

ARGENTINA

Mechanism for Monitoring Implementation of the Inter-American Convention Against Corruption [Follow-Up Mechanism]

Replies to questions formulated by the Technical Secretariat for Legal Cooperation Mechanisms, sent by letter of September 9, 2002.

- 1. On page 3, there is a “general commentary,” and reference is made to “public entities with specific competence in the matters covered, which will be reviewed by the Committee of Experts.” In this regard, please clarify the proportion or percentage of civil servants and the levels of government (federal and/or provincial) that the information you provided pertains to.**

Reply:

All the public entities that were asked to provide information are part of the federal government.

As for the number of government employees at all levels of government, we have the following data:

[Insert table:]

EMPLOYMENT IN THE GOVERNMENT

UNIT: POSTS (includes teaching hours)

TIME COVERED: 1993-2000

Jurisdiction:

National Government

Provincial Government

Municipal Government

TOTAL

(*) Provisional data

PERCENTAGE COMPOSITION

Jurisdiction:

National Government

Provincial Government

Municipal Government

TOTAL

ANNUAL RATE OF CHANGE

Jurisdiction:
National Government
Provincial Government
Municipal Government
TOTAL

Source: National Department of National Accounts, on the basis of information provided by:

National Government: National Department of Public Sector Employment and Wages, under the Secretariat for Finance of the Ministry of Economy and the Secretariat of University Policies of the Ministry of Education and Culture.

Provincial and Municipal Government: National Department of Fiscal Coordination with Provinces, under the Secretariat for Finance.

[End of table]

2. On pages 9 and 10, it is stated that “no violations of codes of conduct have been

OCUPACION EN LA ADMINISTRACION PUBLICA UNIDAD: CARGOS (INCLUYE HORAS CATEDRA) PERIODO: 1993/2000									
Jurisdicción	1993	1994	1995	1996	1997	1998	1999	2000	2001 (*)
Administración Nacional	390,275	379,351	365,627	393,716	397,186	392,942	398,053	408,405	400,255
Administración Provincial	1,203,544	1,223,992	1,240,990	1,227,620	1,240,975	1,272,953	1,329,448	1,341,949	1,360,751
Administración Municipal	329,718	327,506	327,103	326,524	333,897	348,075	352,907	352,907	352,907
TOTAL	1,923,537	1,930,849	1,933,720	1,947,859	1,972,058	2,013,970	2,080,409	2,103,261	2,113,914
(*) Datos provisorios.									
COMPOSICION PORCENTUAL									
Jurisdicción	1993	1994	1995	1996	1997	1998	1999	2000	2001
Administración Nacional	20.3%	19.6%	18.9%	20.2%	20.1%	19.5%	19.1%	19.4%	18.9%
Administración Provincial	62.6%	63.4%	64.2%	63.0%	62.9%	63.2%	63.9%	63.8%	64.4%
Administración Municipal	17.1%	17.0%	16.9%	16.8%	16.9%	17.3%	17.0%	16.8%	16.7%
TOTAL	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%
TASA DE VARIACION INTERANUAL									
Jurisdicción	1993	1994	1995	1996	1997	1998	1999	2000	2001
Administración Nacional		-2.80	-3.62	7.68	0.88	-1.07	1.30	2.60	-2.00
Administración Provincial		1.70	1.39	-1.08	1.09	2.58	4.44	0.94	1.40
Administración Municipal		-0.67	-0.12	-0.18	2.26	4.25	1.39	0.00	0.00
TOTAL		0.38	0.15	0.73	1.24	2.13	3.30	1.10	0.51
Fuente: Dirección Nacional de Cuentas Nacionales en base a información suministrada por:									
<i>Administración Nacional</i> : Dirección Nacional de Ocupación y Salarios del Sector Público dependiente de la Secretaría de Hacienda del Ministerio de Economía y Secretaría de Políticas Universitarias del Ministerio de Educación y Cultura.									
<i>Administración Provincial y Municipal</i> : Dirección Nacional de Coordinación Fiscal con las Provincias dependiente de la Secretaría de Hacienda.									

recorded for the National Audit Office [*Auditoría General de la Nación*], the Public Defender's Office [*Defensoría General del Pueblo*], and the National Tribunal for Trial of Judges [*Jurado de Enjuiciamiento de Magistrados de la Nación*].” In this regard, we would appreciate it if you would explain if this means that there are no statistics on such violations, or if, on the contrary, these statistics do exist, but there is no record that such violations have occurred. In the event that the latter assumption is correct, please clarify the period covered by the pertinent statistics and, if possible, provide us with a copy of those statistics.

