

# **Global research on governance and social protection**

**Argentina case study**

**Final report**

**Development Pathways  
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## Acronyms

AFJP	Administrators of Retirement and Pension funds - <i>Administradoras de Fondos de Jubilaciones y Pensiones</i>
AFIP	Federal Administration of Public Revenue - <i>Administración Federal de Ingresos Públicos</i>
ARS	Argentine Pesos
AUH	Universal Child Allowance - <i>Asignación Universal por Hijo</i>
ANSES	National Social Security Administration - <i>Administración Nacional de Seguridad Social</i>
CDR	Territorial Referencing Centres - <i>Centros de Referencia Territorial</i>
CIC	Community Integration Centres - <i>Centros Integradores Comunitarios</i>
COFEDES	Social Development Federal Council - <i>Consejo Federal de Desarrollo Social</i>
COFEPRES	Social Security Federal Council - <i>Consejo Federal de Previsión Social</i>
CUD	National Rehabilitation Service
CUIT	Unique Tax Identification Code - <i>Clave Única de Identificación Tributaria</i>
DIG	Child deduction income tax - <i>Deducción por Hijo del Impuesto a las Ganancias</i>
FGS	Sustainability Guarantee Fund - <i>Fondo de Garantía de Sustentabilidad</i>
IFE	Family Emergency Income - <i>Ingreso Familiar de Emergencia</i>
IMIS	Integrated Management Information System
PAMI	Comprehensive Medical Assistance Programme - <i>Instituto Nacional de Servicios Sociales para Jubilados y Pensionados</i>
PUAM	Universal Old Age Pension - <i>Pensión Universal para el Adulto Mayor</i>
RUB	Single Registry of Beneficiary - <i>Registro Único de Beneficiario</i>
SIJP	Integrated Retirement and Pension System - <i>Sistema Integrado de Jubilaciones y Pensiones</i>
SIPA	Argentine Integrated Social Security System - <i>Sistema Integrado Previsional Argentino</i>
SIEMPRO	Social Programme Monitoring and Evaluation Information System - <i>Sistema de Información, Evaluación y Monitoreo de Programas Sociales</i>
SINTyS	National Identification, Tax and Social Information System - <i>Sistema de Identificación Nacional, Tributario y Social</i>
SDGs	Sustainable Development Goals
SISFAM	Identification System for Beneficiary Families of Social Programs and Services - <i>Sistema de Identificación de Familias Beneficiarias de Programas y Servicios Sociales</i>
UDAI	Comprehensive Care Units - <i>Unidades de Atención Integral</i>
UDAM	Mobile Care Units - <i>Unidades de Atención Móvil</i>
ULAT	Transitional Attention Units - <i>Unidades de Atención Transitoria</i>
UNDP	United Nations Development Programme

# 1 Key messages

This case study on Argentina presents a number of key messages regarding the governance of the social protection system:

**An underlying Constitutional and solid legal framework that protects the right to social protection and regulates the implementation of social protection schemes is a critical foundation for expansion.** Since the early inception of Argentina's social welfare system, the country has framed its development on a set of constitutional and legal bases. Not only is the right to social security enshrined in its Constitution, but international human and social rights instruments have been given constitutional status. Moreover, the social protection system has benefited from a wide set of decrees, regulations and laws that frame the policy making of the sector, as well the implementation of the different schemes at the national, provincial and local levels. However, a strong legal framework is a necessary, but not sufficient, condition for a comprehensive, rights-based, effective and well governed social protection system. On many occasions, and Argentina is a case in point, the expansion of social protection benefits to larger segments of society beyond those in the formal labour market – even if it is backed by a legal framework — can lead to a fragmented provision of services and/or benefits due to an incomplete integration of contributory and non-contributory schemes. In addition, this case study is also an example of how underlying power struggles and power dynamics, and informal power structures, can often undermine and/or bypass legal arrangements in place.

**Strong institutional arrangements and institutional coordinating mechanisms are essential to good governance of the social protection system.** Given the longstanding development and expansion of a traditional welfare system, the Government of Argentina has had the opportunity to consolidate a strong institutional framework for the social protection sector. Argentina embedded early on the foundational institutions that have remained relatively stable despite large economic and social disruptions as well as challenges to financing and the basic model. As is the case in many other countries, Argentina underwent a process of consolidating the traditional institutions related to social insurance provision to the formal sector, to subsequently incorporating other institutions that would support the expansion of social protection coverage beyond the formal labour market. This included creating a Social Development Ministry, a Social Policy Social Authority (charged with coordinating social policies), as well as decentralised Government organisations such as ANSES with strong implementation, decision-making and financial powers. Nevertheless, and once again, the formal institutional arrangements are not necessarily those that predominate when it comes to formal versus informal power dynamics and institutional responsibilities in practice. Argentina's case speaks truth to a scenario in which political and institutional power dynamics go beyond what has been formally established.

**A comprehensive and lifecycle social protection system requires strong inter-sectoral and intra-sectoral coordination.** As a lifecycle social protection system is meant to cover right-holders from risks and vulnerabilities across different age and risk categories segments, they thus require cohesive and coordinated governance mechanisms in place. In the case of Argentina, responsibilities for social protection policies — and social policies in general — are spread across a range of national institutions, as well as distributed downward among provincial and municipal levels of Government. The current social protection system — and social policy at large — has an established Coordinating Council in place, which is a key step towards inter-sectoral coordination, but not necessarily sufficient. Once again, some agencies' political and financial power allows them to have greater power than what might be invested in them as per any official organigram. Nevertheless, when analysing Argentina's social protection programme and service offering, it is a good example of

covering individuals across their lifecycle (from the cradle to the grave) made possible in part due to institutional linkages and coordination.

**Argentina is an example of good social protection coverage in general terms, that coexists with a fragmented nature of coverage and service provision.** Compared to many other high-middle income countries, or middle- and low-income countries, Argentina is a success case when it comes to coverage. Nevertheless, the nature of that coverage is in some cases fragmented: depending on whether individuals work in the formal versus the informal sector, as well as age (better coverage of old age versus children).

**Resourceful solutions such as the Monotax (Monotributo) that encourage formalisation of informal and independent workers, offer an example for social protection coverage expansion for other countries.** Over the decades, Argentina has been decisively looking into expanding social protection coverage, and responses such as the Monotax, together with the pension moratoriums to be explained in this report in detail, have proven to be successful in this regard.

**The implementation of social protection schemes has benefited from growing information management systems, standardised guidelines for programme and services, and information leaflets for potential users.** These are all crucial elements for a proper, coordinated, and transparent implementation and administration of social protection programmes. Argentina has, over the years, managed to embed programme and service delivery, at least from a formal perspective, with an entitlement approach.

**Accountability and participation mechanisms have also proven key for the expansion of the Argentine social protection system.** As countries expand social protection coverage with a combination of contributory and non-contributory schemes, there is a need to ensure proper institutional accountability and that citizens are aware of their rights to different programmes and services. The Argentine Government has established several accountability, participation and redress mechanisms over the years for both the contributory and non-contributory social protection schemes. In addition, the normative and institutional frameworks also provide further checks and balances at the high, medium and implementation-levels.

## 2 Introduction

Argentina is considered as one of the pioneers in the development of a national social protection system in Latin America.<sup>1</sup> Globally, it is a good example of a middle-high income country with a historical tradition of building a social welfare system, gradually expanding coverage through a basic social protection floor across the lifecycle, and pursuing an institutional consolidation process of the social protection sector. The historical development of Argentina's social protection system has resulted in a welfare model of stratified universalism (together with only Uruguay and Chile in the region), with the highest level of protection being among individuals employed in the formal market.<sup>2</sup>

Moreover, as a country that has undergone a series of hard economic and political crisis, Argentina's social protection system has shown considerable stability in terms of institutional arrangements whilst also providing examples of profound political changes and Government priorities. This case study will apply some of key concepts related to social protection system governance, as described by the global overview, to the Argentine context. In a nutshell, it can be ascertained that Argentina displays several of the formal requirements and/or arrangements for the social protection system's governance, but, as will be laid out in detail in Section 1.4, many challenges persist. The country also provides an example of the particular governance challenges and responses within a federal administrative structure.

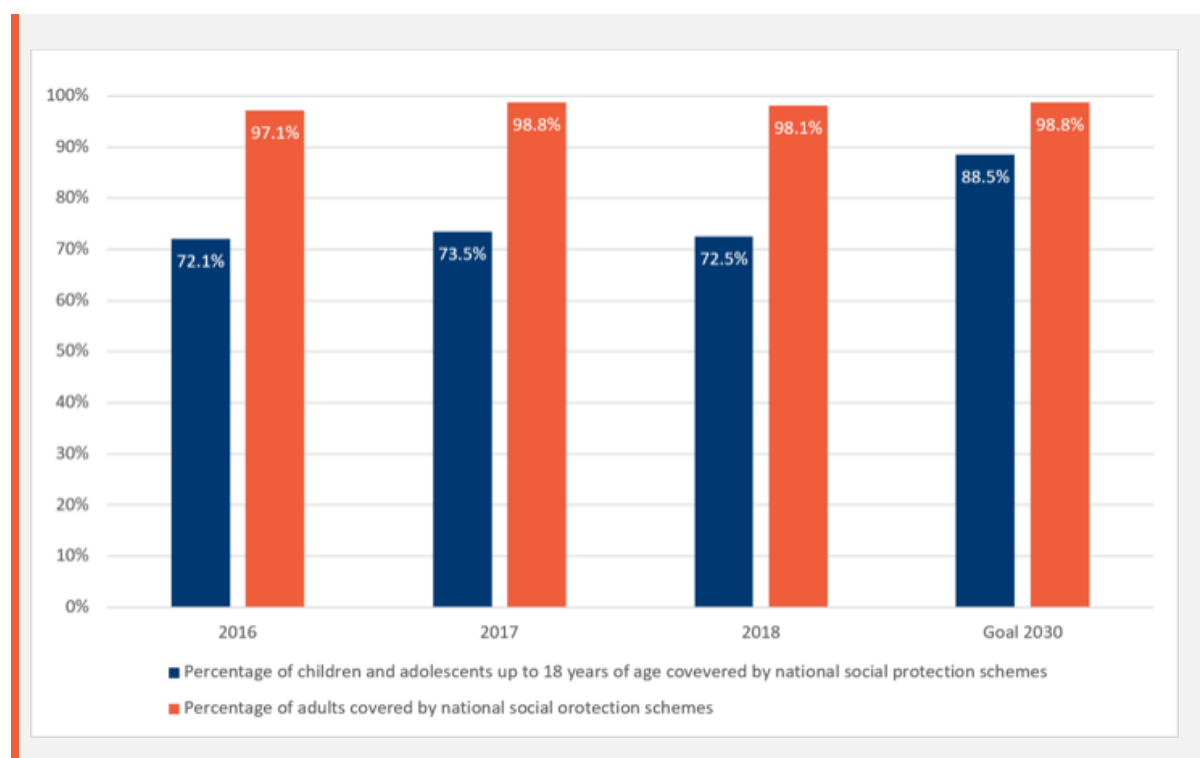
Argentina is a country with considerable social protection coverage, in 2018 reaching 72.5 per cent of children and adolescents through the contributory system, the non-contributory system and tax deduction schemes; and 98.1 per cent of the elderly through contributory pensions and retirements, non-contributory old-age pensions for people over age 70, and the Universal Old Age Pension (PUAM) aimed at people over 65 that cannot access the contributory regime (*Segundo Informe Voluntario Nacional Argentina 2020*, 2020). Nevertheless, one key challenge for the Argentine social protection system will be addressing the demographic transition that will, in some decades result in an older population structure (*Segundo Informe Voluntario Nacional Argentina 2020*, 2020).

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<sup>1</sup> (Rofman and Apella, 2016)

<sup>2</sup> (Cecchini and Martínez, 2012)

Figure 2-1: Evolution of social security coverage indicators TBC



Source: UNDP Voluntary SDGs report/Social security coverage, 2020.

Despite these overarching coverage levels, gaps still remain in terms of coverage, in part due to the fragmented nature of social protection provision, and partly due to the fact that many social protection schemes and policies are still based on antiquated and exclusionary criteria. As such, the system still presents challenges for certain groups, depending on income earning status (formal or informal), disability status, age, gender, and migration status, among others.



## 3 Description of initial situation

### 3.1 Historical development of social protection

In Argentina, the basic architecture of a European style state welfare system – linked to formal employment and resulting from negotiations between unions and employers<sup>3</sup> — was developed in the early 20th century and gradually expanded throughout the decades. The following subsections will provide further details of this development for both contributory and non-contributory schemes in the case of Argentina. Figure 3-1 provides a detailed timeline with some of the major achievements and detractions in the consolidation of Argentina’s social protection schemes.

