

NOW LIVE: Freedom in the World 2024



header1 Overview

Argentina is a vibrant representative democracy with competitive elections, lively media and civil society sectors, and unfettered public debate. Economic instability, institutional weakness, corruption, and drug-related violence are among the country's most serious challenges.

header2 Key Developments in 2023

- In October's presidential election, Peronist candidate Sergio Massa and right-wing libertarian Javier Milei took 36.6 percent and roughly 30 percent of the vote, respectively. Milei was elected president in the second round of polls in November with approximately 56 percent of the vote.
- After taking office in December, Milei enacted several reforms by executive decree, including a large number of economic reforms. Among other things, Milei devaluated the currency and ended price controls on some basic goods, causing Argentina's already-high inflation rate to rise sharply.
- December also saw mass protests against the Milei government's sprawling reforms, which included new restrictions on protests. However, despite the heavy presence of security forces, the demonstrations—which the Milei administration claimed were intended to “destabilize” the government—generally proceeded peacefully.

PR Political Rights

A Electoral Process

A1 1.00-4.00 pts0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	4.004
	4.004

The constitution provides for a president to be elected for a four-year term, with the option of reelection for one additional term. Presidential candidates must win either 45 percent of the vote or 40 percent with a 10-point advantage over the second-place candidate to avoid a runoff.

The 2023 presidential elections were deemed free and fair by domestic and international observers. The first round of elections, held in October, saw Peronist candidate Sergio Massa take 36.6 percent of the vote and far-right libertarian Javier Milei win approximately 30 percent of the vote. Neither candidate garnered enough votes to avoid a runoff. Milei was elected in the second round of elections in November, defeating Massa with roughly 56 percent of the vote, and was inaugurated in December.

A2 1.00-4.00 pts0-4 pts

Were the current national legislative representatives elected through free and fair elections?	4.004
	4.004

The National Congress consists of a lower house, the Chamber of Deputies, and an upper house, the Senate. The Chamber of Deputies has 257 members elected for four-year terms, and the Senate has 72 members elected for six-year terms. Half of all deputies and a third of senators are up for election every two years through a proportional-representation system with closed party lists. Legislative contests are generally deemed free and fair.

Following the October 2023 legislative elections, the Union for the Homeland (UxP) coalition—formerly called the Front for Everyone (FdT)—holds 102 seats in the Chamber of Deputies and 33 in the Senate; the Together for Change (JxC) bloc holds 94 seats in the Chamber of Deputies and 24 in the Senate. Milei’s Freedom Advances party holds 38 seats in the Chamber of Deputies and 7 in the Senate.

A3 1.00-4.00 pts0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	3.003
	4.004

Argentina has a clear and relatively fair framework for conducting elections. There is universal suffrage: voting is compulsory for people between 18 and 70 years old, and voluntary for people between 16 and 18 or older than 70.

However, the system suffers from shortcomings, including inconsistent enforcement of electoral laws and campaign finance regulations. Additionally, each party must print and distribute its own paper ballots on election day, providing opportunities for abuse and favoring larger parties. Aspects of election management fall under the purview of the executive branch; the National Electoral Chamber (CNE) works in conjunction with the National Electoral Directorate (DNE), a department of the Interior Ministry.

B Political Pluralism and Participation

B1 1.00-4.00 pts0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	4.004
	4.004

Argentina has competitive political parties that operate without undue obstacles. Primary elections are mandatory for presidential and legislative elections, and only party candidates that obtain 1.5 percent of the national vote in primary elections can contest general elections. Of the 27 candidates who participated in the 2023 presidential primaries, 5 progressed to the general election.

B2 1.00-4.00 pts0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?	4.004
	4.004

Argentina's multiparty system affords opposition candidates a realistic opportunity to compete for political power. Opposition parties command significant popular support and have a large presence in Congress.

President Milei's 2023 presidential victory occurred only two years after he entered politics and without the support of a national party structure: his Freedom Advances party has relatively few seats in Congress and no provincial governors or mayors.

B3 1.00-4.00 pts0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	4.004
	4.004

Argentines' political choices are generally free from domination by democratically unaccountable groups. However, political choices are influenced by voter intimidation and clientelism, particularly in poorer regions.

A failed assassination attempt against then vice president Cristina Fernández de Kirchner in September 2022 drew widespread condemnation across the political spectrum. Some of the vice president's supporters, however, blamed the opposition for the attack, claiming that opposition politicians had encouraged political violence. At least three people accused of participating in the attack remained in pretrial detention at the end of 2023.

B4 1.00-4.00 pts0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?	4.004
	4.004

All segments of the population have full political rights but, in practice, poorer Argentines, ethnic minorities, and Indigenous people have limited access to political power. Following the October 2023 elections, women held just over 40 percent of seats in both the Chamber of Deputies and the Senate. There are no women among Argentina's 24 provincial governors. Legislative party lists must respect full gender parity by law.