Reply:

Public Defender's Office:

This office has statistics, but has not recorded cases of violations of codes of conduct since it was established by Law 24284 on 12/6/93. This finding is based on court personnel files, the registry of the Legal Counseling and Litigation Office [*la Asesoría Legal y Contencioso*], responsible for processing administrative inquests, and the formal registry of decisions of the Public Defender.

National Audit Office [AGN]: Under the National Audit Office, there are three entities responsible for detecting and, if applicable, punishing various types of violations of codes of conduct. They are:

- a) The Office of Investigative Proceedings [*La Oficina de Actuaciones Sumariales*], under the Legal and Institutional Secretariat, where evidence for preliminary investigations and administrative inquests is examined. It has been recently established, by Order 69/02. Since it began operating, it has opened 16 preliminary investigations and 6 administrative inquests.
- b) The Internal Audit Office, responsible for enforcing compliance with the requirement that upper-level personnel in the National Audit Office submit a Sworn Statement of Income, Assets, and Liabilities. This obligation came into force when Order 46/97 was issued.¹

Since the first instrument was implemented, subsequent improvements have been introduced to make the system more effective, based on the experience acquired so far. This has led to a compliance rate of nearly 100%.

- c) The Department for Human Resource Development and Allocation: its powers, functions, and procedures are explained in greater detail in the answer to question No. 2 of this questionnaire.

¹ Amended by Order AGN 87/02. A copy of both was attached to the first reply to the questionnaire.

National Tribunal for Trial of Judges [*Jurado de Enjuiciamiento de Magistrados de la Nación*]: In response to the request for statistics from the Anti-Corruption Office, in its capacity as the focal point for the Committee of Experts of the Mechanism, this entity reported that since the information requested involves institutional matters, inherent in the operation of an organ of the Judiciary, it is the function of the Supreme Court of Justice of the Nation, as the head of the nation's Judiciary, to provide the relevant reply. Consequently, in accordance with Article 39 of the Rules of Procedure for National Justice, it is the Minister of Justice, Security, and Human Rights who should request that the President of the Supreme Court provide the information requested.

The request for these statistics is being processed by the channels indicated.

- 3. On page 14, it is stated that violations of the conflict of interest system “have not been recorded” for the National Audit Office and the Public Defender’s Office. As in the previous item, please explain if this means that there are no statistics on such violations, or if, on the contrary, there are such statistics but there is no record of such violations having occurred. In the event the latter assumption is true, we would appreciate it if you would clarify the period of time covered by the statistics in question and, if possible, provide a copy of those statistics.**

Reply: In general, cases of conflict of interest do not usually occur in these entities, it being understood that such cases refer to situations in which a public official is in a position to make a decision that would favor his own private interests, whether economic or of another sort, as a result of the specific competence or jurisdiction of that official.

Office of the Public Defender: This entity has statistics, and has no record of cases of conflict of interests since it was created by Law 24284 of 12/6/93. This finding is based on the Sworn Statement forms employees are required to complete, and on the fact that there are no reports in this regard from citizens.

National Audit Office: The National Audit Office has two types of mechanisms to enforce compliance with rules to prevent conflict of interests.

In the first place, any persons who apply for a permanent, temporary, or contractual position must submit a sworn statement to the effect that none of the reasons for incompatibility established in the AGN Personnel Statutes or the Regulations of the Permanent Registry of Auditors and Advisors (RACE) apply to them.² By their nature, the sworn statements serve as a barrier or deterrent, so that persons who have incompatibilities usually refrain from applying for a position. It is therefore not possible to keep statistics on this.

Moreover, the Human Resource Development and Allocation Department has been actively monitoring possible incompatibilities of personnel. To this end, it periodically compares the list of AGN agents with the lists provided by the Integrated Retirement and Pension System.

² See Order AGN 91/97, a copy of which is attached at the end of the replies.

If incompatibilities are discovered, the relevant proceedings are initiated to correct the situation. Regardless of the result, these proceedings are recorded and filed by the Department. They have not been quantified to date, however.

