



Electoral Integrity Project

ELECTIONS DURING EMERGENCIES AND CRISES

Lessons for Electoral Integrity from the Covid-19 Pandemic



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Cover illustration: Nagaon, India. 27 March 2021. People flaunt social distancing norms as they are in queue to cast their votes during Assam Assembly election, at a polling station in Batadrawa Constituency, in Nagaon. ©Talukdar David on Shutterstock

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Part 4

CASE STUDIES

Chapter 10

CASE STUDY: ARGENTINA

María Celeste Ratto

10.1. INTRODUCTION

During the Covid-19 pandemic governments were forced to address enormous challenges; among them, ensuring democratic continuity even while having to implement extreme measures to protect their populations. Holding elections in the context of Covid-19 was a test of institutional consolidation, especially in countries with a shorter democratic history such as Argentina. Here, with recent experiences of political and economic instability, holding elections under pandemic conditions could have either strengthened democratic arrangements or resulted in backsliding. The main challenge was to maintain the greatest normality possible by the avoidance of excessive changes that could damage democratic legitimacy—while at the same time making the adjustments necessary for holding the elections within a framework of diligence and health security.

This case study describes the challenges and dilemmas faced by Argentina in holding its 2021 elections, and the solutions implemented. The study begins with a description of the legal background that regulates the electoral process, and continues with a description of how the Covid-19 pandemic affected the country. Then the bargaining process to elaborate a protocol with Covid-preventive measures is described. It ends with a summary of the electoral results and lessons learned.

This case study describes the challenges and dilemmas faced by Argentina in holding its 2021 elections, and the solutions implemented.

The deputies are elected for a period of four years; after the 1983 election a proportional system was established with the D'Hondt formula and a 3 per cent threshold for national representatives to be elected.

10.2. BACKGROUND

The Constitution of Argentina (1853/1860) established a republican, representative and federal system for the country, under a presidential system of government (see Argentina 1994, article 1). The direct election of the president and the members of the National Congress by the citizens was established in the 1994 Constitutional Reform. This requires holding elections to define the head of the executive branch (president and vice-president) for a fixed period of four years. The last pre-pandemic presidential election was in 2019 with the next to be held in 2023. It also establishes the holding of legislative elections to define the seats of the Congress, also with a fixed term of four years for deputies and six years for senators. In 2021, midterm legislative elections were held. The legislative branch has two chambers, the Chamber of Deputies (lower house) representing the people of the nation and the Chamber of Senators (upper house) representing people of the provinces.

The lower house has a total of 254 deputies and is partially renewed every two years. The deputies are elected for a period of four years; after the 1983 election a proportional system was established with the D'Hondt formula and a 3 per cent threshold for national representatives to be elected. The limits of the electoral districts match the geographic boundaries of each province. As a consequence, the election takes place in a total of 24 districts including the Federal District of Buenos Aires, with variable magnitude depending on the total number of inhabitants, and with a minimum of five deputies per district. In 2021 half of the chamber was renewed and a total of 127 deputies were elected.

The upper house has a total of 72 senators and is renewed by thirds. Senators serve six-year terms in office. Since the 1994 Constitutional Reform, the election of representatives of the Chamber of Senators is based on the principle of federal representation, for which the senators are directly elected by the people of the provinces. The magnitudes are a fixed number of three senators per province, with an incomplete list (two for the majority and one for the first minority). In the 2021 elections, a total of 24 senators were elected in eight provinces: Chubut, Corrientes, Córdoba, La Pampa, Mendoza, Santa Fe, Tucumán and Catamarca.

Voting in both the primary and the general elections is mandatory for all natural or naturalized citizens in the Argentine Republic.

Candidate registration: primaries

The candidate selection mechanism in Argentina is regulated by Act 26.571 (Argentina 2009a), which amended the requirements for political parties to be able to run in national elections and implemented a system of open, simultaneous and mandatory primaries (PASO). The designation of the pre-candidates is exclusive of political parties, which have to respect the Charter Acts (*Carta Orgánica*) of each party, the requirements established in the Constitution, the Organic Law of Political Parties (Argentina 1985), the National Electoral Code (Argentina 1972) and the aforementioned 2009 Act. The parties can regulate the participation of non-party members in their Charter Acts.

Voting in both the primary and the general elections is mandatory for all natural or naturalized citizens in the Argentine Republic (see Argentina 1912; universal male suffrage was then introduced in 1921—see Abal Medina and Suárez Cao 2003: 122). In the primary, held two months before the general election, each political party presents one or more candidates. Voters must first select the party for which they want to vote (the primaries of all parties are held simultaneously, the same day in the same contest, therefore it is only possible to participate in one) and then within this party choose the one (1) pre-candidate they prefer for each category of positions to be elected (president, senators and deputies). In order to participate in the general election, each political party must obtain at least 1.5 per cent of the total valid votes per category in the primary elections. Pre-candidates who run in the primary elections can only do so for one political party, and for only one category of elective offices.

