

APPENDIX: ARGENTINA

DEMOGRAPHICS AND ELECTION ADMINISTRATION

Argentina is a federation of 23 provinces and an autonomous city, Buenos Aires with a population of 40.9 million.¹ Approximately 26.9 million individuals are voting age.² In the last presidential election, 27 million citizens were registered to vote.³

Election administration is governed by national law, the *Código Nacional Electoral*. The provinces and Buenos Aires constitute the country's 24 electoral districts. Elections are administered independently in each electoral district by the *Secretaría Electoral*, or electoral secretary. This election official operates under the aegis of the national government's Judicial Branch and maintains the electoral district's voter list.⁴

VOTER REGISTRATION

In Argentina, the names of eligible citizens are culled from the civil registries to form the voter lists. Voter lists contain each eligible voter's name, address, date of birth, profession, national ID number,⁵ and designated polling place.⁶

There are many civil registries. In addition to a national population register called the National Registry of People (*Registro Nacional de Personas*),⁷ which primarily contains vital statistics and addresses for all citizens, each of the 24 electoral districts maintains a separate, more detailed civil registry (*Registro Civil*). Every Argentine citizen is registered with the civil registry at birth and given a national ID card (*Documento Nacional de Identidad*).⁸

The national and provincial civil registries are not always synchronized. Most updates are made at the local level and ultimately submitted up to the National Registry, but sometimes changes are made in reverse order — that is, in top-down fashion — when the federal government is privy to information that a single province may not have, such as information about individuals who have moved outside the province of their original residence.⁹

Adding New Voters

Eligible citizens are added automatically to the voter rolls, without having to take any independent action.¹⁰ At ages 8 and 16, Argentine citizens are required to interface with the government and renew their national identity cards.¹¹ To ensure that voters are registered soon after their 18th birthdays, 16 year olds are placed on provisional voter

lists that feed into the permanent voter lists.¹² Similarly, citizenship authorities notify the National Registry of People of newly eligible naturalized citizens, whose information is then sent to electoral secretaries to be added to the voter lists.¹³

Updating Existing Voter Entries

Each province is responsible for updating its voter list on a continuous basis, using information that already exists on other government lists.¹⁴ Updates are input automatically, meaning that voters are neither expected nor required to report address changes — or any other changes — to election authorities directly.¹⁵

To ensure that no voter's name appears on more than one provincial voter roll, once every six months a national agency (*La Cámara Nacional Electoral*) runs a cross-check of all 24 provincial voter lists.¹⁶ If any deletions are necessary — for instance, if a voter appears on two voter rolls because she recently moved — this information is transmitted to the electoral secretaries, who then input the change into the voter database.¹⁷

The voter rolls are highly accurate with respect to address changes, largely because the underlying civil registries are constantly being updated with compulsory address information. Citizens are required to notify civil registry officials of changes of address within 90 days after moving so that civil registries stay current;¹⁸ Civil registry officials then forward change of address information to the electoral secretaries.¹⁹

Deceased voters are removed from the voter rolls in a similar fashion. Authorities who prepare death certificates notify local civil registry officials of deaths;²⁰ this information is then forwarded to the electoral secretary on a monthly basis.²¹ In the event that an Argentine citizen dies abroad, the appropriate Argentine consulate will submit information about the deceased voter to the National Registry.²²

Argentine citizens who have been convicted of a crime punishable by jail time are ineligible to vote during the term of their sentence.²³ Electoral secretaries receive documents from judges in a given district attesting to a citizen's ineligibility to vote due to criminal convictions.²⁴ The individual's name is removed from the register until she has completed her sentence, at which point her name is automatically restored to the voter list.²⁵ Those who have been declared legally insane or mentally incompetent are ineligible to vote.²⁶

FILLING GAPS AND CORRECTING INACCURACIES IN THE ROLLS

After an election is called, the voter list (*padrón*) for each electoral district is printed, which reflects any changes in civil registry records as of 180 days before an election, as well as all citizens who will turn 18 years old by Election Day.²⁷ The voter lists are published in public locations deemed appropriate by election officials.²⁸ During the 15-day period following publication and distribution of the lists, voters can add or edit their information if they are mistakenly left off the list or if their records otherwise contain erroneous information.²⁹ These lists become the official voter lists after any changes are finalized and continue to be publicized so that voters can look up their polling places.³⁰

