's right to migration is essential and inalienable, and Argentina guarantees this right on the basis of the principles of equality and universality".
- **Equal treatment. Article 5.** "The State shall guarantee conditions for equal treatment so that foreigners may exercise their rights and fulfill their obligations".  
**Article 6.** "The State, in all its jurisdictions, shall guarantee equal access for immigrants and their families to the same conditions of protection, security and rights as those enjoyed by nationals, in particular with respect to social services, public goods, health, education, justice, labor, employment and social security".  
**Article 13.** "For purposes of this law, discriminatory acts or omissions are deemed to be those motivated by ethnic or religious considerations, nationality, ideology, political opinion or labor union activity, gender, economic position or physical characteristics, that arbitrarily impede, obstruct or restrict the full exercise of rights and guarantees on an equal basis."
- **Right to education. Article 7.** "In no case shall a foreigner's irregular immigration status prevent his admission as a student in an educational establishment, whether public or private, national, provincial or municipal; primary, secondary, tertiary or university. The educational institution's authorities must offer guidance and advice with respect to the procedures to be followed for rectifying such irregular status."
- **Right to health. Article 8.** "The right to health, social assistance or medical care shall in no case be denied or restricted for foreigners who so require, whatever their immigration status."
- **Right to information. Article 9.** "Migrants and their families have the right to information from the State regarding: (a) their rights and obligations according to law, (b) the requirements for their admission, residency, and departure."
- **Integration. Article 14.** "The State, in all its jurisdictions, whether national, provincial or municipal, shall promote initiatives to integrate foreigners into their community of residence."
- **Facilitated immigration for nationals of a State Party or Associate of MERCOSUR, based on legal residency. Article 23 (1).** Nearly 85% of immigrants to Argentina come from MERCOSUR states. The new immigration law allows nationals of these states to apply for legal residency in Argentina. This is a facilitation mechanism for obtaining legal residency and in this way achieving full integration into the host society.

- **Mandatory judicial intervention in expulsion proceedings: Title V Chapter I.** Under the former immigration law, the Migrations Department could order and execute expulsion from Argentina without the need for judicial review.
- **The courts have the exclusive power to order a foreigner held for expulsion. Title V Chapter II.** Under the former immigration law, the Migrations Department could arrest and expel a foreigner without the need for judicial review.
- **Criminalization of illegal trafficking in persons. Increased penalty for endangering the life, health or integrity of the migrant, or when the migrant is a minor. Chapter VI.** For the first time, Argentina's immigration legislation makes it a crime to smuggle migrants. The penalties range from one to six years imprisonment, and may be extended to 20 years under aggravating circumstances.

Regulations are now being prepared for implementing Law 25,871. The substantive differences with respect to the previous law, which was in effect for more than 20 years, mean that the task of preparing regulations is more difficult and involves new situations. Consultations are underway with all sectors of government involved in the issue, as well as with interested NGOs. The regulations are being prepared on the basis of respect for the principle of equality in enjoyment of rights which are inherent to all persons as human beings, and not because of their nationality. From this viewpoint, the authorities are taking care not to stray into reverse discrimination, i.e. not to create unequal treatment that would be prejudicial to nationals.

Notwithstanding the above, while awaiting approval of the new regulations the Ministry of the Interior and the Migrations Department have taken a series of steps consistent with the spirit of protection for migrants contained in Law 25,871.

Those measures include:

- **Suspension of expulsions or warnings to depart for nationals of bordering countries.** DNM Order 2074/04, issued on January 28 of this year, preserves the rights of citizens of bordering countries who would be able to regularize their status under the new law once its regulations are approved. This rule does not apply to expulsion orders based on a pre-existing criminal record.
- **Preventive detentions or orders to this effect issued by the Migrations Department pursuant to the repealed Law 22,439 are null and void.** DNM Order 17,627, issued on April 23 of this year. As noted above, under Law 22,439 the Migrations Department could arrest foreigners for whom an expulsion order had been issued. Such arrests were solely for the purpose of expulsion. The new Migrations Act gives the courts the exclusive authority to order a foreigner's arrest. Consequently, since the adoption of Law 25,871 the Migrations Department has not ordered any such arrests, and it has canceled all outstanding orders of this kind issued under the previous law.
- **Reduction in the consular fees that foreigners must pay for processing their residency application.** DNM Order 21,085, issued June 17, 2004.

