**Statement by Ms. Attiya Waris, United Nations Independent Expert on foreign debt, other international financial obligations and human rights on her visit to Argentina, 26 September – 5 October 2022**

**Buenos Aires, 5 October 2022**

**Introduction**

In the course of these 10 days in Argentina, the Independent Expert visited Buenos Aires, the capital city and the Province, and San Salvador de Jujuy. She met with national and provincial government authorities, members of Congress and the Attorney General of the Treasury. At the Federal level, she met with current representatives of the Ministries of Foreign Affairs, Labour, Economy Finance and Agriculture, Health, Education, Women and Diversity, the Secretariat on Human Rights of the Ministry of Justice and Human Rights, Central Bank as well as some former government officials. The Independent Expert at the provincial level held meetings with authorities of the City of Buenos Aires, the province of Buenos Aires and San Salvador de Jujuy. The Expert also exchanged with representatives of the business sector, trade unions, civil society, indigenous communities, academics, international organisations and UN agencies.

The Independent Expert would like to thank the individuals and organizations that opened their offices to her and shared their experience and expertise. She also extends her gratitude to the Government and people of Argentina for its invitation and cooperation prior and during this visit; she is also appreciative of the open and frank discussions with all the interlocutors she met. She is also grateful for the crucial support provided by the Human Rights Adviser of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the assistance provided by Office of the Resident Coordinator and the United Nations Country Team.

In this statement, the Independent Expert preliminarily assesses how a human rights based approach of inclusivity and protection of the diversity of this multicultural, multiracial, plurinational and diverse peoples can protect and support its marginalized and vulnerable in connection with the country’s fiscal resource collection and redistribution procedures and processes have been used in a way that contributes to its fiscal legitimacy and the progressive realization of human rights. She provides preliminary recommendations while reflecting on the progress made since the commencement of democracy 40 years ago. The key principles of fiscal legitimacy include: transparency, accountability, responsibility, efficiency and effectiveness in a context of fairness and justice while reflecting on all human rights. These combined principles become very valuable when linked with human rights in fixing weakened social contracts.[[1]](#footnote-1) The full report on her visit will be presented to the 52nd session of the UN Human Rights Council in March 2023.

**Maximum Available Resources/Efficiency**

“According to international human rights law, States must take all possible steps, individually and through international assistance, to the maximum of their available resources to protect and promote human rights. States should therefore design and implement fiscal, tax, debt, trade, aid, monetary policies in conjunction with other measures in way that it is deliberately directed towards the realization of human rights”[[2]](#footnote-2). Argentina ratified the main international human rights treaties and continues to progress in its implementation.

*Debt*

While being a heavy responsibility, the Argentinian State is to be commended for respecting past debt and must not only use existing resources to fulfil their human rights obligation but also generate potential resources in a sustainable way when the former are not sufficient. Social services have a long tradition in the country and have been continually respected by successive governments. Taking on foreign debt in good faith at the federal and provincial levels could be seen as a way of mobilizing such resources and maintaining the economy that allows for the progressive realization of human rights.

In this respect, Argentina has had a history of borrowing loans from the IMF since 1956 (with 22 stand by arrangements and 3 extended facilities, among others), whose sustainability and, in relation to some agreements, legality has been put into question. During the financial crisis of early 2000s, Argentina defaulted on an IMF loan of USD 21.6 billion along with pausing payments to creditors (USD 95 billion worth of bonds). In 2018, when the country was undergoing a financial crisis, a loan arrangement of USD 44.5 billion was reached with the IMF – the highest loan ever provided to a country in the institution’s history.

In 2022, the IMF staff and the Argentinian authorities reached a staff-level agreement for a 30-month Extended Fund Facility (EFF) arrangement for about USD 44.5 billion, accompanied with a range of structural, monetary and fiscal policy reforms. This agreement is meant to cover the maturities of the 2018 Stand-By Agreement, obtain budget support to partially fund the National Treasury’s needs and reinforce the Central Bank’s reserves. The agreement also included quarterly reviews tied to the disbursements.

