

# ARGENTINA

Between 1881 and 1914, over 4 million Italian, Spanish, French, and Russian citizens moved to Argentina. Immigration reached a historical high in 1914, when 30% of the total Argentine population was composed of foreigners.<sup>1</sup> Migration flows were reversed in the second half of the 20th century: emigration increased particularly during the last military dictatorship (1976-1983) and due to the economic stagnation of the 1980s. However, following the return to democracy in the 1980s and particularly after the recent economic crisis in Spain (an important destination), Argentines living abroad are returning.<sup>2</sup> Today, it is estimated that over 900,000 Argentines live abroad, amounting to a 2.4% of the population in 2010.<sup>3</sup> Still, emigrant and return policies are modest. The *Dirección Nacional de Migraciones* (within the Ministry of the Interior), for instance, works fundamentally with immigration, and only three of the 126 articles of the recent Argentine Migration Law are dedicated to emigrants.<sup>4</sup>

Emigration is a matter addressed individually by the abovementioned *Dirección Nacional de Migraciones* as well as by the *Dirección Nacional de Asuntos Consulares* (within the Ministry of Foreign Affairs). These two institutions do not seem to coordinate their actions, given that their policies overlap and often contradict one another.

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## CITIZENSHIP/NATIONALITY

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### DUAL OR MULTIPLE NATIONALITY REGULATION

There are no legal obstacles to dual nationality; individuals are allowed to have other nationalities without losing the Argentine one.<sup>5</sup> However, Argentines who accept a second nationality have their political rights suspended until they return.<sup>6</sup>

Citizens with double nationality at birth have more options. Argentina has signed dual nationality agreements with Chile, Colombia, Ecuador, El Salvador, Honduras, Italy, Nicaragua, Norway, Panama, Spain, Sweden and (until October 20, 1981) the United States. In these cases, according to Oyarzábal,

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1 International Organization for Migration, *Perfil migratorio de Argentina 2012*, 17.

2 Ibid. 17-18.

3 Ibid. 42.

4 Congreso de la Nación Argentina, *Ley 25.871 - Ley de Migraciones*, 2013.

5 Dirección Nacional de Migraciones, *Resolución N° 2.650. Apruébase el cuerpo de instrucciones para el tratamiento migratorio de los argentinos que se hubieran naturalizado en otro país*, 1984, Anexo I, I - Introducción, 1.

6 Ibid.; Honorable Cámara de Diputados de la Nación, *Ley N° 346 - Ciudadanía y Naturalización*, Art. 8.

Argentina understands double nationality as unequal nationalities; one full nationality for the country of permanent residence and another dormant nationality of lower importance.<sup>7</sup> Someone with double nationality and permanent residence in one of the abovementioned countries, for instance, will be treated as a foreigner on Argentine territory. Meanwhile, if one decides to take up permanent residence in Argentina, the Argentine nationality becomes the dominant one.<sup>8</sup>

Individuals with a second citizenship from a country with which Argentina has not signed a dual nationality agreement will always be considered Argentine. They may even enter or leave national territory with their non-Argentine passport, provided they can prove to be Argentine as well.

While the Nationality Law establishes that all children of native Argentines can choose to become native Argentines themselves,<sup>9</sup> this choice is neither extended to further generations nor to spouses.<sup>10</sup> Grandchildren and spouses can become naturalized Argentines, but certain rights are reserved for native Argentines, such as the right to run for president.<sup>11</sup>

#### LOSS OF CITIZENSHIP/NATIONALITY

According to the Nationality Law, Argentine citizens cannot lose their nationality.<sup>12</sup> This was also verified in practice: in 2009, two judges from the National Electoral Chamber (*Cámara Nacional Electoral*) ruled that renunciation of nationality was unconstitutional.<sup>13</sup>

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7 Oyarzábal, *La nacionalidad argentina: un estudio desde la perspectiva del derecho internacional público, del derecho internacional privado y del derecho interno argentino, con referencias al derecho de la integración*, 44.

8 Dirección Nacional de Migraciones, *Resolución N° 2.650. Apruébase el cuerpo de instrucciones para el tratamiento migratorio de los argentinos que se hubieran naturalizado en otro país.*

9 Honorable Cámara de Diputados de la Nación, *Ley N° 346 - Ciudadanía y Naturalización.*

10 Consulado General y Centro de Promoción Argentina de la República Argentina, “Nacionalidad argentina (para hijos de argentinos nativos).”

