

ARGENTINA

CESCR E/1990/23

(arts. 13-15)

235. The Committee considered the initial report of Argentina, concerning the rights covered by articles 13 to 15 of the Covenant (E/1988/5/Add.4), at its 18th to 20th meetings, held on 26 and 29 January 1990 (E/CN.4/1990/SR.18-20).

236. In introducing the report, the representative of the State party emphasized the effects of the economic crisis on the promotion and observance of economic, social and cultural rights. The burden of servicing the country's foreign debt had led to an obvious deterioration in the enjoyment of the rights to food, housing, work, health and education. What the Government proposed to do in education was to draw up an educational plan designed to give the people a firm sense of nationhood and involve them in building the nation. The fundamental aims in that field were full realization of each human being's potential and the development of his personality, social progress for the individual, solidarity and social justice, and strengthening of the roles of the family and education. The Government also proposed to organize forms of education for the rural, indigenous and frontier populations corresponding to the different local, provincial and national development plans. As regarded continuous education, an extensive permanent-education service was being set up to eradicate illiteracy and raise the population's cultural level. Efforts were also being made in particular to ensure quality and to widen access to the education system, to ensure equal opportunities, to organize a decentralized school administration allowing for individual regional, provincial and local features, to improve the quality of education and to establish libraries, museums, scientific and cultural centres and clubs for young people.

General matters

237. With regard to the general framework within which the Covenant was applied, members of the Committee wished to know how it had been incorporated into domestic law; what programmes had been undertaken to promote the rights set forth in the Covenant through ODA or multilateral, international co-operation; what repercussions the external debt and the economic crisis had on the enjoyment of the rights recognized in the Covenant; what the impact of the Covenant was in practice; what manifestations of international solidarity there had been since the restoration of democracy in Argentina; what role was played by the aid received through such co-operation in the country's development and the enjoyment of the rights recognized in the Covenant; and what were the functions of the Under-Secretariats for Human Rights of the Ministry of the Interior and the Ministry of Foreign Affairs. They also asked what means individuals had of asserting their economic, social and cultural rights; if any cases of racial or religious discrimination had already been brought before the courts; how the national wealth was distributed; what measures were being taken to ensure that 12 million Argentines did not live below the poverty line; and what percentage of the gross national product was spent on education and culture. Finally, information was requested on the problem of the sale of and traffic in children.

238. The representative for UNESCO informed the Committee about joint educational projects by Argentina and UNESCO.

239. In her reply, the representative of the State party drew attention to a series of activities set up with the aid of UNESCO and other international organizations in support of the national education policy. She also stated that 11 per cent of the total international co-operation received by Argentina for development purposes had been allocated to education and culture. The Under-Secretariat for Human Rights in the Ministry of the Interior had been established to collect all possible information on persons who had disappeared or had been tortured or threatened under the military regime, to collaborate with the judicial authorities bringing to trial members of the armed forces who had violated human rights during that period, to spread information on the implementation of all the international instruments on human rights ratified by Argentina and to bring children who had been taken abroad back to the country. The Under-Secretariat for Human Rights in the Ministry of Foreign Affairs was concerned more particularly with promoting human rights and organizing seminars to inform the population about the rights stated in the international instruments on human rights.

240. Referring to the foreign debt burden, she said that it was very difficult in such circumstances to ensure full enjoyment of economic, social and cultural rights. She added that the bulk of economic aid received came from international organizations and that Argentina did not receive international solidarity from the most developed nations in accordance with the provisions of article 2, paragraph 1, of the Covenant, further efforts being required to rectify that situation. Furthermore, she emphasized that under the military Government, as a consequence of the economic crisis, unscrupulous financial activities had begun to develop, leading to the enrichment of a small number to the detriment of the rest. Serious measures had, however, been introduced by the Government in an attempt to restore the traditional situation. With regard to extreme poverty, she emphasized that a "Plan Alimentario Nacional" (PAN) had been implemented, with food distribution to the neediest every two weeks. Furthermore, a complement to the PAN called the "solidarity voucher" had been introduced. Every needy family received a voucher for the purchase of food, in return for which the unemployed had to perform volunteer community work.