Voting procedure

A closed list voting system is used, with party lists printed onto paper ballots that are inserted in an envelope that is closed and deposited in a ballot box. Voters cannot alter the proposed list of candidates or their order. A notable feature of polling in Argentina is the 'dark voting booth' to ensure the secrecy of the vote. Each voter goes to the corresponding table, according to the electoral roll. The officials authenticate the identity of the person and give her/him an envelope. Then the person goes into a closed room (dark voting booth/*cuarto oscuro* in Spanish) where she/he will find all the competing political parties' ballots.

The voter enters alone and selects her/his choice, puts the voting ballot in the envelope (signed by the polling station authorities who verified her/his identity) and inserts the envelope into the ballot box. Once the polling station has closed, officials and party supervisors enter the 'dark voting booth', count the votes and record this count in a signed certificate. This record is taken to a post office, along with the ballot box containing all the envelopes, ballots and items used during the election. The certificate is transmitted by telegram to a central computing centre where it is received by the Electoral Courts and the Ministry of the Interior authorities, under the supervision of all the parties. The software for the transmission and for the counting of votes is audited and supervised by the parties.

In Argentina the electoral management body (EMB) has four main parts: (1) the Electoral Courts; (2) the Official Mail services; (3) the Ministry of Defence; and (4) the National Electoral Directorate of the Interior Ministry.

1. The Electoral Courts are in charge of ensuring that the diverse acts, regulations and procedures are complied with such that free and fair elections are held. The highest authority to which the electoral courts report is the National Electoral Chamber (NEC). The National Electoral Code establishes as well that federal courts with electoral jurisdiction (Electoral Courts) constitute the Electoral Board (*Junta electoral*) in each district. These depend on the NEC. Among the functions of the Electoral Board in each district are: to prepare the

A notable feature of polling in Argentina is the 'dark voting booth' to ensure the secrecy of the vote.

electoral roll (*Registro Nacional de Votantes*); to receive and attend the claims filed by any voter and by political parties; to designate ad-hoc assistants to carry out electoral tasks; to ensure the application of the Electoral Law, the Organic Law of Political Parties and the complementary and regulatory provisions; and to regulate and scrutinize the establishment, funding and operations of political parties in its district, including any breaches of electoral rules (see Argentina 1972).

2. The Official Mail is in charge of the logistics of elections. Among the tasks are: to transport electoral materials to each polling station; to collect the materials and ballot boxes; and to transmit results.

3. The Ministry of Defence has the main function of guaranteeing security on election day and providing safe custody of the ballot boxes during their transportation. For this, it forms the National Electoral Command, with personnel from the different national security forces.

4. Finally, the National Electoral Directorate (DiNE) of the Interior Ministry has executive responsibility for coordinating tasks across all of the EMB's parts. In 2021 specifically, the DiNE was in charge of organizing the health protocol for the elections under Covid-19 pandemic conditions. It was also in charge of carrying out the provisional scrutiny of votes.

The lockdown (quarantine) and distancing measures established in Argentina were graduated into five levels, depending on the speed of contagion in each region, city or even neighbourhood.

10.3. COVID IN ARGENTINA

On 3 March 2020, the Health Ministry officials confirmed that the first case of Covid-19 had appeared in the country. In the following days, strong measures to restrict population mobility were implemented (Argentina 2020a). The two main measures provided for lockdown and social distancing called, respectively, 'Preventive and Mandatory Social Isolation' (ASPO) and 'Preventive and Mandatory Social Distancing' (DiSPO). The ASPO initially had a national scope from 20 March to 26 April 2020 inclusive. And from 27 April 2020, territorially segmented measures of lockdown or distancing were taken according to the public health situation of each place.

The lockdown (quarantine) and distancing measures established in Argentina were graduated into five levels, depending on the speed of contagion in each region, city or even neighbourhood: level 1, the strictest, sought to reduce population mobility by 90 per cent; while level 5, the most flexible, aimed to reduce mobility by at least 75 per cent as compared with pre-pandemic times. Levels 1 to 3 were lockdown (isolation) levels, while 4 and 5 were social distancing (no quarantine) levels.