The first review recommended tighter fiscal policies in the second half of 2022 to meet the fiscal primary deficit target of 2.5 percent of GDP. It was jointly agreed in the second review that there should be a review of corporate tax incentives and strengthened revenue compliance via strengthening tax structure, information and frameworks to combat tax evasion and money laundering.[[3]](#footnote-3)

According to the Independent Expert, the cycle of public debt that Argentina has taken on over the years while useful in keeping the economy stable does not translate into a direct increase in resources, even more so after the multiple crisis that the world has experienced and continues to experience, to invest in human rights, if we consider that the current debt has been taken to pay previous debt as funds enter and exit the treasury and to prolong the repayment period.

The Independent Expert learnt that the State has negotiated a 10-year window for slowing down the flow of payments, a window which would have low payments up to 2027 and softer payments up to 2034. This coupled with macro consolidation and expected higher export capacity should enable Argentina to meet its financial needs and issue new debt in the capital markets, as per what the Expert was told. The debt committee in congress could be called upon to explore the linkage between these two spaces and potentially prepare a cost benefit analysis over this linger period to allow for a reflection of the costs and benefits of the resourcing processes followed historically in order to inform the future.

The expected debt driven export growth is premised primarily on increasing oil and gas production, lithium, copper and other mining products, boosting the food industry, the knowledge industry and green hydrogen and other renewable energy, all sectors that according to the State have a significant potential growth. This brings into the discussion the economic, social, cultural and environmental consequences of such activities and its adverse effects on the enjoyment of human rights, particularly for the communities inhabiting the areas where these extractive activities may take place where water is scarce. There needs to be effective peaceful engagement, participation and respect for participatory and informed consent in the decision making processes in order to maintain the fabric of this diverse society. This type of information also needs to be effectively communicated to the people. It would be important to consider not extracting some of the reserves of minerals such as lithium and hydrogen but using it as collateral for financing and placing revenue in a sovereign wealth fund that could also be used to back the peso, and to strengthen the provinces’ economy and protect the environment[[4]](#footnote-4). The Independent Expert notes that, while her focus was on debt, this issue of communication may be more widespread. In the province of Jujuy, the Expert welcomed the information on linking the resources obtained by loans, national and international, to fund specific projects that aim to fulfil diverse goals of the 2030 United Nations Agenda for Sustainable Development. This practice could be extended nationwide.

In seeking debt, the share of Argentina’s private debt should not be discounted. Credit rating agencies have a negative effect on the coupon rates and increase the cost of debt both in the primary and the secondary market. This may reduce the fiscal space of countries leading to limited investment in social protection, food, health, education or anti-poverty measures[[5]](#footnote-5) and should be disregarded and secondary bond markets should be avoided completely unless this situation can be stabilised in the global market. Despite discussion with the G 20, a consensus could not be reached of the setting up of a multilateral instrument on private debt. The private sector and individuals seeking debt in the country similarly face expensive debt and this should be considered while engaging with all types of debt. Gender related fiscal literacy was also seen to be weak on issues of personal debt.

The Independent Expert reiterates the content of the report from the mandate on the need to create an international debt architecture as well as the need to follow guidelines when dealing with credit rating agencies as regards debt management[[6]](#footnote-6).

*Surcharges*

The issue of surcharge payments must also be questioned as it prima facie runs counter to allowing a State to use the maximum of its available resources and meet immediate obligations to the realization of human rights. For example, in 2021, Argentina was requested to make surcharge payments that exceeded the total budget allocated to the Ministry of Justice and Human Rights and the Ministry of Environment and Sustainable Development combined. As a result of the 2018 agreement, Argentina would pay between 2021 and 2026 around USD 4 billion in surcharges, which exceeded the USD 3.6 billion in charges and commissions of the loan. In other words, surcharges more than double the cost of the agreement (they raise it by 113%).[[7]](#footnote-7)

*Budget*

Fiscal policy is a tool Governments use to raise and spend public money to achieve certain economic and social objectives. One key fiscal policy document is the budget: this sets out how much money a State intends to generate through taxation, government business and borrowing (revenue) from what sources and how it will be spent (allocations). Budget usually reflect political priorities.