Finally, among the various measures taken in our country to protect migrants is the "**Patria Grande**" program for regularizing migration documents. DNM Order 53253/2005.

Pursuant to Article 17 of the Migrations Act, steps have been taken to regularize the situation of foreign migrants. This initiative was taken under the "Patria Grande" program and is applicable to all foreigners born in states parties and associates of MERCOSUR; the applicant's nationality is the criterion for regularization.

### **Accession to international instruments**

Argentina signed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in August 2004, and the President's Office is currently examining the draft message and law prepared by the Foreign Ministry for approving and subsequently acceding to the convention.

### **National Antidiscrimination Plan. Treatment of the migration question**

The plan included a chapter on migrants, analyzing the discrimination facing this group in our country.

The plan notes a number of examples over the course of the 20th century that indicate the persistence of discrimination against certain groups of immigrants and, more recently, against persons from bordering countries. Some attitudes are openly racist, holding that "those immigrants are responsible for our troubles.... Such attitudes contribute to the formation and maintenance of a discriminatory stereotype, transferring social frustrations to the immigrant communities: people present the victims as the aggressors, so as to avoid their own responsibilities." The plan also contains the following proposals:

- P.124.** Find ways to give the National Antidiscrimination Institute (INADI) an effective presence in the National Migrations Department and all its regional offices.
- P.125.** Give adequate publicity to the provisions of the Migrations Act, Law 25,875.
- P.127.** Disseminate the practice of the Mobile Migrations Delegations, in the sense of establishing offices in neighborhoods, zones or regions to help undocumented migrants legalize their status.
- P.128.** Find ways to reduce processing costs for regularizing immigration and residency status.
- P.129.** Negotiate international agreements between Argentina and the home countries of the major immigrant communities in order to speed immigration processes and reduce the associated consular fees.
- P.130.** Negotiate international agreements between Argentina and the home countries of retired migrant workers so they can combine pension contributions made in the home country with those made in Argentina. There is a suggestion to work out a mutual information exchange agreement with the home countries on work performed in their respective jurisdictions.
- P.131.** Encourage consular officers to visit communities where immigrants have settled to facilitate the provision of documentation for residing, working, and studying.

- P.134.** Organize guidance and training courses for civilian and security personnel who deal with migrants, to ensure they provide efficient services and are respectful of individuals and their rights.

### **Participation in international forums on migration issues**

Argentina took part in the Ibero-American meeting on migration and development, held in Madrid on July 18 and 19, 2006. At that time it presented a position paper, entitled "A Paradigm Shift: Treatment of the migration question from the human rights perspective."

That document noted that "the 21<sup>st</sup> century requires us to respond to the complexity of migratory flows in Ibero-America with a shift of paradigm in the treatment of international migrations: we must move from a focus on security and border controls, based exclusively on the concept of the nation state, to an integral perspective of human rights, where migrants and their families must be the center point of government policies. [...] Given the complexity of the migration phenomenon in the new circumstances of the international context and the challenges that individuals must face in the process of moving and settling in the host countries, it is both necessary and appropriate to include the social and human perspective in the consideration of international migrations."

In this context, Argentina declared expressly that "both at the universal and other regional levels, a new paradigm has been taking root for dealing with migratory issues, which is to approach the matter from a perspective of human rights and nondiscrimination. Argentina has attempted to instill this new paradigm in the spirit of its migration policies and consequently in the provisions of the new National Migrations Act, which came into force in January 2004."

- 28. We call for an increase in inter-American cooperation and dialogue to reduce and discourage undocumented migration as well as to promote migration processes in accordance with the national legal system of each State and applicable international human rights law. We commit to dialogue in order to reduce the cost and facilitate remittances and to increase efforts to combat smuggling of migrants and trafficking in persons, in keeping with international instruments of human rights; to provide for the dignified, orderly, and safe return of migrants, and to invite states to exchange best practices on establishing bilateral programs for migrant workers.**

1. Together with promulgation of the new Migrations Act, Law 25,871 of January 2004, Argentina is pursuing a national policy through the "Patria Grande" program to regularize the status of immigrants and to integrate undocumented foreign residents in the country.