The government introduced (Argentina 2020b) a strict lockdown from 20 March to 27 April 2020. Under this regime the general population could only go to shops close to their homes to provide themselves with essential goods. Circulation through the city, beyond the area near the home, was only allowed

for people having to perform essential tasks or who were exempted for reasons of necessity (an online authorization system was established for this purpose). Cultural, recreational, sporting and religious events, and any other gatherings or meetings, were prohibited. Workplaces remained closed, moving to remote working mode. All educational institutions were closed. A virtual education system was established at all levels. Tourism was not allowed.

Public transport had restrictions on capacity and frequency in order to avoid physical contact. The use of face masks in the streets and shops was mandatory as a general rule, as was keeping a two metre distance between people.

In order to compensate for the halting of economic transactions, the national government implemented various measures to transfer income to the affected workers and companies and mitigate job losses. The Emergency Family Income (IFE) scheme made an emergency payment of ARS 10,000 (USD 146) to affected low-income people, including retirees. It also established an exemption from employer contributions in the entertainment, hospitality and passenger transport sectors. A strengthening of unemployment insurance was established and there was an expansion of the Productive Recovery Programme (REPRO) through which the national government paid part of the workers' salaries.

Until the end of May 2020 it was possible to control the virus's circulation through restrictive measures, with very low rates of infections and deaths. The government's initial strategy was successful, the sanitary measures being generally accepted by the majority of the population. But as time passed the measures came under pressure due to concerns about economic paralysis, and were relaxed. As seen in Figure 10.1, the number of cases and deaths increased. The capacity of the health system was greatly expanded and was able to respond in most districts, except in some jurisdictions where it was on the brink of collapse. The first wave of Covid-19 took place between the end of May and the beginning of December 2020, reaching an average of about 15,000 daily new cases, with an incidence of 32.12 cases per 100,000 inhabitants, at its worst moment. At the peak of the first wave, a maximum of 383 deaths were recorded (10 October), that is, 8.44 deaths per million inhabitants. Thereafter cases declined, but after the summer holidays they again increased and a new outbreak began.

Second wave

At the end of March 2021, cases began to increase exponentially, peaking between May and June 2021. Although the vaccination process had begun, it had not achieved major progress due to the delay of laboratories in the delivery of the vaccines. Therefore the second wave of Covid-19 hit squarely, doubling the rates of the first wave. As of 17 May 2021, 38,407 daily new cases were registered, an incidence of 85 cases per 100,000 inhabitants. Deaths also grew to very high rates when compared worldwide. On 6 August 2021, 625 deaths were registered in one day, reaching 13.8 per million inhabitants.

The first wave of Covid-19 took place between the end of May and the beginning of December 2020, reaching an average of about 15,000 daily new cases, with an incidence of 32.12 cases per 100,000 inhabitants, at its worst moment.

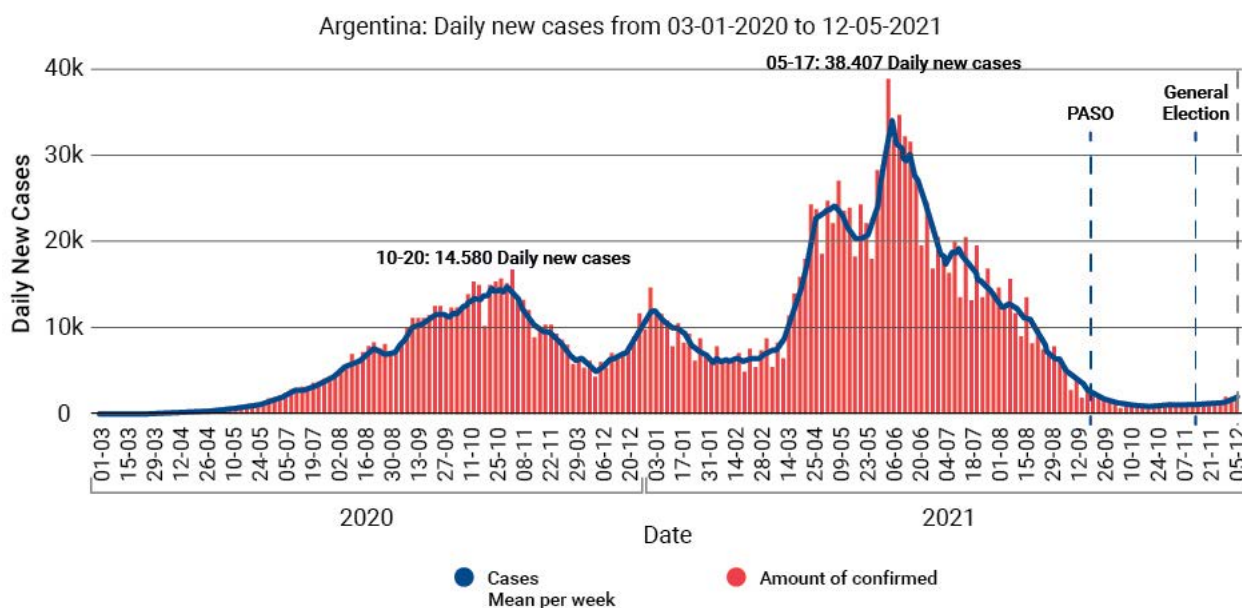
The second wave was very intense, although short-lived. It lasted approximately two months; by mid-June vaccinations began to take effect and cases began to decline rapidly.