One of the structural requirements in the EFF is the submission of a draft 2023 Budget consistent with the agreed program fiscal deficit target of 1.9 percent of GDP for 2023. The submission of the draft budget happened during the expert’s visit and Congress has until the end of the year to discuss and adopt it. In 2022, Argentina has had to operate on the basis of the 2021 budget which is not an efficient use of available resources both generally and for the realization of human rights, particularly considering the series of crises, some of which global, that Argentina has had to face between 2021 and 2022. This means that the inclusion of a reflection of inflation and increased revenue is not in this single agreed upon document making the work of any administration difficult and coupled with short electoral terms can result in ineffective and inefficient systems.

*Tax system*

The tax system should be an important source of generating revenue that can be allocated to services essential for the realization of human rights. In this regard the Expert was informed that the tax system and administration in Argentina could be improved and in fact the Government acknowledged this but concrete and decisive measures remain to be taken. A key tool from a human rights perspective is to ensure the living standards are not lowered through the different taxing mechanisms used.

Revenues generation in Argentina relies heavily on taxation on goods and services consumption while there seems to be low level of taxation of personal property and concerns were raised around unjustified tax exemptions. The tax on personal property assets amounted to 2.53% of total tax revenue in 2021 while the VAT on consumption contributed to 29.4%, which is a regressive taxing policy that particularly affects people with no or lower income. In addition, the lost revenue attributable to tax exemptions may have amounted to 2.67 of GDP. It is important to note that the Government introduced some redistributive policies during the pandemic with the introduction of the extraordinary tax on great wealth in December 2021, raising taxes by 1.50 per cent for assets exceeding ARS 100 million and to 1.75 per cent for assets over ARS 300 million. It raised nearly USD 2.4 billion in additional revenues to face the pandemic, including medical equipment and subsidies to small enterprises, among others. While important, being an extraordinary measure, it has had a limited duration and as a result it has not impacted the overall regressive nature of the tax system. Argentina in protecting its people maintained the longest lockdown and as a result, measures of this kind could be considered to be kept in place for a longer period due to the delay in people re-joining the economy, however, politically this will require some discussion.

According to 2020 data of the Global Alliance for Tax Justice, Argentina loses around 2.684 billion dollars annually due to illicit financial flows produced by tax avoidance and evasion by individuals and companies who transfer their earnings into or through tax havens or secrecy jurisdictions. Out of these, 2.341 billion dollars in transfers is by multinational and Argentinian corporations with offshore businesses and the remainder of 343 million dollars is by individuals who transfer their undeclared income abroad thus reducing the amount of money circulating in the economy as well as paying fewer taxes. The decision to collect wealth tax during COVID is very much appreciated as it was used to support human rights.

*Inflation and exchange rates*

High inflation seems to have been constantly on the book. The inflation is triggered by the multiplicity of global crisis, reliance on exports as well as multiple exchange rates. Between 2021 and 2022, Argentina reached 70% inflation and is feared to be fast approaching 95 %. Multiple exchanges rates practices, with an unstable black market (blue dollar) rate and several official rates: official, soya, and a future possibility of a Qatar, lithium and techno rate that seem to be in discussion in what seem short term measures to replenish the country’s reserves in order to maintain debt repayment schedules has the effect of increasing inflation and reducing certainty, predictability and stability. Other options can include a central bank backed e currency or use of gold/lithium based assets as a diversification tool as well as an avoidance of carry trade.

These macro-economic variables, the way they have correlated in Argentina, do not seem to be conducive to an environment where the maximum of available resources are directed to the realization of human rights. In fact, inflation has become one of the main drivers of poverty according to some interlocutors and there seems to be high dispersion of resources that could be otherwise utilized. Groups living below the poverty line, including in situations of extreme poverty are disproportionately affected by inflation; it is reported that they dedicate a bigger proportion of their spending to food and other basic necessities as the prices of these goods respond to changes in inflation rates often overnight. In this regard, the basic food basket had an increase rate of 6,7% during the months of July and August of 2022. Malnutrition and obesity due to poor nutrition in children living in poverty remains a concern that both federal and provincial administration should keep in focus. The IE was glad to note that maternal mortality and child mortality statistics are looking positive.

This process it seems may be resulting in a challenge in building state reserves and maintaining state liquidity, possibly because savings are not being banked or invested but instead there is dollar and digital currency related speculation and societal perception of trust in the state is reflected in these actions.

