



JUST ATONEMENT INC.

justice
hope peace unity equal opportunity
golden age
progress sustainability democracy freedom
human rights harmony civilization

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Just Atonement Inc. (JAI) is a legal non-profit that connects and trains advocates to address threats to human rights, a livable planet, and the international rule of law.

JAI was founded in the United States of America in 2017.

JAI invites and organizes legal professionals globally into a single order and aligns a vision of a peaceful, sustainable world, governed by the democratic rule of law; litigates in courts all over the world on cutting edge human rights cases to build peace and sustainability, and to defend democracy; and advocates for a vision of a true Golden Age for humanity: a world where countries settle their disputes peacefully, manage social and economic systems that are in harmony with the planet, and govern themselves through the principles of democracy, the rule of law, and human rights.

JAI submits this written submission with respect to the Universal Periodic Review of Argentina.

SUMMARY OF CONCLUSIONS

- 1. We commend Argentina for unilaterally taking several important steps to mitigate the harms of climate change for its citizens.** These steps include signing the Escasú Agreement, implementing la Sistema Nacional para la Gestión Integral del Riesgo (SINAGIR), developing its National Water Plan, collecting gender-disaggregated flood data at the municipal level in Buenos Aires, expanding its investments in green energy generation, and passing the Presupuestos Minimos de Proteccion Ambiental de los Bosques Nativos.
- 2. However, Argentina faces an uphill battle as the climate changes.** In order to protect the human rights of its peoples, Argentina should (1) expand investment in natural disaster preparedness programs and infrastructure; (2) invest in renewable energy technology, generation, and distribution and reduce its dependance on fossil fuels; (3) reduce deforestation by implementing sustainable agricultural practices and reducing its reliance on extractive agricultural industries; (4) improve clarity and local-regional cooperation in its watershed management systems; (5) fully comply with its obligations towards indigenous communities; and (6) prepare for the coming strain on its healthcare system.



CLIMATE CHANGE

Impacts of Climate Change

Natural Disasters

3. **Natural disasters are likely to cause major damage in Argentina.** In recent years, Argentina has seen significant flooding, droughts, wildfires, and heat waves, as in the Buenos Aires floods in 2013 and the drought-induced Corrientes wildfires in 2021-2022. Climate change will increase the frequency and severity of such disasters.¹ Buenos Aires is especially at risk of major flood damage because of its high population, relatively low elevation, proximity to several major water basins, and lack of proper flood mitigation infrastructure.² Argentina's western mountainous zones are likely to see an increase in droughts and fires as a result of increasingly warmer temperatures and sparser rainfall,³ and Northern Argentina is expected to see an increase in heat waves—as are all of Argentina's major population centers, due to the heat island effect.⁴

4. **Disasters caused by climate change are likely to impede economic growth and impair access to basic goods and services.** Disasters have already cost Argentina significant economic, infrastructural, and human resources. Droughts in 2018 alone were responsible for \$3.4 billion in economic losses in Argentina.⁵ This number will continue to increase in coming years as damage from disasters becomes more widespread and more acute, with some estimating that climate-related threats could impact between 4.5-7% of Argentina's GDP.⁶ These harms are likely to appear in the form of infrastructural damage to buildings, roadways, and bridges; loss of agricultural resources such as crops and livestock;⁷ and increased disaster-related healthcare costs.⁸ Many disasters may also have negative long-term effects on Argentina's labor market. For example, children's learning capacity "significantly decreases" with increased heat exposure, such as the kind that will become more common as Argentina's climate warms.⁹ Finally, any economic losses sustained by Argentina or its people will reduce Argentina's capacity to pay for disaster preparedness and response efforts, thereby reinforcing this problem.

¹ Intergovernmental Panel on Climate Change (IPCC), CLIMATE CHANGE 2022: IMPACTS, ADAPTATION, AND VULNERABILITY SPM-7; Climate Risk Country Profile, accessed [here](#).

² Argentina: National Disaster Preparedness Baseline Assessment, accessed [here](#).; Sea Level Rise does not flood everyone equally, Climate & Development Knowledge Network, accessed [here](#).; A Data-Driven Framework to Address Gender Issues in Managing Flood Risks (pg. 2), accessed [here](#).