#### 3.1.1 Contributory and mixed schemes

The very first formal pension scheme in the country originated in 1904 with the creation of the Civil Fund for Government permanent employees.<sup>4</sup> In terms of family policies, in 1930 the Government introduced a maternity subsidy, and in 1940 a subsidy per child was introduced for the banking sector. It was only in 1957 that the system was further expanded and formalised by the establishment of compensatory funds, and subsidies were extended to children under the age of 15 and the disabled, funded by employers’ payroll contributions and employee contributions.<sup>5</sup> The Family Allowances established in 1957 were linked to the labour status, as it was linked to the formal sector.<sup>6</sup>

Gradually, the social security system was enlarged, and in 1944 pension benefits were expanded to the entire working population, including independent (self-employed) workers and employers, and by 1969 all schemes were unified under the umbrella of the National Social Security System.<sup>7</sup> This expansion not only ensured that coverage of social security programmes increased over more than five decades, but also gradually expanded the system’s comprehensiveness through the development of new programmes and services that protected individuals from different risks and vulnerabilities across their lifecycle.

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<sup>3</sup> (Rofman and Apella, 2016)

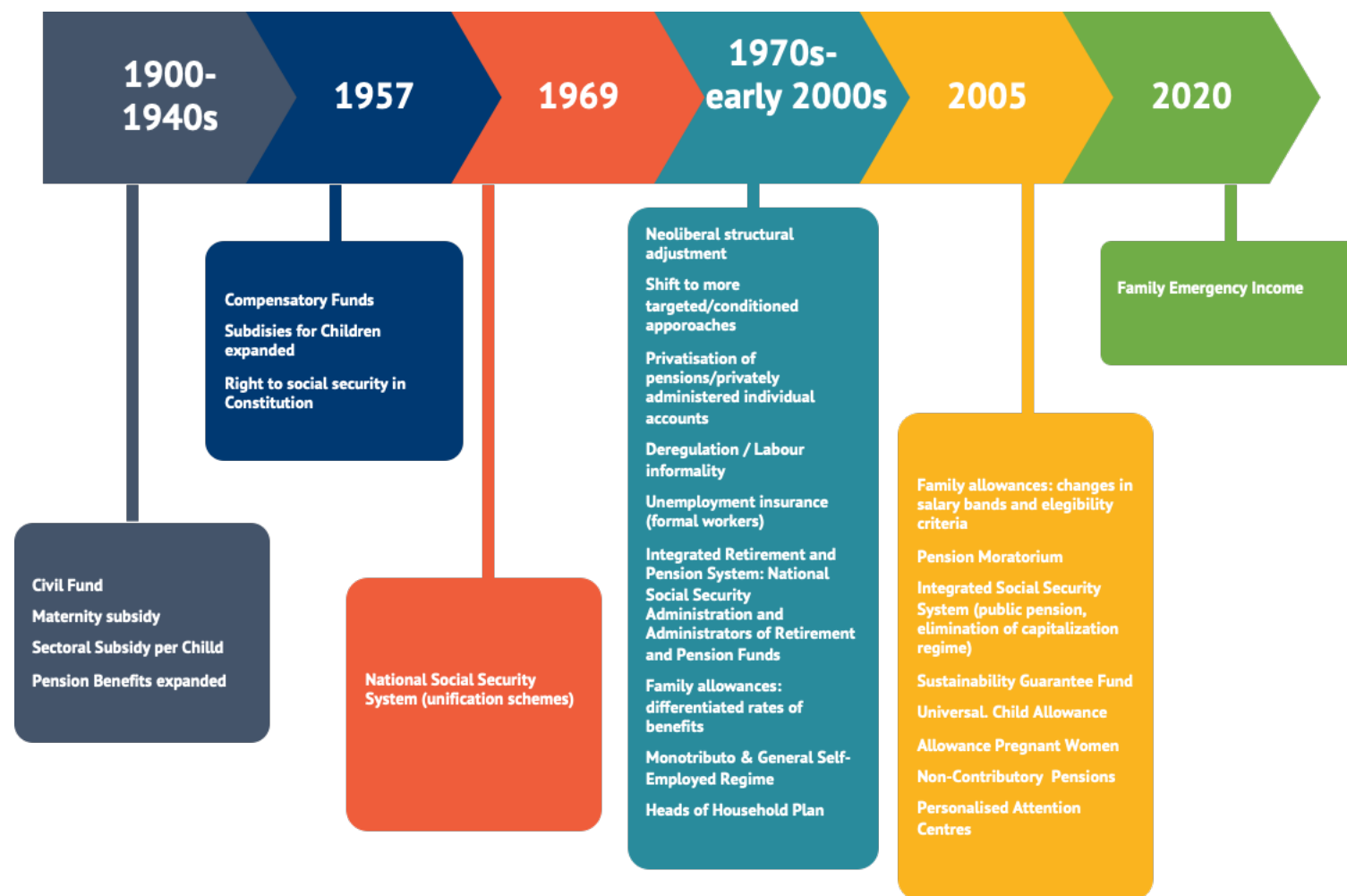
<sup>4</sup> (Rofman and Apella, 2016)

<sup>5</sup> (Rofman and Apella, 2016)

<sup>6</sup> (Pautassi et al., 2013)

<sup>7</sup> (Rofman and Apella, 2016)

Figure 3-1: Timeline of the development of Argentina's system



**Box 3-1: Role of trade unions and civil society**

The participation of trade unions and civil society in pushing for social rights and the expansion of social protection has also played a key role in the case of Argentina since the 20<sup>th</sup> century. A fairly current example was back in 2015, when a social dialogue table was set in place for domestic workers. It involved a tripartite dialogue between workers organisations, employer organisations, and the Government's executive branch. The experience was successful in the sense that it provided an institutional space for domestic workers to raise their concerns (Pereyra, 2018), and for the Government to seek ways in which to address these.

The right to social security has been enshrined in its Constitution since the reforms in 1957 and 1994, and international social human rights instruments (that include the right to social security) are also part of the national legal framework. From its birth, and in line with Keynesian State interventionism, Argentine social policies were of a more universal nature also supported by collective rights.<sup>8</sup> Box 3-1 briefly describes the role of trade unions in expanding social protection coverage in the country. As Argentina's social security system was of a contributory nature including pensions, family allowance schemes, maternity protection, unemployment insurance, and health coverage, it was based on individuals being employed.

Nevertheless, the seventies saw a shift towards more targeted approaches,<sup>9</sup> as well as less state intervention, and the Argentine social security system underwent neoliberal structural adjustment during the nineties until the early 2000s

economic crisis, during which pensions were privatised. The period from the mid-seventies to 2002 brought vast challenges to the traditional social protection system in place. During this period of neoliberal tendencies, the labour market suffered an "involution"<sup>10</sup> towards the precariousness of workers, more flexibility in detriment to workers, less decent work, and more labour informality. This of course also meant a fracturing of existing State coverage arrangements for formally employed workers, and a sub-optimal social and economic integration of these large segments of informally employed workers and their families, resulting in large segments of society being unprotected.<sup>11</sup>

The structural adjustment process in Argentina mirrored what many Latin American countries underwent during the so called "lost decade". The process was also very much influenced by international multilateral institutions that recommended cuts in social spending, deregulation, and more targeted or conditioned social support, dismantling more universal approaches and State intervention. In many cases, including that of Argentina, these reforms incorporated privately administered individual accounts to the social insurance system and tightened the link between contributions and benefits, penalizing women and other low earners for their shorter working lives and higher average life expectancies.<sup>12</sup>

Unemployment insurance legislation in Argentina was approved in 1991 (Law 24.013, National Employment Law), covering those workers that have been dismissed from their employment in the formal sector, contributed to the National Employment Fund for a minimum period, and were not receiving social security benefits or non-contributory pensions. Nevertheless, the coverage of this benefit is limited, given the requirement for the beneficiary to have been in formal employment requirement before becoming unemployed.

A major reform process in 1993 resulted in the creation of the Integrated Retirement and Pension System (SIJP) (*Ley núm. 24.241 - Sistema Integrado de Jubilaciones y Pensiones*, n.d.) covering contingencies of old age, disability and death. The reform increased the minimum retirement age from 55 to 60 for women and from 60 to 65 for men, and also increased the requirement for years

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<sup>8</sup> (Halperín et al., 2008)

<sup>9</sup> (Halperín et al., 2008)

<sup>10</sup> (Halperín et al., 2008)

<sup>11</sup> (Pereyra, 2018)

<sup>12</sup> (Arza and Martínez Franzoni, 2018; Ortiz et al., 2018)

## Description of initial situation

of contribution (30 instead of 20 years), and an increase in the workers' contribution rate.<sup>13</sup> The system was to be made up of two regimes:

- A public pension scheme based on the provision of benefits by the State financed through a pay-as-you-go system. This public pension scheme has the guarantee of the State, instituting the universal basic benefit, the compensatory benefit, the retirement for disability, the death (survivor) pension and the additional benefit for permanence. This would be managed by the National Social Security Administration (*Administración Nacional de Seguridad Social, ANSES*).
- A pension scheme based on individual capitalization, made up of the personal contributions of workers in a dependent employment relationship. The capitalization of the contributions was managed by corporations called Administrators of Retirement and Pension Funds (*Administradoras de Fondos de Jubilaciones y Pensiones, AFJPs*).

Changes to the family allowance system were proposed in 1996 (Law 24.714), by which greater equity would be achieved through redistribution.<sup>14</sup> This reform set-up differentiated rates of benefits (including for childbirth, maternity, adoption, marriage, prenatal period, children, disabled children, and school support) according to the salary levels of eligible workers and offered greater benefits to lower paid workers, while workers with salaries above a threshold were not eligible.<sup>15</sup> A few years later, in 2012, the salary bands structure suffered some changes, and also adjusted the schemes so that benefits eligibility would be determined by the income of the household as a whole, instead of just one adult income earner.<sup>16</sup>

A unique feature of the development of Argentina's social security system, is the establishment of the Simplified Regime for Small-scale Contributors in 1998, known as *Monotributo*, and the General Self-Employed Regime to cover independent workers. This is an optional tax regime that allows the target population to enter the formal economy by adhering to the regime.

The 21st century brought not only an economic and political crisis that shattered society as a whole, but also Governments that saw the need to reverse some of the regressive changes from the past

### Box 3-2: Pension moratoriums

The Moratoriums introduced in 2005 were meant to reduce coverage gaps among unemployed and independent workers (Rofman and Apella, 2016). How did it work? It allowed "any citizen who met these minimum age requirements but not the required number of contribution years to declare a debt corresponding to the contribution shortfall through the independent workers' regime, and to set up a payment plan that would allow them to make payments at the same time as they received benefits" (Rofman and Apella, 2016 p.98-99).

three decades. Argentina's Government replaced the private pensions system with a state-run pay-as-you go system. Furthermore, in 2005, the Government announced a pension moratorium (Pension Inclusion Plan "*Plan de Inclusión Previsional*") to incorporate large masses of individuals that had fallen through the cracks from the market deregulation and flexibilization (see Box 3-2). The Plan allowed for the expansion of the social security system to incorporate individuals who had been excluded from receiving a pension due to – among other reasons – working in the informal economy. A large percentage of those individuals that were included in this moratorium were women, who had also been largely excluded in the past.<sup>17</sup> The implementation of emergency measures, including that of the moratorium, has

<sup>13</sup> (Rofman and Apella, 2016)

<sup>14</sup> (Rofman and Apella, 2016)

<sup>15</sup> (Rofman and Apella, 2016)

<sup>16</sup> (Rofman and Apella, 2016)

<sup>17</sup> (Bossio, n.d.)

expanded access to the benefits of the contributory system to those who had not made contributions or had done so incompletely.<sup>18</sup>

As a matter of fact, to date, the main measure adopted to increase coverage has been through these pension moratoriums, as they allowed people who met the age requirement to access benefits.<sup>19</sup> In addition, the pension moratoriums also produced an increase in coverage for women.<sup>20</sup> As such, these short-term emergency measures have become what some have called “**semi-contributory schemes**,”<sup>21</sup> and could be seen as a shift from a purely contributory system in nature based on full employment (in line with Bismarck) to one with elements of a minimum social security benefits system (more in line with Beveridge).<sup>22</sup> In order to eventually eliminate the need for future moratoriums, the Government passed a reparation law (Law 27,260) in 2016. This law proposes a solution to the judicial claims against the ANSES for controversies over the modality adopted for indexing benefits, and introduced the right to a universal benefit for all those who, having reached the age of 65, do not meet the requirements for the collection of a contributory benefit.<sup>23</sup>

Law 26.425, implemented in 2008, regulates the unification of the Integrated Retirement and Pension System into a single public pension system under the Argentine Integrated Social Security System (*Sistema Integrado Previsional Argentino*, SIPA), to be financed through contributions and taxes. Thus, it eliminates the capitalisation regime imposed during the previous period. This integrated system covers individuals from risks associated with old age, disability and survivorship, and includes both contributory and non-contributory schemes. The contributory pensions also include a wide set of schemes, including: provincial (subnational level), municipal public officials, social security funds for professionals, and other special regimes.<sup>24</sup> The Argentine system has more than 120 independent schemes, and the current legal frameworks allows for more to be established, without clear stewardship or governance of these schemes and programmes.<sup>25</sup> This of course has contributed towards a fragmented and stratified system, that has only been partially solved by the unification attempts previously mentioned.<sup>26</sup>

Another step towards dismantling the neoliberal policies that had been put in place for three decades, was the decree (897/2007) that established the Sustainability Guarantee Fund (*Fondo de Garantía de Sustentabilidad*, FGS) which grants the social security system more predictability. This meant that the funds previously under the capitalisation schemes, were now integrated into the FGS within the public pension regime. This, together with other funding sources, would strengthen the social security system’s long-term financial sustainability.

