Voter Identification Requirements and Public International Law:

An Examination of Africa and Latin America

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EXECUTIVE SUMMARY

Voter registration is widely recognized as one important means of ensuring that only eligible voters are able to participate in the electoral process. Indeed, most democratic countries have some sort of voter registration process that precedes the casting of a ballot. Systems vary widely, but typically as part of the registration process an individual who wishes to participate in an election must somehow prove their identity, essentially demonstrating that they are who they say they are. They must also affirm their citizenship and age, and officials must ensure that the applicant is not already included in the registry. Just as voter registration systems vary throughout the world, so too do the ways in which voters are allowed to demonstrate who they are both during registration and during voting. Additionally, the ability of individuals to secure basic prerequisite documents allowing them to register to vote is inconsistent.

International law provides some limited guidance on the role and process of voter registration (and, implicitly, identification practices) in the enjoyment of electoral rights. Notwithstanding these guidelines states are still afforded wide discretion in the implementation of voter identification practices. This guidance can be distilled down to the following points:

1. Any conditions which apply to voter registration and other electoral processes should be based on objective and reasonable criteria, and only reasonable restrictions may be applied;
2. Obstacles to registration should not be imposed;
3. There should be no discrimination in the law or the process on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, property, sexual orientation, physical ability, birth, or other status;
4. There should be no "abusive interference" in the process;
5. Governments must take measures to ensure that displaced persons can replace lost or destroyed identity documents that prove their citizenship;
6. States must take active measures to ensure citizens are able to vote and to facilitate the process of registration, including the identification process;
7. Potential voters should have the ability to verify the accuracy of their personal data; and
8. An effective remedy for a violation of electoral rights should be available.

Recognizing that there exists a gap between international legal principles for voter identification and practice in many states in which The Carter Center works, the Center commissioned this research report. The purposes of this research were three-fold. First, we hoped to better understand voter identification processes in Africa and Latin America and determine whether there were global or regional commonalities of practice that might help election observers and assistance providers better understand voter identification, broadly speaking. Second, we hoped to begin discussions of how these commonalities of practice can bridge gaps in international law and inform observation methodologies. Finally, we hoped to contribute to a field of research which focuses heavily on the role of voter identification in fraud prevention and gives less consideration to the potential for voter identification practices to undermine electoral rights and disenfranchise population groups.

The report provides an overview of the laws and procedures for verifying an individual's identity for the purposes of registering and voting in a selection of African and Latin American countries. It compares the two regions and considers, in broad brush strokes, whether the laws and procedures fulfill international

obligations and electoral rights. This study represents an initial effort to explore this issue and to offer some analysis of the relative value of voter identification requirements vis-à-vis the delicate balance between fraud prevention needs and facilitating greater participation among potential voters. Some of the main findings of the report are summarized below.

VOTER IDENTIFICATION PRACTICES IN AFRICA AND LATIN AMERICA

The problems and challenges with respect to creating voter identification procedures are similar in Africa and Latin America in many respects. Similarities include the shared problems of large undocumented populations; lack of resources, training, skills, and capacity; political manipulation of the process; large-scale poverty; and remote, rural populations. Another overlap of note is the increasing interest in and use of biometrics in the voter identification process, albeit with very mixed results.

Yet responses to those challenges have differed significantly between the two regions. In Africa, there has been a wide range of responses and greater flexibility with respect to identification requirements. In Latin America, the solution has almost uniformly been to erect a national ID system.

AFRICA

Among a sampling of countries in Africa there exists a range of means for identifying a potential voter. There seems to be a tacit acknowledgment in many African countries that circumstances warrant some degree of flexibility in the system in order to ensure that a maximum number of people are able to participate in elections.

Broadly speaking there are four categories of systems in Africa for establishing proof of identity in the electoral system:

1. Open and broad ID options: a majority of countries allow people to present one of a large number of types of ID or to offer witness testimony in order to register to vote and to obtain a voter card.
2. Narrow ID options: five countries of those reviewed require one of a select few types of ID documents.
3. Only the national ID is valid: a handful of countries—approximately six—require one single document to prove identity, e.g. a national ID card.
4. Poorly defined options: approximately nine countries of those reviewed have laws that are extremely vague or have no laws or accessible regulations governing this part of the electoral process.