- 4. On page 15, it is stated that “it has not been reported that cases of conflict of interests have been recorded” for the National Senate. In this regard, we would appreciate it if you would explain whether this means that your office has not received any kind of information on these statistics, or whether, on the contrary, it has received information with statistics on this, but that it did not show cases of conflict of interests. In the event the latter assumption is correct, please clarify the time covered by the statistics in question and, if possible, provide us with a copy of those statistics.**

Reply:

The National Senate has reported that it does not have statistics on conflicts of interests, but this does not mean that there have not been cases in which the existence of such conflicts has been determined.

On this point, the Department of Inquests under the General Directorate of Legal Affairs of the Senate President’s Office has settled about 20 cases of incompatibilities based on conflict of interests.

- 5. On pages 14 and 15, it states that “there are numerous cases of recusal or self-disqualification in process or already closed” in relation to the Judiciary and the Attorney’s General Office (National Office of the Public Prosecutor and the Public Defender). In this connection, we would like to ask you to clarify if these cases are termed “numerous” because there are no statistics on them, or because of another reason, and if you have statistics on conflict of interest cases in which the officials involved did not disqualify themselves, and on the consequences (punishment or other measures) resulting from the fact that they did not disqualify themselves.**

Reply:

In the Argentine justice system, thousands or maybe millions of cases are processed and have been processed, and recusals occur normally as part of the judicial process. Of the reasons for recusal that exist, and the pertinent regulations were attached to the legislative annex to the questionnaire, there are few that relate strictly to conflict of interests, this being understood to refer to a situation in which a public official is in a position to make a decision that favors his personal interests, whether economic or of another kind.

Notwithstanding this explanation, the Public Prosecutor’s Office of the Justice Ministry has reported that it does not have statistics on this, since recusals for specific conflicts

of interests are not very common. This is why administrative proceedings and disciplinary sanctions pertaining to this issue are not recorded either.

The Public Defender's Office in the Justice Ministry has reported that it does not have statistics on this, and that State Defenders may be exempt from their duty of representation only in two cases:

- 1) When the defender is in a situation of moral aggression vis-à-vis his client, this being understood to refer to any insurmountable conflict of interest that compromises the physical or mental integrity of the defender, and prevents him from performing an effective technical defense; or
- 2) When the person requiring defense rejects the public defender for a justified cause.

6. On page 18, in reference to the objective results related to standards and mechanisms for ensuring the conservation and proper use of resources entrusted to public officials, mention is made of the fact that the SIGEN and AGN websites contain numerous reports published on work done by those entities in this regard. Without prejudice to the previous information, and based on the question answered in that section, please explain to us whether there are aggregate statistical data showing the types and quantities of measures adopted by those entities or others with jurisdiction in this area, and, if so, please be so kind as to provide those statistics.

SIGEN has reported that it does not have the sort of statistics described in the request, that show the types and quantities of measures adopted. However, it is usual practice to monitor the degree of implementation by the regulated entities of the recommendations contained in the audit reports prepared by this Corporate Controller [*Sindicatura General*]. The result of this work is set forth in the Evaluation Reports of the Internal Control System which are issued from year to year for each of the jurisdictions and entities of the national public sector, reflecting the progress made.

Moreover, as a result of certain measures taken by SIGEN in processing Public Debt consolidation proceedings, claims on the state the veracity of which cannot be verified were detected, thereby ensuring that the state does not make payments for services that it did not receive. For instance, with regard to debts of the National Institute of Social Services for Retirees and Pensioners, a total savings of \$117,409,105 has been realized from the beginning of 1997 to date, involving 18.5% of the total claimed (\$633,771,327).

As for the statistics in existing reports, please be advised as follows:

- Reports on Witness Prices (reference price that public agencies are expected to use as a guide for procurement and contracts):
year 2001: 214;
year 2002: 115.

- SIGEN reports containing direct recommendations to the entities under its jurisdiction to ensure proper compliance with rules and regulations, correct application of internal audit rules and of economic, efficiency, and effectiveness criteria (Article 104, paragraph j) of Law 24156):