241. Responding to other questions, she explained that, on ratification, the Covenant had become part of domestic law and might be invoked directly before the courts. However, a distinction needed to be drawn up between operational clauses, such as those referring to the right to education, which were easily enforceable, and non-operational clauses, such as those concerning the right to decent housing, where practical difficulties arose. She also stated that no cases of racial discrimination had been brought before the courts and that, with increasingly vigorous checks at the country's frontiers and the availability of generic data establishing the identity of a child's parents, it was hoped that the traffic in children could be brought to an end.

Article 13: Right to education

242. Members of the Committee asked if freedom of education was guaranteed and what restrictions could be placed on it legally. They also asked what special regulations were applicable in the case of children who had to change school often because of their parents' occupations; whether secondary and university education was free, and if so, to what extent; and what were the university fees

mentioned in paragraph 146 (d) of the report. Further information was requested on the system for renewing appointments to teaching posts and the procedure for evaluating university teachers; on the development and co-ordination of non-public sources of finance for artistic and cultural activities which could not be supported by the State; and on the measures taken to protect music and the arts, particularly in the rural provinces. They asked what measures had been taken to reintroduce subjects which had been dropped because of their supposedly subversive nature during the military regime; if the entry to military academies had been limited for Jews during that period, and if so, what steps had been taken since to encourage their admission. Further information was requested on the teaching of human rights, the way such teaching took account of the development of international law in the field and the manner in which it was included in training for the armed forces and police. It was also asked how effective such teaching could be in a situation where, under the so-called "clean-slate" law, most of those responsible for the atrocities committed between 1975 and 1981 had been amnestied. Information was also requested on the place of technical education in the education system as a whole.

243. It was also asked whether the economic and social development plan gave prominence to education; whether the Government contemplated introducing a new education act, since the present one dated from 1884; and if parents had the right to give their children a religious and moral education in accordance with their own convictions.

244. In reply, the representative of the State party said that complete freedom of education was guaranteed both by the Constitution and by the Law in her country and that there was no kind of limitation on the exercise of that right. She added that under the special regulations for children whose parents' occupations obliged them to move about, the academic level they reached in any one school or university was recognized in all others. She went on to say that primary and secondary education was free; that libraries lent books to schoolchildren with no money; that students' centres circulated photocopied textbooks; that under the military régime students had been charged university fees amounting to 10 pesos, but that university education was now free; and that many cultural activities had been organized since 1983 with the aid of national non-governmental organizations and international organizations such as UNESCO. Under article 16 of the Constitution, all the country's inhabitants were equal before the law. Any discrimination on ideological, political, racial or religious grounds was forbidden by law, and, in addition, an act passed in August 1988 made racist or discriminatory propaganda a punishable offence. The rumour that Jews had no access or only limited access to military academies was thus without foundation, and in any case no statistics were kept on the religion of members of the armed forces, precisely in order not to emphasize differences. Finally, she referred to the various activities undertaken by the National Directorate of Anthropology and Folklore in the Secretariat of Culture to make the artistic creation services in the interior of the country viable.

245. In reply to the questions on human rights education, she explained that such education was compulsory from nursery school onwards and continued up to the university level, in order to prepare citizens for life in a democracy, to teach them their rights and to ensure that the Argentine people did not forget that they had lived under a military régime. To the same ends, the training for the armed forces and the police included similar education, to which was added study of the Covenants and humanitarian law; in addition, seminars were organized for them with the co-operation of the ICRC. She also explained that a subject designed to destroy all human rights values

had been abolished in 1983, while the teaching of civics had been reintroduced.

Article 14: Principle of compulsory primary education free of charge

246. Members of the Committee wished to know what effect the economic difficulties had had on compulsory and free primary education and what measures had been taken to mitigate any difficulties. Noting that according to UNESCO statistics more than a third pupils did not complete their primary education, they requested detailed information on the possible adoption, under article 14 of the Covenant, of a plan for the progressive implementation of the principle of compulsory education free of charge for all; on the possibility of adults who had not received or completed primary education being covered by such a plan; on the proportion of illiterates; and on the percentage of indigenous population that was illiterate. In addition, they asked what the size of the indigenous population was; whether primary education was given only in Spanish; whether any plan had been drawn up to enable the indigenous minorities to receive an education in their mother tongues; how teaching of the indigenous cultures was provided; and how many schools there were offering such teaching. Furthermore, they asked whether steps had been taken to give education a larger share of the State budget; to raise teachers' salaries so that they would not be obliged to take a second job; and to improve material conditions in educational institutions. In addition, information was requested on measures taken to bring university education into line with the requirements of the labour market so as to avoid a situation in which university graduates would be unable to find openings corresponding to their qualifications; on the reasons why there were fewer girls than boys in primary schools; on the rate of female enrolment in primary, secondary and higher education; and on the percentage of women teachers.