**Human rights impact**

The Independent Expert was concerned to hear repeatedly that living standards in Argentina have generally declined over the past five years. During the period between 2017 and 2020 the population living below the poverty line was over 40%. According to the latest National Institute of Statistics and Census (INDEC), during the first semester of 2022, 36,5% of the population (10.6 million people) live below the poverty line; of which 8,8% of the population (2,6 million people) live in a situation of extreme poverty. Of particular concern for the Independent Expert are the poverty levels in children. Among those living in poverty, according to INDEC, more than half (50,9%) are children between 0 and 14 years. In parallel, Argentina has a severe inequality gap with the wealthiest 20% of the population accumulating nearly 50% of total income.

It was also reported that since 2015 there has been a reduction in the purchasing power of wages. Before the pandemic, the overall loss in purchasing power of all wages rose to 16.7% and the number of workers registered in the private sector declined. The COVID 19 pandemic exacerbated this situation due to the strict lockdowns, which were among the longest in the Latin American region. The IE noted and welcomed the positive steps taken on homelessness and mental health support in Jujuy.

At the moment, there is approximately 7% unemployment, in an economy where the informal sector accounts for 40%. While according to the latest statistics, the number of workers has increased, salaries and earnings have been seriously affected by the inflation; Argentina faces the phenomenon of the working poor. The size of the informal sector potentially include self employed and their avoidance of formalization needs reflection. Digital services often cross border take pace outside the formal economy and while these are important digital nomads should be included in the tax base as well as other in the informal sector through positive engagement and inclusion in representation in the trade union mode of inclusion of the untrained, unemployed youth (NINI). Education is key to growth and development; investment in youth is necessary as well as support to women who bear the most of unpaid care in the family and community. Policies, programmes and budgets need to converge in all these areas. The gender pay gap also remains a challenge for both formal and informal employment: registered male workers seem to earn 19.6% more than registered female workers; whereas in the informal sector, men seem to earn 38.2% more than women however indigenous people data is unclear.

Argentina dedicates 3% of its GDP to social assistance. However, the levels of assistance provided, coupled with the negative effects of inflation and a 2 year old federal budget have not had a considerable impact in the reduction of poverty levels. It also dedicates 8% of its GDP to pensions, but many workers are deciding not to retire, since the retirement benefits are not sufficient to maintain an adequate standard of living.

The Independent Expert was also informed that Administrative Decision 826/2022 provided for cuts in important programmes, like “Programa Conecta Igualdad” and “Planificacion y Desarrollo Territorial”, in the education and housing sectors, and in the construction of day care centres; cuts which may undermine the achievement of the targets set by these programmes and the realization of a number of human rights. Other programmes like university education and fellowship programmes for University students coming from lower income groups of society could receive the necessary funds to continue operating as a result of the tax on wealth.

The Expert has received information that the draft budget for 2023 proposal contemplates a reduction in spending of almost 9% compared to the current budget; 50% of this cut is explained by the fall in the budget allocated to Social Security (Family Allowances, Pension Benefits, Non-Contributory Pensions).

Disparities in the distribution of qualified personnel including in the health sectors among provinces as there are different salary scales in each province needs to be part of the discussion on how to use equitably and most efficiently the different human resources across the country. The Expert recognizes that a process of sharing of newly qualified skilled labour across all provinces be considered, with federal financial support especially in hard to reach and marginalised communities.

Argentina can be proud of its advances on gender equality including at the institutional level. Besides the many programmes led by the Gender and Diversity Ministry including on injecting a gender perspective into indebtedness processes, the Ministry of Economy and Finance has, for the first time, an office whose task is to provide a gender perspective to all economic policies. Among its tasks prominent is the development of gender sensitive budgets. For example, in 2021, the percentage of the total budget tagged for gender sensitive initiatives was 15.34 which is estimated at a 12% increase from the original estimation. It is promising that there are discussions and ideas around introducing the gender analysis and perspective in the macro-economic projections and the revenues which could entail injecting a gender analysis in the tax revenues. The Expert would like the Ministry to consider broadening the mandate of this office to include the full spectrum of human rights too, a mandate which would be carried out in collaboration with the other executive departments with a specific mandate on human rights. Another good example is the investigative work of the General Directorate of Economic and Financial investigations (DAFI) which provides technical assistance on economic and financial matters in the investigations of organized crimes and relevant criminal conducts. This Directorate has started some interesting work on investigating economic violence against women and needs to have security of tenure as well as holistic whole of government support

The Independent Expert regrets that Argentina has not appointed an Ombudsperson (Defensor del Pueblo de la Nacion Argentina) since 2009.