The first group of countries, representing the majority, allows for many different types of documents to be presented in order to register to vote, and if the applicant possesses none of these documents often they may call upon witness testimony or the affirmation of a traditional leader instead. Given that many countries have been in or are presently engaged in conflict producing widespread displacement, that many suffer pervasive poverty, and that many people live in rural, remote areas lacking even minimal infrastructure, a majority of governments by necessity allow citizens to prove their identity through several avenues. The most common problem African countries experience is the inability to practically implement their chosen system for voter identification effectively, thereby disenfranchising some voters.

LATIN AMERICA

In contrast to many countries in Africa, nearly every Latin American country surveyed utilized a single national ID card for voter identification, with only minor variations. The existence of a single document that everyone must have in order to vote raises a number of concerns, including in regards to the percentage of potential voters who possess the ID and the capacity of individuals to easily acquire the required documentation.

While the single ID system functions well in some countries (where substantial resources have been devoted to making it work), in many South and Central American countries the single ID system has disenfranchised considerable numbers of citizens, for a number of reasons. Principal among them is the wide swath of citizens in many countries that are completely without any documents at all, including birth certificates, which are normally required to obtain the national identity document and to register to vote. These populations tend to be indigenous, poor, rural, and among the youth, as well as people who have been displaced due to armed conflict. The number of people in Latin America who are undocumented extends into the millions. These individuals cannot even begin the process of registering to vote.

For citizens who may have documentation, the cost of the national ID card and/or the indirect costs such as travel to urban centers can present barriers that are impossible to overcome. As is in some African countries, several Latin American countries simply do not have the capacity to register voters or to issue identity cards in a timely manner, resulting in the disenfranchisement of many people. Finally, in a few countries there have been reports that distribution of the cards is politically manipulated and voters who might oppose the incumbent administration are either denied identity documents or have their ID cards taken from them or bought outright.

It is important to note that there are a few Latin American countries where ID and registration systems work relatively well, as well as countries that have undertaken substantial efforts to improve these processes, especially with respect to addressing the problem of undocumented citizens.

OVERALL CONCLUSIONS

Requirements for proving identity to register to vote and to vote at the polls vary a great deal depending on numerous factors, including the political situation, capacity of the government, environment, culture, history of conflict, and poverty levels. Laws and policies governing proof of identity in the voting process can significantly impact the ability of citizens to register to vote and cast a ballot. At times they can be helpful in facilitating the process and increasing confidence, but too often they also cause substantial disenfranchisement, especially within certain communities.

This research shows that most countries in Africa and Latin America fail to meet the obligations outlined in international law with regard to voter registration. However, there are a few countries that may serve as regional examples of good practice. These countries have invested substantial resources into ensuring that citizens have documentation, or, given their respective sociopolitical conditions, have established a scheme that provides sufficient flexibility to be inclusive without incurring significant evidence of fraud. Panama, Chile, and Peru could be considered among the former, having placed significant emphasis on outreach and access measures. Countries that have employed, more or less successfully, a calculated pragmatism include Malawi, Liberia, and Ghana.

INTRODUCTION

The right to participate in elections, to universal and equal suffrage, is enshrined in public international law. It is a hallmark of democracy that elections be inclusive. As a result, procedures and regulations that are integral to citizen participation in the system must be reasonable and necessary.

Most countries in the world have some form of voter registration process that precedes the casting of a ballot. Systems vary, but typically as part of this process an individual who wishes to register must somehow prove his or her identity, that he or she is a citizen, and that he or she is of age to vote. The way in which voters are allowed to demonstrate their identity varies widely throughout the world. At this stage, officials also ensure that the applicant is not already in the registry.

These base requirements are generally considered reasonable. However, the choices countries make regarding how to implement the voter registration process can have a profound impact on who is able to vote—and by extension, participate in the civic life of the country—and who is not. It can influence election outcomes as well as perceptions with regards to the fairness of those elections.