YEAR	Audit Reports	Recommendations
2001	113	96
2002 (up to 9/13/02)	110	79

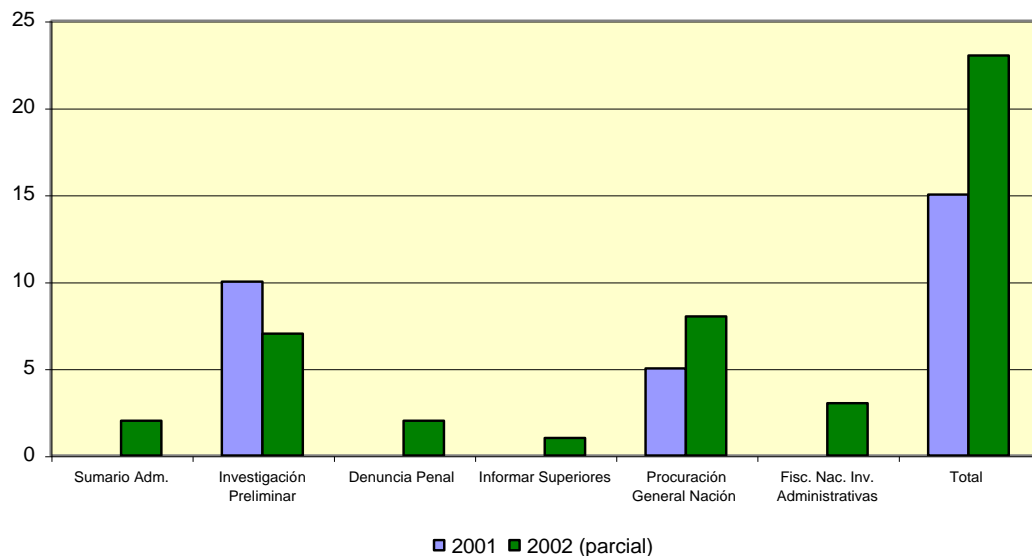
National Audit Office:

In June, when the Anti-Corruption Office sent the general questionnaire to assess the extent to which the Inter-American Convention Against Corruption had been implemented in the country, the AGN did not have a system for evaluation of the use made of the reports approved by this audit office and transmitted to the various agencies in charge of pursuing any pertinent investigations that may be under way.

As we indicated in the previous reply, the AGN is taking the first steps to correct this shortcoming. You will find below a few preliminary data resulting from this effort.

As you can see, the measures that have been reported to other agencies in charge if

ACTUACIONES DADAS EN CONOCIMIENTO PARA SU INVESTIGACIÓN



improving the findings of audits or inspections performed have increased by 34.78%.

In this way two mechanisms to accomplish the same thing are being strengthened. On the one hand, there is an increased possibility of penalizing officials who have engaged in

improper acts. On the other hand, the Audit Office has enhanced the power of its action as a deterrent by sharing the results of its work.

7. **On page 19 you note, in relation to the duty to report acts of corruption, that failure to report can lead to an administrative inquest and penalties, including warning, suspension, dismissal, or relief from duty. In this regard, please clarify whether there are statistics on the application of such penalties in the event of conduct of this sort.**

Reply:

We were unable to gather statistics on this. If they have been produced, we will provide them in due time.

8. **On page 20, you include some statistics on “Investigative files opened since December 1999,” as a result of action by the Anti-Corruption Office (OA). In this regard, please clarify whether the OA has statistics on the final results of those investigations, such as, for instance, on decisions issued by the courts or agencies to which the cases were presented or referred for investigation.**

Reply:

These are the statistics taken from the Anti-Corruption Office’s report for the first half of 2002:

Out of the 100 signed statements [*declaraciones indagatorias*] and 44 indictments [*procesamientos*] issued up to December 2001 in cases in which the Anti-Corruption Office participated as complainant or accuser, the new measures adopted in those cases during the first half of 2002 should be added:

- 18 new signed statements were taken; and
- 5 new indictments were issued.

Total: 118 signed statements and 49 indictments.

These statistics pertain only to the cases in which the Anti-Corruption Office appeared as accuser or made “*denuncias con seguimiento*” [“reports with follow-up”] (For a definition of these categories, see below.)

Reference to types of judicial action:

“*Querrela*” [“Criminal complaint”]: These are cases in which the DIOA [Investigations Department of the Anti-Corruption Office] participates actively in the judicial proceedings, instigating the investigation, requesting measures, and appealing decisions that hamper prosecution of the case. This type of participation is advocated in the following cases: a) When the DIOA reports acts into which it has conducted a preliminary investigation and

which constitute crimes of corruption, in its opinion; and b) When the courts investigate acts which were not reported by the DIOA but which in their opinion call for its participation in order to move the judicial proceeding forward.

“Denuncia con seguimiento” [“Report with follow-up”]: These are cases in which the DIOA’s examination provided evidence that the acts reported constituted a crime of corruption that requires judicial investigation and decision. Although it does not participate actively in the processing of these cases, it does periodically review the way in which the court and prosecutor are handling the case, either to assess whether or not it should appear as complainant or accuser, or simply to provide support.