LGBT+ people are well-represented in Argentina and legal protections for LGBT+ people are robust.

C Functioning of Government

C1 1.00-4.00 pts0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?	3.003
	4.004

Elected officials are duly installed without interference. The political system is characterized by the concentration of power in the executive, with the president having authority to implement some policies by decree. Provincial governors are also powerful and tend to influence national lawmakers representing their provinces.

In December 2023, President Milei signed an executive decree with over 300 provisions that modify or revoke several laws. Its legality has been challenged in court, and rulings on the matter remained pending at year's end. The newly elected president also requested vast emergency powers from Congress to bypass normal legislative procedures on economic and other matters. This matter also remained pending as of year's end.

C2 1.00-4.00 pts0-4 pts

Are safeguards against official corruption strong and effective? | 2.002 4.004

A weak institutional framework hampers anticorruption efforts. The main anticorruption body is part of the executive, legislative oversight is scarce, and the judiciary is widely considered to be politicized and ineffectual. Many politicians hold immunity in connection with their elected posts.

In 2022, then vice president Fernández de Kirchner was convicted of fraud for improperly awarding approximately \$1 billion in public contracts to a family friend while serving as president. She was sentenced to six years in prison and permanently banned from holding public office; the sentence will not be imposed until the appeals process is complete.

C3 1.00-4.00 pts0-4 pts

Does the government operate with openness and transparency? | 3.003 4.004

An agency to guarantee access to public information was created by law in 2017 but is not independent of the presidency. Adherence to and enforcement of public-asset disclosure regulations is inconsistent. The Constitution requires the head of the cabinet to appear before Congress monthly to report on the government's progress, but this rarely happens in practice.

CL Civil Liberties

D Freedom of Expression and Belief

D1 1.00-4.00 pts0-4 pts

Are there free and independent media? | 3.003 4.004

Argentina has a robust and lively media environment. The law guarantees freedom of expression and bans official censorship. Media ownership is concentrated among large conglomerates that frequently favor a political grouping, and state advertising allocation tends to favor government-friendly media groups. State-owned media outlets tend to be aligned with the incumbent government.

Journalists face occasional harassment and violence, especially when covering corruption and drug-related criminality. Some journalists have faced charges in connection with their investigative work.

The Argentine Journalism Forum (FOPEA), a press freedom watchdog, recorded 88 attacks against journalists in Argentina during 2022, including harassment, violence, and threats from criminal groups.

D2 1.00-4.00 pts0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	4.004
	4.004

Freedom of religion is constitutionally guaranteed and enforced in practice. The population is largely Roman Catholic but public education is secular, and religious minorities express their faiths freely.

D3 1.00-4.00 pts0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	4.004
	4.004

Academic freedom is guaranteed by law and largely observed in practice.

D4 1.00-4.00 pts0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	4.004
	4.004

Private discussion is vibrant and largely unrestricted. However, government agencies have been known to monitor social media activity, and intelligence services have been accused of illegally surveilling journalists, politicians, and civil society groups.

E Associational and Organizational Rights

E1 1.00-4.00 pts0-4 pts

Is there freedom of assembly?	4.004	4.004
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Freedom of assembly is generally respected, and citizens frequently organize protests. After entering office in December 2023, newly elected president Milei introduced a number of legislative measures that critics say curtail assembly rights in Argentina. A December decree outlines new guidelines to control street demonstrations, and includes measures that rights groups warn may discourage or even criminalize protest actions. The same month, Milei introduced draft legislation—known as the Omnibus Bill—that if passed would, among other things, designate intentional gatherings of three or more individuals as demonstrations, which could be penalized with up to six years’ imprisonment if demonstrators block roads or access to public services.

Tens of thousands of Argentinians protested against the Milei government’s sprawling reforms, including the new restrictions on protests, during December. Despite the heavy presence of security forces, the protests—which the Milei administration claimed were intended to “destabilize” the government—generally proceeded peacefully.

E2 1.00-4.00 pts0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	4.004
	4.004

Nongovernmental organizations (NGOs) generally operate without restrictions. Civic organizations, especially those focused on human rights and abuses committed under the 1976–83 dictatorship, play a major role in society, although some fall victim to corruption.

E3 1.00-4.00 pts0-4 pts

Is there freedom for trade unions and similar professional or labor organizations? | 3.003 4.004

Union influence remains significant, although it has decreased in recent years. Organized labor is dominated by Peronists, and most labor unions have been controlled by the same individuals or groups for decades. Internal opposition to union leadership has been limited by fraud and intimidation. In December 2023, President Milei announced a decree that, among other things, introduced restrictions on the right to strike for workers in the transport, education, and health sectors.