In Jujuy, the Expert noted with satisfaction that in the Cauchari Solar Project, in Puna plateau, the indigenous peoples on whose land the project sits, receive a percentage of the benefits generated by the project and she hopes that support is being provided on issues of financial management to the benefitting communities.

The Expert welcomes the 1994 amendment of the Constitution recognising indigenous peoples and encourages the federal state to reflect on the positive steps being taken in the province of Jujuy to include the indigenous peoples and to support access to land and its resources as it has been negotiated in the Atacama negotiations. Statistical and census data needs to include categories for all minorities and communities including the Roma. This inclusion should extend not only to land issues and titles that are collective and individual but also a recognition that the land can only be borrowed and never sold. The Independent Expert encourages the state to consider a sovereign fund where trust between corporations and society remains tenuous.

In Jujuy the Expert welcomed the efforts in addressing primary health care needs and underlying determinants on health for example through an integrated nutrition programme which point to aiming at universal health coverage.

**Access to information and transparency**

The Independent Expert was informed that access to information legislation and practices are fairly efficient in Argentina. Yet she was also informed about the limitations to accessing fiscal and financial information generally, as well as in cases where the public interest is established, as well as to the principle of transparency. In addition, the tax legislation still allows for financial secrecy as it pre-dates other legislation upholding the principles of transparency and access to information. While this discrepancy will be overcome in some cases through administrative or judicial decisions like General Resolution n°4697/2020 addressing secrecy on offshore accounts, there is still scope for aligning the tax legislation with more recent ones on access to information and enforcement of this law needs to begin.

There seems to be a lack of information in areas such as the impact of tax policy on human rights; the level of tax burden born by the different sectors of the population; the beneficiaries of fiscal exemptions, benefits and waivers and the amounts concerned; the names of offshore accounts holders in tax havens and public estimations of tax avoidance and evasion. This includes public officials who currently are allowed to hold foreign bank accounts, however the Independent Expert understands there is a bill pending in congress to consider changing this position.

The Expert also received information regarding the lack of access to information regarding documents related to the 2018 stand-by agreement with the IMF; even for documents that were required by the Argentinian legislation. This is a matter that is currently the subject of litigation. There were also similar concerns raised at provincial level of community access to information in both Buenos Aires and Jujuy.

In discussing these issues it was noted that there is no clarity on the understanding of who the most vulnerable person is and who is the common person. Clarifying these two concepts would assist in allowing to place a mark at the lowest point of vulnerability and allow it to b the benchmark to move living standards towards that of the common person.

**Accountability and justice**

As per the standby agreement signed by Argentina with the IMF in 2018, the IMF transferred around 45 billion dollars, equivalent to 10% of GDP and close to 1000% of Argentina’s quota in the organization, making it the largest loan ever granted to a country. This agreement did not only fail to reach its own objective of correcting the macroeconomic and structural imbalances and improve market confidence as even the IMF evaluated, but also contained a number of irregularities including not following the existing administrative procedures and not being available in Spanish.

There should be accountability with public foreign debt in the country’s history, including the 2018 debt agreement. A number of access to information requests, requesting access to the information around the 2018 agreement that the people have been deprived of so far, have been filed with the relevant Government departments and the judiciary to no avail and in fact these files remain pending a Supreme Court ruling. The Independent Expert also noted that use of the limitation of action clause on cases in the judiciary seems to be common resulting in no actual conclusion and decisions being released on key cases seeking to uphold accountability. The Independent Expert regrets that she was unable to pose these questions to the Judiciary as they were not available during her visit for discussions.