Additional changes to social security coverage in Argentina included the expansion of benefits aimed at supporting families, which up until that point had mostly been extended to informally employed workers. Argentina’s Family Allowance Schemes, as per Law 24.714 first sanctioned in 1996 with regular amendments, includes a set of both contributory and non-contributory schemes (*Ley 24.714 Régimen de Asignaciones Familiares*, 1996):

- A contributory subsystem based on the distribution principles applicable to workers who provide remunerated services in relation to dependency in private activity, regardless of the

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<sup>18</sup> (Betranou et al., 2019)

<sup>19</sup> (Betranou et al., 2019)

<sup>20</sup> (Arza and Martínez Franzoni, 2018)

<sup>21</sup> (Betranou et al., 2019)

<sup>22</sup> (Betranou et al., 2019)

<sup>23</sup> (Betranou et al., 2019)

<sup>24</sup> (Betranou et al., 2019)

<sup>25</sup> (Betranou et al., 2019)

<sup>26</sup> (Betranou et al., 2019)

type of employment contract, beneficiaries of the Law on Work Risks and beneficiaries of Unemployment Insurance;

- A contributory subsystem applicable to those registered and with contributions made in the Simplified Regime for Small Taxpayers;
- A non-contributory subsystem applicable to the beneficiaries of the Argentine Integrated Social Security System (SIPA), beneficiaries of the non-contributory disability pension scheme, and for the Universal Pension for the Elderly; and
- A non-contributory subsystem made up of the Pregnancy Allowance and the Universal Child Allowance, aimed, respectively, at pregnant women and those children and adolescents who reside in the country and belong to family groups headed by unemployed persons or persons working in the informal economy.

As per the law, the Family Allowance schemes comprises the following benefits: contributory Child allowances, allowance for a child with a disability, prenatal allowance, annual school aid allowance, general and polymodal general education, maternity allowance, birth allowance, adoption allowance, marriage allowance, as well as the Universal Child Benefit and the Pregnancy Benefit (described further below under non-contributory schemes).

In the case of maternity protection, it has been argued in the Argentine case that these schemes are heterogenous given that they only include formally employed dependent workers leaving out the self-employed and informally employed. In addition, benefit parameters differ depending on the sector (whether public or private).<sup>27</sup> Moreover, the system also has a strong maternal bias, with a stark difference in terms of the provisions for maternity and paternity leaves.<sup>28</sup>

Another transfer that families are able to receive, is the child deduction from income tax (DIG)<sup>29</sup> under the responsibility of the Federal Administration of Public Income (*Administración Federal de Ingresos Públicos*, AFIP). Nowadays, this transfer (designed back in 1930 with a different intent) is meant to guarantee income to families of formal workers.<sup>30</sup>

### 3.1.2 Non-contributory schemes

All of these schemes previously described, together with some of the non-contributory programmes established in the 2000s – including the Unemployed Heads of Household Plan (*Jefes y Jefas de Hogar*) in 2002 and the Universal Child Allowance (*Asignación Universal por Hijo*) in 2009 — signified attempts to further expand social protection coverage in the country after some very difficult political, social and economic times. The latter would later be complemented by the benefit that was added for pregnant women (*Asignación por Embarazo para Protección Social*) in 2011.

The progressive expansion of social protection coverage through some of these non-contributory schemes was also accompanied (as will be explained in more detail in the following section on institutional arrangements) by placing most social protection schemes under one same institutional umbrella, namely ANSES. Instead of them being considered as residual and being placed under a different institution charged with “the poor” and/or “the vulnerable”, they were placed side-by-side with the existing (and gradually expanded) contributory schemes. This high-level institutional choice then impacts positively on implementation in terms of coordination efforts, as well as providing a

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<sup>27</sup> (Florito et al., 2020)

<sup>28</sup> (Florito et al., 2020)

<sup>29</sup> Only one parent per household is allowed to get this deduction.

<sup>30</sup> (Florito et al., 2020)

sense of an integrated social protection system that covers risks and vulnerabilities across the lifecycle.

In particular, the reforms aimed at incorporating those working in the informal labour market. These programmes also signified a shift in the Government's social protection provision, as they changed eligibility criteria to include not just formally unemployed workers, but also those in the informal labour market earning below the minimum wage.<sup>31</sup> This approach also sets Argentina's non-contributory programmes apart from other Conditional Cash Transfer programmes in Latin America that based eligibility on poverty status, not labour status.<sup>32</sup> Nevertheless, some have noted that the differential levels of benefits between the Universal Child Allowance (AUH) benefit and other Child Benefits under the Family Allowance schemes for formal workers also has an impact on the system's fragmentation.<sup>33</sup> It has also been noted that the AUH does not provide children with individual entitlements, as it is earmarked for households in the informal sector.<sup>34</sup>

It has been argued that the Universal Child Allowance (AUH) is not really universal, and as such, is just another programme that adds to the fragmented nature of social protection delivery, in the sense that it makes social distinctions based on the labour market status individuals have.<sup>35</sup> Another distinction that this programme generates when compared to other Family Allowances from the contributory side, is the conditions (health and school) it imposes on beneficiary families in order to receive a portion (20 per cent) of the benefit.<sup>36</sup> There are no such conditions imposed for receipt of contributory benefits, and hence the distinction.

An additional innovation in the last decades are the non-contributory pensions to expand social protection coverage to older persons. The social pensions, which are under the responsibility of the Social Development Ministry, include the following: disability, mothers of seven or more children, South Atlantic War Veterans, the Universal Old Age Pension (*Pensión Universal para el Adulto Mayor*, PUAM) introduced in 2016, non-contributory and other special Laws. The Universal Old Age Pension's coverage was expanded as of 2003 by a modification to the eligibility criteria, the elimination of budget restrictions, dissemination campaigns, the opening of Personalised Attention Centres (*Centros de Atención Personalizada*), information systems were updated, and collaboration agreements were signed with municipalities, among others.<sup>37</sup>

In response to COVID-19, the Government launched a Family Emergency Income<sup>38</sup> (*Ingreso Familiar de Emergency*, IFE) for informally employed and self-employed workers that are not receiving other social benefits (unless it is AUH or the non-contributory pregnancy allowance).

### 3.1.3 Current system

Based on the development of Argentina's social protection systems since the early 1900s, it can be ascertained that the country has a lifecycle system that provides coverage for risks occurring at different ages. Figure 3-2 provides an overview of Argentina's lifecycle social protection system, showing the predominance of core lifecycle schemes, complemented by other (largely means-tested) benefits and services. Having said that, and although it has wide coverage, it does to a certain extent provide uneven delivery when it comes to labour market status (formal versus

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<sup>31</sup> (Davalos and Beccaria, 2017)

<sup>32</sup> (Davalos and Beccaria, 2017)

<sup>33</sup> (Lo Vuolo, 2009)

<sup>34</sup> (Pautassi et al., 2013)

<sup>35</sup> (Lo Vuolo, 2009)

<sup>36</sup> (Lo Vuolo, 2009)

<sup>37</sup> (Betranou et al., 2019)

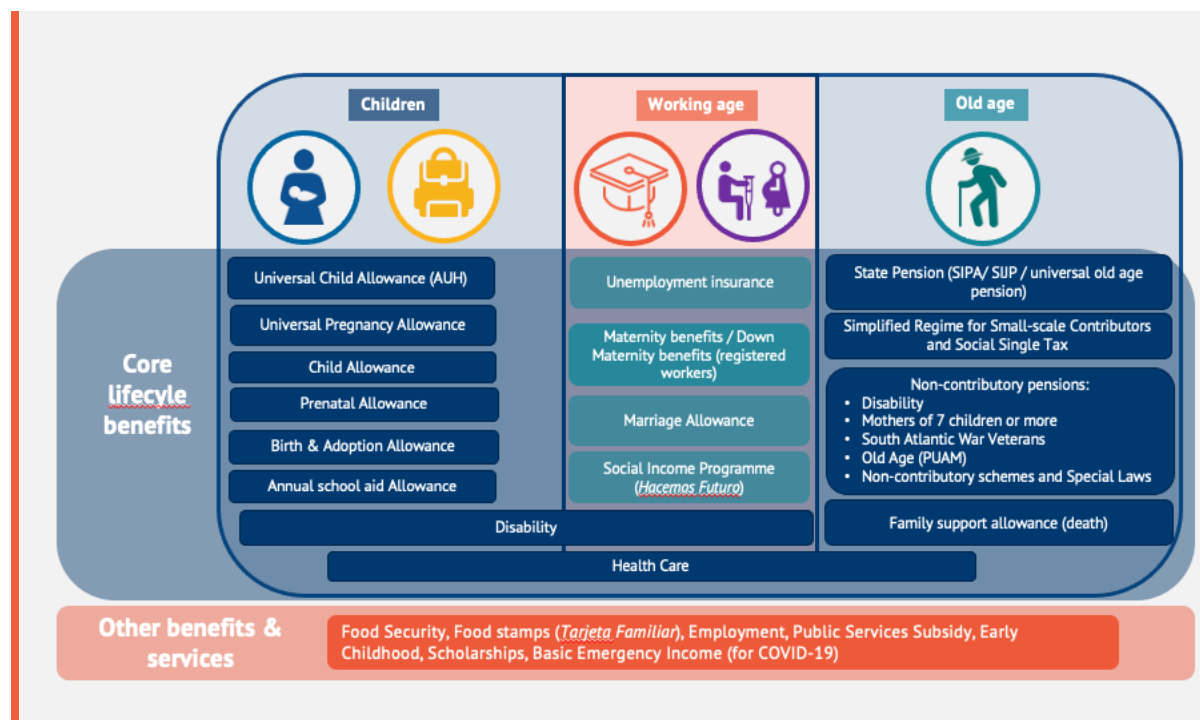
<sup>38</sup> Official programme website: <https://www.anses.gob.ar/ingreso-familiar-de-emergencia>



## Description of initial situation

informal) and age group (more investment in old age, less in children). Hence, and as described in previous sections, this lifecycle social protection systems in Argentina is not universal in nature across the board.

**Figure 3-2: Argentina’s national lifecycle social protection system<sup>39</sup>**



Source: Development Pathways' depiction based on (Rofman & Apella, 2016) and <https://www.anses.gob.ar/>

## 3.2 Challenges to expansion

Although Argentina has been able to expand its social protection coverage over the decades, some challenges still remain. Over the last two decades, the Government has significantly changed directions and moved towards increasing coverage and filling some of the existing gaps. The increased integration of the contributory and tax-financed elements can be seen as a positive building block for the consolidation of a social protection floor and a comprehensive social security system.

At the national level, universal allowances coexist with fragmented guarantees that are dependent on the status of formal versus informal employment, there are still considerable coverage gaps, and there are still coordination challenges between contributory schemes and tax-financed elements at the national, provincial and municipal levels. One example of the fragmented and unequal social protection provision is the existing transfer schemes for families with children: on the one hand, conditionalities only apply to the non-contributory transfers; and on the other the overall system can be seen as regressive when taking into account other schemes such as the child deduction from income tax.<sup>40</sup>

<sup>39</sup> This figure only incorporates national social protection schemes. As such, the wide array of provincial social insurance schemes and other provincial and/or municipal programmes are not included.

<sup>40</sup> (Díaz Langou et al., 2019)



### *Description of initial situation*

Another key element within the Argentine context is the coexistence of formalised institutions, coordination mechanisms and a vast regulatory framework, with informal power dynamics and strife, that have a stark impact on the governance of the overarching social protection system.