247. In her reply, the representative of the State party said that education was free of charge and that the economic crisis had not affected social policy in that field. An education grant had, for instance, been established for the parents of children in primary or secondary school. Other educational allowances were provided by the State, and were increased in the case of families with more than three children. With regard to the teaching of indigenous cultures, she said that in regions where the indigenous populations lived, primary education was given for the first three years in the children's mother tongue and was bilingual thereafter. Training of bilingual teachers was called for under the law and undertaken in practice by the province concerned. According to the latest censuses, there were 200,000 indigenous persons in Argentina out of a total population of 32 million.

248. Replying to other questions, she said that more than one third of pupils did not complete their primary education and that to solve that problem a system of educational broadcasts, of which adults could also take advantage in some cases, had been established. Literacy programmes were supplemented by intensive vocational training courses. The percentage of the national budget devoted to education was lower than in other countries of the same region because the Government's intention was to decentralize education on a federal basis. Thus only the teachers' training colleges were still being administered at the federal level, and spending on education therefore represented no more than 8 percent of the national budget in 1989, as against 13 per cent in 1988, although these figures were considerably higher in the provincial budgets. She also explained that there were fewer girls than boys enrolled in primary schools, and that the large number of women in the teaching profession was, unfortunately, to be explained by the fact that the profession was on the whole badly paid.

249. Concerning teachers' salaries, she pointed out that an agreement had just been signed between the Ministry of Labour and the Ministry of Education on that matter, but that teachers' salaries should be viewed in the wider context of relatively low salaries, bearing in mind that 12 million Argentines were unable to meet their basic needs and that the cost of living in Argentina was very low. Furthermore, there was no harmony between the demands for labour and the teaching dispensed by the universities, partly on account of the economic crisis, and partly because of the concentration of the population in the capital. Curricula and teaching programmes were, however, being constantly revised in order to ensure that the educational system was tailored to the needs of industry and the requirements of the labour market.

250. Responding to other questions, the representative explained that university teaching posts were renewed every four years, on the basis of competitive examinations. Each university appointed a board which included teachers from other Argentine or foreign universities, thereby ensuring objectivity in the competitions which were based purely on criteria of academic competence. It was, nevertheless, very rare for university a teacher to lose his job. She added that technical education institutions were not at all considered to be second-rate, that such schools provided a six-year programme of study, and that women now made up between 21 and 25 per cent of the total number of students in such institutions. She also stated that proposals for a new education law were currently under discussion in the Chamber of Deputies; that the Constitution allowed citizens to worship as they pleased, provided that the denomination was duly registered with the State; and that parents could choose between religious and secular education for their children.

Article 15: Right to take part in cultural life and to benefit from scientific progress and from the protection of the interests of authors

251. The members of the Committee wished to know what difficulties were being encountered in implementing the right to take part in cultural life and asked what the situation was that in regard in rural areas and among the indigenous population, They asked to what extent the most disadvantaged sectors of the country were enjoying the benefits of scientific progress, and whether international assistance in the field of scientific progress was having an effect on the enjoyment of human rights. They also asked what measures had been taken to provide effective protection of literacy, scientific or artistic production, in particular that of persons belonging to indigenous groups; whether Argentina suffered from a brain drain, and, if so, what effect that had on the enjoyment of the rights set forth in articles 13 to 15 of the Covenant; what measures had been taken to counter the brain drain and how many students studying abroad had chosen to stay there rather than return owing to the lack of employment opportunities at home; what effects international co-operation had on the enjoyment of economic, social and cultural rights, in particular for indigenous minorities; whether the establishment of literacy centres as from May 1985 had been affected by the economic crisis and whether steps had been taken to prevent the resources of that programme from being affected by budgetary constraints. In addition, details were sought concerning the recent ruling by the Supreme Court of Argentina that the main role of the press was to further the free circulation of information and not to disseminate culture, and concerning the comments made in paragraphs 272 and 273 of the report. Information was also desired on the measures taken to promote the culture of the indigenous peoples, and on the assistance given to them during judicial proceedings to ensure that they were not at a disadvantage in using their mother tongue.