On 8 April 2021, the national government suspended and/or limited (Argentina 2021c) social activities and introduced a nighttime curfew, subject to the epidemiological and sanitary risk in each jurisdiction. The governors of the provinces and the Head of Government of the City of Buenos Aires had the power to apply additional restrictions depending on the aforementioned risk. In a large part of the country, face-to-face classes were suspended, as were sports, recreational, social, cultural and religious activities carried out in closed environments. Shopping centres were closed and shops and restaurants reduced their opening hours. On 21 May 2021, a nine-day lockdown was enforced.

The second wave was very intense, although short-lived. It lasted approximately two months; by mid-June vaccinations began to take effect and cases began to decline rapidly. By early August 2021 the country was beginning to emerge from the second wave.

Vaccination had started on 29 December 2020. Health staff and people with risk factors were vaccinated first. After a slow start, as mentioned, the government was able to negotiate and obtain larger amounts of vaccines, and the vaccination process accelerated through May–September 2021. At the end of July the vaccination of adolescents aged 12–17 years began, and in the middle of October, vaccination of children aged 3–11 years. By mid-December

Figure 10.1. Pre-electoral trajectory of Covid-19 infections



Source: Author, based on data from UBA-CONICET Institute of Computer Science, <[http://sedcovid.exp.dc.uba.ar/dash/\(12-14-2021\)](http://sedcovid.exp.dc.uba.ar/dash/(12-14-2021))>, accessed on 17 March 2022.

2021, 82 per cent of the population had received one dose and 69 per cent had completed the two doses, and third doses (boosters) were already being given. The advance of vaccination kept the Delta variant from having the effect that it had in other countries.

10.4. ADJUSTMENTS TO THE ELECTORAL CALENDAR

During the first months of 2021, when the national government had to propose the election date, Argentina was going through its second wave of Covid-19 and vaccination was progressing slowly. The government sent Congress a bill to postpone the electoral calendar of 2021, with the prior agreement of opposition party leaders (*El Cronista* 2021). The main opposition party, Juntos por el Cambio, requested that the act include an article clarifying that, for the rest of the year, the electoral calendar could not be modified again. This was granted; the postponement enjoyed widespread support (Serra 2021) and was approved by a large majority (83 per cent of the votes; 223 deputies in support, 3 against and 8 abstentions).

As a consequence, legislation (Argentina 2021a) was enacted to modify for a single time the date of the primary (PASO) and legislative elections, due to the health emergency. A five-week postponement was made, to 12 September and 14 November, respectively. The intention was to allow the national vaccination plan to reach the largest possible number of the population by election day (for more details on the election calendar see NEC 2021a). At the time of the primary elections and the general elections, a high percentage of residents were vaccinated and the number of daily new cases was low (averaging 2,500 during the primary and 1,350 by the time of the general elections).

The government sent Congress a bill to postpone the electoral calendar of 2021, with the prior agreement of opposition party leaders.

10.5. CROSS-PARTY CONSENSUS ON COVID ADJUSTMENTS¹³

The first part of the risk management framework for the elections was the Extraordinary Agreement issued by the NEC in June 2020 (Argentina 2020c), which created a 'Programme to evaluate the possible impact of the Covid-19 pandemic in the electoral process of the year 2021' and to propose specific measures to take in response. The agreement established a Working Group integrated by the Secretariat for Political Affairs and all four parts of the EMB. Furthermore, judges and secretaries of the national electoral courts were invited to make suggestions, as were the Consultative Council of Political Parties (through a Monitoring Council, see below), non-governmental and civil society organizations. (For all the agreements issued by the NEC prior to the elections see NEC 2021b.)

¹³ The information for this section was obtained in an in-depth interview with the National Electoral Director, Diana Quioto (Quioto 2021/2022).

In 2021, the Council acted as the channel through which DiNE was able to reach agreement with all the political parties on necessary adjustments to make in the new pandemic context.