The program addresses two situations: (a) undocumented immigrants who entered the country before April 17, 2006, and (b) foreigners seeking to settle in Argentina after that date (DNM Order 14949/2006).

These provisions were issued by the Migrations Department subsequent to the Fourth Summit of the Americas, pursuant to Article 17 of the Migrations Act, which requires the government to adopt and implement measures to regularize the situation of foreign migrants.

The national government has therefore taken steps to give migrants the same rights as nationals in all aspects, including labor and social rights. The intent is to prevent abusive treatment of undocumented migrants and avoid unfair competition in the labor market.

There is a real willingness in Argentina to integrate the foreign communities settled in our country, and a sense of commitment and responsibility to respond to the needs of migrants, who are legally in a vulnerable situation until their status is formalized.

2. On the bilateral front, Argentina has exchanged letters with Brazil and with Uruguay to bilateralize the MERCOSUR regional agreements on regularization and residency. Those agreements call for free circulation and residency for nationals of states parties, on the basis of equality with nationals of the host country, with respect to labor, social, civil, and economic rights, health, education, transfer of remittances, etc.

These agreements represent important progress, in that, for the first time, they allow free circulation and residency for the citizens of states parties, with the sole criterion being their nationality.

3. Argentina is active in various regional forums and international conferences on migration issues. It has much to offer in terms of the thrust of its national migrations policy, which is forward-looking and has had great influence within MERCOSUR, through the Specialized Migration Forums, and in the bilateral agreements noted above, as well as regional ones; the LAC-EU and MERCOSUR-EU dialogues; the South American Conference on Migrations (CSM); dialogue within the International Organization for Migrations (IOM), etc.

The foundations of this migration policy are: the Declaration of Santiago on Migratory Principles (May 16, 2004), the Declaration of Montevideo against Trafficking in Persons in MERCOSUR and Associated States (November 16, 2005), the Declaration of Asuncion on Trafficking in Persons and Illegal Smuggling of Migrants (June 8, 2001); the Agreement on Residency for Nationals of MERCOSUR States Parties and Associated States, Bolivia and Chile (December 6, 2002); the Agreement on Illegal Smuggling of Migrants between MERCOSUR States Parties and Associated States, Bolivia and Chile (June 6, 2003); the Protocol of Asuncion on the Commitment to Promote and Protect Human Rights in MERCOSUR (June 20, 2005), and other relevant documents adopted within MERCOSUR. As well, the EU-LAC dialogue process has considered the report approved at the meeting of experts on migration (Cartagena, March 1 and 2, 2006).

To enhance cooperation and inter-American dialogue on migration matters, the Sixth South American Conference on Migration, held in Asuncion, Paraguay, on May 4 and 5, 2006, provided an occasion for ratifying and broadening the basic objectives relating to migration, as set out in the Fourth Summit of the Americas.

## **B. INDIGENOUS PEOPLES**

The rights of indigenous peoples are enshrined in the 1994 Constitution of Argentina, article 75 (17) of which reads: "To recognize the ethnic and cultural pre-existence of indigenous peoples of Argentina. To guarantee respect for the identity and the right to bilingual and intercultural education; to recognize the legal capacity of their communities, and the community possession and ownership of the lands they traditionally occupy; and to regulate the granting of other lands 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."

These rights have also been incorporated into the various provincial constitutions.



In addition, ILO Convention 169 on Indigenous and Tribal Peoples in Independent Countries was approved by Law 24,071, and has been in force since July 3, 2001, while Law 24,544 of October 20, 1995 approved the agreement on the Indigenous Peoples' Fund, which Argentina ratified on March 18, 1996.

Law 23,302, which has been in force since 1985, also addresses the needs and situation of indigenous peoples and communities. Its first article declares that "it is in the national interest to attend to and support the country's aboriginal peoples and indigenous communities, and to see to their defense and development for their full participation in the socioeconomic and cultural life of the nation, while respecting their own values and approaches."