F Rule of Law

F1 1.00-4.00 pts0-4 pts

Is there an independent judiciary? | 2.002 4.004

The Supreme Court is relatively independent and has resisted executive overreach. However, lower and province-level courts have close ties with political actors and engage in corrupt practices.

Peronist leaders have frequently attacked judicial rulings and accused the courts of ideological bias in recent years. In January 2023—shortly after clashing with the Supreme Court over a December 2022 ruling that effectively increased the percentage of federal funds allocated to the opposition-led city of Buenos Aires—then president Alberto Fernández asked Congress to impeach all four members of the Supreme Court. FdT lawmakers launched impeachment proceedings against the Supreme Court justices in February, accusing them of poor performance and bias against then vice president Fernández de Kirchner. Proceedings remained ongoing as of October.

Numerous vacancies and interim appointments hinder the autonomy of the judiciary. For instance, one seat on the 5-member Supreme Court has been vacant since late 2021, the role of national ombudsperson has remained vacant for 14 years, and the position of chief prosecutor has been filled on a temporary basis since 2017.

F2 1.00-4.00 pts0-4 pts

Does due process prevail in civil and criminal matters? | 3.003 4.004

The right to due process is constitutionally protected and generally upheld. However, security officers and some judges are suspected of maintaining criminal ties. Prisons are overcrowded and inmates live in unsuitable conditions. Pretrial detainees represented 47 percent of the country's prison population as of June 2023. More than 1,135 convictions for crimes committed during the 1976–83 dictatorship were attained between 2006 and June 2023.

F3 1.00-4.00 pts0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? | 2.002 4.004

Argentina's homicide rate is low compared to other Latin American countries, but violence from criminal groups and the security forces remains a serious issue. International criminal organizations use Argentina as an operational base and a transit route. Drug-related violence has increased in recent years.

Police misconduct, torture, and brutality against detainees is endemic. Arbitrary arrests and abuses by police are rarely punished in the courts.

In recent years, there have been violent clashes between security forces and Indigenous Mapuche activists in Argentina's Patagonia region, as well as repeated confrontations between local residents and activists. Some activists have used violence to seize and occupy land.

F4 1.00-4.00 pts0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3.003
	4.004

Argentina has robust antidiscrimination laws, but enforcement is uneven. Indigenous peoples, approximately 2.4 percent of the population, face government neglect and disproportionate levels of poverty. Race-based discrimination is relatively common. Women enjoy legal equality but face economic discrimination and gender-based wage gaps.

Argentina's LGBT+ population enjoys full legal rights, including marriage, adoption, and the right to serve in the military. By law, 1 percent of public sector jobs must be reserved for transgender people. However, LGBT+ people do face some degree of societal discrimination, and occasionally, serious violence.

In December 2023, President Milei dissolved the Ministry of Women, Genders, and Diversity (MMGD). Milei has also said that he intends to dismantle the National Institute Against Discrimination, Racism, and Xenophobia and the National Institute of Indigenous Affairs (INAI).

G Personal Autonomy and Individual Rights

G1 1.00-4.00 pts0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4.004
	4.004

The government generally respects citizens' constitutional right to travel both inside and outside of Argentina. People are free to change their place of education or employment.

G2 1.00-4.00 pts0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	3.003
	4.004

Citizens generally enjoy the right to own property and establish private businesses. Economic instability, cumbersome regulations, and corruption affect the private sector at all levels.

Approximately 70 percent of the country's rural Indigenous communities lack titles to their lands, and forced evictions, while technically illegal, still occur. Indigenous communities continue to struggle to defend their land rights and reclaim traditional lands.

G3 1.00-4.00 pts0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	4.004
	4.004

Argentiniens enjoy broad freedom regarding marriage and divorce. Same-sex marriage and adoption by same-sex couples were legalized in 2010. A 2012 gender-identity law allows people to legally change their gender.

Abortion was legalized up to the 14th week of pregnancy in 2020, a landmark decision in Latin America.

Gender-based violence remains a serious problem. The ombudsperson’s office reported 322 femicides in 2023, 80 more than recorded in 2022.

G4 1.00-4.00 pts0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	3.003
	4.004

Argentina faces high poverty rates aggravated by high inflation and economic instability. In the first half of 2023, the poverty rate reached 40 percent, with 9.3 percent of people living in extreme poverty. Already-high inflation rates soared after President Milei introduced a number of economic reforms by decree in December, including devaluating the currency and ending price controls on some basic goods, among other things.

Forced labor is high in sectors such as garment and brick production, agriculture, and domestic work. At least half of the workforce is informally employed and lacks labor rights and legal protections. Sex trafficking is a serious concern, and efforts to combat it have been hindered by lack of government coordination and enforcement, corruption, and complicit officials, according to the US State Department’s 2023 *Trafficking in Persons Report*.