252. In her reply, the representative of the State party described various projects carried out in cooperation with UNESCO, the World Bank, OAS and various non-governmental organizations. It had been possible, for example, to safeguard the literacy centres against further budget cuts through the support of OAS. Efforts were also being made to promote cultural life in rural areas, in particular through the National Arts Fund, which provided grants for artistic activities. Furthermore, measures had been taken to protect indigenous cultures by marketing their craft products. Government measures in that field also included the activities of the National Directorate of Anthropology and Folklore; the National Market for Traditional Crafts; and new research relating to the development of production food, health and the recovery of traditional technologies. Turning to the question concerning judicial proceedings in indigenous languages, she stated that in Argentina all court cases were heard in Spanish. However, should any of the parties not understand Spanish, provision was made for interpretation services. Lastly, she recalled that citizens belonging to the indigenous populations had the same rights and obligations as all other Argentine citizens.

253. Replying to other questions, she emphasized that the brain drain had been substantial under the military dictatorship, but that since the restoration of democracy, many talented people had returned to Argentina. The country could not, however, always offer them facilities comparable to those available in the countries where they had taken asylum. The representative also emphasized that in order to combat inflation, wage control had been introduced. In response to the question concerning the implications for freedom of the press of a limitation imposed on the maximum price of newspapers, she noted that, subsequently, the matter had come before the courts, which had authorized the daily newspaper La Prensa to adjust its prices in the light of its commercial needs. However, there had been no intention on the part of the Government to undermine freedom of expression, freedom of the press or cultural rights, which were enjoyed by all media in Argentina. She added that it was an obligation of the State to ensure the right of everyone to enjoy the benefits of scientific progress and its applications.

Concluding observations

254. In concluding its consideration of the initial report of Argentina, the Committee thanked the representative of the State party for the quality and frankness of her statements. It was noted in particular that despite very severe economic difficulties and the burden of the external debt, the democratic Governments which had succeeded one another since the overthrow of the military regime had endeavoured to protect the rights to education and culture as set forth in articles 13 to 15 of the Covenant. It was nevertheless regretted that the answers provided by the representative of the State party to the questions concerning the position of the indigenous minorities had not entirely dispelled the concern which the members might have in that regard. Likewise, the information given in reply to the questions concerning the distribution of national income, the situation of the 12 million Argentines living below the poverty level and the employment opportunities for university graduates were not felt to have been entirely adequate.

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221. The Committee considered the [initial] report of the Republic of Argentina on articles 6-12 of the Covenant (E/1990/5/Add.18) at its 30th, 31st and 32nd meetings on 22 and 24 November and, at its 54th meeting on 8 December 1994, adopted the following concluding observations.

A. Introduction

222. The Committee expresses its thanks to the Government of the Republic of Argentina for submitting its second periodic report in 1993 and welcomes the additional information provided by the Government on articles 9-12 of the Covenant.

223. The Committee reiterates the obligation of States parties to submit full reports relating to the articles under consideration and specifically to the issues communicated to them before the consideration of each report. The Committee emphasizes that the objective must be to present a clear picture of the situation with regard to economic, social and cultural rights in the country's report; even though information submitted previously to another treaty body does not need to be repeated in the Committee, it is the responsibility of the State to make appropriate references in conformity with article 17 (3).

224. The Committee has considered with interest Argentina's written report, which contains important legal information, and has listened to the oral presentation, which placed the written report in a macroeconomic perspective. Nevertheless, the Committee notes the absence of specific information necessary in order to ascertain whether economic, social and cultural rights are being respected in Argentina, both collectively and individually.

225. The Committee acknowledges the reference made by the Government to a report which it had submitted to the Committee on the Rights of the Child. Since at present the Committee does not limit the consideration of articles 10-12 to the well-being of the child, it welcomes the indications by the Government that it will provide it with additional information on the remaining issues dealt with in these articles.