“Denuncia sin seguimiento” [“Report without follow-up”]: These are reports of crimes which: a) are not acts of corruption; or b) they do involve acts of corruption, but do not meet the criteria of significance which determine further examination by the DIOA. Since the acts involved are crimes, it is this Office’s obligation to file the corresponding report.

9. **On page 21, it is stated that the total number of government employees required to present a sworn declaration of their assets is 26,500 at the present time. In this regard, please clarify whether this figure includes employees at all levels of government (federal government and/or provinces) and all branches of government, or whether it refers only to the national government under the jurisdiction of the Anti-Corruption Office.**

Reply:

The figure of 26,500 persons pertains to employees working for the national public administration, or in other words those agencies that come under the National Executive Branch, including the Armed Forces and Security Organizations. This universe of obligees is handled by the Anti-Corruption Office. This excludes federal entities which are not under the Executive Branch, and provincial or municipal entities.

10. On pages 22 and 23, information is given on the consequences or sanctions ensuing from noncompliance with the rules pertaining to the sworn declaration of assets. On this point, please clarify whether statistical data are available on the application of such sanctions or consequences, and if so, whether the OA could provide that information.

The following is an extract of the statistics of the Investigations Department of the Anti-Corruption Office, published in the report for the first half of 2002, and the offenses being investigated on the basis of the examination of the sworn declarations of assets of government employees:

FAILURE TO PRESENT A SWORN DECLARATION:

In the event that an employee subject to this requirement should fail to comply, he is so notified by the human resource unit of the entity in which he works or worked. If he still fails to comply, the case is handed over to the DIOA. There an official verification performed to prove noncompliance. Subsequently, there are two possible courses of action:

- *Referral to the court:* for failure to comply with the obligation to present a sworn declaration;
- *Administrative action:* An inquest is opened for defaulting parties who are still working as agents of the national government, and the National Employment Office is informed in cases in which the defaulting party has been removed from office. The latter applies under Art. 9 of Law 25,188, which prevents those who fail to comply with this obligation from returning to a government office.

Illicit enrichment:

In the event that the UDDJJ [Unit on Sworn Statements] finds evidence of possible illicit enrichment in the course of its examination, the proceedings are referred to the DIOA. That Office performs an evaluation to determine that the evidence is in keeping with the parameters of the crime: i) if it does not find a substantial increase in assets, it sends the case back to the UDDJJ, to continue to keep it under observation; ii) if it believes that there may have been a substantial increase, it investigates the assets of the person and requests the government employee involved to provide justification of the increase in assets. Two courses of action could ensue from this action:

- *File closed:* if the employee justifies the increase;
- *Referral to the court:* if the increase in assets cannot be justified.

Failure to report information in the sworn declaration of assets:

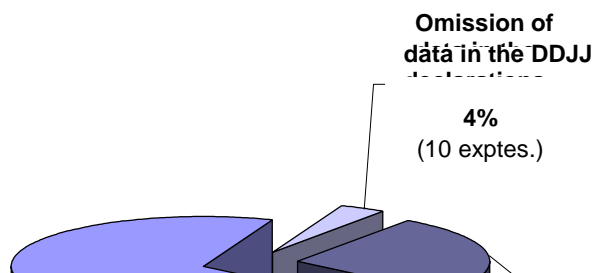
These are cases in which information on property, money, securities, bank accounts, and the like are not included in the declarations filed. In the event an omission is found, either through public information or an investigation of assets, the case is evaluated to determine whether said omission was malicious or intentional. Two courses of action could then ensue:

- *File closed:* if the omission was found not to be malicious;
- *Court referral:* if the omission was found to be malicious.

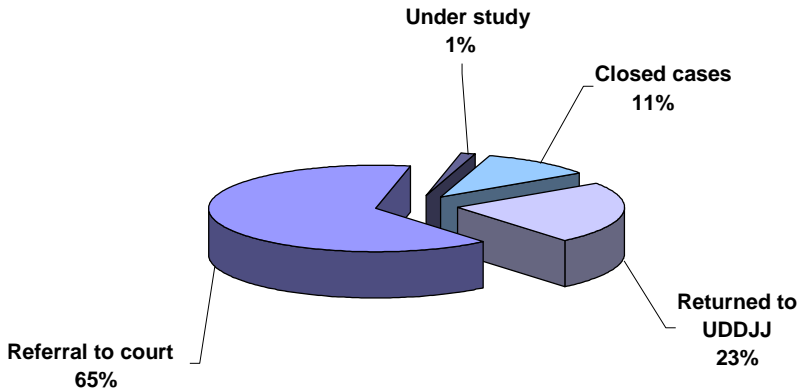
Incompatibility and conflict of interest:

In the event that the UDDJJ finds evidence of possible incompatibilities or conflicts of interest in the course of its examination, proceedings are referred to the DPPT (see paragraph C.2 of this report).

