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**Committee on Economic, Social and Cultural Rights****List of issues in relation to the fourth periodic report of Argentina \*****I. General information**

1. Please indicate to what extent the measures taken, including the optimization of methodological and the restructuring of the National Institute of Statistics and Census, have enabled the State party to generate statistical data for the assessment of the progress achieved in complying with its obligations under the Covenant for various segments of the population.
2. Please provide information on investigations conducted in relation to reprisals and use of force against persons participating in activities in defence of economic, social and cultural rights, especially in the context of land disputes.
3. Please indicate how the State Party reconciles its objective of exploiting unconventional fossil fuels, such as its project in Vaca Muerta in Neuquén, with its obligation to mitigate climate change as part of international cooperation in the realization of the economic, social and cultural rights.

**II. Issues relating to general provisions of the Covenant (arts. 1-5)****Right to freely dispose of natural wealth and resources (art. 1 (2))**

4. Please provide information on reparations received by indigenous peoples and local communities for environmental and health prejudices caused by natural resources exploitation, for example those in Salinas Grandes, the Neuquén Province, the radioactive spills in 2014 and the water contamination in 2016. Please provide information on measures taken to prevent the recurrence of similar environmental pollution and other violations of the economic, social and cultural rights of indigenous peoples and local communities as a result of business activities.
5. Please provide information on the concrete measures taken by the State Party to ensure, in practice, the right of indigenous peoples to be consulted in order to obtain their free, prior and informed consent in relation to decisions and projects that affect them.

**Obligation to take steps to the maximum available resources (art. 2(1))**

6. In order to assess if the State Party is using its maximum available resources for the realization of the Covenant rights, please provide information on the evolution over the past ten years of:

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\* Adopted by the pre-sessional working group at its sixty-first session (9-13 October 2017).

(a) The proportion of people below the poverty line as defined at national level, and the levels of inequality, preferably defined as the ratio between total income accruing to the richest decile of the population and total income of the 40 percent poorest in the population

(b) The proportion of the public revenue that is financed through taxes;

(c) Rates of taxes levied on corporate profits, on personal incomes, and VAT (exclusive of VAT on luxury items, tobacco/alcohol or sugary drinks/snacks, and gasoline), respectively; and percentage of the total revenue from personal income taxes that are collected from the richest decile of the population;

(d) Public expenses as a percentage of the GDP and, within the total public expenses, proportion of the public budget that is dedicated to social priorities (education, food, health, water and sanitation, housing); and

(e) Inflation-adjusted absolute levels of spending on these social priorities.

7. Please explain what measures the State party has taken or intend to take to prevent that the reduction of export taxes to the mining and agriculture sectors (Decretos PEN 133/15, 349/16 y 1343/17) results in a diminution of the resources available for the realization of economic, social and cultural rights or widens economic inequality?

#### **Non-discrimination (art. 2(2))**

8. Please provide information on measures taken to tackle the discrimination and violence experienced by persons on the basis of their sexual orientation or gender identity in many fields of public life. Please indicate to what extent measures have been taken to fully enforce anti-discriminatory legal provisions such as those on employment quota for persons with disabilities and those contained in Gender Identity Law No. 26.743 of 2011 and the Provincial Bill of Trans Labour Quota No. 14.783 of 2015.

9. Please indicate the measures taken by the State party to avoid that the DNU (*Decreto de necesidad y urgencia*) 70/2017 that modifies the law on migration 25/871 affects negatively the enjoyment of economic, social and cultural rights by migrants.

### **III. Issues relating to the specific provisions of the Covenant (arts. 6-15)**

#### **Right to work (art. 6)**

10. Please provide information on policies and strategies adopted by the State party and their impact on the reduction of unemployment among young people.

11. Please provide information on the impact of the measures taken, such as the New Trades for Women Programme, on women's employment situation.

#### **Right to just and favourable conditions of work (art. 7)**

12. Please provide information on outcome of the activities of the Special Unit for the Inspection of Informal Employment and other measures taken to combat the abuse of short-term contracts, outsourcing and other forms of precarious employment by companies to reduce costs.