Finally, the stratified nature of service provision in the social protection sector due to an incomplete integration of contributory and non-contributory schemes (and those that have been called semi-contributory), the difference in benefits between systems, as well as the worsening socio-economic situation over the past years, pose significant challenges to the overall governance of the system.

## 4 Mechanisms to improve governance

Governance, in the context of social protection policy, requires some tasks to be undertaken by an authority that is seen as legitimate and has political support at the highest level. Governance by authorities at the highest levels includes: defining public policy objectives and goals to guide the system; identifying priorities and action strategies, assigning responsibilities and functions to all involved actors; exerting a certain measure of influence over the distribution of resources; monitoring, systematizing relevant information; and reframing policies based on the assessments.<sup>41</sup>

In the case of Argentina, it is thus key to highlight the importance of politics, as the social protection sector does not govern in a vacuum. As is the case in other countries as well, power relations between peer institutions and sectoral agencies, as well as with the highest level within the executive branch become key determinants of governance for the sector.<sup>42</sup> Along these same lines, for a comprehensive social protection system to function, the formal and informal institutional arrangements, as well as cross-sectoral coordination and systems and management tools, need to be understood and addressed.<sup>43</sup>

### 4.1 High-level

Over the past century or so, Argentina has consolidated a lifecycle social protection system - including both contributory and non-contributory schemes - that rely on a legal framework, institutional arrangements, and coordination mechanisms, among others. The following subsections will delve into some of the key high-level governance elements that characterise the Argentine social protection system.

#### 4.1.1 Overview of the social protection policy and legislative framework

As a country with a long tradition of establishing a social protection system over the span of a century, Argentina has also developed an extensive normative framework that has progressed over that period. This normative framework acts as a foundation for the further development of a comprehensive and integrated social protection system.

The Argentine Constitution establishes (article 14 bis) that the State will provide social security benefits, which will be comprehensive and inalienable. In particular, Argentine law establishes “compulsory social insurance, which will be in [the] charge of national or provincial entities with financial and economic autonomy, administered by the interested parties with State participation, without the possibility of overlapping contributions; mobile retirement and pensions; the integral protection of the family; defence of the family wellbeing; family financial compensation and access to decent housing”.<sup>44</sup>

In addition, Argentina’s Constitution grants signed international human rights instruments superiority to its own national law. As such, international instruments that enshrine the right to social security, such as Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child, as well as regional

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<sup>41</sup> (Cunhill-Grau et al., 2015)

<sup>42</sup> (Cunhill-Grau et al., 2015)

<sup>43</sup> (Cunhill-Grau et al., 2015)

<sup>44</sup> (*Constitución Nacional Argentina*, 1994)

human rights instruments, are to be considered as part of the legal framework for the social protection sector.

Besides this overarching normative framework for the social protection sector, the section on the historical development of the country's system details some of the laws and bills that came into existence since the early 1900s in Argentina to regulate different aspects and schemes. These laws and regulations, gradually expanded access to social protection across the lifecycle and provided further clarity regarding the responsibilities and functions of different actors.

A case in point with regards to the normative framework and how it has impacted coverage expansion is the pension moratorium (Pension Inclusion Plan "*Plan de Inclusión Previsional*"). This innovation, seen as an emergency measure, allowed the Government to incorporate large masses of individuals that had fallen through the cracks from the market deregulation and flexibilization. Almost a decade later, Argentina's Government passed a reparation law (Law 27,260) to eventually eliminate the need for future moratoriums, also contributing towards coverage expansion through normative avenues. Likewise, the Argentina's Family Allowance Schemes were expanded through the passing of new laws that included both contributory and non-contributory schemes to increase coverage. Further below on implementation level governance mechanisms, more information is provided on the accountability mechanisms put in place by the Government.

Nevertheless, this complex normative and regulatory framework has also brought challenges of its own, in particular when it comes to allowing for the expansion of the system in a coordinated or cohesive manner. In addition to the regulatory framework at the national level, Argentina also has in place numerous provincial laws and regimes, complicating the framework even more.

When it comes to a common definition of social protection at the national level, although social security has been enshrined as a right within the national context, it is also true that there is not necessarily one sole definition of what social protection entails as a whole. As has been accounted for in the global overview, it is indeed usually the case that older systems have often inherited a common understanding around social protection, and often lack a formal definition of the sector.

There were attempts during the 90s to set up Social Plans to provide an "umbrella mechanism" that would encapsulate all poverty reduction policies,<sup>45</sup> but they failed.<sup>46</sup> The implementation of this Social Plan brought upon frictions between the Secretariat in charge of it, the Chief of Cabinet (*Jefatura de Gabinete*), and the Ministries that had traditionally been responsible for social policies (Social Security within Labour, Health, and Education).<sup>47</sup>

The incumbent Minister of Social Development — Alicia Kirchner — for the period 2003-2015 during the Kirchner-Fernández presidency, published at length on the need to shift from the neoliberal social policies that had been imposed on the country, to a more democratic and participatory social policy paradigm, where the State was to be the key actor. The new vision was very much in opposition to the structural adjustment model of a non-interventionist State. One key aspect of this change of paradigm in how social policy was to be perceived, was the shift of framing policies around the idea of "beneficiaries" to "right holders" and a human rights based approach to social policy.<sup>48</sup>

Although the country does not have an overarching social protection policy in place, or a common inter-agency understanding of what this sector should entail, there is a sense of a common thread in service delivery and programme implementation in the Governments' approach to delivering core

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<sup>45</sup> (Díaz Langou et al., 2010)

<sup>46</sup> (Repetto, 2000)

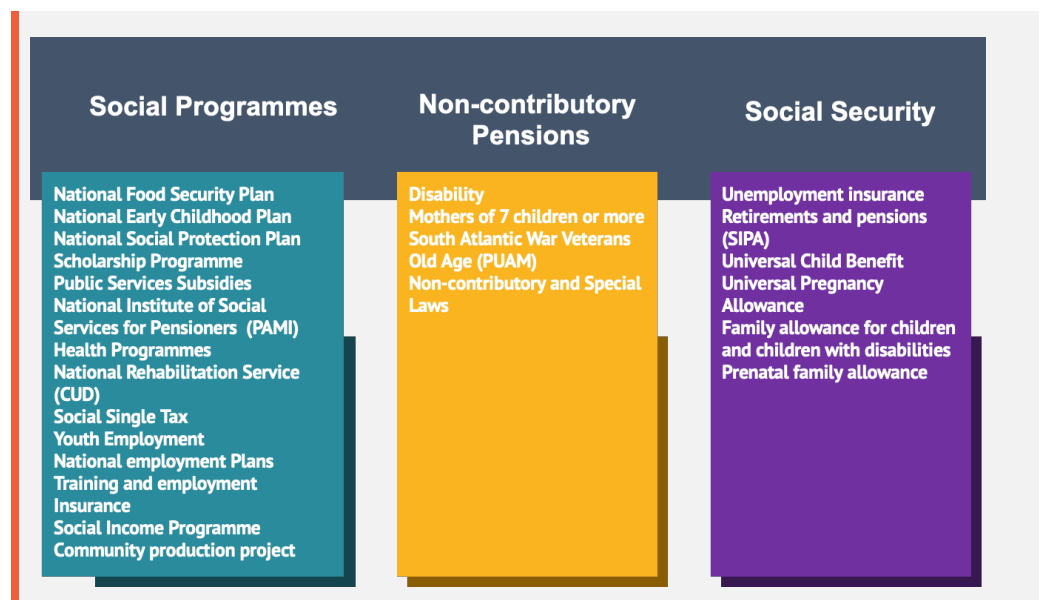
<sup>47</sup> (Artana et al., 2010)

<sup>48</sup> (Kirchner, 2010a, 2010b, 2007)

lifecycle programmes. When consulting the ANSES website and detailing the different laws and decrees that have come into existence, there is a clear indication that citizens have a right to expect the social security system to protect them, when they need it, from the cradle to the grave.

According to the National Social Policy Coordination Council (*Consejo Nacional de Coordinación de Políticas Sociales*) the current set-up of social protection service delivery at the national level is embedded into the larger framework of social policies showcasing a combination of social programmes, non-contributory pensions and social security schemes, as in Figure 4-1.

**Figure 4-1: Dashboard of Social Programmes, Non-Contributory Pensions and Social Security Benefits**



Source: Development Pathways' depiction based on the National Council for the Coordination of Social Policies' official website ("*Consejo Nacional de Coordinación de Políticas Sociales*," 2020)

#### 4.1.2 Institutional arrangements (formal and informal) and coordinating mechanisms

A core condition for a comprehensive social protection system is the presence of close coordination and management of different sectors of government and of the different levels of government.<sup>49</sup> As lifecycle social protection systems are meant to cater for different risks and vulnerabilities individuals are likely to face across their lifecycles, it is key that the Government ensures intra- and inter-sectoral coordination of policies and institutions. In particular, coordination helps avoid duplication and gaps of social protection policies and other social programming for different age groups.<sup>50</sup> In addition, governance in the social protection sector requires consolidated institutional arrangements that possess the financial and political power to govern over the set of sectoral programmes and policies set forward.

Moreover, from an accountability perspective, social protection institutions' responsibilities need to be clearly defined and stipulated in a legal and regulatory framework.<sup>51</sup> As countries expand social

<sup>49</sup> (Cunhill-Grau et al., 2015)

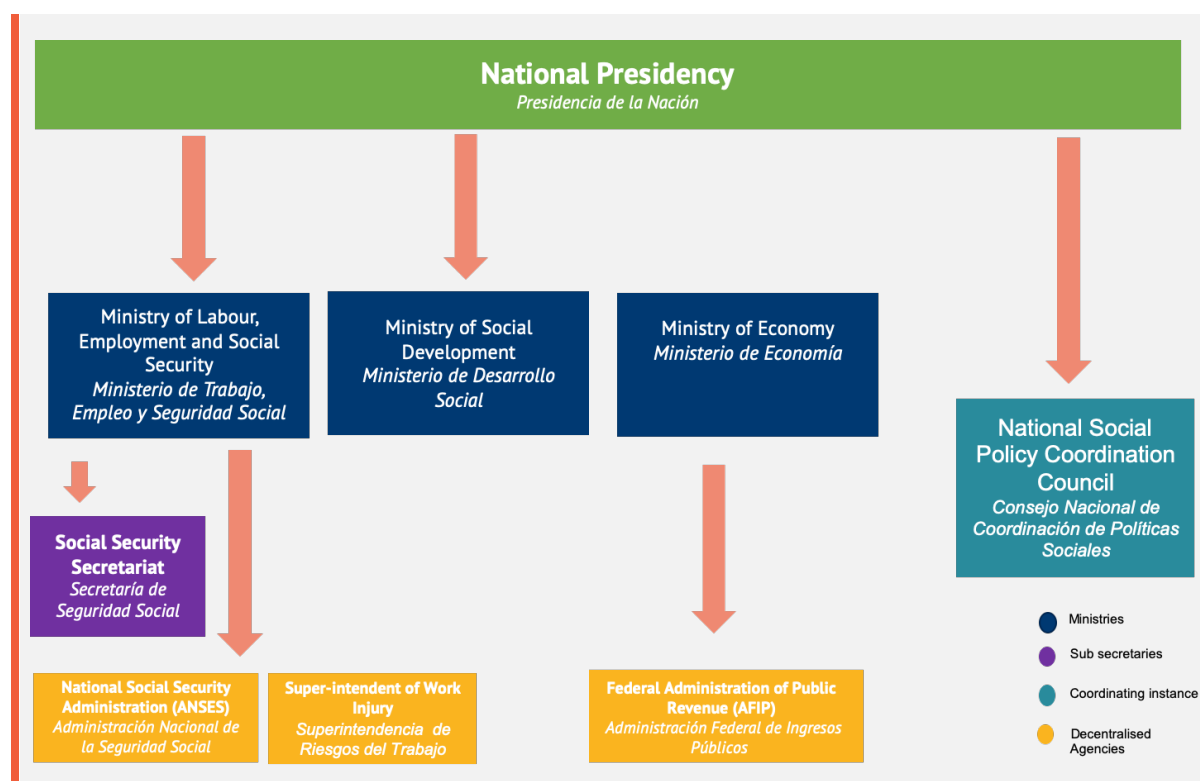
<sup>50</sup> (ILO, 2012)

<sup>51</sup> (Barrantes, 2020)

protection coverage with a combination of contributory and non-contributory schemes, there is a need to ensure proper institutional accountability and that citizens are aware of their rights to different programmes and services. Thus, beyond strong institutional arrangements based on legal frameworks (high-level governance mechanism), this needs to be accompanied by adequate accountability and remedies mechanisms (implementation level).