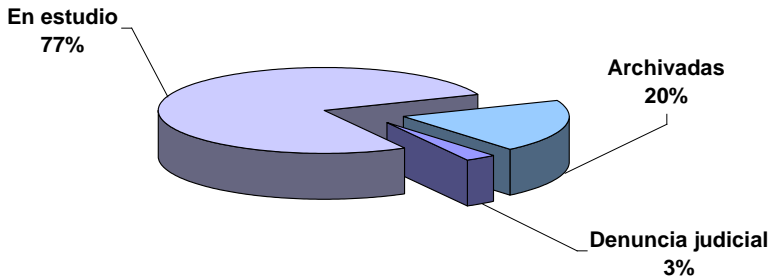
From December 1999 to June 2002, the Investigations Department has examined 247 sworn declarations with evidence of the aforesaid offenses:



For the 172 cases examined for failure to present sworn statements, the following action was taken:



For the 65 statements examined for possible illicit enrichment, the following action was taken:



Finally, of the 10 sworn declarations analyzed for possible omission of data, 9 are under study and 1 has already been referred to the courts.

Information of the Unit for Follow-up and Control of Sworn Statements

The Unit of Sworn Declarations reported that on 9/16/02, there were six inquiries under way in the Ministry of Justice, Security and Human rights, for failure to submit the sworn declarations.

11. On page 26, in a comparative table on compliance with the obligation of submitting a sworn declaration of assets before and after the newly adopted electronic system, the statistics registered are for 36,000 government employees under the “prior system” and 26,500 under the “electronic system.” In this regard, we would like to ask you to clarify whether these figures mean that there was a decrease in the number of government employees required to submit that declaration, and, if that is true, to give us the reasons for this decrease.

Reply:

The number of government employees required to submit these declarations decreased because the figure of 36,000 employees refers to the total universe of persons required to declare under the Code of Public Ethics approved by Decree 41/99 in early 1999. Subsequently, with the approval of Civil Service Ethics Law No. 25,188 at the end of that year, Decree 41/99 was revoked in that regard, and replaced with provisions in Article 5 that established another universe of obligees which was smaller than the total government employees subject to that requirement under the previous system.

At the same time, in relation to the universe of obligees subject to the provisions of Article 5 of Law 25,188, further clarification was required as to the scope of some of the provisions of that Law that leant themselves to confusion, or were ambiguous or meaningless, since it was not relevant to exert control over some types of government employees. This clarification was provided by OA Resolutions Nos. 6/00 and 1/2002, attached to this reply, which had the effect of reducing the number of obligees.

12. On page 27, there is a table with statistics on the “impact in conflict of interest cases,” according to which, the figure was 40 under the previous system, and 491 under the new system. In this regard, we would like to ask you to clarify whether the figures given refer to cases in which a conflict of interests was detected on the basis of the sworn declarations of assets.

The Sworn Statements Unit (UDJ) initiated investigations on conflict of interest cases on the basis of three different sources:

- On its own initiative, based on the sworn declarations of assets submitted (UDJ);
- Reports by individuals in the Investigations Department of the Anti-Corruption Office (DIOA), and anonymous reports;
- Consultations with the government employees themselves.

The following table shows the origin of the 491 cases:

[Insert tables:]

Conflict of Interests Resolved

[Headings:] Source/ Totals; Abstract; Rejected; Detected; Excused; Preventive; Referred
 [Lines:] Consultation; Report; UDJ; Total

Conflict of Interests Being Processed
 [Lines:] Source; UDJ; Report; Entity; Total

Incompatibilities Resolved
 [Headings:] Source; Totals, Abstract; Rejected; Detected; Referred
 [Line items:] DIOA; UDJ, Consultation; Report; Anonymous report; Total

Incompatibilities Being Processed
 [Line items:] Source; UDJ; Report; Total

[End of table]