11 Poder Legislativo Nacional, *Constitución de la Nación Argentina*, Art. 89.

12 Dirección nacional de migraciones, *Resolución n° 2.650. Apruébase el cuerpo de instrucciones para el tratamiento migratorio de los argentinos que se hubieran naturalizado en otro país*, Anexo I, III

13 Germán Bidart Campos, “La pérdida de la nacionalidad argentina nativa es inconstitucional.” In Munné and Dalla Via, Simoliunas, Christian David y Federico Javier s/ solicitan renuncia a ciudadanía argentina, 17 (2009), 17.

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SUFFRAGE

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**VOTING RIGHTS OF NON-RESIDENT CITIZENS**

Voting is compulsory for all Argentines, as established by the National Electoral Code.<sup>14</sup> Citizens who are over 500km away from their district at the time of the election are exempt from voting, as long as their absence is justified on “reasonable grounds.”<sup>15</sup>

Citizens not registered as non-residents must justify their absence if they do not vote. This suggests that registered non-residents are not required to justify their absence at all.<sup>16</sup> Indeed, in case of registered non-resident citizens, both inscription and voting are voluntary: they may register for inclusion in the Register of Voters Abroad (*Registro de Electores Residentes en el Exterior*), which is subordinated to the National Electoral Chamber, and may vote according to their last domicile in Argentina, but are not obligated to do so.<sup>17</sup>

Non-resident voters can only vote in national elections (both legislative and executive).<sup>18</sup> There are no external voting rights for national or regional referenda, for the regional executive or regional legislatures. Though Argentina is a federal state, the participation of non-residents is only regulated by national laws, and provincial constitutions make no reference to emigrants (see, for example, the Constitution of Córdoba Province<sup>19</sup> or the Constitution of Misiones Province<sup>20</sup>).

**CANDIDACY RIGHTS OF NON-RESIDENT CITIZENS**

In theory, non-resident citizens have candidacy rights.

The Constitution establishes that potential congressmen or women must be over 25, be Argentine citizens for over four years and either born in the province they aim to represent or resident in said province for the previous two years.<sup>21</sup> Meanwhile, senators must be aged 30 or over, be Argentine citizens for over six years and either born in the province they aim to represent or resident in said province for the previous two years.<sup>22</sup> Presidents and vice-presidents must fulfill the same requisites as senators, and be na-

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14 Presidente de la Nación Argentina, *Ley N° 19.945. Código Electoral Nacional*, Art. 12.

15 Ibid. Art. 12b.

16 Presidente de la Nación Argentina, *Ley N° 24.007 - Creación de Registro de Electores Residentes en el Exterior*, Art. 8.

17 Ibid. Art. 1 and 5.

18 Ministerio de Relaciones Exteriores y Culto, “Voto argentino en el exterior.”

19 Convención Constituyente, *Constitución de la Provincia de Córdoba*.

20 Convención Constituyente, *Constitución de la Provincia de Misiones*.

21 Poder Legislativo Nacional, *Constitución de la Nación Argentina*, Art. 48.

22 Ibid. Art. 55.

tive Argentines. However, there is no residence requirement.<sup>23</sup> According to these requirements, then, non-resident citizens could run for president and vice-president, as long as they are native Argentines. They can also run for the Congress and the Senate, as long as they were born in the provinces they aim to represent. However, Emmerich has argued that the legislation regulating the rights of non-resident voters only allows voting in national elections and not electoral candidacy.<sup>24</sup>

#### **VOTING METHODS AVAILABLE TO NON-RESIDENT CITIZENS**

Non-resident citizens enrolled in the Registry for Voters Abroad can only vote in the embassy or consulate where they are registered.<sup>25</sup> In-country voting, proxy, postal, or e-voting have not been implemented.