The historical development and expansion of Argentina's social protection system (section 3.1.1) was accompanied by the establishment and consolidation of a set of institutions responsible for the implementation of different schemes and service delivery in this sector, including coordinating mechanisms. Figure 4-2 illustrates the key institutions charged with social protection in Argentina.

**Figure 4-2: Current social protection institutional arrangements**



Source: Development Pathways' depiction based on official government website.

From an institutional and coordination standpoint, Argentina appears to check all the boxes in terms of formal and normative mechanisms to allow for proper governance. According to Székely's (2015) social policy institutional "ten commandments" (*decálogo*) for the Latin American context – that considers 10 core elements, including (1) the existence of a Social Development Ministry to combat poverty, (2) clear objectives set within a National Policy, (3) evaluation indicators for those objectives as well as monitoring mechanisms, (4) clear regulatory framework that establishes responsibilities among different actors, (5) a given budget, (6) coordination mechanisms, (7) instances for social accountability and participation, (8) programme operational procedures, (9) systems that register beneficiaries, and (10) a legal framework that regulates Government officials' conduct — Argentina complies with eight out of ten (all but 3 and 8).<sup>52</sup>

Nevertheless, the mere existence of formal structures and mechanisms, does not automatically translate into effectively coordination among institutions, stakeholders, social protection policies

<sup>52</sup> (Székely, 2015)

and services.<sup>53</sup> There are also substantial informal and non-institutional interactions and power dynamics that impact the coordination and implementation of social protection schemes at the national, provincial and local levels, and thus also impact governance of the sector.

As illustrated in Figure 4-2, the key agencies implementing or coordinating social protection policies at the national level are: the Ministry of Labour, Employment and Social Security, the Ministry of Social Development, ANSES, and the National Council for the Coordination of Social Policies. In line with many other countries, the Ministries and Secretaries that were charged with social security programmes from the contributory side, preceded the establishment of Social Development Ministries or Social Cabinets, given the nature of social security delivery. In the case of Argentina, what is now the Ministry of Labour, Employment and Social Security traces its first predecessors to the early 1900s. As such, each one of these Ministries has a mandate and a mission, and traditional competencies that have been sealed over the decades.

In 2001, further attempts to consolidate a single institution charged with implementing social policies saw the creation of the Ministry of Social Security, and then in 2003 the Ministry of Social Development. The control of resources and power allocation at the national and provincial levels were always a source of friction among different institutions and other actors, such as Governors and trade unions (Artana et al., 2010). From 2003 onwards, the Ministry of Social Development was responsible for coordinating social policies at the national level, and eventually the Ministry was also granted the authority to coordinate these policies at the provincial and municipal level, as well as to regulate, control and audit these policies. This Ministry was under the responsibility of the then President's sister for the whole Kirchner-Fernández presidency period (2003-2015), which cannot be overlooked when assessing the informal power structures in place beyond institutional frameworks and balances of power. This political circumstance of course had a direct impact in the power that this Ministry was able to exert in the implementation of its policies. Some have argued that the strong coordination and/or governance of the social policy sector can be more attributed to political factors (kinship to the President) than institutional consolidation.<sup>54</sup>

One key feature that differentiates Argentina from other middle-income countries is the fact that one Government institution — the National Social Security Administration (ANSES) — serves as an umbrella for several of the programmes that encompass the social protection system, as it is responsible for managing both contributory and tax-financed cash support for core lifecycle contingencies. Service provision is provided across individuals' lifecycle from birth, childhood, education, working age, marriage, pensions, and finally death and widowhood. ANSES is a decentralised agency that operates under the framework of the Ministry of Labour, Employment and Social Security and plays a key role in the social protection sector. It administers the national pension regimes as well as family allowances and non-contributory schemes, and has gained substantial political and financial power (in particular after the 2008 reforms to the pension regimes) since it was created in the early 90s. As such, ANSES is responsible for most of the national social protection schemes mentioned in Figure 3.2., including all of the core lifecycle benefits, whilst some of the other smaller benefits and services mentioned in the figure are responsibility of the Ministry of Social Development and other Secretariats within the Ministry of Labour, Employment and Social Security.

This high-level policy choice of placing both historical contributory schemes linked to the formal sector, as well as non-contributory schemes covering lifecycle contingencies, under one institutional

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<sup>53</sup> (Repetto and Fernández, 2012)

<sup>54</sup> (Irrázaval et al., 2011)

umbrella could be seen as a crucial step towards the consolidation of a more integrated and comprehensive social protection system.

Therefore, although according to Figure 4-2 (and the official organigram) one would assume that the Ministry of Labour, Employment and Social Security or the Social Security Secretariat are the ones ultimately responsible of governing the contributory social protection portfolio, in reality it is often ANSES that has the political power and funding to do so, as well as the practical territorial outreach and presence. It has been argued that in the case of Argentina, the institutional framework for non-contributory benefits is weaker than that of contributory benefits.<sup>55</sup>

In addition to this strong position at the national level, ANSES shows a strongly institutionalized territorial coverage through a wide network of lower level offices and units that cover all the country's provinces.<sup>56</sup> These include five different modalities:

- Comprehensive Care Units (UDAI): customer service offices.
- Transitional Attention Units (ULAT): installed based on agreements with different entities, provide care exclusively aimed at the affiliates of said entity, as well as their direct family group.
- Local Business Service Units: located in intermediate entities that bring together a considerable number of companies.
- Mobile Care Units (UDAM): undertake visits to isolated localities in which there are no public service offices with the aim of bringing social security closer to lagging populations, as well as raising awareness about their rights.<sup>57</sup>

Another decentralised entity in Argentina that plays an important role is the Federal Administration of Public Revenue (*Administración Federal de Ingresos Públicos*, AFIP) under the Ministry of Economy. This entity is in charge of executing tax, customs, as well as contribution collection for Argentina's social security system.

In 1997 the government advanced towards establishing a Social Authority by creating the Social Cabinet (*Gabinete Social*). Unfortunately, this attempt failed due to the lack of presidential support, inter-ministerial strife and the personal and organisational competition of other state social affairs actors, in particular with regards to the poverty reduction agenda.<sup>58</sup> The Social Cabinet never achieved its intended coordination objectives (including the coordination of national programmes with those at the provincial and municipal levels), as it lacked formal and informal political power.<sup>59</sup> Later, in 2020, the National Council for the Coordination of Social Policies (*Consejo Nacional de Coordinación de Políticas Sociales*) was established. The National Council for the Coordination of Social Policies, on the other hand, was led in its beginnings by the First Lady, and was granted more technical capacity for its operations.<sup>60</sup>

The National Council is charged with inter-institutional and inter-ministerial coordination of social policy; elaborating and executing the Annual Monitoring and Evaluation Plan; overseeing beneficiary registration mechanisms as well as the National Identification, Tax and Social Information System (*Sistema de Identificación Nacional, Tributario y Social*, or SINTyS, to be discussed in detail further below); and monitoring of the Sustainable Development Goals (SDGs) agenda at the national level.<sup>61</sup>

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<sup>55</sup> (Danani and Grassi, 2018)

<sup>56</sup> (Díaz Langou et al., 2010)

<sup>57</sup> (Díaz Langou et al., 2010)

<sup>58</sup> (Repetto, 2000)

<sup>59</sup> (Artana et al., 2010)

<sup>60</sup> (Artana et al., 2010)

<sup>61</sup> From the Council's official website: <https://www.argentina.gob.ar/politicassociales/lineasaccion>.



## *Mechanisms to improve governance*

In addition, it is meant to coordinate national social policy plans with those of the different provinces and municipalities. As established by law, the following ministers are part of the Council: Social Development, Health, Education, Labour, Employment and Social Security, Justice and Human Rights, Science, Technology and Productive Innovation, Secretary of Children, Adolescents and Family, and Federal Planning, Public Investment and Services and Economy and Production.<sup>62</sup>

Although the National Council sits on a wide normative framework that provides it with the legal thrust to operate at the national and provincial levels, in practical terms, it does not have this reach into lower levels of government. Despite this, the Council has acted in many instances more like a monitoring or controlling mechanism, instead of coordinating social policies at the national, provincial and municipal realms. Again, informal institutional and power dynamics still prevail in many instances.

One missing coordinating mechanism in the case of Argentina, and for any lifecycle social protection system to function effectively, are coordinating mechanisms that ensure an inter-generational approach to service delivery and policy implementation. This is particularly important given the fragmented nature of social protection and coverage gaps of children in existing contributory and non-contributory policies. Thus, the practical role the National Council has mostly fulfilled, is that of a social policy monitoring agency.

Very recently, the Government launched a federal monitoring system for social programmes, to accompany the already existing mechanisms at the provincial and municipal levels, including the Social Programme Monitoring and Evaluation Information System (*Sistema de Información, Evaluación y Monitoreo de Programas Sociales, SIEMPRO*), the National Identification, Tax and Social Information System (*Sistema de Identificación Nacional, Tributario y Social, SINTyS*), and the Sustainable Development Goals.<sup>63</sup>

The Evaluation and Monitoring System for Social Programmes (*Sistema de Información, Evaluación y Monitoreo de Programas Sociales, SIEMPRO*) was established by the Government of Argentina – with funding from the World Bank – to produce social information for the design, monitoring and evaluation of policies.<sup>64</sup>

SIEMPRO has two sources of information to coordinate its institutional responsibilities: An Information, Monitoring and Evaluation System and the Family Information System (SISFAM). In addition, SIEMPRO seeks to identify population groups whose current living conditions imply a real or potential social demand for social programs; measure degrees of coverage and targeting of different social programs; calculate poverty incidences according to different measurements; and produce social information for georeferencing and spatial analysis; among others (Pichardo Muñiz, 2020).

Since the new Government was put in place in 2019, the authorities charged with SIEMPRO have focused its efforts in:

- Improving the establishment and socialisation of social information and social programme monitoring;
- Promoting the institutionalisation of evaluation at the national level, through the coordination of evaluation initiatives and the Annual Evaluation Plan with a participatory approach;

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<sup>62</sup> (Díaz Langou et al., 2010)

<sup>63</sup> From the Council's official website: <https://www.argentina.gob.ar/noticias/lanzan-sistema-federal-para-el-monitoreo-de-programas-sociales>.

<sup>64</sup> From the government's official website: <https://www.argentina.gob.ar/politicassociales/siempro>



- Strengthening the role of evaluation in public policy-making; and
- Supporting provinces and municipalities in building and strengthening social information systems, and the monitoring and evaluation of social programmes.<sup>65</sup>

Within this framework, the Government of Argentina established in 2020 an Inter-Ministerial Table for Social Programme Monitoring and Evaluation (*Mesa interministerial de Referentes de Monitoreo y Evaluación de Programas Sociales*) aimed at coordinating the monitoring and evaluation of social programs as well design and implementing the Annual Monitoring and Evaluation Plan from a participatory approach.<sup>66</sup>

#### **4.1.3 Sustainable financing structures**

A sufficient and efficient financing structure of the social protection sector is also a key element for the governance of the system. Argentina has seen a gradual increase in terms of social protection expenditure, after the early 2000s.<sup>67</sup> This increase also saw a modification in the composition of financing: resources from contributions more than doubled between 2004 and 2013, when they went from representing 4.3 per cent to 10.3 per cent of GDP, while non-contributory financing (resources from taxes and other sources) went from 4.5 per cent to 5.3 per cent of GDP.<sup>68</sup> In this way, the financing structure was modified during the 2004-2013 period where contributory resources went from representing 48.9 per cent to 66.1 per cent of social protection spending.<sup>69</sup> In addition to contributions, SIPA is also financed through taxes (including VAT and income tax).<sup>70</sup> Financing of the AUH also comes from contributions to pensions to a certain extent, which has been considered as harmful from a progressivity perspective, as it competes with other social policy priorities.<sup>71</sup>

The Argentine Government assigns considerable budget to social spending. As can be seen in Figure 4-3, for 2020, 61,9 per cent (ARS 3,123.194 million) of primary Government expenditure<sup>72</sup> has been assigned to social security – including AUH — and 2 per cent (ARS 103,235 million) for social assistance and promotion.<sup>73</sup>

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<sup>65</sup> (Pichardo Muñiz, 2020)

<sup>66</sup> (Pichardo Muñiz, 2020)

<sup>67</sup> (ILO, 2012)

<sup>68</sup> (ILO, 2012)

<sup>69</sup> (ILO, 2012)