That law created the National Institute for Indigenous Affairs (INAI), with the participation of indigenous communities. Decree 374/04 placed the Institute under the Department of Social Policies and Human Development of the Ministry of Social Development, as a decentralized agency, and Decree 410/2006 approved its organizational structure and its objectives and actions.

Pursuant to this last decree, the INAI is to attend to and support aboriginal peoples and indigenous communities in the country, and to see to their defense and development for their full participation in the socioeconomic and cultural life of the nation, while respecting their own values and approaches, implementing plans to allow them to own land and to develop activities in agriculture, forestry, mining, industry or handicrafts of any kind, to preserve their cultural norms in education plans, and to protect the health of their members. Since the creation of the Institute, progress has been made in aspects relating to education, health, land ownership, and other areas.

On the first aspect, intercultural and bilingual **education** is seen as a strategy for educational equality. Some 100 representatives of indigenous communities participated in the First Meeting of Aboriginal Peoples and Intercultural Bilingual Education, which contributed to the new draft law on education.

The National Program for Intercultural Bilingual Education (IBE) begins with recognition of the experiments conducted by educational institutions, indigenous organizations, national universities and NGOs in every jurisdiction, and the experience accumulated through various educational initiatives of the central government to develop IBE to date, and accepts the challenge of constructing an IBE policy for the entire education system. The program is targeted at indigenous peoples and at educational institutions operating in situations of cultural and linguistic diversity. It is also aimed at the schools of the education system, to change the image of indigenous peoples in society in order to overcome prejudices and the many forms of discrimination. The program offers special qualification courses for teachers in intercultural bilingual education at the primary, intermediate, and high school levels.

In the **health** area, the Indigenous Health Program is part of the Federal Health Plan, calling for a comprehensive approach to health and illness, and a primary-care strategy.

The program of community facilities for indigenous peoples has been created within the Indigenous Health Program, designed to improve social and sanitary conditions through an intercultural approach based on respect for the traditions and customs of the different aboriginal communities. With a view to respecting identity and working for integration, 15 working groups have been formed in 15 communities belonging to 11 provinces, with 102 professionals.

When it comes to **land and social development**, the INAI is the agency responsible for recognizing community possession and ownership of the lands they have traditionally occupied, and regulating the delivery of lands suitable and sufficient for human development. Together with the provincial governments and communities, the INAI designs, implements and finances land entitlement programs and processes involving expropriation and purchase.

To this end, it has developed a working method that calls for broad participation by the communities, ensuring that they have a genuine voice, through their assemblies, and can express their choice directly with respect to the way land ownership is conveyed, and other substantive aspects of their organization and internal life.

During 2005 the INAI benefited some 22,300 people through technical assistance and land entitlement processes. Approximately 34 projects are now in execution or under consideration in eight provinces, involving 1,559,642 hectares.

Among other noteworthy accomplishments, the aboriginal communities of the Department of Susques in the Province of Jujuy have received title to 300,000 hectares of land; lands have been purchased for the Nainic aboriginal community; the Toba community has received title to lands; lands have been surveyed in the Province of Chubut; and technical assistance has been provided to the indigenous communities of Oguopeigenda and Banda Norte in the Province of Salta.

Financing will soon be provided for the purchase of lands for the Tostado aboriginal community of Pedro José in the Province of Santa Fe; financing is being negotiated for technical assistance to the aboriginal community of Laguna de Tesoro Pueblo Ocloyas in the Province of Jujuy; and a community ownership survey is being conducted in the territory of Verenada for the Mapuche Filipin community of in the Province of Neuquen.

With respect to negotiations for adoption of the American declaration on indigenous rights, in the inter-American, as in the universal, sphere, Argentina has worked actively and positively for adoption of an instrument that would enshrine the rights of indigenous peoples.