#### **REGISTRATION FOR FRANCHISE**

Registration is automatic in the case of in-country voting. Any individual living in Argentina, regardless of voting status, must normally present all relevant/required information to the National Register of Persons (*Registro Nacional de las Personas, RENAPER*). Every month, *RENAPER* submits updated information to the National Electoral Chamber, which is responsible for updating the electoral register.<sup>26</sup>

For non-resident citizens, active registration is required in the electoral roll for residents abroad. They can register online or at the nearest consular office.<sup>27</sup> However, this is not mandatory, nor is it mandatory for registered non-resident citizens to vote, as long as they justify their absence.<sup>28</sup> After initial registration as Argentine voters abroad, registration is automatic for subsequent elections.<sup>29</sup>

#### **MODE OF REPRESENTATION**

The mode of representation for national legislative elections is a geographical incorporated counting: the vote of a non-resident individual is incorporated into the broader totals and combined with votes from the individual's last district of residence in Argentina. If the last district of residence cannot be established, the district of birth will be considered. In case this

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23 Ibid. Art. 89.

24 Emmerich, "El Sufragio transnacional en Argentina: Problemas y posibilidades," 5.  
25 Presidente de la Nación Argentina, *Ley N° 24.007 - Creación de Registro de Electores Residentes en el Exterior*, Art. 29.

26 Presidencia de la Nación, "Registro Nacional de las Personas (RENAPER)."

27 Cámara Nacional Electoral, "Elecciones Nacionales 2013 información para argentinos residentes en el exterior."

28 Cámara Nacional Electoral, "Registro de electores residentes en el exterior."

29 ProArgentina, "Voto exterior preguntas frecuentes."

cannot be determined (because the citizen was born abroad, for instance), the parents' last district of residence will be considered.<sup>30</sup>

### EXTERNAL VOTING IMPLEMENTATION

Though there are bills proposing the creation of a new electoral district, with five seats in the Chamber of Deputies representing non-resident voters, such bills have not been passed.<sup>31</sup>

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## REGULATION OF POLITICAL COMPETITION

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### PARTY OFFICES IN HOST COUNTRIES

There is no specific regulation for external party offices, suggesting that they are neither officially envisioned nor explicitly forbidden.<sup>32</sup> According to researchers, there are no large Argentine communities residing abroad.<sup>33</sup> This suggests that the legislation does not explicitly prohibit the establishment of Argentine party offices abroad, yet there is little political interest to do so.

### POLITICAL CAMPAIGNS

There is no specific regulation for political campaigns conducted abroad.

### MEMBERSHIP

According to the Organic Law for Political Parties, in order to join a party, one must first join the electoral registry in the district of affiliation, then confirm one's identity and fill out a form with personal information. The form can be presented to electoral authorities, to the party administration or the local post office.<sup>34</sup> These guidelines suggest that emigrants are not allowed to join a party, since they are not locally registered in any province, only in the Registry for Voters Abroad. In truth, however, emigrant membership is neither mentioned by the Law for Political Parties, nor by the multiple party programs (since Argentina is a highly decentralized state, so parties have different programs in every province).

According to the national guidelines established by the Justicialist Party (*Partido Justicialista*), for example, all members are entitled to be a candidate for posts within the party, though priority is given to minorities.<sup>35</sup> If a citizen is al-

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30 Presidente de la Nación Argentina, *Ley N° 24.007 - Creación de Registro de Electores Residentes en el Exterior*, Art. 6.

31 Honorable Cámara de Diputados de la Nación, *Proyecto de Ley 3841-D-2009*.

32 Congreso de la Nación Argentina, *Ley N° 23.298 - Ley Orgánica de los Partidos Políticos*.

33 Norberto Emmerich, "Participación política de emigrantes argentinos."

34 Congreso de la Nación Argentina, *Ley N° 23.298 - Ley Orgánica de los Partidos Políticos*.

35 Partido Justicialista, "Carta Orgánica Nacional - Partido Justicialista."

ready a party member at the time he or she leaves the country, one can assume that he or she has internal candidacy rights, given that no direct reference is made to emigrant party members.

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## INSTITUTIONAL PARTICIPATION

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### CONSULTATIVE BODIES AT NATIONAL LEVEL

There is no consultative body for/of emigrant representation acting at the national level.

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## ADMINISTRATION

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### CONSULATES

Argentina has a total of 155 diplomatic representations in 87 countries,<sup>36</sup> divided as follows: 87 embassies, 23 consulates, 37 consulates general and 8 centers of commercial promotion.