More specifically, within the framework of Act 26.571 (Argentina 2009a) which regulated the PASO elections, section 104 dictated the creation of a Monitoring Council for the primary and general elections. The Council is managed by the DiNE of the Interior Ministry. Drawn from representatives of the participating national political parties, the Council was required to be formed within 10 days of the call for primary elections and to function until the announcement of the general election results.

The DiNE was required to report in detail—periodically or when the Monitoring Council required, and during both the primary and general elections—with progress updates about procedures related to campaign financing, allocation of space in the media, and dissemination of provisional information, among other matters. In 2021, the Council acted as the channel through which the DiNE was able to reach agreement with all the political parties on necessary adjustments to make in the new pandemic context.

The Monitoring Council thus became a source of permanent consultation and bargaining with political parties in order to agree the sanitary protocol to be followed (for more on the Council in general see DiNE 2021c).

The initial meetings of the Monitoring Council allowed the DiNE to know the needs that political parties had. One of the main concerns was to be able to keep procedures in workable order and avoid the loss of legal status on the part of parties that, due to the pandemic context, had been unable to comply with the financing rules (under: Argentina 2009a). After hearing this request, the DiNE drafted legislation that was later passed as Act 27622 (on 19 May: Argentina 2021b), which suspended the expiration of the status of the political parties until 31 December 2021.

With this problem solved, discussions in the Monitoring Council turned to the protocols to be implemented when holding the elections. In this, the DiNE relied on reports from elections in different countries of the world (DiNE 2021a, 2021b).¹⁴ The ‘first protocol for foreign elections’ in Argentina, implemented for the holding of the Bolivian elections during October 2020 in Argentine territory, was taken as the main precedent. The Bolivian community in the country numbers about 140,000, so during 2020 a procedure was designed providing a significant number of polling stations in 17 provinces of the country. The Bolivian elections were organized under a cooperation agreement between the electoral bodies of both countries.

These elections were important not only due to the large number of Bolivian citizens residing in Argentina, but also for two other reasons. Firstly, the schools normally used as polling stations were closed due to the pandemic which meant having to make special arrangements with education authorities of each province to be able to reopen them for electoral purposes. The second reason was that elections had been called by the Áñez administration, which

¹⁴ The NEC analysed the elections held in the Dominican Republic, the first held in a pandemic (5 July 2020), as well as electoral processes that had taken place since in the region, i.e. in Bolivia, Brazil, Chile, Ecuador, Paraguay and Uruguay (Infobae 2021), among others.

was not recognized by the Argentine Government as a legitimate democracy. Therefore, election organization involved bargaining between the Argentine Foreign Ministry and the Bolivian diplomatic corps. At that time, a protocol with preventive and care measures was implemented and, as it worked properly, it was taken as a precedent for the organization of the 2021 elections.

Voting methods: obligations and rights

The possibility of implementing postal voting, Internet voting or early voting was also discussed. These options were considered because Argentine legislation establishes, as we have seen, the right and obligation of all Argentine citizens to vote. On the other hand, the spread of a dangerous infectious disease is considered a crime against public health according to article 202 of the Penal Code (Argentina 1984), punishable by 3 to 15 years in prison (Duduik 2020). In the context of the global Covid-19 pandemic, the conflict was not with the *duty* to vote because citizens are already exempted from this civic obligation in case of illness by article 12 paragraph c of the Electoral Code (Argentina 1972; and see Dominguez 2021).

Rather, there was a conflict between the duty not to infect others and the right to vote, which can be claimed by any citizen because it appears in the National Constitution. The Ministry of the Interior, however, decided not to make changes in the regular voting procedures. Their main approach was instead to design the necessary sanitary measures so that voting was Covid-safe, modifying this as little as possible, in order not to affect the legitimacy that citizens recognize in democratic elections. The goal was to keep people confident in elections and feeling safe enough to vote.

There were also several discussions about hypothetical situations such as the possibility that people with symptoms or who were Covid positive would show up to vote. The discussions revolved around whether it was possible to prevent them from voting, or whether the exceptional nature of Covid-19 could justify denying these people the right to vote. This generated a broad discussion not only in the field of the courts but also within society (*Ámbito Financiero* 2021a; Infobae 2021; Servini 2021).

The different alternatives evaluated by the Electoral Courts system for issuing the vote for Covid-19 positive people were: taking a ballot box outside the enclosed environment of the polling station, so that these people could vote, if they wished; providing one designated voting booth (room) per venue for Covid-positive voters; or requiring people to vote as usual but with physical distance from others, and with a subsequent deeper sanitization of the dark room, in addition to the standard Covid-protocols (Dominguez 2021). Finally, the NEC provided that judges with electoral competence in each of the 24 districts would determine 'the procedure for issuing the vote for those voters who exhibited obvious symptoms compatible with Covid-19 and who required to exercise their right to vote, preserving the health of other people' (Argentina 2021f).