While Argentina was unable to join the countries that voted in favor in the Human Rights Council, this was because the chair's text was closed without the opportunity to examine a number of provisions. Argentina is confident that the inter-American text will make it clear that self-determination in this context must be understood as the capacity of indigenous peoples to develop freely and to exercise their own forms of political, economic, social and cultural organization and will guarantee access to the jurisdiction of the State, in a framework of autonomy and self-government, compatible with the national unity, territorial integrity and organizational structure of each State, in which case Argentina will be the among the first to approve it.

### **C. DISABILITIES**

During its thirty-sixth regular session in June 2006, the OAS General Assembly adopted the Declaration on the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2006/2016), on the basis of a proposal presented by the delegation of Peru.

At that time, the Argentine delegation worked actively on negotiation of the declaration, offering observations and comments that were taken into account in its final version.

The Argentine delegation also presented a draft resolution for giving effect to the Committee called for in the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities.

That resolution (AG/RES. 2167), entitled "Establishment of the Committee Provided for in the Inter-American Convention on the Elimination of All Forms of Discrimination against Persons with Disabilities", requests the Secretary General, in accordance with Article VI of the Convention, to convene the first meeting of the Committee during the second half of 2006.

#### **D. ECONOMIC, SOCIAL, AND CULTURAL RIGHTS**

Since ratification of the Protocol of San Salvador in October 2003, Argentina has worked actively to implement its mechanisms to oversee the obligations assumed by the states. It was at our country's urging that all states parties to the protocol sponsored the draft of AG/RES. 2074 (XXXV-O/05).

This was followed by an intensive exchange of views with other states on the issue. In 2006, recognizing the lack of progress, Argentina again presented a draft, which was approved by the General Assembly [AG/RES. 2178 (XXXVI-O/06)]. In general terms, that resolution reiterates the call to continue work and to define as soon as possible the composition and functioning of the working group, and the progress indicators to be used.

#### **E. DISCRIMINATION**

The reformed Argentine Constitution of 1994 gave constitutional status (article 75 (22)) to various international instruments for the protection of human rights, including the International Convention on the Elimination of All Forms of Racial Discrimination. That convention now ranks with other constitutional provisions and has hierarchy over other international treaties and over national or provincial legislation. A number of judicial rulings by the Supreme Court Justice have confirmed this hierarchy.

As a result of this constitutional provision, Law 24,515 was adopted in July 1995, creating the National Institute against Discrimination, Xenophobia and Racism (INADI) as a decentralized entity, then under the jurisdiction of the Ministry of the Interior and now under the Ministry of Justice and Human Rights, with a mandate to prepare national policies and concrete measures to combat discrimination, xenophobia and racism.

On the specific question of progress in combating discrimination, xenophobia and other forms of intolerance, attention should be drawn to the National Plan against Discrimination, adopted by National Decree 1086/2005 of September 8, 2005, in line with the commitments assumed at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Durban, 2001).

The plan is designed for follow-up to point V (167) of the Durban Program of Action, which calls upon countries to "formulate national policies and action plans to combat racism, racial discrimination, xenophobia and related intolerance". Argentina's national plan, one of the first of its kind in the world, offers the most comprehensive and complete analysis of discrimination in Argentina and includes more than 250 concrete proposals for eradicating these practices.

The plan exceeds the recommendations of the Durban Program of Action (2001), which limited itself to calling on states to adopt measures against discrimination. The Argentine plan, in contrast, offers an analysis of discrimination that addresses three central themes: **racism, poverty and social exclusion, and state and society**.

One of the particular features of the plan is that its preparation was not treated as an academic project, but was the fruit of interdisciplinary work among governmental and nongovernmental agencies, and included more than 300 interviews around the country with groups and individual victims of discrimination.

This pioneering work received significant financial support from the United Nations High Commissioner for Human Rights, channeled through the UNDP. The specific proposals in the plan for combating discrimination are designed to have an impact in the preparation of national policies.

The plan includes an introduction and a chapter on the international and national settings. The research section is divided into two parts: (a) an analysis of discrimination in Argentine society, covering the three horizontal themes mentioned above, areas for analysis, and institutional spheres of application; and (b) strategic proposals and immediate actions.

The areas of analysis considered were: age, ethnic and national origin, gender, sexual identity, migrants and refugees, special needs, politics and ideology, religion, and particular situations.