Mobile consulates also exist,<sup>37</sup> whereas online or weekend services do not. Argentine consulates do not provide legal, financial or psychological consultancy.

### HOME COUNTRY ADMINISTRATION

Argentina has two bodies for the administration of emigrant policies at home. One is the Directorate of Argentines Abroad, which is subordinate to the General Directorate of Consular Affairs within the Ministry of Foreign Affairs, thus with the fourth rank in public administration<sup>38</sup>. The main objective of this directorate is allegedly the support of non-resident Argentines, particularly in case of detention, disease, or death. Still, the directorate does not even have its own web page, though it was created in 2003.

The other body, of which its permanence could not be verified, was created at the subnational level, again revealing the high decentralization of Argentina. It is the Centre for Immigrant and Emigrant Assistance, subordinated to the Ombudsman's Office in Buenos Aires. The center offers information on emigrants' rights, labor, culture, etc. It also aims to accelerate procedures related to emigrants. Again, no official information is available on

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36 Ministerio de Relaciones Exteriores y Culto, "Representaciones argentinas en el exterior."

37 Consulado General de Argentina en New York, "Consulado itinerante a Boston 2014."

38 Tamara Krell, "Dirección de Argentinos en el Exterior."

how it operates. Moreover, according to Novick,<sup>39</sup> work with emigrants was interrupted shortly after the center was founded.<sup>40</sup>

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## ECONOMIC POLICIES

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### REMITTANCES

The government is committed to signing international treaties that allow emigrants to send remittances to their relatives living on Argentine soil.<sup>41</sup> Accordingly, the Ministry of Foreign Affairs created the *Cuenta Provincia Ahorro 25* to facilitate transfers. The program allows non-resident Argentines to open a bank account at the *Banco Provincia de Buenos Aires*. The emigrant is expected to be the account holder and the relatives in Argentina are expected to be co-holders, as the program is guided by the principle of family assistance.<sup>42</sup>

Other than *Cuenta Provincia Ahorro 25*, there is no strategy to attract remittances – according to an ECLAC study, Argentina is amongst those Latin American countries receiving comparatively little in remittances.<sup>43</sup> Additionally, Argentina signed the Brasilia Declaration: Towards The South American Citizenship, which states that signatories are committed to not using remittances as a form of development aid.<sup>44</sup>

### INVESTMENT

As established by the Law on Foreign Investment, a foreign investor is any physical or legal person residing outside the national territory.<sup>45</sup> This means that emigrants are treated like foreign investors. Though there are government strategies to attract investments from foreigners,<sup>46</sup> none targets Argentine emigrants in particular.

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39 Susana Novick, “Políticas y actores sociales ante la emigración de argentinos,” 316.

40 Susana Novick, “Evolución reciente de la política migratoria argentina.”

41 Congreso de la Nación Argentina, *Ley N° 25.871 - Ley de Migraciones*, Art. 102.

42 Consulado General de la República Argentina en Río de Janeiro, “Ciudadanos argentinos en el exterior - Cuenta Provincia Ahorro 25.”

43 Jorge Martínez, *América Latina y el Caribe: Migración internacional, derechos humanos y desarrollo*, 211.

44 Red Internacional de Migración y Desarrollo, “Declaración de Brasilia Rumbo a la Ciudadanía Sudamericana,” 140.

45 Poder Ejecutivo Nacional, *Ley N° 21.382 - Ley de Inversiones Extranjeras. Aprobado como Anexo I del Decreto N° 1853/1993*, Art. 2.

46 “Invest in Argentina,” <http://www.inversiones.gov.ar>, for example.

### BRAIN-CIRCULATION NETWORKS AND BRAIN-GAIN PROGRAMS

The program R@íces (*Red de Argentinos Investigadores y Científicos en el Exterior*) was established by the Ministry of Science, Technology and Productive Innovation (MINCYT) to reverse brain-drain by strengthening relations between resident and non-resident Argentine researchers. Additionally, it promotes Argentine research abroad, coordinates return policies and integrates foundations and NGOs into its work.<sup>47</sup> Between 2003 and 2012, MINCYT managed to repatriate 900 Argentine scientists and specialists. 54% of the returnees came from the Americas, 44% from Europe, 1% from Asia and 1% from Oceania.<sup>48</sup> This program has served as a model for other countries in the region.