This report is an overview of the laws and procedures that various countries in Africa and Latin America use to verify one's identity for the purposes of registering and voting. Accessible legal documents have been researched in an attempt to determine what the official requirements are in terms of presenting documents or other proof of identity. In addition, we have reviewed international, regional, and domestic election observer reports and manuals and guidelines promulgated by national election authorities; conducted interviews with international, regional, and national experts; and drawn on the websites of election authorities.

The data and analysis in this report is preliminary. Funding constraints prevented in-country research and interviews with all relevant stakeholders. Procedures and laws are revised frequently in some parts of the world such that information cited here is necessarily a snapshot in time and includes information that is readily available. Nonetheless, it is the first study of voter identification requirements from a comparative international perspective and is therefore useful for an initial exploration of the scope of these requirements and whether they are, in letter and in practice, in line with international standards of universal and equal suffrage.

Much of the recent literature and public dialogue on voter registration and voting procedures has centered on the use of technology and increasing the security of voting systems. Preventing fraud is of extreme importance. At the same time, this study recognizes that maximizing inclusion of potential participants is also of great importance and must have at least equal weight when decisions concerning policy and resource allocation are made.

This report will begin with an explanation of the international legal framework in which these laws and procedures operate. It provides an overview of identification requirements in Africa, followed by an analysis of the major themes that emanate from this data. Subsequently, there is an overview of Latin American practices and analysis of the policies on that continent. For more in depth country-specific information, several short case studies, as well as brief supplemental information on additional countries, representing both continents are provided in the appendices. The report also offers commentary on how these two

regions compare. Finally, the report concludes with a discussion of identification requirements vis-à-vis international public law and recommendations for future research and study.

INTERNATIONAL STANDARDS FOR SUFFRAGE

International law makes clear that states have an obligation to make both voter registration and voting open and accessible for all eligible citizens. As outlined below, multi-lateral treaties establish the right to universal and equal suffrage and the standards that must be met in order for that right to be realized. This includes provisions that apply to proof of identity regulations.

The International Covenant for Civil and Political Rights (ICCPR) is one of the most important international agreements regarding human rights, including voting rights. The ICCPR's article 25 states that "Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot."[1]

The UN Committee on Human Rights' General Comment on article 25 adds detail to this provision, stating that "Any conditions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria."[2] The Comment also establishes that article 25 means that "The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions, such as setting a minimum age limit for the right to vote. It is unreasonable to restrict the right to vote on the ground of physical disability or to impose literacy, educational or property requirements."[3] In perhaps the most relevant part of the document, the Comment also says that "States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed… Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced. Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community."[4]

The International Convention on the Elimination of All Forms of Racial Discrimination is also directly relevant. Article 5 provides that by this agreement "States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:… (c) Political rights, in particular the right to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage."[5]

Regional documents also speak to this issue. A publication by the Electoral Institute for Sustainable Democracy in Africa (EISA) and the Electoral Commission Forum of the Southern African Development Community (SADC) Countries entitled *Principles for Election Management, Monitoring, and Observation in the SADC Region* says that "The voter registration process should promote broad participation and should not inhibit the participation of eligible voters."[6] Furthermore, the report notes, "Cost effective voter identification protocols should be established to enable inclusion of the maximum possible eligible voters while minimizing multiple or illegal voter registration."[7]

The American Convention on Human Rights[8] and the African Charter on Democracy, Elections and Governance[9] both guarantee universal suffrage. The African Union Convention for the Protection and

Assistance of Internally Displaced Persons in Africa (the "Kampala Convention")[10] requires states to take measures to ensure that displaced persons can obtain any documentation that proves their citizenship. Article 19(e) of the Commonwealth of Independent States Convention on the Standards of Democratic Elections, Electoral Rights and Freedoms in the Member States of the Commonwealth of Independent States notes that "The States party to the Convention commit themselves to: … e) conduct voter registration on the basis of a legislatively established non-discriminatory and effective procedure that envisage such parameters of registration as age, citizenship, place of residence, basic document certifying citizen's identity."[11]

Numerous other guidance documents from a variety of entities address the issue of proof of identity in the electoral process. See appendix F for a more complete list.