The possibility of implementing postal voting, Internet voting or early voting was also discussed. These options were considered because Argentine legislation establishes, as we have seen, the right and obligation of all Argentine citizens to vote.

The goal was to keep people confident in elections and feeling safe enough to vote.

In the event, people who tested positive for Covid-19 or were close contacts of positive cases were advised not to go to vote and they were required to fill in an online form through a registry website, to excuse themselves from voting. Some measures such as taking body temperature when entering the polling station were also discussed, but not implemented. No cases were recorded, or at least there were no known cases, in which Covid-19 patients or close contacts of positive cases demanded the opportunity to cast their vote.

10.6. THE HEALTH PROTOCOL

Based on the exchange that occurred within the framework of the Monitoring Council, the DiNE generated contributions and prepared a draft for the NEC to set the protocol for holding the elections in the framework of the pandemic. This protocol was reviewed by the Ministry of Health and had the agreement of all political parties. No major disagreements were recorded in relation to the measures included in the draft. Several political parties expressed a wish to have some procedure that allowed their supervisors to enter, leave and circulate through the polling stations (and relevant Official Mail premises), and this was accommodated.

The National Electoral Command was an appropriate body to take on health protection roles, its personnel being perceived as neutral by voters.

The Ministry of the Interior and the NEC, under the supervision of the Ministry of Health, elaborated a protocol of preventive health measures to hold the 2021 elections in Covid-safe fashion (Argentina 2021f, 2021g). This included expanding the number of polling centres by almost 30 per cent (from 15,000 to 19,000) to reduce the flow of people, and with a maximum of eight voting tables for each.

This protocol created the role of health facilitators in all polling centres, a function fulfilled by personnel from the National Electoral Command (seconded from the different federal security forces, namely: the army, the gendarmerie, the federal police and the airport security police). In accordance with the Constitution (Argentina 1994: article 99, subsections 1, 12 and 14) the president constitutes the National Electoral Command for each electoral process (see Argentina 2021d), and it reports to the Ministry of Defence. Its role is to coordinate and execute the security measures established by the National Electoral Code, as well as to facilitate the observance of other legal provisions related to elections. The National Electoral Command was an appropriate body to take on health protection roles, its personnel being perceived as neutral by voters. The Ministry of Interior also provided health kits and sanitizers for use at polling centres.

The DiNE provided information and training on voting procedures and for the implementation of the new health and safety protocols to all actors and at all stages of the electoral process. This was designed and carried out by

the Training and Electoral Education School¹⁵, under the aegis of the NEC (Argentina 2009b). Its main objective is to promote the essential democratic values for the exercise of political rights and electoral participation.

Regarding the electoral campaign, political parties were encouraged to use digital tools and non-face-to-face activities. Campaigning activities were affected by the general restrictions on all social contact, such as capacity limitations for face-to-face activities and a ban on mass public events, among others.

Among the preventive measures for polling stations, the following are the most relevant:

- Give priority to using polling centres with open spaces.
- Define a place of entry and another of exit independent of one another.
- Signpost the one-way entry and exit traffic and show the layout of the polling stations and queuing system by means of posters, to ease compliance with physical distancing.
- Avoid crowds and respect two-metre distancing between people. In order not to exceed polling centre capacity, organize queuing outside the buildings.
- Post visible alerts in polling centres, regarding guidelines to prevent the spread of Covid-19.
- Ventilate closed rooms regularly (at least 15 minutes every two hours).
- Designate one sanitary facilitator in each polling centre to organize the entry of voters, and ensure compliance with mask wearing, hand sanitization and physical distancing.
- Clean and disinfect surfaces, doorknobs, voting rooms, floors and bathrooms of the voting sites before, during and at the end of polling day.
- Establish a priority voting schedule for voters belonging to high-risk groups. This period to last for two hours.
- Voters must wear a face mask and maintain distance, hand hygiene, and respiratory hygiene throughout their stay at the polling station.
- Use an individual pen and try not to share it with polling authorities, the supervisors and citizens.

¹⁵ For more information on the Training and Electoral Education School, and links to training materials for staff and citizens (and on special assistance needs) see <<https://www.electoral.gob.ar/nuevo/paginas/btn/cyee/cyee.php>>, accessed 17 March 2022.

This protocol was the general regulatory framework for the entire country. Provincial jurisdictions could introduce additional measures and they did so.