B. Positive aspects

226. The Committee welcomes the economic progress achieved by Argentina in recent years, especially in efforts to combat inflation, and in the areas of monetary stability and real economic growth. The Committee considers that these conditions are conducive to the promotion of economic, social and cultural rights, although their implementation does not necessarily derive from them.

227. The Committee notes with satisfaction the Government's programmes and activities relating to the rights of the family and the child. Mother and child care has been actively pursued and documented, and the "school canteen programme" appears to be receiving appropriate government support.

228. The Committee takes note of the Government's plan to facilitate home ownership by tenants

illegally occupying government property by giving them the opportunity to purchase the land they are occupying at preferential loan rates. Although more factual data are required to ascertain how many people and families have found a permanent solution through the "land plan", the Committee welcomes the concept underlying the plan.

229. In this context, the Committee notes the Government's efforts to increase the percentage of the budget devoted to public welfare, particularly in the area of workers' pensions. It also notes the expressed intention of the Government to initiate periodic programmes for the training of unemployed and underemployed persons.

C. Factors and difficulties impeding the implementation of the Covenant

230. The Committee acknowledges the difficulties encountered by Argentina since democracy was restored in 1983. The efforts to deal with the growing demand for public services have been paralysed by a substantial fiscal deficit, the external debt and the hyperinflation inherited from the pre-democratic years.

231. Adjustment to a more rational economic order has been difficult for Argentine society as a whole and for Argentine workers in particular. The Government has succeeded in stabilizing the value of the currency but the implementation of the structural adjustment programme may harm certain social groups. In the light of this policy, it is unclear whether the Government has taken measures to resolve the problem of housing and pensions.

D. Principal subjects of concern

232. The Committee notes with concern the way in which the "temporary" workers, as they are known in Argentina, are treated, since the measures taken to guarantee their economic, social and cultural rights appear inadequate, particularly in times of growing unemployment.

233. The Committee also notes with concern the extension of the Government's privatization of the pension programme. The basic payment system, to which all are entitled, is gradually being replaced by a new capitalization scheme whose return depends on the pensioner's contributions. This calls in question the prospects for those who are unable to capitalize adequate pensions, including lower-paid workers, and unemployed and underemployed persons.

234. In connection with the Government's training programme, the Committee has been unable to evaluate the need for it and the impact of such programmes owing to the absence of statistics on the population affected.

235. The Committee acknowledges the initiatives taken by the Government to overcome the housing shortage in Argentina. However, there is no indication that its policies, whether those currently under way or those planned for the future, are adequate to meet all the needs.

236. The Committee specifically notes with concern the legal provision permitting rent increases of about 12 per cent, approximately double the previous year's inflation rate, while wages are apparently frozen.

237. The Committee is very concerned about the large number of illegal occupations of buildings, particularly in Buenos Aires, and the conditions in which expulsions are carried out. The Committee draws the attention of the Government to the full text of its General Comment No. 4 (1991) on the right to adequate housing and urges the Government to ensure that policy, legislation and practice take due account of that General Comment.

238. The Committee, while conscious of the Government's efforts to increase awareness of hygiene and safety in the workplace through public campaigns, observes that such campaigns have not proved effective and that hygiene and safety in the workplace are frequently below established standards.

239. Despite the suggestion made by the representative of the Government that the indigenous population in Argentina is small, the Committee is nevertheless surprised at the absence of information about specific programmes adopted by the Government to guarantee the economic, social and cultural rights of the ethnic minorities.

E. Suggestions and recommendations

240. In the light of the inadequacy of the report and the additional information submitted by the Government of Argentina, the Committee invites the Government to submit a further report containing full details relating to articles 9-11 of the Covenant. The Committee emphasizes that the new report and all subsequent reports should be drafted in conformity with the Committee's revised guidelines of 1990 (E/C.12/1991/1) and that the new report must also refer to the issues mentioned in the questionnaire communicated to the Government before the commencement of the dialogue.

241. The Committee urges the Government to analyse the reasons for the lack of effectiveness of its initiatives in the area of safety and hygiene in the workplace and to make greater efforts to improve all aspects of environmental and industrial hygiene and safety.

242. In relation to the stabilization programmes, the Committee, while acknowledging the great success achieved through privatization and decentralization at the macroeconomic level, observes that such measures are not being adequately monitored and thus are leading to the violation of economic, social and cultural rights.