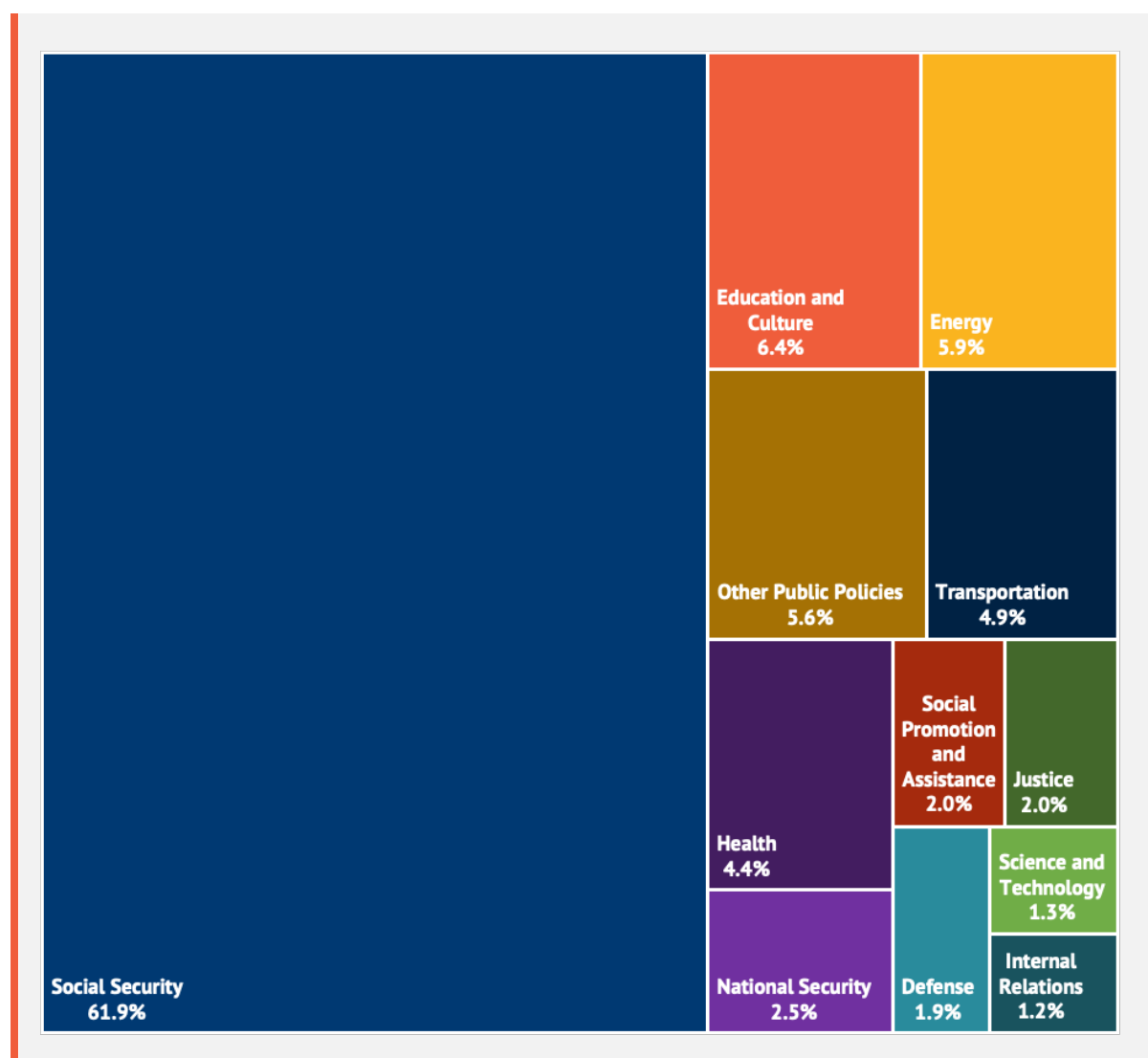
<sup>70</sup> (Bossio, n.d.)

<sup>71</sup> (Lo Vuolo, 2009)

<sup>72</sup> Aggregate resulting from discounting interest, commissions and debt expense to Net Accrued Expense.

<sup>73</sup> Figures from the official website [https://www.minhacienda.gob.ar/onp/presupuesto\\_ciudadano/seccion2.php#seso](https://www.minhacienda.gob.ar/onp/presupuesto_ciudadano/seccion2.php#seso). The website also includes a more in-depth description of what these subcategories imply.

Figure 4-3: National budget 2020



Source: Adapted from the Government's official website:

[https://www.minhacienda.gob.ar/onp/presupuesto\\_ciudadano/seccion2.php#seso](https://www.minhacienda.gob.ar/onp/presupuesto_ciudadano/seccion2.php#seso)

A key consideration is that in the long run, and given upcoming demographic changes — a rapidly ageing population — the Government will need to undertake reforms to its financing so that the system remains sustainable.

In addition, and has been mentioned in Section 3, the Government established in 2008 a Sustainability Guarantee Fund (Fondo de Garantía de Sustentabilidad, FGS). As per the Government's words, the FGS' mission is "to preserve capital and provide sufficient returns to meet commitments made by Law 27,260 (*Ley de Reparación Histórica*). We invest in projects and financial instruments that promote growth in the Argentine economy and support the development of local capital markets"<sup>74</sup>.

<sup>74</sup> From the FGS/ANSES official website: <http://fgs.anses.gob.ar/FGS-English.pdf>

An additional element is the financing structure between the national and provincial levels, as there are existing imbalances and strong disagreements. Why is that? In Argentina, at the level of the provinces, a very strong asymmetry prevails in terms of the broad spending powers and a limited availability of own resources to finance them (see Box 4-1), thus generating a strong dependence on

### Box 4-1: Historical provincial pensions bailout

Historically, “one of the main sources of deficits in the provincial finances was the state provincial pension system” (Tomassi et al., 2001. p.7). mostly due to inadequate revenue collecting mechanisms and the large benefit amounts (Tomassi et al., 2001).

With the shift in 1994 towards a private pension capitalization system, resources were withdrawn from the coparticipation system, in order to finance the public pension system (Artana et al., 2010). During this period the Central Government merged several provincial pension regimes with the national system, which of course represented a substantial fiscal cost for the national government (Tomassi et al., 2001).

Then in 2008 with the pension counter-reform, which reassigned contributions and accumulated funds to the public sphere, this situation did not change (Artana et al., 2010). Later, in 2009 the Central Government was forced to give up resources in exchange for the enactment of laws (Artana et al., 2010).

the resources distributed by the federal government.<sup>75</sup> The distribution of resources has also become increasingly discretionary<sup>76</sup> and motivated by political reasons.<sup>77</sup>

The Argentine tax system has been described as showing a high level of vertical fiscal imbalance, as provinces “have delegated to the national government the task of collecting most important taxes, like taxes on income (both on individuals and firms), on consumption (VAT and some specific duties) and on wealth. Provinces directly control a tax on gross production, on real state and cars, together with a duty applied to

contracts.”<sup>78</sup>

Although provincial public expenditure represents more or less half of the total public expenditure in Argentina, provincial public income only represents 20 per cent of the total.<sup>79</sup> This also coexists with a complex system of intergovernmental transfers, including a tax-sharing regime “coparticipation” process (*coparticipación*), included in the 1994 constitutional reform) by which the collection of the main taxes is then re-allocated to provinces.<sup>80</sup>

## 4.2 Mid-level

Several of the high-level governance considerations have provided fertile ground for the consolidation of the social protection system at the national level. Nevertheless, and as mentioned previously, there are still coordination challenges between contributory schemes and tax-financed elements at the national, provincial and municipal levels. This section covers some additional mid-level governance considerations, such as the existing management systems, as well as the particular federalist system that governs Argentina.

### 4.2.1 Management information systems

Argentina has invested in technological and management solutions at the national level as a key backbone to its social protection system and other sectors of government administration. In some

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<sup>75</sup> (Artana et al., 2010)

<sup>76</sup> (Artana et al., 2010)

<sup>77</sup> (Tomassi et al., 2001)

<sup>78</sup> (Tomassi et al., 2001. p.4)

<sup>79</sup> (Artana et al., 2010)

<sup>80</sup> (Tomassi et al., 2001)

instances, the management information systems were financed by the multilateral banks, to accompany Government efforts to target social protection programmes.

Before it established its current management information system, Argentina had set up different databases for different social programmes based on national household surveys and other sources, by registering beneficiaries or potential beneficiaries.<sup>81</sup> Prior to the existence of SINTyS, each agency or programme handled its own information, and furthermore, most of these agencies did not exchange information, nor did they record useful data for other agencies.<sup>82</sup> As such, these systems proved less dynamic, more static, and non-interoperable.<sup>83</sup>

### Box 4-2: SINTyS

The SINTyS is not considered a Single Registry, but an Integrated Management Information System (IMIS) since it draws data from many sources (Barca and Chirchir, 2014). As such, it is an on-demand system, with agencies submitting their databases and requests and the SINTyS delivering the information requested (Barca and Chirchir, 2014). From a global comparison standpoint, it has been argued that the following country characteristics provide an enabling framework for the establishment of an IMIS – or a Single Registry – (Barca and Chirchir, 2014):

- sufficient staff availability and capacity (including a network at local level);
- a clear and high-level governance structure can be created to manage the process and liaise with all relevant stakeholders;
- adequate hardware and Internet connection is available at central and local levels;
- a solid system for national identification (Civil Registry or social security number) that serves as a backbone for integrating data across different sources.

SINTyS (see Box 4-2 for a definition of the system), which was established in 1998 (by Decree 812/98, with funding from the World Bank) aimed to address the drawbacks of the existing management information system in place in Argentina and was also aligned to providing better information sources for targeting social expenditure. Its objective was to “identifying social and physical attributes of people through a coordinated system of continuous information exchange between state and private databases, in order to improve the targeting of social spending and detect cases of evasion, safeguarding the right to privacy”.<sup>84</sup>

Although SINTyS is under the responsibility of the National Council for the Coordination of Social Policy, the system does go well beyond the social protection system, as it also covers the needs of several Government agencies and programmes (such as taxes, tax evasion, labour status, property, among others). The intention of this programme was to improve intersectoral coordination through the consolidation of databases, and from that perspective, and for the benefit of social protection governance, the institutional arrangement placement within a national coordination mechanism seems to be the right choice.

This system was to provide a more up-to date and dynamic system and goes well beyond social protection programmes. The system abides by the conditions imposed by the Personal Data Protection Law 25.326 to ensure all system users ensure individuals’ privacy and confidentiality of information. SINTyS allows for, among other functions: identifying individuals’ tax identification; validating personal data; eligibility for social benefits; verification of employment status; as well as detection of non-compliance with tax and contribution obligations.

Since its creation, SINTyS has also gradually decentralised its information through the establishment of Provincial Coordinating Units so that provincial government can have access to information.<sup>85</sup>

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<sup>81</sup> (Fenochietto and Pessino, 2011)

<sup>82</sup> (SINTyS 20 años, 2018)

<sup>83</sup> (Irrarázaval et al., 2011)

<sup>84</sup> (Fenochietto and Pessino, 2011)

<sup>85</sup> (SINTyS 20 años, 2018)

Over the years, the system was improved via improved individual identification algorithms, online exchange of data, and improved data cross-referencing, among other improvements.<sup>86</sup> One key aspect with regards to information updates, is that Argentina's system is constantly updated through the links between its SINTyS and other databases, including information from the Civil Registry, key for a lifecycle social protection system.<sup>87</sup>

It allows for different uses, including data interchanges, specific consultations and judicial consultations.<sup>88</sup> SINTyS has been structured around these concepts:

**Autonomy.** The system is not a mega database but integrates and links different database administered by different agencies, and allows for the exchange of information between national, provincial and municipal agencies.

**Integration.** Requires the integration and interoperability of the subnational and national databases.

**Dynamic.** Information to be incorporated into the system is to be updated periodically. As such, SINTyS is not a static photography of social and fiscal information, but an updated source of integrated data.<sup>89</sup>

This system is backed by a strong normative framework and has the technological capacity to function as a key element of coordinating policies at the national level. Nevertheless, and although the conditions exist for SINTyS to be an integral system for a lifecycle social protection system, in the practice, this has not necessarily been the case. One example is that there are different databases administered at the national and local levels,<sup>90</sup> which complicates the sharing of information and data, and in some instances, presents difficulties for local governments in implementing programmes without the needed information.<sup>91</sup> In addition, and although all national, provincial and municipal entities are able to access and adhere to the SINTyS, this integration depends heavily on the political willingness of different agencies to adhere.<sup>92</sup> Nonetheless, twenty years after its creation, more than 400 public agencies were able to update their databases through the SINTyS system.<sup>93</sup>

As mentioned, the SINTyS does coexist with several other information systems, and not all of them have been established with a view towards integration, but ad-hoc systems continue to be used for particular schemes, and/or Government agencies. For example, Argentina also set-up a Single Registry of Beneficiary (RUB) — a document or form — which contains data on the ANSES benefits to which applicants are entitled.<sup>94</sup>

When it comes to the provincial level, SIEMPRO has twelve provincial agencies that provide technical assistance to municipalities with regards to information gathering and surveying specific territorial issues.<sup>95</sup> These agencies have also developed Social Programs and Services Guides, which “contain systematized information on the objectives, benefits, target population, execution modality, criteria

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<sup>86</sup> (SINTyS 20 años, 2018)

<sup>87</sup> (Barca and Chirchir, 2014)

<sup>88</sup> (SINTyS 20 años, 2018)

<sup>89</sup> (Irrázaval et al., 2011)

<sup>90</sup> (Repetto and Fernández, 2012)

<sup>91</sup> (Repetto and Fernández, 2012)

<sup>92</sup> See the official website for the requirements to access SINTyS: <https://www.argentina.gob.ar/politicassociales/sintys>.