- Implement a communication strategy prior to the election with information on the website and social networks by email or by phone, among others, in order to inform the general public about preventive measures, including the use of infographics and versions adapted for people with disabilities.

This protocol was the general regulatory framework for the entire country. Provincial jurisdictions could introduce additional measures and they did so (see DiNE 2021d). For example, in the province of Tucumán, Covid-19 testing stations were set up near the polling centres. In several provinces, the priority schedule for voting for people with risk factors was adapted. Buenos Aires established that provincial police would carry out functions related to Covid-19 prevention nearby polling centres.

The main variation related to the procedures established for those people testing positive for Covid-19 and their close contacts, who presented themselves to vote. In the event that people with Covid-19 might present for voting, Chaco and Río Negro established that the electoral authorities of that polling centre should contact the Electoral Secretary of the district, which would determine the procedure to follow. Jujuy, La Pampa, Misiones, Neuquén and Santa Fe set up a contingency voting room so that people with Covid-19 could vote in isolation. By contrast, the governments of Buenos Aires City, Formosa and San Juan decided that any infected voter would be turned away from the polling centre, and the electoral delegate had to record the event.

In order to ensure the implementation of the sanitary protocol, additional funding through an expansion of the DiNE budget was required. The budget for the election accordingly increased by 11.7 per cent. This was devoted to the payment of per diem for polling station authorities, and to the purchase of sanitary and cleaning kits for polling centres. The involvement of auxiliary school staff was ordered to ensure continual cleaning at the polling centres.

In order to ensure the implementation of the sanitary protocol, additional funding through an expansion of the DiNE budget was required.

The protocol in practice

On election day, and more so in the primary, there were problems that delayed the start of voting in some polling centres and were picked up in the news media. The main problem related to the absence of designated polling station authorities, which implied designating deputy authorities in order to start the election. However, sources from the NEC assured *La Nación* that by 09:00, 99 per cent of polling stations were open, that the few exceptions were being dealt with and that in provinces such as Entre Ríos and Tucumán, polling was already 100 per cent open (*La Nación* 2021). The second cause of delay was implementing the health protocol; queueing outside polling centres generated long and frustrating waiting times for voters—of up to an hour in many cases (*Clarín* 2021). In some areas, streets had to be closed because there was no room for long queues on the pavements near polling centres. The situation went from surprise to discomfort and then to complaints: in the province of Santa Fe, for instance, the Electoral Courts decided to allow 10 to 15 people to enter the polling centres at a time, instead of the maximum 8 (*elDiarioAR* 2021).

After the primary elections, the application of the protocol was evaluated. One of the difficulties identified was longer waiting times outside the polling stations (additional delays were generated by the time it took for one official to leave and notify, supervise and admit the next elector). For this reason, during the general election, queues were arranged inside the polling stations, which involved adding new polling stations. 'The great novelty (for general election) is the intention that the lines form inside the polling centers, allowing greater fluidity in the act of voting and avoiding unnecessary waiting times,' the NEC's deputy director Gustavo Mason told *Radio Nacional* (Perfil 2021).

The holding of elections does not seem to have had an impact on the number of infections. If we take the primary elections as a reference, as of 12 September 2021 the moving weekly average of daily new infections was 687 cases; after 14 days the figure was 473, some 214 fewer cases. If we take the general elections, as of 14 November there was an average of 506 daily new infections, while 14 days later there was an average of 645, a slight increase. But the rate of new cases remained stable until mid-December when cases began to rise as a result of the Omicron variant. Further, no known infections of candidates or electoral staff appeared in the days immediately after elections were held.

10.7. THE CAMPAIGN, COUNT AND RESULTS

The electoral campaign had two phases. The first was prior to the primary, from 24 July to 9 September. During that first period the campaign had to respect some restrictive measures (Argentina 2021e). Activities and social gatherings of more than 10 people were prohibited in private homes; the limit in other enclosed environments was 50 per cent of their capacity. Non-attendance at workplaces was promoted. Provinces with high epidemiological risk (mainly the most populated ones, such as Buenos Aires and the City of Buenos Aires) had tighter restrictions such as bans of all social gatherings in private homes; the prohibition of all kinds of cultural, social, recreational and religious events in enclosed places that involved the concurrence of people; and bans of social gatherings in public outdoor spaces of more than 10 people. In-person education was suspended and switched to online lessons. Few campaigning activities were carried out during this stage, so that the campaign went almost unnoticed by a large part of society.