13. On page 32, in reference to the objective results obtained from application of the participation mechanisms in general, in addition to the signing of “around twenty ‘letters of commitment’ with public entities,” it states that “public hearings were held in the framework of agencies regulating government services” and that “civil society organizations participate in advisory boards

Conflictos de Intereses Resueltos							
Origen	Totales	Abstracta	Desestimada	Detectada	Excusado	Preventivo	Remitida
Consulta	30	1	9	2	3	14	1
Denuncia	16	1	6	4		3	2
UDJ	367	1	345	2		18	1
Total	413	3	360	8	3	35	4

Conflictos de Intereses en Trámite	
Origen	Totales
UDJ	3
Denuncia	2
Organismo	2
Total	7

Incompatibilidades Resueltas					
Origen	Totales	Abstracta	Desestimada	Detectada	Remitida
DIOA	4		4		
UDJ	32	3	9	19	1
Consulta	7		7		
Denuncia	18	1	7	6	4
Denuncia Anónima	2		1	1	
Total	63	4	28	26	5

Incompatibilidades en Trámite	
Origen	Totales
UDJ	1
Denuncia	7
Total	8

and/or boards to regulate social service plans.” In this regard, please explain whether there are statistical data on these type types of results referred to in your reply to the questionnaire and, if so, please provide those statistical data.

Reply:

In view of the recent devaluation of the Argentine currency, the Executive Branch of government set up a Committee to Renegotiate Public Service and Works Contracts, operating under the Ministry of Economy. This renegotiation process stipulated by Law No. 25,561 affects 59 contracts or licenses in the areas of energy, water, transportation, and communications. As part of this process, and in accordance with regulations in effect, a series of public hearings were held (for more information on this process, consult the site: http://www.mecon.gov.ar/crc/donde_estamos_hoy.htm)

Scheduled Hearings:

- **The Agency for Regulation of Road Concessions [*Órgano de Control de Concesiones Viales*]** reported that it had convened a public hearing for September 30, 2002, to discuss a new rate schedule.
- **ENRE (the National Electricity Regulatory Agency)** held a public hearing on September 25, 2002 to discuss new emergency rates at the request of public electricity distribution and transmission companies with concessions from the National Executive Branch, namely, EDENOR S.A., EDESUR S.A., EDELAP S.A., TRANSENER S.A., TRANSNOA S.A., TRANSNEA S.A., DISTROCUYO S.A., TRANSPA S.A., TRANSBA S.A. y EMPRESA DE TRANSPORTE DE ENERGIA ELECTRICA POR DISTRIBUCION TRONCAL DEL COMAHUE (TRANSCOMAHUE S.A. and EPEN).
- **ENARGAS (National Gas Regulatory Agency)** held a public hearing on September 26, 2002 to discuss rescheduling rates, at the urgent request of gas distribution and transport licensees, i.e., TRANSPOTADORA DE GAS DEL NORTE S.A., TRANSPORTADORA DE GAS DEL SUR S.A., METROGAS S.A., GAS NATURAL BAN S.A., GASNOR S.A., DISTRIBUIDORA DE GAS CUYANA S.A., CAMUZZI, GAS PAMPEANA S.A., DISTRIBUIDORA DE GAS DEL CENTRO S.A., LITORAL GAS S.A., CAMUZZI GAS DEL SUR S.A., GAS NEA S.A.
- **CNC (National Communications Commission)** held a public hearing on October 7, 2002, to discuss an emergency rescheduling of rates, at the request of the licensees of the Basic Telephone Service.

Other statistics:

ENRE: The following statistics show public hearings held from 1994 to 2001:

1994/1995: 19

1996: 15

1997: 20

1998: 26

1999: 26

2000: 20

2001: 25

ENARGAS:

The statistics submitted by ENARGAS are attached. They indicate that 79 public hearings have been held since 1993.

Communications Secretariat, Ministry of Economy:

This entity is using a virtual forum to conduct public consultations on the following subjects:

- Public Consultation: Regulations on Administration of the Universal Service Trust Fund (Resol. SC N° 155/2002)
- Public Consultation: "Preliminary Draft Law on Cyber-Crimes," Resol. SC N° 476/01
- Public Consultation: "Preliminary Draft Law regulating Advertising by Electronic Mail," Resol. SC N° 476/01 Resol 338/01
- Public Consultation: "Preliminary Draft Law for Legal Protection of Electronic Mail," Resol. SC No. 333/01
- Consultation on Numeric Portability Rules
- Consultation on Draft General Regulations on Telecommunications Facilities in Buildings (Resol. 42/2001)
- Consultation on Provision, Installation, and Operation of a Satellite Network for Providing Mobile Satellite Services on Band L (Res. 532/00)
- Virtual Forum: Determination of the Net Cost of Providing Universal Service
- Virtual Forum: Co-location and Disaggregate Provision of the Subscriber Loop – NTS Services
- Consultation to discuss the modality for Selection by Marking of Long-Distance Service Providers (Res. 525/00)
- Consultation on Regulations for Administration and Management of the Radio-electric Spectrum, Universal Service Regulations, Licensing System, and Interconnection Regulations (Res. 170/00)
- Consultation on Preparation of the General Postal Services Project (Res. 169/00)

Public Hearings Convened by the Communications Secretariat

Subject	Date
1° Public Hearing on “Rate Restructuring,” Salon Blanco Banco Nación de la Rep. Argentina, Buenos Aires	22/11/94
Public Hearing on “SBT Rate Restructuring,” ENARGAS Hearing Room, Suipacha 636, Buenos Aires	30/1/96
Public Hearing on “Telephone Rebalancing,” Hotel Julio César, Posadas, Misiones Province	5/12/96
Public Hearing to discuss the Preliminary Draft General Regulations on Basic Telephone Services, approved subsequently by Resolution SC No. 25837/96, held in the Edificio del Correo Central, Sarmiento 151 – piso 4°, Buenos Aires.	25/09/96
Public Hearing to discuss the General Customer Regulations for the Basic Telephone Service, provided by cooperatives and other independent operators, held in the city of Huerta Grande, Córdoba Province	25/11/96
1° Hearing on Rural Telephony, held in the Provinces of Santa Cruz and Tierra del Fuego	20/03/97
2° Hearing on Rural Telephony for Northern Patagonia, held in the city of Trelew, Chubut Province	19/04/97
3° Hearing on Rural Telephony in Northern Patagonia, held in the Provinces of Neuquén and Río Negro	19/04/97
4° Hearing on Rural Telephone for the Cuyo Region, held in the Provinces of Mendoza and San Juan	29/05/97
5° Hearing on Rural Telephony, for the Southern and Western Centro Rio Cuarto Region of Córdoba and San Luis	20/06/97
6° Hearing on Rural Telephony, NEA Region, held in Apóstoles, Provinces of Misiones, Corrientes, Chaco and Formosa	18/07/97
7° Rural Telephony Hearing, Pampeana Region, in the city of Gral. Pico, Province of La Pampa	8/08/97

8° Rural Telephony Hearing, NOA Region, held in the city of Salta, Provinces of Salta, Jujuy, Stgo, Del Estero, Tucumán, Catamarca and la Rioja	22/08/97
9° Rural Telephony hearing, East Cordoba Region, Provinces of Salta Fe and Entre Ríos, held in the city of San Francisco, Córdoba Province	4/09/97
Tenth Rural Telephony Hearing, held in the city of Carlos Casares, Province of Buenos Aires.	16/09/97
1° Public Internet Hearing, Edificio del Correo Central Sarmiento 151 – piso 4°, Federal Capital, Buenos Aires Province	6/08/97
2 nd Public Internet Hearing, held on 10/24/98 in the Hotel las Cañadas, Córdoba Province	23/07/98
1° Public Hearing on Telemedicine, held in the Edificio del Correo Central, Sarmiento 151 – piso 4°, Buenos Aires	22/10/97
2° Public Hearing on Telemedicine, held in the city of Rosario, Buenos Aires Province	29/10/98
3° Public Hearing on Telemedicine, held in the city of Córdoba, Prov. of Córdoba.	2/12/98
4° Public Hearing on Telemedicine, held in the Hotel Julio Cesar, city of Posadas, Prov. of Misiones	15/4/99
Public Hearing on Short-wave Radio Services, held at the headquarters of the Communications Secretariat on 9/19/98.	12/09/98
Public Hearing on Digital TV, held on 9/15/98, at the headquarters of the Communications Secretariat, Buenos Aires	28/07/98
Public Hearing to discuss the General Customer Regulations for Basic Telephone Service, Customer Regulations on Mobile Telecommunications Services (approved by Resolution SC No. 490/97, and General Regulations on Basic Telephone Service Provided by Cooperatives and Independent Operators, approved by Resolution SC No. 45/97, held on 10/2/98 in San Carlos de Bariloche, Bariloche	4/08/98