<sup>93</sup> (SINTyS 20 años, 2018)

<sup>94</sup> See the RUB official website here for further details: <https://www.rankia.com.ar/blog/afip-y-anses/4364480-que-rub-registro-unico-beneficiario>.

<sup>95</sup> (Pichardo Muñiz, 2020)

for selecting beneficiaries, mode of access, geographic location, source of financing and distribution responsible for each program and plan implemented by the provinces”.<sup>96</sup>

The objective of the Identification System for Beneficiary Families of Social Programs and Services (*Sistema de Identificación de Familias Beneficiarias de Programas y Servicios Sociales, SISFAM*) — under SIEMPRO — is to identify and select the families living in poverty and vulnerability in order to allow for better efficiency, transparency and equity in the distribution of State resources.<sup>97</sup> It is a source of secondary information, based on census data, and also a questionnaire, namely a Social Form (*Ficha Social*) that registers and surveys current or potential social programmes’ beneficiary households.<sup>98</sup> One of its main functions to date is to survey and monitor suspended AUH individuals, and to accompany families through a comprehensive approach that takes into consideration different social problems and circumstances.<sup>99</sup>

Through the Simplified Regime for Small-scale Contributors regime, individuals obtain a Unique Tax Identification Code (*Clave Única de Identificación Tributaria, CUIT*) registered in AFIP. This Unique Tax ID enables them to issue an invoice, access the National Health Insurance System and opt for a trade union health insurance (*obras sociales sindicales*), and compute the duration of membership in the category as active years for the purposes of their inclusion in the Argentine Integrated Social Security System.<sup>100</sup>

Although Argentina has invested in and valued centralised management information systems to better inform policy-making and programme implementation and strengthened the normative framework to ensure accountability, adequate regulation and privacy of information among other key principles, the system could benefit from improvements with regards to coordination and homogenous capacity at the national, provincial and municipal levels.

### 4.2.2 Federalism and decentralisation

Discussions around social protection coordination in Argentina cannot be separated from the fact that it is a Federal State. Argentina is a country with 23 provinces, plus the capital city, Autonomous City of Buenos Aires (*Ciudad Autónoma de Buenos Aires*), with similar powers and attributes to that of the provinces. As such, the administrative structures, systems and coordinating mechanisms, as well as non-formal political and economic struggles, have a significant impact in the governance of the social protection system in Argentina. Not only is it key to understanding the challenges when it comes to vertical coordination and articulation of social protection programmes, but also the inequalities of political and economic power that some provinces have experienced for a number of decades. These imbalances also affect the level and effectiveness of coordination at the national level and how it reflects on the provinces and municipalities throughout the country.

The nature of Argentina’s administrative structure, and the way in which federalism has developed in the country, have left a decisive imprint on the governance of the social protection system. Furthermore, the unequal socio-economic development among provinces also plays an important role in the distribution of resources, responsibilities and political power. What stands out in terms of social policies, is the inability of the central level to respond appropriately to some of the regional asymmetries caused by the decentralization process, beyond some compensatory interventions or

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<sup>96</sup> (Pichardo Muñoz, 2020)

<sup>97</sup> From the government’s official website: <https://www.argentina.gob.ar/politicassociales/siempro/sisfam>

<sup>98</sup> From the government’s official website: <https://www.argentina.gob.ar/sites/default/files/infoleg/res394-01.pdf>

<sup>99</sup> From the government’s official website: <https://www.argentina.gob.ar/politicassociales/siempro/sisfam>

<sup>100</sup> Extracted from the Government of Argentina’s website: <https://www.argentina.gob.ar/informacion-sobre-plan-y-programas-sociales/guias-nacionales>

technical assistance.<sup>101</sup> One particular way in which social policy administration evolved in the country, is that education, health and housing policies are indeed very decentralised, whilst policies aimed at income security and reducing poverty, are still very much centralised at the national level.<sup>102</sup> Nevertheless, to a certain extent, the national state is still a relatively weak actor in social policy delivery at the local levels, as there are also political struggles — amongst different political parties — that get into the way of managing these policies.<sup>103</sup> This situation has a stark impact in the implementation of certain social protection programmes, such as the case of the AUH in particular, as it depends on the central Government.<sup>104</sup>

On the contributory side, there are also some challenges with regards to achieving an integrated national system. A case in point, is that of the provincial pension funds, as there is significant heterogeneity between these pension subsystems, as well as in relation to the national system (SIPA). For example, these subsystems often have less stringent requirements than the national system.<sup>105</sup> And as mentioned before, the fact that the Argentine system has more than 120 independent regimes (national, professional, and local government) complicates matters in terms of governance of these schemes and programs.

Below the national level, at the provincial and local levels, there is a wide range of contributory schemes: 13 provincial pension funds, 2 bank funds (*cajas de bancos*), 24 municipal funds and 77 professional funds, thus resulting in significant fragmentation of the overarching social protection system.<sup>106</sup> Provincial pension schemes cover nearly 50 per cent of Argentina's public employees (15 per cent of total employees), and provincial pension funds operate under the logic of a defined benefit system.<sup>107</sup> This derives into a heterogenous set of schemes within the contributory social protection system.

An additional element with regards to the governance of contributory schemes at the provincial level, is that of its financing and administration post the 90s reforms. The negotiations between the Central Government and those of the provinces has always been difficult, resulting in a very complex financing mechanism of provincial provisional funds.

Although from 1980 onwards (and particularly after the 1994 Constitutional Reform), Argentina underwent a decentralisation process<sup>108</sup> there is still considerable heterogeneity in how municipalities are administered and how they operate with regards to social protection policies. After the crisis in the early 2000s and the reactivation of state intervention in the social policy arena, local governments' functions and responsibilities increased, as well as claims directed from society,<sup>109</sup> without an appropriate allocation of funding. In addition, with the changes to the pensions schemes through the creation of the SIPA — described in the section on the social protection system's development — the governance of these schemes and the linkages between the national and provincial levels were also impacted, and have further complicated resource allocations.<sup>110</sup>

In addition, to address the challenges associated with federalism, the Government established a Network of Provincial Referents for Monitoring and Evaluation of Social Programs to provide support, capacity building and strengthen provincial and municipal levels. This network — made up of 30 focal

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<sup>101</sup> (Artana et al., 2010)

<sup>102</sup> (Artana et al., 2010)

<sup>103</sup> (Artana et al., 2010)

<sup>104</sup> (Pautassi et al., 2013)

<sup>105</sup> (Betranou et al., 2019)

<sup>106</sup> (Rosales, 2019)

<sup>107</sup> (Betranou et al., 2019)

<sup>108</sup> (Repetto and Fernández, 2012)

<sup>109</sup><sup>109</sup> (Repetto and Fernández, 2012)

<sup>110</sup> (Rodríguez Usé and Cappa, 2016)



points appointed by provincial heads of cabinet or Ministers of Social Development as well as other key actors involved in Monitoring and Evaluation of social programmes, also aims to strengthen provincial Social Information Systems.<sup>111</sup>

A specific type of entity that was created to link policies and programmes between the national and provincial realms, are the Federal Councils (*Consejos Federales*), and the one charged with social policies is the Social Development Federal Council (*Consejo Federal de Desarrollo Social, COFEDES*). The COFEDES was established back in 1997 to improve linkages between social programmes but was later dissolved in 2002. It was only in 2020, in the midst of the COVID-19 context that the Government re-surfaced the existence of COFEDES with the mission of building consensus among different jurisdictions on social policies, in particular with regards to social assistance, social promotion, social inclusion, food security, poverty reduction and the development of equal opportunities for the most vulnerable sectors.<sup>112</sup>

On the contributory side, the Government created in the 90s a Social Security Federal Council (*Consejo Federal de Previsión Social, COFEPRES*), which brings together the institutions involved with Social Security, which voluntarily and in use of their autonomy joined the Council as the coordinating body of pension policies.<sup>113</sup>

A noteworthy milestone was the signing of a commitment<sup>114</sup> on the part of the Social Security Secretariat — within the Ministry of Labour, Employment and Social Security and in representation of the COFEPRES — the Social Security Federal Council, and the Coordinator of Pension Fund and Social Security for Professionals of the Argentine Republic (*Coordinadora de Cajas de Previsión y Seguridad Social para Profesionales de la República Argentina*) to better coordinate and articulate national, provincial, municipal and professional pension schemes.

## 4.3 Street level

A key aspect of any effective and inclusive social protection system relates to the interface of rights holders (social protection programme and service users) with programme and service implementers from the State. This holds true particularly from a human rights approach, as not only are social protection policies' outcomes important for an effective system, but also the process in which those programmes and services are designed at a higher-policy level and ultimately implemented at the mid and street levels. Some of the human rights principles and standards that apply to the implementation of programmes and delivery of services in social protection include: participation, accessibility, adaptability, right to privacy, accountability, and dignity.<sup>115</sup> As per some of the literature on street-level bureaucracy,<sup>116</sup> this section will examine some of practices in place, as well as discretionary application of programme operations.

Unclear communications around social protection programmes and services can undermine a sense of entitlement of individuals, as they are not aware of the benefits being a right.<sup>117</sup> Poor communications can also create confusion around programme rules and eligibility criteria,<sup>118</sup> thus hindering participation and accountability from a governance perspective. Over the decades,

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<sup>111</sup> (Pichardo Muñiz, 2020)

<sup>112</sup> Official news: <https://www.argentina.gob.ar/noticias/oficializan-la-creacion-del-consejo-federal-de-desarrollo-social>

<sup>113</sup> Official website: <http://www.cofepres.org.ar/cofepres/index.php/institucional/resena-historica>

<sup>114</sup> Official news: <https://www.argentina.gob.ar/noticias/el-mteyss-el-cofepres-y-la-coordinadora-de-cajas-profesionales-firmaron-un-acta-compromiso>

<sup>115</sup> (Barrantes, 2020)

<sup>116</sup> (Lipsky, 1983)

<sup>117</sup> (Barrantes, 2020)

<sup>118</sup> (Barrantes, 2020)



Argentina has developed detailed implementation guides and documentation that operationalise non-contributory, contributory schemes, and different systems and services in place. A case in point, are the Social Programmes Guides mentioned previously, as well as the Guidelines for the Social Form (*Ficha Social*). In addition, the Ministry of Justice and Human Rights has developed informative leaflets for citizens that act as sources of information for potential users of social protection programmes such as pensions, Monotributo, Family Allowances, among others.<sup>119</sup> Many of these leaflets have been developed from a rights-based framework, as they clearly state individuals' rights and ways in which to exercise these rights. These advances are key building block for adequate accountability, participation and access to information in the governance and implementation of social protection schemes.

### Box 4-3: Accountability mechanism in action

A practical example of how social protection accountability mechanisms work in Argentina, is what happened in April of 2020 when the ANSES hotline claims number was not functioning. The Office of the Ombudsman, after receiving several complaints from ANSES beneficiaries, reported this to ANSES, and requested that ANSES provide an answer, which resolved this issue.