These measures were in place until 6 August 2021, allowing a more normal framework for the final stage of the electoral campaign prior to the primary. The electoral campaign prior to the general elections coincided with the easing of restrictions. Campaigns of the various parties had a strong presence in the media and on social networks. Activities had to adapt to health protocols. But for the final part of the campaign, they took place in a framework of quasi-normality. Campaign closing events were outdoors, in open spaces but with a crowd of people (*Ambito Financiero* 2021b).

The holding of elections does not seem to have had an impact on the number of infections.

The electoral campaign prior to the general elections coincided with the easing of restrictions. Campaigns of the various parties had a strong presence in the media and on social networks.

Improvements in transparency

Another important change in 2021 was improvement in the transparency of the electoral process. This was achieved through a decision that allowed the DiNE to regain oversight of the provisional vote count, previously outsourced to a company (Correo Argentino). A specific unit was created in the DiNE dedicated to the task, which included software procurement. The tender documents were published in preliminary form, about which all political parties were able to make comments and improvements that were effectively incorporated into the final version.

The contract included several conditions, such as that the software be based on open source. The number of voting centres transmitting telegrams was increased to 11,000. Telegrams were required to be in TIF format and to include some metadata about each telegram to know who transmitted it, where from and who received it. Party controllers could track each telegram and read them as they arrived. Each telegram had a double-digitization procedure that could be audited by political parties. The level of citizen and political party auditing was raised by obtaining CSV data; oversight and audit by the various parties was allowed at each step of the counting process. To enable this the opening of the software code was carried out prior to election day. The DiNE created a public application for following the count in real time, with open access, in which provisional results could be disaggregated by polling station where sent telegrams were available. At the time of writing, the DiNe, within the framework of the Council for Monitoring, is preparing the final report on the 2021 elections.

Turnout and results

For the primary elections (see also Aguerre and Cruz 2021a), the turnout was 67.8 per cent. This was the lowest turnout in a national election since the return to democracy in 1983, but not so far behind the 2017 primaries (72 per cent) or the 2009 legislative elections (73 per cent). If we take into account the context of a pandemic with a strict health protocol, the organization of the electoral process is to be considered a success. Citizens went to vote and this shows the consolidation of the democratic system. Juntos por el Cambio, the main opposition party, obtained 41.5 per cent as against the 32.4 per cent obtained for the incumbent party (Frente de Todos). Another interesting aspect of this election was the large number of votes obtained by a new extreme-right party (Libertad Avanza), which obtained 6.4 per cent of the national votes. The Frente de Izquierda y los Trabajadores, a left-wing party, also improved its performance, reaching 5.9 per cent nationwide.

For the general elections of 14 November (see also Aguerre and Cruz 2021b), the turnout was 71.7 per cent, 4 per cent higher than the primaries. Despite this improvement, it was likewise the lowest turnout since 1983.

Regarding the results of the general elections in November, the incumbent party improved its performance reaching 33.6 per cent of the votes. The main opposition party (Juntos por el Cambio) won with 42 per cent of the votes. From 10 December 2021 and for the next two years, the incumbent party

For the general elections of 14 November, the turnout was 71.7 per cent, the lowest turnout since 1983.

(Frente de Todos) will not have its own quorum, that is to say, the incumbent party will not have the necessary number of senators to start the sessions, the first time this has happened since the return to democracy in 1983.

10.8. LESSONS FOR OTHER COUNTRIES AND THE FUTURE

Holding elections in the context of the Covid-19 pandemic was a huge challenge for democracies in general. For countries with a shorter democratic experience, with weaker institutions, the challenge was even greater. Despite this, Argentina diligently carried out the elections with a successful health protocol, and with the participation and consent of all the political parties involved. This shows clear signs of democratic consolidation. The electoral process was carried out without serious incidents or post-electoral disputes, which reinforced the legitimacy of the system. Likewise, increasing the transparency of the electoral process improved voter confidence. Despite such positive indicators, we should also note a relative decline in the turnout.

Regarding the lessons that we can draw from the case of Argentina, in relation to good practices, the following can be mentioned:

- the reports prepared by the DiNE on the elections held in other parts of the world, to evaluate possible measures that could be adopted for holding elections in the context of Covid-19;
- the functioning of the Political Parties Monitoring Council, which created a space for bargaining and feedback, in which all the political parties participated; and
- the evaluation carried out after the PASO election, which made it possible to improve the protocol for polling centers, avoiding delays.

Among the practices that could have been avoided are:

- The arrangement of queues outside the voting establishments during the PASO election, which generated long delays.
- People who tested positive for Covid-19 or were close contacts of positive cases were advised not to go to vote. While this did not mean 'disenfranchisement', perhaps it may have discouraged some Covid-positive individuals from actually going to vote.

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