13. Please indicate to what extent the National Plan for the Regularization of Employment shall improve the labour and social security rights of workers in the informal economy. Please provide information on the impact of the social contributions relief measures and other incentives for companies introduced by Act No. 26.940 of 2014 (on the Promotion of Registered Employment and the Prevention of Employment Fraud) on the registration of workers and on the transition of workers from the informal to the formal economy.

**Trade union rights (art. 8)**

14. Please provide information on measures taken by the State party and their impact on addressing the continuing reports of delays in the registration of trade unions, reprisals, including dismissals, against workers who engage in protests and union activities, and acts of violence against trade union leaders and members, which in some instances are followed by their arrest and detention.

**Right to social security (art. 9)**

15. Please provide information on the substantive changes to eligibility requirements and amounts of benefits introduced by Act No. 27.160 of 2015 on the adjustability of family and universal allowances as well as on their impact on the actual enjoyment of the right to social security by the various segments of the population.

16. Please inform the Committee as to how the adequacy of the amount of benefits, the eligibility criteria, and the procedures for accessing benefits will be guaranteed in the context of the reforms of the non-contributory scheme for persons with disabilities?

**Right to an adequate standard of living (art. 11)**

17. Please indicate to what extent the measures taken by the State party have prevented that the high inflation in the country and the increase in the fees charged for public services increase poverty and affect the standard of living of the most vulnerable and marginalized individuals and groups.

18. Referring to the Committee's general comment No. 7 on forced evictions, please provide information on the impact of measures taken to prevent the occurrence of forced evictions carried out in violation of standards of international law, irrespective of the legal status of occupation.

19. Please indicate to what extent the Integrated Habitat and Housing Plan addresses the increase in the number of residents living in informal settlements so as to ensure that they have access to basic services. Please also indicate the safeguards in place to ensure that the Plan does not expose informal settlement dwellers to forced evictions nor leads to deterioration of their housing conditions.

20. Please provide information about the measures taken by the State party, and their impact, to tackle the root causes of poverty among children. How does the State party ensure that the eligibility requirements and the procedures for accessing social benefits aimed at alleviating poverty among children do not exclude those in need.

21. Please provide information on the impact of measures taken to protect indigenous peoples and local communities' land tenure and traditional farming methods in a context of increasing pressure on the land of these communities and the increasing use of chemical pesticides and transgenic soya seeds.

22. Please explain what concrete measures the State has taken or intend to take to prevent that the exploitation of unconventional fossil fuels, such as its project in Vaca Muerta in Neuquén, with techniques such as fracking, does not impact negatively on the environment and on the rights to housing, water, health and food of the persons in the region.

**Right to physical and mental health (art. 12)**

23. Please provide information on the coverage of preventive services to control the spread of the Chagas disease, especially in provinces and among communities considered as "high risk for vector transmission".

24. Please indicate to what extent measures taken by the State party address the reports about health insurance companies requesting information about beneficiaries' marital status or sexual orientation for the purpose of coverage of reproductive health services provided under the Act No. 26.862 of 2013 on assisted reproduction.

25. Please provide information on the impact of measures taken in the context of WHO Global Action Plan for the Prevention and Control of NCDs 2013-2020, especially as regards the prevention of tobacco use, physical inactivity, unhealthy diet, obesity and harmful use of alcohol and the protection of children from adverse impacts of marketing.

26. Please explain why maternal mortality remains high for the level of development of the State party, and regional disparities persists, in spite of the important measures taken and some improvements in the last years.

27. Please provide information on the impact of measures taken to improve the availability and accessibility of mental health services, including community-based care.

**Right to education (arts. 13 and 14)**

28. Please provide more information on the “various policies and programmes” mentioned in paragraph 261 of the State report and their impact on reducing illiteracy, course repetition and school dropout. Please provide statistical data on school attendance and dropout at the primary and secondary levels of education. Please also provide information on the impact of measures taken to correct the uneven geographical distribution of public elementary schools in Buenos Aires City.

**Cultural rights (art. 15)**

29. Please provide information on the measures taken by the State party to ensure affordable access to the benefits of scientific progress and its applications, including those mentioned in paragraphs 287 to 291 of the State report, for disadvantaged and marginalized groups.

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