This approach produced an exhaustive diagnosis of the discrimination suffered by various sectors of Argentine society, and offered proposals divided into: (a) general proposals (common to all spheres), (b) legislative proposals (legal initiatives), (c) institutionally oriented proposals (this includes the bulk of proposals relating to the administration of justice and legislation, public administration, education, security forces, communications media, and health), which in turn are subdivided into: (i) strategic proposals (of a general nature and progressive application) and (ii) proposals for immediate action (execution or beginning of which must not be delayed).

Finally, the plan includes a proposal for enforcement, monitoring and oversight, taking into account the difficulties that may arise in implementing the recommended policies and the potential obstacles to on-going monitoring of discrimination in Argentina.

The importance that Argentina accords this issue is also reflected in its active participation in the Regional Conference of the Americas on Progress and Challenges in the Program of Action against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in which the Argentine delegation, chaired at the highest level, presented a report on progress under the Durban Program of Action over the last five years.

## **F. GENDER EQUALITY**

Points 23 and 30 of the Declaration and Points 4 and 5 of the Plan of Action. In compliance with these commitments, Argentina has made significant progress that can be illustrated with tangible and concrete results. In terms of women's participation and representation in political life and decision making, the introduction of quotas in candidate lists for elective position has sparked a dynamic that has produced substantial progress in female representation. In the current national Congress, women hold 42% of seats in the Senate and 33% in the Chamber of Deputies.

Within the national executive branch, the Ministry of Defense and the Ministry of Economy and Production are headed by women, while in the judicial branch the Supreme Court of Justice has two female judges among its seven members. In the labor union field, the Quota Law 25,674 guarantees women 30% of leadership positions and seats on deliberative bodies, or the same proportion as that of female members, if it is below this percentage.

In the context of the Ad-hoc Commission for follow-up to the Beijing Platform of Action (a national mechanism coordinated by the Foreign Ministry) a number of programs are being pursued for the promotion and defense of women's rights and the Millennium Development Goals. Actions in these areas are being suitably coordinated to make them more effective and to translate them into concrete improvements in women's lives. As well, we may note the activities of the National Council of Women, in particular the national training program, "Women, Equity and Work", and the holding of seminars on equality and equity between men and women in the countryside and on methodologies for measuring time use from a gender perspective. Also noteworthy is the work of the Tripartite Commission for Equality of Opportunities and Treatment between Men and Women in the Labor Market, which includes enforcement of the labor union quota law; implementation of the national program on "equality against discrimination", and the regional project on "strengthening institutional mechanisms for social dialogue", headquartered in the ILO Regional Office.

We may also point to the work of the Gender Equity Commission in the context of the Civil Society Advisory Council, established by the Foreign Ministry as a mechanism for cooperation and dialogue with nongovernmental organizations and civil society in its broadest sense.

In the matter of violence against women, significant progress has been made in adopting policies and concrete measures to address the problem. Actions include the creation of specialized care centers in most provinces, and enhanced coordination among the services responsible for health, security, human rights and institutional gender mechanisms. At the same time, sustained awareness campaigns are being mounted to counter violence against women, and training is being offered to judicial officials and the security forces.

The Argentine Government will continue to promote an active role for women in all spheres of political, economic and social life, as a decisive element for strengthening democracy, achieving sustainable development, and responding to the great challenges facing the international community.

#### **G. INTER-AMERICAN COURT OF HUMAN RIGHTS INTER-AMERICAN COMMISSION ON HUMAN RIGHTS**

The Inter-American Court of Human Rights held a session in Buenos Aires on April 3-7, 2006, at the invitation of the Argentine government. At that time the Court pursued a heavy agenda which included signature of the Institutional Cooperation Agreement with the Supreme Court for "strengthening their relations and publicizing the international instruments for the promotion and defense of human rights."

The purposes of the agreement include the holding of congresses, seminars, workshops, conferences and multilateral forums to achieve the proposals put forth by both parties, consistent with the promotion and defense of these rights.