Meanwhile, the National Scientific and Technical Research Council (*Consejo Nacional de Investigaciones Científicas y Técnicas, CONICET*) offers post-doctoral fellowships and arranges placements (in both the public and private sectors) for Argentines who have studied abroad and want to return home to conduct research.<sup>49</sup>

### RETURN POLICIES

Along with Bolivia, Chile, and fellow MERCOSUR countries, Argentina signed the *Protocolo de Integración Educativa y Reválida de Diplomas, Certificados, Títulos y Reconocimiento de Estudios de Nivel Medio Técnico* to facilitate the recognition of primary and secondary education attained in the respective signatory countries.<sup>50</sup> Additionally, Argentina has signed bilateral or multilateral recognition agreements with Colombia, Ecuador, France, Italy, Mexico, Peru, Spain, and Venezuela.<sup>51</sup>

For countries with which Argentina has signed no agreement, the validation process must be undertaken at the Directorate of National Validity of Titles and Studies in the Ministry of Education.<sup>52</sup>

Concerning the recognition of university degrees, Argentina has signed agreements with Bolivia, Chile, Colombia, Cuba, Ecuador, Mexico, Peru, and Spain: if the degree was obtained in one of those countries, the Ministry of Education is responsible for the procedures. If, however, the degree was obtained in a country with which Argentina no agreement, then a commission

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47 Ministerio de Ciencia, Tecnología e Innovación Productiva de la Nación (MINCYT), “R@íces – Red de Argentinos Investigadores y Científicos en el Exterior.”

48 International Organization for Migration, *Perfil migratorio de Argentina 2012*, 60.

49 Consejo Nacional de Investigaciones Científicas y Técnicas (CONICET), “Becas internas postdoctorales para la reinserción de investigadores.”

50 Mercosur, *Protocolo de integración educativa y reválida de diplomas, certificados, títulos y reconocimiento de estudios de nivel medio técnico*.

51 Ministerio de Educación, “Convalidación de estudios realizados en el extranjero.”

52 Ministerio de Educación, *Resolución N° 497/06 del 11 de Mayo de 2006*, 06.



of experts from national (state) universities is responsible for the recognition of qualifications.<sup>53</sup>

Additionally, Argentina has established specific procedures to recognize both vocational technical education<sup>54</sup> and teacher training<sup>55</sup> obtained abroad. In both cases, the country adheres to the Apostille Convention, an international treaty that recognizes all public documents emitted by state signatories.<sup>56</sup> This means that any academic or professional qualification obtained in one of the signatory countries is automatically recognized in Argentina.<sup>57</sup>

Finally, for research and teaching purposes, Argentine universities also automatically recognize undergraduate and graduate degrees obtained in universities from other MERCOSUR members.<sup>58</sup>

In case of degrees from countries with which Argentina has not signed a bilateral agreement, the average time period for recognition of academic qualifications (university degree) is between 14 and 16 months. If Argentina has signed an agreement with the country and a commission of experts is not necessary, recognition will take between six and 12 months.<sup>59</sup> Finally, in case of qualifications obtained in one of the signatory countries of the Apostille Convention, only one day is necessary.<sup>60</sup> As for secondary qualifications, the government offers no prognosis, though citizens can consult the progress of their application online.<sup>61</sup>

The only communication campaigns aiming to convince emigrants to return to Argentina are brain-gain policies, suggesting that the emigrants the state wants back are young, internationally educated, and highly qualified. In-

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53 Sistema Informático de Solicitud de Covalidaciones (SISCO), “Homologar un título universitario en la República Argentina.”

54 Ministerio de Educación, *Resolución N° 811/98 del 28 de Abril de 1998 - Requisitos para iniciar los trámites de reconocimiento de títulos realizados en el exterior de formación técnica no universitaria.*

55 Ministerio de Educación, *Resolución N° 75/14 del 10 de Febrero de 2014 - Reglamento operativo para la reválida de certificados expedidos en el exterior correspondientes a estudios superiores extranjeros (exceptuando los universitarios) de formación docente, 2014.*

56 Hague Conference on Private International Law, “Convenio de 5 de Octubre de 1961 Suprimiendo la exigencia de legalización de los documentos públicos extranjeros”; Dirección Nacional de Validez de Títulos y Estudios, “Reválida de estudios de educación superior técnica y de formación docente.”