In sum, existing international law provides the following guidance on voter registration (and implicitly the voter identification) process:

1. Any conditions which apply to voter registration and other electoral processes should be based on objective and reasonable criteria, and only reasonable restrictions may be applied;
2. Obstacles to registration should not be imposed;
3. There should be no discrimination in the law or the process on the basis of race, colour, sex, language, religion, political or other opinion, national or social origin, property, sexual orientation, physical ability, birth, or other status;
4. There should be no "abusive interference" in the process;
5. Steps should be taken to ensure that displaced persons can replace lost or destroyed identity documents that prove their citizenship;
6. States must take active measures to ensure citizens are able to vote, and must truly facilitate the process of registration, including the identification process;
7. Potential voters should have the ability to verify the accuracy of their personal data; and
8. An effective remedy for a violation for electoral rights should be available.

OVERVIEW OF AFRICA

Among the African countries studied for this report, most have a system in which an individual is required to provide proof of identity when registering to vote. Upon so doing he or she is issued a voter card with varying types of identifying features or a voter registration receipt to present at the polls on election day. In most, although not all countries, this card is then the only document required in order to cast a vote. Therefore, the question of identity and identity documents is primarily at issue during the stage of registration, less so at the point of voting.

Among the countries in Africa there are a range of approaches to ensuring the identity of someone who applies to register to vote and who appears at the polling place. At the same time, there is also a surprising amount of overlap in the policies themselves and complications with their implementation. There seems to be tacit acknowledgment in many countries that circumstances demand some flexibility in the system in order to ensure that a maximum number of people are able to participate in elections.

Broadly speaking there are four categories of laws and guidelines in Africa for proof of identity in the electoral system:

1. A plurality of countries allow people to present one of a wide range of types of ID or witness testimony in order to register to vote and to obtain a voter card. Given that many countries have been in or are presently engaged in conflict, producing widespread displacement, that many suffer pervasive poverty, and that many people live in rural, remote areas lacking even minimal infrastructure, a good deal of governments by necessity allow citizens to prove their identity through several avenues. This group, representing the biggest share, allows for many different types of documents to be presented in order to register to vote, and if the applicant possesses none of these documents he or she may call upon witness testimony or the affirmation of a traditional leader as proof of identity instead. In balancing the benefits of a stricter system that could potentially limit some ineligible voting with the democratic principle of inclusion and enfranchisement for all citizens, for the time being many African countries have chosen to maximize participation. This is particularly true in the significant number of nations where the state of democracy is somewhat precarious and it is important to engage as many people as possible in the political system.

According to the research, the countries that allow for either one of many types of identity documents or third party attestation include Angola, Benin, Chad, Democratic Republic of Congo, Ethiopia, The Gambia, Ghana, Guinea, Lesotho, Liberia, Malawi, Mozambique, Namibia, Niger, Sierra Leone (where in fact no identification is required except upon request), and Sudan.

2. Four countries require one of a select few types of ID documents. This category includes Burkina Faso, Eritrea, Gabon, and Zimbabwe. It is not clear, given the present stage of the research, how governments decided upon the number or type of document nor how effective this type of system is.

3. ***Approximately six countries require a single document to prove identity, e.g. a national ID card.*** The six countries found through this research to currently require, at least in most circumstances, a single type of identity document, usually a national ID card, include Botswana, Cameroon, Kenya, Madagascar, South Africa, and Zanzibar[1]. As discussed, this system has advantages and disadvantages and appears to work more effectively in some countries than in others. It is a system that many governments aspire to, but the

[1] A semi-autonomous territory of Tanzania.

experience of certain countries suggests that it should be pursued carefully with much consideration given to its utility and the capacity of the state to implement it properly, and with plenty of preparation and planning time.

4. Approximately nine countries have laws that are extremely vague or have no laws or accessible regulations governing this part of the process. This group includes Algeria, Cote d'Ivoire, Mali, Mauritania, Rwanda, Senegal, Tanzania, Uganda, and Zambia.