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249. The Committee considered the second periodic report of Argentina on the rights covered by articles 1 to 15 of the Covenant (E/1990/6/Add.16) at its 33rd to 36th meetings held on 17 to 19 November and, at its 52nd meeting, held on 1 December 1999, adopted the following concluding observations.

A. Introduction

250. The Committee welcomes the second periodic report submitted by Argentina and the written replies to the Committee's list of issues, as well as the constructive dialogue conducted between the Committee members and the State party's delegation. Notwithstanding, the Committee regrets the delay with which the State party submitted its written replies to the list of issues, which prevented its timely translation and therefore its full use by all members.

251. The Committee has considered with interest Argentina's report, which contains important legal information, but notes nonetheless the absence of specific information needed to evaluate the implementation of economic, social and cultural rights in Argentina.

B. Positive aspects

252. The Committee notes with satisfaction article 75 of the 1994 Constitution, which provides for the restitution to the indigenous peoples of some of their traditional lands. It further welcomes the restitution of large tracts of traditional lands.

253. It also notes with satisfaction the adoption of the emergency plan that aims to help those living below the poverty level.

254. The Committee welcomes the information that the State party has signed immigration agreements with Bolivia and Peru in order to regularize the situation of citizens of those countries in Argentina.

255. The Committee takes note of the partial implementation of the Government's plan to facilitate home ownership by tenants illegally occupying government property by giving them the opportunity to purchase the land they are occupying at preferential interest rates.

256. The Committee notes with satisfaction the success of the Government's health programme in finding a cure for Chagas disease, which has been recognized by WHO.

257. The Committee welcomes the information that human rights education is now available throughout all levels of education.

C. Factors and difficulties impeding the implementation of the Covenant

258. The Committee acknowledges the financial difficulties encountered by the Argentine

economy in the last four years. While the Government has succeeded in stabilizing the value of the currency, the implementation of the structural adjustment programme has hampered the enjoyment of economic, social and cultural rights, in particular by the disadvantaged groups in society.

D. Principal subjects of concern

259. The Committee is concerned about the six Mapuche indigenous communities who, despite having obtained legal recognition of their rights over some of their traditional lands in the Pulmarí area, have not yet received the property deeds to these. It is also concerned about the status of ILO Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries, the ratification of which was authorized by the National Congress in 1989 but which has yet to take place.

260. The Committee is concerned about the very high unemployment rate in Argentina (almost 15 per cent) and in particular about the large number of the “new poor”, who had traditionally belonged to the middle classes.

261. It is particularly concerned about the large number of workers who fall within the informal economic sectors. Approximately 37 per cent of urban workers in the country are not registered which, according to the Government’s own estimates, implies that some 3 million workers have no social security coverage.

262. The Committee is also concerned that unemployment benefits reach only some 6 per cent of the unemployed population and that some categories of workers are excluded, such as rural domestic and construction workers and public employees.

263. The Committee notes with concern the way in which “temporary” workers, as they are known in Argentina, are treated, since the measures adopted to promote job creation have not secured for them the economic, social and cultural rights of workers, particularly in times of growing unemployment.

264. The Committee notes with concern the adoption by the State party of legislative reforms that tend to increase the precariousness of work relationships. This is evidenced by permitting the adoption of collective agreements that reduce the legal work standards (Law 24,467, chap. III), an increase in the trial period stipulated in work contracts and the generalization of contracts of limited duration.

265. The Committee notes with concern that various de facto discriminatory practices against women exist, particularly in the areas of employment and pay.

266. The Committee also notes with concern the extent of the Government’s privatization of the pension programme, in particular article 16 of Law 24,463 which allows the Government to reduce, and eventually even not to pay pensions by invoking economic constraints.

267. The Committee has had difficulty in evaluating the Government’s programmes for

training workers and the impact of these programmes owing to the absence of comprehensive statistics.

268. The Committee is concerned about the housing deficit in Argentina and that the initiatives taken by the Government have not been adequate in this regard. The Committee is also concerned at the lack of statistics in Argentina relating to housing.

269. The Committee reiterates its concern about the high incidence of irregular occupations of buildings, particularly in Buenos Aires, and the circumstances in which evictions are carried out.