³ Cómo impacta el cambio climático a la Argentina y la región, accessed [here](#).

⁴ Climate Risk Country Profile, accessed [here](#).

⁵ Argentina: National Disaster Preparedness Baseline Assessment (pg. 4), accessed [here](#).

⁶ Climate Risk Country Profile (pg. 26), accessed [here](#).

⁷ *Ibid.*, page 17.

⁸ *Ibid.*, page 24-25.

⁹ *Ibid.*, page 25.



5. **Disasters in Argentina disproportionately harm vulnerable communities, and this trend will likely increase as climate change intensifies.** In Buenos Aires, for example, impoverished people living in the Tigre region experience an especially high risk of flooding because construction has altered the flow of natural drainage courses in the region.¹⁰ These communities are less capable of taking short term measures to limit disaster-related impacts, such as moving their family members or assets away from vulnerable areas; they are less able to cope with disaster-related impacts once they occur, for example by relocating, taking time off work, or seeking medical care; and they are less able to adapt before or after disasters, for example by building disaster-resistant homes and other infrastructure.¹¹ Disasters such as flooding also tend to cause disproportionate harm across gender lines. In Argentina, women tend to be less economically independent while they are simultaneously expected to perform a larger share of work rebuilding and supporting their households after disasters occur.¹²

Energy

6. **Without significant state-led intervention, climate change will cause energy access to become less consistent, while Argentina’s energy needs will simultaneously increase.** Economic growth, population growth, industrial expansion, and urbanization have caused Argentina’s electricity consumption to greatly increase in recent years.¹³ This trend is expected to continue as the climate changes, not least because an increase in the number and intensity of hot days in Argentina will significantly increase cooling-related energy demands.¹⁴ If Argentina is unable to meet increased energy demands during heat waves, it is likely to see a rise in death rates—particularly among children, the elderly, and those with pre-existing medical conditions. At the same time, hydroelectric power generation will diminish in some regions of the country due to decreased precipitation.¹⁵ This reduction of generation capacity could increase regional strain on electrical grids. Increased death rates would mean violations on the right to life¹⁶, and reduced economy capacity would impact their right to self-determination through development.¹⁷
7. **Argentina’s current plan to rely on natural gas as a bridge fuel risks exacerbating climate change and creating reliance on unsustainable energy flows.** Argentina uses natural gas to fill 55% of its energy needs,¹⁸ and Argentina’s second nationally determined contribution under the UNFCCC states that it will continue to invest in natural gas as a “transition fuel” as it moves to a completely renewable electricity generation system.¹⁹ This plan will only exacerbate the climate-related harms identified

¹⁰ Sea Level Rise does not flood everyone equally, Climate & Development Knowledge Network, accessed [here](#).

¹¹ *Ibid.*

¹² A Data-Driven Framework to Address Gender Issues in Managing Flood Risks (pg. 1-3), accessed [here](#).

¹³ Climate Risk Country Profile (pg. 22), accessed [here](#).

¹⁴ Cómo impacta el cambio climático a la Argentina y la region, accessed [here](#).

¹⁵ Argentina: Mitigación y Adaptación al Cambio Climático, pg. 2, accessed [here](#); Climate Risk Country Profile (pg. 22), accessed [here](#).

¹⁶ ICCPR art. 6.

¹⁷ Declaration on the Right to Development, A/RES/41/128 (Dec. 4, 1986).

¹⁸ International Energy Agency (IEA) Country Profile: Argentina, accessed [here](#).