PRELIMINARY ANALYSIS OF AFRICAN IDENTIFICATION LAWS

RECOGNIZING REALITY: FLEXIBLE IDENTIFICATION LAWS

Many African countries recognize that in a post-conflict and/or extremely poor country there are a great many people who will not have identifying documents; therefore, the only way to facilitate their right to vote is to allow multiple avenues for proving identity. While some argue that allowing a range of means to prove one's identity leads to confusion and the potential for fraud, this research found little evidence of major problems. The biggest concern in these more flexible systems is the use of tribal and community leaders to vouch for an applicant, as sometimes these individuals are partisan. However, there has been little concrete evidence of manipulation in this way.

As an example of these flexible regulations, in Liberia, the election commission's 2011 regulations provide that if the registrar believes an applicant is eligible the registrar shall register him or her and give him or her a voter's card. If the registrar is not certain he or she can require the applicant to provide one of the following:

1. The sworn testimony of two other registered voters who shall appear in person before the Registrar and confirm the applicant's eligibility to register;
2. A Liberian traditional leader who is also a registered voter shall appear in person before the Registrar and confirm the applicant's eligibility to register;
3. A valid Liberian passport;
4. A certificate of naturalization;
5. A birth certificate;
6. A certificate of renunciation of citizenship of another county; or
7. A 2005 voter registration card.[12]

The same system was used in 2005 and observers of both elections reported very few problems. There were no complaints, as might have been expected, regarding the use of witnesses or traditional leaders to attest to identity.

Malawi utilizes a similar identification scheme that, despite problems with other aspects of the registration and voting system, has met with success according to the Commonwealth.[13] The Malawi election law says that to prove eligibility one must show a passport, driver's license (even if expired), tax or marriage certificate, an employment identity card, an employment discharge certificate, a birth certificate, or similarly authentic document of identity; lacking these, one can use written, verbal, or visual testimony of the chief, a

village headman, a registered voter of the area, or the registration officer.[14] Our research did not reveal allegations of wrongdoing in this aspect of the process.[15]

The use of tribal and traditional leaders and other witnesses as a means of proving identification, such as in Sudan, can raise concerns regarding impartiality. For example, according to Democracy Reporting International, "The overwhelming majority of the Sudanese population has no identification papers. The NEC [National Election Commission] permits persons to be registered if two witnesses ascertain the identity and the age of a voter. There are concerns about the political impartiality of local administrative and traditional authorities, and whether they will be sufficiently objective during the registration of voters."[16]

In Zanzibar, when the government created a permanent electoral registration list and produced national ID cards in 2005, *Shehas* ("eminent persons within the community") were responsible for filtering the eligibility of applicants by either permitting or preventing access to the application centers based on their knowledge of a person. *Shehas* continued to have a great deal of influence in the 2010 election.[17]

The Gambia requires that a registration applicant present a birth certificate, a Gambian passport, a national identity card, a document certified by five elders confirming that the applicant is a citizen of The Gambia, or a document certified by the District *Seyfo* or an *Alkalo* (local chief and village head respectively) of the village of birth of the applicant stating that the applicant was born in that district or village.[18] According to the Commonwealth, "One of the more contentious issues amongst local stakeholders as regards the registration exercise is the Electoral Act's provision for 'letters of attestation' as suitable identification for voters to be added to the register. These documents are certifications of a given voter's claimed identity by community leaders, such as the District Seyfo or Village Alkalo. Some local stakeholders complained that because such officials were appointed, rather than elected, the system was open to abuse."[19] Although The Gambia is a country that now requires a single identification card, it provides another example of tribal influence.

Several African nations have decided that, given day-to-day realities, it works best to provide a range of avenues for identification and by and large these systems seem to work. As evidenced above, the biggest question raised is whether to allow tribal and community leaders to vouch for people. For the most part, however, this has been expressed merely as a concern rather than as a formal complaint. As with any system, this option allows for the possibility of political manipulation, but this does not seem to be a widespread issue.