If on Election Day there are discrepancies between a voter's name on the voter list and the voter's name on her national identity card, the voter will be allowed to vote a regular ballot if poll workers can verify that the rest of her information is consistent.³¹

PRIVACY PROTECTIONS

The voter list contains the following information for each voter: name, address, date of birth, profession, and national ID number.³² Political parties are provided copies of the voter list.³³

ENDNOTES

¹ Estimated for July 2009. U.S. Central Intelligence Agency, The World Factbook—Argentina, <https://www.cia.gov/library/publications/the-world-factbook/geos/ar.html> (last updated May 14, 2009).

² 2007 figure. International Institute for Democracy and Electoral Assistance, Voter Turnout: Country View—Argentina, http://www.idea.int/vt/country_view.cfm?CountryCode=AR (last updated May 19, 2009).

³ *Id.* The last presidential election was in 2007. The registration rate may suggest a population of voters greater than the actual voting age population because some defunct or outdated registrations (of deceased voters, for example) are yet to be removed.

⁴ Letter from Daniela Sayal, Secretaria Electoral, Distrito Capital Federal, to Judith Joffe-Block, Research Associate, Brennan Center for Justice (May 2008) (on file with the Brennan Center) [hereinafter Sayal Letter].

⁵ The use of the National Identity Document is principally regulated by the so-called National Registry of People Law. *See generally* Law No. 17671, Feb. 29, 1968, B.O. 21393 ch. III (Arg.) [hereinafter National Registry of People Law]. Each citizen is given a national ID card (*Documento Nacional de Identidad*) at birth. *See* Sayal Letter, *supra* note 4.

⁶ Law No. 19945, Aug. 18, 1983, B.O. 22568, ch. III, art. 25 [hereinafter National Electoral Code]; *see also* E-mail from Daniela Sayal, Secretaria Electoral, Distrito Capital Federal, to Jonathan Blitzer, Research Associate, Brennan Center for Justice (Jan. 13, 2009) (on file with the Brennan Center) [hereinafter Sayal E-mail].

⁷ National Registry of the People Law, *supra* note 5, at ch. I, § II, art. 2.

⁸ *Id.* at ch. II, § I, art. 7.

⁹ *See, e.g.*, National Registry of the People Law, *supra* note 5, at ch. XI, § II, art. 45.

¹⁰ Sayal Letter, *supra* note 4. Voting is also compulsory, although citizens who are older than 70 years of age, or who are otherwise more than 500 km away from the home address at the time of the election, among others, are exempt from voting. National Electoral Code, *supra* note 4, at ch. I, art. 12.

¹¹ National Registry of the People Law, *supra* note 5, at ch. III, § II, art. 10.

¹² Sayal Letter, *supra* note 4.

¹³ National Registry of the People Law, *supra* note 5, ch. VI, § II, art. 20.

¹⁴ Sayal Letter, *supra* note 4.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Sayal E-mail, *supra* note 6.

¹⁸ National Registry of the People Law, *supra* note 5, at ch. X, § II, art. 38.

¹⁹ National Electoral Code, *supra* note 4, at ch. II, art. 21.

²⁰ National Registry of the People Law, *supra* note 5, at ch. XI, § III, art. 46.

²¹ National Electoral Code, *supra* note 4, at ch. II, art. 22.

²² *Id.*

²³ *Id.* at ch. I, art. 3.

²⁴ *Id.* at ch. I, art. 4; ch. IV, art 36.

²⁵ Sayal Letter, *supra* note 4.

²⁶ *Id.*; National Electoral Code, *supra* note 4, at ch. I, art. 3.

²⁷ *Id.* at ch. III, art. 25.

²⁸ *Id.* at ch. III, art. 26.

²⁹ Sayal Letter, *supra* note 4; National Electoral Code, *supra* note 4, at ch. III, art. 27.

³⁰ Sayal Letter, *supra* note 4.

³¹ National Electoral Code, *supra* note 4, at ch. IV, art. 86.

³² *Id.* at ch. III, art. 25.

³³ *Id.* at ch. III, arts. 26, 32.