A Permanent Bicameral Commission on monitoring and controlling Argentina’s foreign debt acquisitions and payments was established in 2016 via Law 27-249, replacing another similar Commission established in 2014 which however did not operate. This commission decided to investigate foreign debt and capital flight, but the investigation has not moved forward and the Commission seems to have been inert thus far. It is also unfortunate that the mandate of the 2016 Commission was limited to investigating the current foreign debt and not that of the past. Given that the root of the Argentinian debt problem cuts across several different political regimes and dates back to the times of the dictatorship, and considering all efforts made by the State to provide redress and reparation to victims of human rights violations committed during that time, it is quite surprising that in 40 years of democracy the State has not put in place some sort of truth-seeking mechanism to conduct enquires on the debt process. This would be important for collective memory and guarantees of non repetition on the financial abuses that took place within that context.

In 2020, the State filed a criminal complaint against a former President and two former Presidents of the Central Bank in relation to the 2018 debt led by its anticorruption office. The complaint was based on two alleged crimes: misuses of public funds and fraudulent administration of state property as the loan was requested for one purpose and used for a different one. Namely it was reportedly taken to strengthen the Central Bank reserves and to a lesser extent to sell currency on the free exchange market but it happened the other way around.

This criminal complaint is a welcome step while recognizing that out of 230 years of indebtedness, this is only the second complaint of this type. However, this brings into question the responsibility of all branches of the State as the federal judiciary should play its part in holding those responsible for taking on unsustainable debt to account and to seek the repatriation of these state assets.

**Policy coherence**

Argentina seems to have a wide range of public policies from fiscal, financial, monetary and economic to social, educational, and development. Yet it seemed to the Independent Expert that fiscal and financial policy have not necessarily been reinforcing and ensuring cross cutting progress in other policy areas such as in social assistance and human rights. In addition, while the Expert welcomes the approach of the executive to apply human rights in a cross-cutting manner, this may have the risk of rendering human rights invisible in certain policy areas like the fiscal and financial ones while possibly reducing their fiscal realisation.

Policy coherence requires continuity, clear timelines, and indicators that could contribute to effective and adequate policy implementation, monitoring and review, which in turn contributes to furthering the realization of human rights. The work of the legislature, executive and judiciary need to all move towards this type of clarity and this needs to be well communicated to the people moving toward a unified whole country approach. The efficient and effective use of time across the three arms of government seems to be an unresolved challenge.

It was noted and to be commended that there is continued stability in the electoral cycle which is quite short. This timeline leaves a short time period for implementation and often policy results occur in subsequent electoral periods and this process should be reformulated.

Policy coherence seems to be necessary also with regard to policy and practice vis a vis businesses. There have been reports indicating that a number of businesses have set up off shore branches in order to avoid and potentially evade fiscal, labour and currency exchange regulations. While Argentina’s legal framework to curb opacity in company structures and ownership secrecy is a positive step, the beneficial ownership register is yet to be made open to all and there is no legislation calling for public reporting of multinational companies.

**Conclusion and recommendations**

Argentina has been taking on debt and has struggled with multiple debt crises and problems for nearly 40 years while implementing social services. Prior to the COVID-19 pandemic, the country was once again embroiled in a similar situation which ended up impacting the human rights of the Argentinian people. This also placed the country’s ability to mitigate the negative effects of the multiple crises that Argentina is facing.

Notwithstanding these recurring debt, economic and financial crisis, Argentina has shown resilience due to a legal and institutional framework anchored in a Constitution which recognizes human rights and elevates the human rights instruments Argentina ratified to the Constitutional rank. A vibrant and committed civil society and academia which has never stopped demanding for accountability and transparency, also contributed to Argentina’s standing up after every crisis. Yet in the Independent Expert’s views progress remain possible to maximize the use of resources for the realization of human rights and avoid any retrogression.

All interlocutors the Independent Expert met spoke about lack of trust in the economy and the ability of States’ institutions to handle economic and financial crisis. It seems that there is a long-standing tradition for Argentinians to keep savings in US dollars and outside official financial circulation (so not in bank accounts but rather in safe boxes, abroad or under the mattress). The Independent Expert recommends that the Government considers refocussing savings away from the dollar to gold or other currencies and away from the more unstable digital currencies which are not a global asset class. While the competent branches of the executive have set a Roadmap aimed at going into the direction of developing local capital market in order to boost the trust, the Expert also heard that measures aimed at creating well remunerated employment and productivity should be strengthened in parallel.