## H. DRUGS

With respect to the mandates from the Fourth Summit of the Americas relating to drugs (Point 14 of the Declaration of Mar del Plata, Point 53 of the Plan of Action), the following section describes the most notable advances of the last year in reducing the production, trafficking, and use and abuse of drugs.

- At the hemispheric level, Argentina is very active in all the working groups and in the Multilateral Evaluation Mechanism of the Inter-American Drug Abuse Control Commission (CICAD), the OAS body responsible for promoting cooperation and coordination among member states to deal with the drug problem.
- During the 38th regular session of CICAD in December 2005, there was in-depth consideration of the topic of estimating the human, social, and economic cost of drugs in the Americas, an initiative that arose from the Plan of Action from the Third Summit of the Americas. It was recalled that the results of the study and the methodologies prepared by CICAD had been presented to Heads of State at the Mar del Plata Summit, which renewed the objective. Argentina, Colombia, and Peru expressed their interest in continuing with the second phase of the project, and they have launched studies in this respect.
- As well, during the 39th regular session in May 2006, two reports were presented on activities in our country:
  - "Addiction Prevention through Sports", a program that has been launched in the district of La Matanza, Province of Buenos Aires, in which 3,000 students between the ages of 6 and 18 years are participating.
  - "Methodological proposals for technical studies on the problem of drug trafficking and related crimes", which included two studies, one focused on conditioning drug trafficking in the country and perceptions of the law-enforcement officers involved in control measures, and a second study focused on an analysis of judicial cases for violation of the Narcotics Control Act that were initiated between 1998 and 2002.
- Together with Bolivia, Chile, Ecuador, Peru and Uruguay, Argentina has prepared the Subregional Drugs Information and Investigation System, to provide comparable data on drug abuse that can be used to design and implement efficient policies and programs. Work has been underway since 2004 in cooperation with CICAD. A comparative study on drug abuse in 2005 among the school population of these countries was published in June 2006.
- With CICAD's collaboration, the Regional School of the Andean Community of Antidrug Intelligence (ERCAIAD), headquartered in Peru, together with the National Police of Argentina, conducted a seminar in Buenos Aires, from July 31 to August for 2006, on the diversion of chemical precursors, which was open to participation from all member countries of CICAD.
- Argentina was reelected chair of the Commission at its last meeting. In August of this year, Argentina will host two meetings of CICAD experts:

- Meeting of the Group of Experts on Chemical Substances. This group comprises all members of CICAD, and has the task of formulating model regulations and preparing guidelines and reference materials for the control of chemical substances.
- Meeting of Experts on Pharmaceutical Products. The purpose is to prepare guidelines and compile best practices for controlling pharmaceutical products and implementing control systems.
- Within MERCOSUR, Buenos Aires was the site, on April 11-12, 2006, of the 10th MERCOSUR specialized meeting of enforcement authorities in relation to drugs, prevention of abuse and rehabilitation of addicts (RED). The meeting was attended by representatives of Argentina, Brazil, Paraguay, Uruguay, Bolivia, Chile, Colombia, Ecuador, and Peru.
- As part of ongoing bilateral cooperation with countries of the region, the Argentina-Chile Joint Commission on the Prevention of Abuse and Trafficking of Narcotics and Psychotropic Substances held its third meeting in Santiago on July 13 and 14, within the framework of the bilateral agreement signed in 1990.
- The Foreign Ministry hosted a roundtable on addiction prevention in Buenos Aires on July 3, 2006, which was attended by the senior authorities from Argentina, Brazil, and Chile, various government officials, and numerous NGOs.
- The provinces of Argentina are very active in this area: the government of the Province of Buenos Aires, for example, participates actively in the efforts of this Foreign Ministry through its Addictions Department.
- As well, nongovernmental organizations are a source of important research and studies as well as of experts who cooperate in publicizing addiction prevention and treatment activities, together with the national and provincial authorities.