57 Guía de Trámites, “Apostilla de La Haya.”

58 Mercosur, *Protocolo de integración educativo para proseguimiento de estudios de post grado en las universidades de los estados partes del MERCOSUR*; Mercosur, *Acuerdo de admisión de títulos y grados universitarios para el ejercicio de actividades académicas en los estados partes del MERCOSUR.*

59 Sistema Informático de Solicitud de Covalidaciones (SISCO), “Preguntas frecuentes.”

60 Guía de Trámites, “Apostilla de La Haya.”

61 Dirección de Validez Nacional de Títulos y Estudios, “Reconocimiento de educación secundaria de países sin convenio.”

deed, the Organization of Ibero-American States qualifies the repatriation of scientists as an “Argentine state policy.”<sup>62</sup>

As previously mentioned, two brain-gain policies in particular offer incentives for Argentine researchers to return. *Reinserción de Investigadores*, run by the CONICET, focuses on researchers who have been abroad for over two years. Researchers and technologists not covered by the CONICET campaign and who found a placement in Argentina on their own may apply for return subsidies offered by the *R@íces* program.<sup>63</sup>

Numerous citizens left Argentina during the military dictatorship (1976-1983), and while these citizens are entitled to reparations, an “exile law” has not yet been passed.<sup>64</sup>

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## OBLIGATIONS

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### MILITARY SERVICE, SOCIAL SERVICE, TAXES

In Argentina, obligatory military service was abolished in 1995.<sup>65</sup> It is now voluntary, meaning both resident and non-resident Argentine males can choose to serve or not.<sup>66</sup> There is also a *servicio social substitutorio*, but given that military service is voluntary, one can assume that social services are voluntary as well.<sup>67</sup> Nevertheless, an exception can be made if the army’s quotas are not filled. In this case, the Executive may request authorization from the Legislative to draft citizens turning 18 in that particular year.<sup>68</sup> In any event, non-resident citizens are not mentioned at all in the law.

Judging by the lack of legislation on this matter, non-resident Argentines do not have to pay taxes in Argentina. Additionally, the Argentine Migration Law states that every Argentine living abroad for over two years and who decides to return to Argentina is allowed to bring his property, free of tax.<sup>69</sup>

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62 Organización de Estados Iberoamericanos para la Educación, la Ciencia y la Cultura (OEI), “El retorno al país de científicos argentinos como política de Estado.”

63 Ministerio de Ciencia, Tecnología e Innovación Productiva de la Nación (MIN-CYT), “R@íces – Red de Argentinos Investigadores y Científicos en el Exterior.”

64 Embajada de la República Argentina en Nueva Zelanda, “Leyes reparatorias de violaciones a los Derechos Humanos cometidas por el estado en tiempos de interrupción del orden institucional.”

65 Ministerio de Defensa, *Ley 24.429 - Ley del Servicio Militar Voluntario*, Art. 32.

66 *Ibid.* Art. 1-7.

67 *Ibid.* Art. 21.

68 *Ibid.* Art. 19.

69 Congreso de la Nación Argentina, *Ley N° 25.871 - Ley de Migraciones*, Art. 103.

### CULTURAL POLICIES

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Though many cultural centers abroad exist, they are registered as charities (such as the Anglo-Argentine Society or Association of Argentine Professionals in the United Kingdom, APARU), foundations (*Centro Argentino de Munich e. V.*), nonprofit organizations (*Casa Argentina de Houston, Centro Argentino de Dallas/Fort Worth*) or associations (*Casa de Argentinos en Salamanca, Asociación Argentina en Dinamarca*). These centers are neither managed nor funded by the Argentine state.<sup>70</sup>

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### EXIT AND TRANSIT POLICIES

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The *Guía para Argentinos en el Exterior* brochure provides information relevant for Argentines planning on returning to their home country in the foreseeable future. Interestingly, the campaign is run by the Ministry of the Interior, instead of the Ministry of Foreign Affairs.