¹⁹ Segunda Contribución Determinada a Nivel Nacional de la República Argentina, pg. 7, accessed [here](#).



in this report. While legitimate concerns about the energy grid’s reliability and production capacity may require some minimal short-term investment in non-renewable energy, each dollar invested in continuing Argentina’s reliance on oil and natural gas represents a lack of investment in renewable infrastructure and a guarantee of continued long-term fossil fuel use. This is harmful because it demonstrates a commitment to acute climate change and because it strands assets in carbon-intensive (and methane-intensive) infrastructure, thereby incentivizing the long-term use of that infrastructure. Argentina should, to the greatest extent possible, avoid the use of natural gas as a “bridge fuel” while still guaranteeing sufficient energy access to its most vulnerable populations

Deforestation

- 8. Deforestation is contributing to climate-based harm in Argentina.** Expansion of soybean farming and cattle grazing is threatening forest land in the Yungas cloud forest, the Chaco ecoregion, and the Espinal Ecoregion. Deforestation is harmful because it releases carbon into the atmosphere, decreases rates of biodiversity, and can contribute to violations of native land rights.²⁰ Cattle farming is an especially carbon-intensive activity, and its high water demands have the potential to exacerbate many of the problems identified in the Water Accessibility section of this report.²¹ Moreover, shrinking forest lands will impact biodiversity.

Water Accessibility

- 9. Climate change is expected to introduce higher levels of hydric stress and increased drought and desertification to Argentina.** Argentina is already experiencing challenges to its water quality due to unsustainable agricultural practices, deforestation, use of agrochemicals, and urbanization.²² The west and north of Argentina are likely to see an increase in the duration of dry winter periods, impacting water availability, creating more favorable conditions for grassland fires, and presenting a major threat to the sustainability of the agricultural sector.²³ The Cuyo region faces a particular risk of water crisis. Higher temperatures and decreased precipitation will lead to decreased river flow during the summer months—when agricultural demand is at its highest—and a consequent increased reliance on groundwater reserves through irrigation. This will lead to increased irrigation prices, deteriorating water quality, and the eventual depletion of aquifers in the region.²⁴ Between 2020–2040 the river flow in the Colorado River and the Chubut river may decrease by 20% as a result of increased irrigation.²⁵ A decrease in water accessibility could lead to violations of the right to water,²⁶ sanitation,²⁷ a healthy environment,²⁸ and,

²⁰ Collaborative Governance Networks: A Case Study of Argentina’s Forest Law, accessed [here](#).

²¹ Rearing Cattle Produces more Greenhouse Gas Emissions than Driving Cars, UN Report Warns, accessed [here](#).

²² Climate Risk Country Profile (pg. 28), accessed [here](#).

²³ Climate Risk Country Profile (pg. 29), accessed [here](#).

²⁴ Climate Change in Argentina: Trends, Projections, Impacts & Adaptation, accessed [here](#).

²⁵ Cambio Climático: cómo afecta ya a la Argentina, accessed [here](#).

²⁶ The human right to water and sanitation, A/RES/64/292 (Jul. 28, 2010).

²⁷ *Ibid.*,

²⁸ The human right to a clean, healthy and sustainable environment, A/HRC/RES/48/13 (Oct. 8, 2021).



in the most dire cases, the right to life.²⁹ It can also lead to decreased crop yields, leading to violations of the right to food and life.³⁰

- 10. Severe glacial melt will negatively affect Argentina's fresh water resources, energy production, and disaster rates.** Argentina is experiencing some of the fastest rates of glacial melt on the planet. As this trend increases in the coming years, Argentina's ability to provide freshwater to its citizens will be affected, in potential violation of the right to water recognized by the General Assembly and the Committee on Economic, Social and Cultural Rights.³¹ Glacial melt will also reduce the potential for hydroelectric energy generation in regions where glaciers are prevalent, leading to increased burdens on their electrical grids. Glacial melt will also increase the risk of certain natural disasters, such as landslides and earthquakes; cause social harm through the loss of culturally-important natural resources; and contribute to feedback loops which increase the risk of further glacial loss and other climate-related ills.³²

Indigenous Populations

- 11. Argentina has failed to sufficiently protect the rights of its indigenous populations.** According to the International Work Group for Indigenous Affairs, Argentina has failed to fully guarantee and enforce Indigenous land rights, and it has needlessly criminalized certain nonviolent Indigenous activists. Similarly, in *Lhaka Honhat Association v. Argentina*, the Inter-American Court of Human Rights held that Argentina had failed to acknowledge indigenous co-ownership of land, had extracted natural resources from indigenous land and otherwise infringed on that land, and had violated rights to communal property, healthy environment, cultural identity, food, and water. As climate change reduces the availability of arable farmland in some parts of Argentina, competition for agriculturally-valuable land is likely to escalate. To the extent that the above harms endanger indigenous ways of life, they implicate indigenous Argentinians' rights to self-determination.³³

Health Outcomes

- 12. Climate change will increase the rate of negative health outcomes in Argentina.** The increase in frequency and severity of disasters caused by climate change will lead to greater rates of morbidity and mortality. Increased heatwaves, for example, will lead to increased rates of death and exposure-related illness, especially among the elderly, pregnant women, and children.³⁴ Increases in pollution and associated respiratory

²⁹ ICCPR art. 6.