Argentina has an important potential in all types of resources which, if well directed and targeted, should take the State a long way in fulfilling its human rights obligations in all spheres of life. The Independent Expert therefore hopes that her preliminary assessment and recommendations, issued in a spirit of recognition of the immense efforts the governments have taken across the past 40 years and with a view constructive dialogue, will support all branches of the State in advancing promptly towards the common objective of realizing all human rights of all in the country.

The Independent Expert reiterates her thanks to the federal and provincial Governments for their willingness to continue cooperating with the United Nations human rights system, and for the cooperative spirit in which the dialogue took place. She makes the following recommendations to the State and the provinces:

* Support and domesticate the Guiding Principles on human rights impact assessments of economic reforms;
* Use the maximum available for the effective realization of all human rights;
* Strengthen measures to ensure policy coherence among all public policy areas as well as oversight of business conduct with particular regard to businesses role in diverting resources from the State;
* Take measures to facilitate/institutionalize the participation of civil society, academia and sectors concerned in public debt negotiations, monitoring and reviews;
* Consider issuing specific regulations, based on the Laws on the administrative procedure and on financial administration, that clarify and provide certainty to the steps needed in order to take on public debt with multilateral credit agencies;
* Work towards a more progressive federal and provincial tax system in order to increase revenue generation which can in turn benefit the realization of human rights; which should be operationalised while reducing the size but not the quality of the civil service
* Improve access to all information including but not limited to fiscal information, including objectives of fiscal policy, data and impact of these policies, in a way that becomes comprehensible to all as well as all project related information in the provinces;
* Make decisions across government in a timely manner;
* Collate data and analyse it in order data driven and de politicised decision making;
* Continue to work on stabilising the inflation rate and consider maintaining a single currency rate;
* The State could consider a mechanism/process to bring to light what happened during the cyclical taking on of public debt;
* Ensure that there is a fair and just sharing of resources across all provinces and city administration using a human rights and depoliticised approach;
* Engage with indigenous communities to include, support and reflect their ways of living in all areas of human rights especially as regards the right to a clean and health environment in the context of the fiscal repercussions;
* All levels of government should work collectively to re-build the social contract and trust of the society, especially with indigenous communities and those in informal settlements.

In addition, she makes the following recommendations to the IMF:

* In a post pandemic recovery transition, grant debt relief to middle income countries, such as Argentina; these countries cannot fully pay back all the debt without re-financing it;
* Consider reviewing its surcharges policies as indebted countries, including Argentina, are struggling with multiple and intersecting crisis and seeking to recover from them.

**\* \* \***

1. Waris, Tax and Development (2013) Law Africa, Nairobi. [↑](#footnote-ref-1)
2. Guiding principles on human rights impact assessments of economic reforms, A/HRC/40/57. [↑](#footnote-ref-2)
3. [https://www.imf.org/en/News/Articles/2022/06/24/pr22226-argentina#:~:text=AddThis%20Sharing%20Buttons-,IMF%20Executive%20Board%20Completes%20First%20Review%20of%20the%20Extended%20Arrangement,Extended%20Fund%20Facility%20for%20Argentina&text=The%20IMF%20Executive%20Board%20completed,of%20about%20US%24%204.01%20billion](https://www.imf.org/en/News/Articles/2022/06/24/pr22226-argentina" \l ":~:text=AddThis%20Sharing%20Buttons-,IMF%20Executive%20Board%20Completes%20First%20Review%20of%20the%20Extended%20Arrangement,Extended%20Fund%20Facility%20for%20Argentina&text=The%20IMF%20Executive%20Board%20completed,of%20about%20US%24%204.01%20billion). [↑](#footnote-ref-3)
4. Sovereign Investment Fund or a Social Welfare Fund is a state-community owned investment fund that protects resources which is used as a collateral to take on financial responsibility like debt and allow the Fund to invest globally as well as improve social services without touching the collateral base of the Fund. In the context of Argentina the management of this Fund if adopted must be carefully crafted to ensure inclusion and participation of indigenous communities; and guarantee that the land that holds the resources remains untouched. [↑](#footnote-ref-4)
5. A/HRC/46/29. [↑](#footnote-ref-5)
6. A/HRC/46/29. [↑](#footnote-ref-6)
7. <https://link.springer.com/article/10.1057/s41301-022-00340-5> [↑](#footnote-ref-7)