No information campaigns to discourage emigration exist. Sara Martínez, director of a campaign known as *Provincia 25*, stated in an interview that “no return program is envisaged [...]. Emigration is a right and consequently we have created an association program, convinced as we are that people will return due to the improvements in living standards that began in 2003.”<sup>71</sup> Accordingly, migration is understood as a right that should not be discouraged; instead, the state believes in the importance of forging a connection to emigrants and creating opportunities that are attractive enough to motivate their return to Argentina.

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### SOCIAL POLICIES

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According to the Migration Law, the Argentine government may sign agreements with states in which Argentines reside in order to provide them equal or similar labor rights and social security in their country of residence.<sup>72</sup>

Concretely, the Ministry of Work, Labor and Social Security has signed bilateral agreements with Chile, France, Greece, Italy, Portugal, Slovenia, and Spain,<sup>73</sup> in addition to the Multilateral Ibero-American Convention on Social

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70 Dirección Nacional de Migraciones, “Comunidades de argentinos en el exterior.”

71 Tiempo Argentino, “Crece La Provincia 25.”

72 Congreso de la Nación Argentina, *Ley N° 25.871 - Ley de Migraciones*, Art. 102.

73 Administración Nacional de la Seguridad Social (ANSES), “Trabajadores en el exterior.”

Security,<sup>74</sup> and a multilateral agreement with fellow MERCOSUR members Brazil, Paraguay, and Uruguay. Paying agreements have also been signed with Mexico, the United States, and the Netherlands.<sup>75</sup> The declared intention is to ensure that workers with contributions in different countries have access to employment benefits.<sup>76</sup>

In MERCOSUR member states, according to the Multilateral Mercosur Accord on Social Security,<sup>77</sup> the employee is subjected to the legislation of the country he works in, except in case of temporary employment (under 12 months), employment for travelling companies or diplomatic organisms. Social security contribution must total 30 years, whereby all contributions in member states are counted.

The abovementioned treaties do not apply to employment benefits alone: It is also possible to maintain retirement benefits in case of countries Argentina has signed an agreement with.<sup>78</sup> The procedure for non-resident Argentinians is the same as for resident citizens. If, however, an individual worked in a partner country for less than 12 months, his contribution for this period may not be included.

Finally, when it comes to healthcare benefits, emigrants have the same rights and duties as natives in the countries that signed the Multilateral Ibero-American Convention on Social Security. Additionally, emigrants are entitled to emergency care in the territories of all signatories, even in countries where they do not live.<sup>79</sup>

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## SYMBOLIC POLICIES

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Argentina has done remarkably little to integrate emigrants into Argentine culture and politics. There is no explicit reference to emigrants in the constitution and no official celebration day for the emigrant community (though there is an Immigration Day; September 4).

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74 Organización Iberoamericana de Seguridad Social (OISS), *Convenio Multilateral Iberoamericano de Seguridad Social*.

75 Administración Nacional de la Seguridad Social (ANSES), “Trabajadores en el exterior.”

76 Ministerio del Interior y Transporte, *Guía para argentinos en el exterior. Información relevante para retornar al país*, 34.

77 Congreso de la Nación Argentina, *Ley N° 25.655 - Apruébanse el acuerdo multilateral de Seguridad Social y el reglamento administrativo para su aplicación*.

78 Ministerio del Interior y Transporte, *Guía para argentinos en el exterior. Información relevante para retornar al país*, 35.

79 Presidente de la Nación Argentina, *Ley N° 22.146 - Convenio Iberoamericano de Seguridad Social. Su Aprobación*, Art. 6 and 7.

As previous categories attest, Argentina's emigrant policies tend to have a very specific target: academics, researchers, and intellectuals. Accordingly, the only prize awarded to emigrants celebrates non-resident Argentine researchers whose work contributes to the internationalization of Argentine academia and strengthens the country's scientific and technological capabilities. Every year, the Ministry of Science, Technology and Productive Innovation (MINCYT) awards the *Premio a la Cooperación Internacional en Ciencia, Tecnología e Innovación RAICES*.<sup>80</sup>

*Provincia 25* (in addition to the 23 provinces and the Federal District) was created by the Ministry of Interior Affairs in 2003 to reinforce the sentiment of belonging to Argentina and strengthen the political rights of Argentines living abroad.<sup>81</sup> This is a truly symbolic entity, as no such province formally exists (and emigrants are not entitled to political participation on provincial level).

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