³⁰ UDHR art. 25; ICESCR art. 11.1-2; ICCPR art. 6.

³¹ The Human Rights to Water and Sanitation, accessed [here](#); Global Glacier Melt Raises Sea Levels and Depletes Once-Reliable Water Sources, accessed [here](#).

³² Seismic Study reveals key reason why Patagonia is rising as glaciers melt, accessed [here](#).; Cómo impacta el cambio climático a la Argentina y la region, accessed [here](#).

³³ ICCPR, art. 1.

³⁴ Climate Risk Country Profile (pg. 25), accessed [here](#).



illnesses are also expected to occur as temperatures rise.³⁵ Additionally, rates of malaria and zika are expected to increase as the Northern and Western regions of Argentina become more tropical.³⁶ Any failures on the part of Argentina to adequately provide for the health needs of its population could constitute a violation of the right to health³⁷ and the right to life.³⁸

RECOMMENDATIONS

13. Argentina ought to **expand the reach of SINAGIR within its borders; increase funding for disaster-preparedness infrastructural programs; improve monitoring networks**, in particular its early alert systems for health, food security, water, energy and disaster risks; improve engagement of vulnerable populations; and incorporate climate resilient considerations in the engineering and design of new infrastructure.
14. While we commend Argentina for expanding its investments in renewable energy generation in recent years, **key investments in distribution networks need to be scaled up to meet growing demands.**³⁹ For the hydropower sector, additional investments should be made in expanding energy storage capacity and improving turbine efficiencies and other engineering measures to make efficient use of available resources. Argentina should also continue to expand its investments in solar and wind electricity generation and immediately decrease its reliance on oil and natural gas.⁴⁰
15. Argentina ought to increase **enforcement to ensure greater compliance with native forest protection laws.**⁴¹ Moreover, Argentina ought to **diversify its economy** by reducing its reliance on land-intensive crops, and seeking to expand a more sustainable agriculture and food system.
16. Whilst JAI commends Argentina for establishing its National Water Plan in 2016⁴², **Argentina must expand its water policy framework to regulate specific, integrated watershed management practices at the river basin level.** Improved clarity and streamlined implementation between national and provincial management responsibilities can support more effective and efficient water management.⁴³ Furthermore, to respond to its evolving needs, Argentina should implement varietal changes to its more water-intensive crops and align planting dates with evolving rainfall patterns.

³⁵ Argentina (2015). Third National Communication to the United Nations Framework Convention on Climate Change.; Climate Risk Country Profile (pg. 24), accessed [here](#).

³⁶ Climate Risk Country Profile (pg. 24), accessed [here](#).

³⁷ ICESCR art. 12.

³⁸ ICCPR art. 6.

³⁹ Climate Risk Country Profile (pg. 23), accessed [here](#).

⁴⁰ Climate Risk Country Profile (pg. 23), accessed [here](#).

⁴¹ Presupuestos Minimos De Proteccion Ambiental De Los Bosques Nativos, accessed [here](#).

⁴² How Countries Manage Water: Argentina, Ben Miller & Emilie Sweigart, accessed [here](#).

⁴³ Climate Risk Country Profile (pg. 23), accessed [here](#).



17. **It is imperative that indigenous communities are protected and involved in the decision-making process on climate change policies.** As Argentina navigates conflicts over increasingly scarce natural resources, it is imperative they do so in a manner that honors and respects these communities.
18. Argentina ought **to take proactive steps now to prepare for this increased strain on its healthcare system.** This would include increasing capacity-building to ensure that the healthcare system would be able to accommodate the increased diseases and ailments associated with climate change.

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