COUNTRIES THAT REQUIRE A SINGLE DOCUMENT TO PROVE IDENTITY

Many political actors in Africa, including election management bodies, express a desire to move toward a national ID system for the purpose of voting and other transactions. There is nothing inherently objectionable about the concept of a national ID card. However, states should have the capacity to implement a national ID program in such a way that it does not cause disenfranchisement. It is unclear whether most states are in a position to do so, and the results are mixed among those countries that already have such systems. For example, in Kenya it reportedly takes two to six months to obtain an identity card.[20]

There are enough problems with existing national ID systems in Africa to date to at least advocate caution in the adoption of this model. First is the issue of ensuring that people have access to the national ID cards, that they have the necessary secondary documentation to obtain the cards and the logistical means to acquire them. In many African countries, people do not have these documents for a variety of reasons.

Infrastructure may be lacking, the remoteness of certain groups and poor travel conditions may prevent people from traveling to administrative centers to retrieve documents, or internal displacement due to conflict may have resulted in loss or destruction of documents. Some countries requiring national ID cards charge individuals for the card—what in the United States would be referred to as a "poll tax"—which presents a particular obstacle for the very poor. For example, Cameroon charges the equivalent of more than $14 US for an ID card. In 2011, however, to encourage registration in advance of the election the government lowered the cost to approximately $5.39 US[21] and ultimately made the cards free for the registration period.[22]

Even South Africa, which is considered to have a successful election management regime, has confronted difficulties over the use of a single national ID card. The introduction of the national ID system in 1999 was controversial, with opposition parties claiming it would cause the disenfranchisement of four million voters, mostly their supporters, who had not received the ID.[23] Even during the more recent 2008-2009 registration exercise, opposition groups alleged that "the Department of Home Affairs was withholding identity documents to deny its supporters the ability to register while giving identity documents to illegal immigrants."[24] Although "evidence to support these allegations was not produced,"[25] use of a single identification document created space for suspicions and allegations of political manipulation in their distribution.

Charges of political manipulation in the distribution of identification cards have also been made in Kenya. NDI noted a great challenge in the "perceived politicization of the issuance of national identity cards in order to deny certain groups' participation in the electoral process."[26] In Cameroon, there have also been allegations that a large number of people who registered never received their voter's card (as distinct from the national ID card but also necessary for voting) because of a deliberate policy by district officials of denying the necessary documents in some areas.[27]

While in theory it should be a legitimate option for countries to require all citizens to have the same identity document in order to vote, the capacity of the state to implement a national ID program in such a way that it does not cause disenfranchisement must be assessed. Most states in Africa do not appear to be in a position to implement such systems at this time.

COUNTRIES WITH VAGUE OR NO LAWS SPECIFICALLY ON IDENTIFICATION

Several African countries do not have laws that establish clear regulations for what identification documents are required to register or to vote at the polls on election day. This absence of rules can facilitate the perception of too much individual discretion among election administrators and poll workers to approve or deny someone's right to vote. Similarly, for some countries no laws could be found at all on the question of establishing identity. Either such countries are also giving wide individual discretion over the matter, or their rules are so lacking in transparency that they cannot be found even with substantial research.

Algeria, which held elections in May 2012, offers one example. International observation teams deployed in the country had difficulty finding any information, formal or informal, on what was required of citizens to register to vote or the identity documents required on election day. Algeria's 1997 election law states that upon entering the polling place the voter must present "any document regularly required for this purpose."[28] No further specifics are given. The 2012 electoral code reiterates this language and in another

section states that a voter registration card is issued by the *wilaya* ("district") to every registered voter on the voter list.[29] It goes on to say that the procedure for creating and issuing such cards will be defined by regulation—except no such regulation appears to exist.[30] The code also says that in the absence of the registration card the voter can still vote if he is on the list and can show a national identity card or other official document proving his identity.[31] The types of documents this would include are not specified. On election day in 2012, this lack of clarity was not observed to be a major problem, but it is unclear what transpired during the registration process because observers were not there to observe it.