Source: <https://www.inforegion.com.ar/2020/04/21/el-reclamo-de-la-defensoria-del-pueblo-a-la-anses-por-el-130/>

One key element for the implementation level of social protection programmes (both contributory and non-contributory) is the existence of proper accountability and grievance mechanisms that allow service and programme users adequate, independent, and effective remedy solutions. From a human-rights perspective, States must ensure access to accountability mechanisms, independent and effective complaints procedures and effective remedies, as States and responsible

parties in social protection systems are to be held accountable for decisions and actions that might have a negative impact on the right to social protection.<sup>120</sup> In this regard, Argentina has established a claims mechanism for social protection schemes under the responsibility of ANSES<sup>121</sup> that includes both online and offline contact points, and the Office of the Ombudsman (*Defensoría del Pueblo de la Nación*) has also established social accountability mechanisms.<sup>122</sup>

### 4.3.1 Non-contributory schemes

Particular attention has been given to the street-level delivery systems within ANSES for lifecycle social protection schemes (like the AUH) in current literature. In the case of the Universal Child Allowance (AUH), although the operational and regulatory framework is the same for all locations and territories along the country, studies have suggested that implementation very much differs depending how those operational rules are put into practice.<sup>123</sup> It has also been argued that this programme presented some operational challenges to the implementing agency, as ANSES had historically been responsible for the delivery of programmes and services targeted at those employed in the formal labour market.<sup>124</sup> This of course, would have meant the programme's management, as well as implementation, had to be reviewed and adapted to reach these segments of society that had previously been marginalised from social protection provision.

Some difficulties that have been identified in terms of accessibility to the Universal Child Benefit (AUH) are those related to the conditionalities (extra costs, availability of health or education

<sup>119</sup> From the government's official website: <https://www.argentina.gob.ar/justicia/afianzar/caj/conoce-y-ejerce-tus-derechos>

<sup>120</sup> (Barrantes, 2020)

<sup>121</sup> ANSES official site:

<https://www.anses.gob.ar/institucional/denuncias-y-reclamos>

<sup>122</sup> For Social security information can be found here: <http://www.dpn.gob.ar/resoluciones.php?idT=86&idS=5> . For old age, the official site is: <http://www.dpn.gob.ar/salud.php?idS=203> . And for the COVID emergency scheme (IFE): <http://www.defensoria.org.ar/noticias/mas-informacion-sobre-el-ife-2/> .

<sup>123</sup> (Davolos and Beccaria, 2017)

<sup>124</sup> (Davolos and Beccaria, 2017)

services, difficulties in obtaining appointments) and necessary paperwork to continue receiving benefits.<sup>125</sup> Some of these challenges derive from the actual operational procedures for the programme, as some segments of society might have more difficulties than others in complying with these requirements, meaning that operational procedures (including communications and interface with beneficiaries) needed to be adapted to the needs and context of some of the most marginalised populations.<sup>126</sup>

Some of the other difficulties that have been identified in terms of access (as per two different locations in Argentina), include:

- Household composition/children not residing with parents
- Discretionary control from implementers/informal mediators (in some cases even territorial operatives)
- Lack of IDs/excess of bureaucratic demands (photocopies, appointment scheme)
- Issues around inter-institutional articulation (paperwork processing with more than one Government agency) and vertical coordination
- Distances to government service provision locations
- Lack of information about the programme and institutional communications /confusion around programme eligibility criteria<sup>127</sup>

The subjective implementation (and in some cases inappropriate behaviour of street-level bureaucrats) of the AUH has also been subject of study. In addition other challenges that have been reported are complications of intra-household dynamics and different (changing) household members receiving other benefits, which is incompatible with the AUH.<sup>128</sup>

The Government of Argentina was also set on establishing participation access points, and a case in point, in addition to the Referencing Centres mentioned previously, is another decentralised mechanism that was created under the purview of the Ministry of Social Development: Community Integration Centres (*Centros Integradores Comunitarios*, CIC).<sup>129</sup> These centres were meant to democratise social policies by providing a multipurpose space for dialogue and participation.<sup>130</sup> Spread throughout the different provinces, in some instances, the Ministry of Social Development uses the centres for local teams.<sup>131</sup> This can be seen as an attempt to reach communities at the local level and was founded on the idea that social service beneficiaries were key actors in social policies, but in practical terms, some have found them to be less than ideal mechanisms in this regard.<sup>132</sup> Within the framework of the CICs, Administration Tables were established (*Mesas de Gestión*), but these never had proper regulations to guide them, there was a certain level of political clientelism apparent in these spaces, and they also encountered resistance for their implementation at the provincial and municipal levels.<sup>133</sup>

A final innovation during the 2004-2015 period was the establishment of Referencing Centres (*Centros de Referencia*, CDR)<sup>134</sup> so that the Ministry of Social Development had presence at the provincial and/or municipal level and could serve as service and programme referencing instances. Unlike the CICs which emphasised the establishment of a participatory space for beneficiaries, the

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<sup>125</sup> (Davolos and Beccaria, 2017; Pautassi et al., 2013)

<sup>126</sup> (Davolos and Beccaria, 2017)

<sup>127</sup> (Davolos and Beccaria, 2017)

<sup>128</sup> (Pautassi et al., 2013)

<sup>129</sup> Official information: <http://www.desarrollosocial.gob.ar/wp-content/uploads/2015/07/3.-CIC-Estrategia-de-gestion.pdf>

<sup>130</sup> (Del Prado, 2016)

<sup>131</sup> (Díaz Langou et al., 2010)

<sup>132</sup> (Del Prado, 2016)

<sup>133</sup> (Del Prado, 2016)

<sup>134</sup> The official website provides more information on the location of these centres: <https://www.argentina.gob.ar/desarrollosocial/centrosdereferencia>

CDRs were information repositories at local level for beneficiaries to directly interact with the Ministry. In some cases, free capacity building workshops are also hosted at these centres.<sup>135</sup>

With regards to grievance mechanisms and accountability, one mechanism that the Government put in place to reach beneficiaries or potential beneficiaries of the Universal Child Allowance, was to establish territorial operations (*operativos territoriales*), so that more remote communities would have access to the programme. This mechanism has also provided a space for claims and grievances from beneficiaries.<sup>136</sup>

### 4.3.2 Contributory schemes

As discussed, ANSES, through a series of changes to the existing normative framework (such as the Moratorium and then the Reparation Laws), provided an important alternative outlet to litigation of social security benefits, as the litigation of these cases was increasing exponentially. Thus, these alternatives improved implementation. This particular example also showcases how higher-level policy or normative innovations also impact the implementation level and allow avenues for coverage gaps claims to be escalated to higher levels.

ANSES also provides a series of options for online consultations and claims regarding non-payment and service delivery.<sup>137</sup> It also provides a detailed account of how to pursue claims via the website (there is a My ANSES section one can register into), via phone, via mail, or in person in one of the ANSES offices.<sup>138</sup> In the case of the AFIP, it has also established certain instructions for the processing of claims corresponding to deductions for social security, and a Citizen Assistance Programme through which contributors can be informed of service delivery and can channel their concerns.<sup>139</sup>

An example on high-level and operational level mechanisms for accountability in the social protection system, is the case of the historical adjustments to the pension schemes. The National Constitution also establishes an indexation mechanisms for pensions to ensure a decent standard of living for pensioners, which has implied the need for adjustments in the index. In addition, and as a result of the re-nationalisation of Argentina's social security system in 2008, social security litigation cases increased considerably.<sup>140</sup> In 2016, through the Decree 807,<sup>141</sup> the Government updated the indexation formula and tried to reduce the delays to judicial processes. The Government has an accessible site where beneficiaries can consult the judicial processes and historical adjustments.<sup>142</sup>

ANSES has instituted another control mechanism that applies to all programmes and services the institution provides: inspectors and verification officials.<sup>143</sup> Furthermore, ANSES also provides ample information for beneficiaries to be able to verify the authenticity of these inspector visits through their website.<sup>144</sup>

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<sup>135</sup> Source: official website <https://www.argentina.gob.ar/desarrollosocial/centrosdereferencia>

<sup>136</sup> (Davolos and Beccaria, 2017)

<sup>137</sup> ANSES provides the following information on its website: <https://www.anses.gob.ar/informacion/atencion-virtual> and <https://servicioscorp.anses.gob.ar/clavelogon/logon.aspx?system=mianses>.

<sup>138</sup> ANSES provides the following information on its website: <https://www.anses.gob.ar/institucional/denuncias-y-reclamos>

<sup>139</sup> AFIP's Citizen Assistance Programme: <https://www.afip.gob.ar/reclamos/>

<sup>140</sup> See (Betranou et al., 2019). The issue around social security litigation in Argentina is too extensive to be covered in this case study and beyond the core scope of the governance focus. Nevertheless, it has been mentioned with regards to the available resources to pension beneficiaries.

<sup>141</sup> Decree 807/2016: <http://servicios.infoleg.gob.ar/infolegInternet/anexos/260000-264999/262293/norma.htm>

<sup>142</sup> Official website: <https://www.anses.gob.ar/jubilados-y-pensionados/reparacion-historica-reajustes-y-sentencias>

<sup>143</sup> ANSES Official website: <https://www.anses.gob.ar/informacion/inspectores-y-verificadores>

<sup>144</sup> See here: <https://www.anses.gob.ar/visitasegura>

## *Mechanisms to improve governance*

Related to the financing of contributory schemes mentioned in the section on high-level mechanisms, the Government established the following external oversight mechanisms for the FGS<sup>145</sup> (the FGS website includes all the meeting notes, decisions and reports to the Congress Bicameral Commission<sup>146</sup>):

- FGS Council: made up by representatives of Unions, Retirees, Entrepreneurs, Legislators, Chief-of-Cabinet Office, and ANSES.<sup>147</sup>
- Legislative Bi-Chamber Committee, formed by 6 Representatives of Congress and 6 Senators (Bill 26.425).<sup>148</sup>
- Auditor General of ANSES, reporting directly to the Executive Director.
- Ombudsman Office, an independent Agency within the Argentine Congress.
- Office of Inspector General (*Sindicatura General de la Nación*), reporting to the Executive Branch, in charge of auditing all national agencies.
- Government Audit Office (*Auditoría General de la Nación*), reporting to the Legislative Branch, in charge of auditing all national agencies; its head reports to the main opposition party

As discussed previously, the diversity in pension regimes at the provincial and municipal level also means that the accessibility conditions imposed on beneficiaries differs across these sub-nationally administered schemes and those of the national system (SIPA). In many instances, these provincial regimes have less strict access criteria (e.g. retirement age and contribution years) than what is established at the national level.<sup>149</sup>

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<sup>145</sup> From the FGS/ANSES official website: <http://fgs.anses.gob.ar/FGS-English.pdf>

<sup>146</sup> Official website: <http://fgs.anses.gob.ar>

<sup>147</sup> Official site for the Council's meeting notes: <http://fgs.anses.gob.ar/subseccion/actas-del-consejo-del-fgs-5>

<sup>148</sup> Official site for reporting: <http://fgs.anses.gob.ar/subseccion/presentaciones-ante-la-comision-bicameral-del-congreso-y-al-consejo-del-fgs-4>

<sup>149</sup> (Betranou et al., 2019)

## 5 Conclusion

This case study has covered some of the main social protection system governance strengths and challenges, with a view to providing some insights for other countries looking to strengthen and/or consolidate core welfare systems.

Argentina stands out as having a relatively centralized and concentrated high-level governance and administrative apparatus in social protection, despite being a large federal country and having undergone significant political and socio-economic debacles in the past three decades. While it faces remaining challenges in terms of the fragmented nature of social protection service delivery and making sure all age groups are covered to the same degree, it is nonetheless a relatively successful case for a number of reasons.

The Argentine social protection system provides an illustrative example of gradual coverage expansion, integration of contributory and non-contributory schemes, coordination of different government levels, clear institutional responsibilities based on a formalised institutional arrangement, institutional and policy strengthening and the progressive consolidation of a lifecycle social protection system.

Accountability has been imbedded into the Argentine social protection system through a range of mechanisms, policy tools and a sound legislative framework. Policy decisions at the higher-policy level have had an impact at both the mid-level and implementation levels. Examples of this are the numerous laws the Government passed as with regards to the contributory schemes' financing, historical adjustments to benefit values and coverage expansion, translated into accountability and redress mechanisms that beneficiaries are able to access to exercise their right to social security. Another example, from non-contributory side is the translation of a constitutional right to social security, to practical implementation guidelines that frame access to these services and programmes as an entitlement and redress mechanisms for beneficiaries. These systems are by no means perfect, but they constitute an important element towards the governance of the overarching social protection system.

This country study also showcases the importance of coordinating mechanisms, a consolidated institutional arrangement set-up, information management systems that support the social protection system, social protection monitoring tools, a strong normative and regulatory framework, and a set of implementation guidelines and accountability mechanisms. However, the Argentine case also proves that the mere existence of formal arrangements and processes, does not suffice for a proper governance of the social protection systems. There are also key informal power struggles and competition over resource allocation that impact on the overarching governance of the system. A case in point is the political power ANSES has within the current social protection institutional arrangement, in which it is supposedly located within a Ministerial hierarchy, but has substantive political and financial powers to act independently. Another example is the power held by the Ministry of Social Development during the Kirshner years, as the Minister was the then President's sister and then sister-in-law.

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