270. The Committee is concerned at the privatization of labour inspections and control systems and notes that public campaigns are not an adequate substitute for efficient inspections carried out by public authorities. The Committee is also concerned that conditions in workplaces, particularly in the building sector, frequently fail to meet established standards.

271. The Committee is concerned that the right to health is not being fully implemented in the State party. In particular, it is concerned about the conditions in public hospitals in general and with psychiatric hospitals in particular.

272. The Committee is concerned about the health of pregnant women, in particular the relatively high maternal mortality rate, and the high adolescent pregnancy figures.

273. The Committee also notes with concern the increasing incidence of violence against women, in particular domestic violence.

274. The Committee notes that the State party has had in place for 10 years a programme which has been trying to address the question of street children, particularly in Buenos Aires. However, it remains concerned that the root problems have not been successfully addressed, given that the number of children on the streets has continued to increase.

E. Suggestions and recommendations

275. The Committee suggests that the State party introduce institutional arrangements, within the government administration, to ensure that its obligations under the Covenant are taken into account at an early stage in the formulation of national policies on issues such as housing, health and education.

276. The Committee also recommends that the State party, when negotiating with international financial institutions, take into account its Covenant obligations to respect, protect and fulfil all of the rights enshrined in the Covenant.

277. The Committee recommends that the State party ratify ILO Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries, in accordance with the authorization given by the National Congress in 1989, and to find a solution that will satisfy the rights of the Mapuche communities in the Pulmarí region.

278. The Government of Argentina is also urged to adopt more effective measures to reduce unemployment. Furthermore, it should ensure that the economic, social and cultural rights of temporary workers are effectively respected.

279. The Committee recommends that the State party examine its legislation with regard to provisions of collective agreements that have detrimental effects such as those lengthening the trial period stipulated in work contracts, or limiting the duration of contracts, and to verify their conformity with articles 6 and 7 of the Covenant.

280. The Committee calls upon the Government of Argentina to take steps to guarantee equality in law and in practice between men and women in the enjoyment of economic, social and cultural rights.

281. The Committee urges the State party to ensure that its social security system guarantees workers an adequate minimum pension, which should not be unilaterally reduced or deferred, especially in times of economic constraints. Consequently, it recommends that the State party repeal article 16 of Law 24,463 in order to guarantee the full payment of all pensions.

282. The Committee recommends that the Government's programmes for training workers be assessed and that statistics be provided to the Committee so that it can evaluate the Government's policies in this respect.

283. The Committee recommends that the State party continue to enhance its initiatives to overcome the housing shortage in Argentina, and that it provide the Committee in its next periodic report with detailed statistics on the housing situation in the country.

284. The Committee also recommends that the State party continue its policy of legalizing deeds of those that have possession of houses. The Committee further recommends that the existing procedures for the eviction of illegal occupants be reviewed as a matter of priority. The Committee once again draws the attention of the Government to the full text of its General Comments No. 4 (1991) and No. 7 (1997) on the right to adequate housing (art. 11, para. 1, of the Covenant) and urges the Government to ensure that policy, legislation and practice take due account of both general comments.

285. The Committee urges the Government to improve the effectiveness of its measures in the area of safety and hygiene in the workplace, particularly in the construction sector, to increase its efforts to improve all aspects of environmental and industrial hygiene and safety, as well as to ensure that the control and inspection of industrial hygiene and safety are carried out by public authorities.

286. The Committee urges the State party to review its policies on health, and in particular that it pay attention to the issues of mental health, maternal mortality, adolescent pregnancies and HIV/AIDS, and that it provide the Committee with comprehensive statistics in its next periodic report.

287. The Committee urges the State party to intensify its efforts to combat the problem of

violence against women, in particular domestic violence.

288. The Committee recommends that the State party adopt measures to combat the problem of street children and to attack the root causes of this situation.

289. The Committee recommends that the concerns expressed in the present concluding observations, as well as the issues raised during the discussion of the second periodic report which remain unanswered, *inter alia*, regarding the guarantee of pensions and social security, should be addressed in the State party's third periodic report.

290. The Committee requests the State party to disseminate the present concluding observations widely at all levels of society and in its third periodic report, to be submitted on 30 June 2001, to inform the Committee on all steps taken to implement them.