In Uganda there appears to be no law or regulation that addresses the issue of proof of identity. There seems to be no identification requirement for registering to vote; one simply fills out forms. At the polling place the only requirement is that the voter be on the registration list.[32] Once again, this provides election administrators and poll workers with significant discretion. While administrators and poll workers do not appear to have abused this power systematically to deny the right to vote, it leaves the door open to at least the perception of manipulation.[33]

Another country with ill-defined laws and procedures is Cote d'Ivoire. In Cote d'Ivoire, a legal case before the African Commission on Human and Peoples' Rights alleges that minorities are routinely denied identification documents, preventing them from participating in the electoral process. The complaint states, "Even with proper proof of citizenship, the government denies '*dioulas*' benefits and services by creating obstacles to obtaining state-issued documents, such as passports, birth certificates, and identification cards. There have also been numerous reports of identification documents being confiscated, with ethnic and religious discrimination cited in most testimonies as the key motive."[34]

Having laws and regulations that are indecipherable, inaccessible, or nonexistent is an invitation to problems and is inconsistent with the basic principles of the rule of the law. It provides an opening for arbitrary implementation and decision-making by election administrators and can confuse voters and elections workers alike, leading to a potential lack of confidence in the election and its outcomes, as well as conflicts at the polling place.

OTHER LOGISTICAL AND IMPLEMENTATION PROBLEMS

Logistical and organizational challenges confront election administration around the world, no matter the level of development or stage of democracy of a country. In Africa, practical implementation can often be even more difficult given the conditions in some places. Such obstacles can include problems with equipment delivery, especially to rural and remote areas. For example, in 2008 in Mozambique there were problems with the delivery and quality of the equipment needed to conduct voter registration and issue cards, leading to breakdowns particularly in rural areas. Opposition parties alleged that more faulty equipment was delivered to areas where their supporters were concentrated.[35]

Problems with delivery of the voter identification cards themselves also occur, impacting the ability of people to vote. In Rwanda in 2010, shortly before the election, 500,000 registered voters had not received their ID cards.[36] In 2008, delivery of the cards continued right up to election day.[37] Shortly thereafter election authorities announced a contract with a British technology company to develop a multi-purpose smart card.[38] In 2011, Commonwealth observers in Cameroon noted that some Cameroonians appeared at

the polls who never received their voter cards.[39] As discussed, Kenya and Cote d'Ivoire have experienced many problems with the distribution of cards.

Finally, an absence of sufficient voter education, and consequently confusion among voters regarding what identification is necessary when they arrive at the polls, presents a significant problem. According to the Commonwealth, when voters appeared at the polling site during the 2011 elections in Cameroon without a voter card, elections officials sometimes allowed them to vote—at their discretion—as long as the voter's name was on the register and he or she presented a national identity card, creating confusion about the rules.[40] The International Foundation for Electoral Systems (IFES) reported during the 1997 elections that many Cameroonians were systematically denied the right to vote if they did not have a voter card, even though it was supposed to be discretionary.[41]

Logistical snafus, insufficient training, and a lack of voter education are problems in the most advanced democracies, under the best of circumstances. They can be a particular problem given the often more challenging environment in which elections are implemented in Africa.

NO ONE SYSTEM FITS ALL—BUT ALMOST ALL SYSTEMS LACK IMPLEMENTATION CAPACITY

Each country exists within a unique context that governments and elections officials, as well as the international community, must consider when establishing a framework for providing proof of identity in order to participate in elections. For example, whether a country has been recently or is presently engaged in some level of conflict could impact voter identification regulations. In such circumstances, more people will be displaced and often without official documents. Countries also have varying degrees of budget flexibility and international support to implement the electoral process. Some countries have well documented evidence of fraud and therefore understand issues of fraud within their particular context with some precision. For example, one country may have experienced manipulation during the vote counting process which the voter identification processes do not address, while another country may have experienced widespread participation of noncitizen or under-age voters, which would have different policy reform implications. Other countries may not have a serious problem with fraud or, they simply may not have accurate data on the subject. In addition, some countries may have a particular problem with porous borders where citizens of two or more countries travel freely back and forth, making citizen identification important during the voter registration process. Any combination of these issues can come into play when considering protocol for proof of identity. Moreover, country demographics vary, for example with regard to poverty levels, ethnic disparities, and literacy rates. These factors also need to be taken into account when establishing identification rules.