## **I. THE ANTICORRUPTION CAMPAIGN**

With respect to paragraph 66 of the Declaration of Mar del Plata, which calls upon states to implement the Inter-American Convention against Corruption and participate fully in the Follow-up Mechanism for the Implementation of the Inter-American Convention against Corruption (MESICIC), it is important to note the text that was incorporated into the National Report to the Fourth Summit of the Americas, under the heading "Anticorruption campaign". In addition, we offer the following update:

The second round of analysis in the MESICIC Committee of Experts will begin shortly, and Argentina will again be the first country evaluated, having volunteered as it did for the first round. As part of this process, our country has already responded to the questionnaire, which was returned to the MESICIC Secretariat and will be considered at the meeting of the expert committee scheduled for December 2006, when Argentina will be evaluated first.

## **J. SUSTAINABLE DEVELOPMENT**

All references to sustainable development in both the Declaration and the Plan of Action refer to government commitments to achieve this ideal, which reflects the aspiration for development that will assure economic growth, guarantee social inclusion, and protect the environment.

This is an ongoing and wide-ranging task that must be reflected in the national development strategies of countries of the area and in a constant effort at coordination and cooperation in international and regional forums, so that international and multilateral institutions can respond more effectively to the needs of developing countries to mobilize resources and cooperation in this matter.

Argentina's national government is seeking to address all these fronts.

With respect to paragraph 39 of the Declaration, we may note that Argentina played an active role in the preparatory work and meetings for the OAS Meeting of Ministers and High Authorities on Sustainable Development that is to be held in Santa Cruz de la Sierra, Bolivia, on October 5-6 of this year (the original date was changed). In particular, Argentine representatives attended the Preparatory Workshop on Integrated Water Resource Management held in Quito, Ecuador, on June 20-21, 2006. Organized by the OAS Department of Sustainable Development and the Government of Ecuador, the workshop provided an opportunity to exchange information and experience among participants, in order to make recommendations for the Meeting of Ministers and High Authorities on Sustainable Development.

Paragraph 55 cites the need for "a public policy framework for integral and sustainable development that can reduce poverty and inequality, advance human health, and protect the environment in harmony with international environmental agreements to which we are all party." Our country is participating actively in all the forums, meetings and seminars on the international conventions to enhance the capacity and possibilities for international cooperation to effectively internalize these agreements.

Our country is applying the United Nations Convention to Combat Desertification (UNCCD) through the National Action Program, which promotes a methodology for managing arid ecosystems and for administering development assistance in those regions. With a participatory, flexible, and dynamic strategy implemented at different territorial levels (not only local but also regional and cross-border), progress has been made in negotiations on the following projects:

- A framework agreement for cooperation between Argentina, Bolivia, and Paraguay, the legal framework for the Subregional Program of Action for Sustainable Development of the Gran Chaco.
- Trinational institutional support between government and nongovernmental agencies in the Gran Chaco.
- Knowledge management in the American Chaco, in particular: environmental education, exchange of experience and training in the sustainable management of the native forest, and exploitation of lumber resources.
- Support for a Provincial Action Program to combat desertification in the Province of La Rioja, as the first in a series.
- Workshop on revolving funds for the social development of arid regions.
- Third National Report on Implementation of the Convention.



Argentina is also participating in negotiations under the 1971 Ramsar Wetlands Convention, which establishes a suitable international framework for protecting wetland ecosystems, of great importance for our territory. This year the 15th site was added to the Ramsar List of Wetlands of International Importance: the El Tromen Provincial Park, located in the Province of Neuquen.

February 2006 saw the wrap-up of negotiations on the Strategic Approach to International Chemicals Management (SAICM), in which Argentina was an active participant and which produced a global consensus on the main issues for the international chemicals agenda, covering all substances throughout their lifecycle and proposing voluntary but time-bound activities.

With respect to paragraph 33 of the Plan of Action, Argentina attaches great importance to the development and adoption of renewable energy sources. It is currently pursuing a number of wind energy projects, in particular one that combines wind energy with hydrogen production (Pico Truncado). There are also programs to use solar energy through photovoltaic conversion, for isolated off-grid sites such as schools (the Energy Department's PERMER project).

On another front, Congress recently approved a law to promote biofuels research and development. A workshop-seminar on bioenergy will be held, with FAO support, at the Palacio San Martin in September, and it is expected to endorse a document that would serve as the basis for a survey of the national bioenergy sector.