Ultimately, there is no one-size-fits-all solution. The solution must fit the problems that exist within a given system. Nonetheless, one general observation in Africa is that whatever voter identification process a country chooses, it must first ensure that it has the capacity to implement the process so that the maximum number of eligible voters are able to meet its requirements. For example, countries that believe that fraud is widespread and can only be addressed with a national ID system will have to take measures to ensure that all citizens have the resources, access, and ability to obtain the national ID promptly. If a country intends to make registration a two-step process whereby people register and then later obtain a voting card, the country should have the staff and equipment in place to carry out both stages of the process. States that wish to require the capture of biometric data in the registration and identification process must have the

funding, skills, training, and equipment to do so in a uniform and efficient way, which has not always been the case.

As an example, over the last several years the voter registration process in Cote d'Ivoire has been quite dysfunctional. In 2009, The Carter Center reported that the process continually was delayed due to factors overlooked in the original implementation plan. The technical teams for registration often found that many people came without the requisite documentation, especially in rural areas. As a result, people had to rush home to come up with the necessary documents. Unfortunately, as The Carter Center noted, "Local government offices were overwhelmed with the demand, were often distantly located, photocopiers were unavailable in rural areas, birth certificates were difficult to trace on the basis of existing identity cards, and applicants faced additional costs if they had to submit a judicial request to receive a birth certificate."[42] The Carter Center statement went on to say that "the public demand for the required documentation could not be met for several months, forcing people in the former rebel zone (CNO)[2] to await the arrival of mobile courts as well as the launch of the process to reconstitute civil registries.… Overall, the documentation requirements and practical difficulties of complying with the process may have excluded certain categories of the population, notably the poor."[43]

The European Union (EU) observer report from 2010 discusses the launch of a biometric registration phase in Cote d'Ivoire, conducted through a French legal company. "Technically complex and crystallizing the profound lack of confidence between the political parties, the voter registration phase was prolonged from six weeks initially planned and lasted 10 months."[44] The 2012 Carter Center report[45] was similarly critical of the complex procedures and last minute legal changes.

The government of Uganda launched a new photographic registry in 2001. When put into action in 2006, at least 2 million people were not able to obtain their ID cards. In 2010 the commission was better prepared but the president demanded that they begin again with a new biometric system using fingerprint technology, requiring everyone to register anew. Four million people registered, but their ID cards were never produced.[46] According to the Commonwealth Observer Group, although the law provides for the issuance of voter cards, the commission decided not to use them because they did not have the resources or time to issue them; therefore, the only identification requirement at the polling station was to have one's name on the registration list.[47] The country is still trying to implement the new biometric system, but as of 2011 only 400 cards were issued.[48]

Kenya, a country that requires the use of a national ID card for registration and voting, has also confronted capacity issues. A 2012 National Democratic Institute (NDI) report noted, "In July 2011, news reports indicated that approximately four million youth were in danger of disenfranchisement due to non-issuance of national identity cards. This was attributed to inadequate material resources to facilitate registration and to issue identity cards, which had resulted in the Ministry's suspension of issuing new national identity cards between January 2011 and July 2011. While the process has since resumed, it is believed that millions of youth remain under threat of disenfranchisement."[49]

Many countries develop systems without sufficient analysis of their ability to carry them out. This has frequently been the case in Africa where breakdowns in the system have led to voter disenfranchisement.

[2] Central, North, and West.

Whatever protocol a country decides to require for voting, it must first make sure it has the capacity to implement the process properly so that it does not exclude voters as a result of technical and logistical failures.

GOING FORWARD: BIOMETRICS AND TECHNOLOGY

Several countries in Africa have bought and applied expensive biometric technology to their voter registration process and to the production of voter cards. A few are undertaking such a process for the first time this year, such as Ghana. Transitioning towards biometrics, and increasingly complex technology, is the subject of discussion in many other countries.

While biometric technology is not the primary focus of this report, it is important to raise it here. The issue of using biometrics and other technologies at the possible expense of simpler and potentially more effective systems is widely discussed among elections experts, but not often in a public forum.

At a time when the primary focus of election administrators, elected leaders, and to some extent the international community is on strengthening voting security, the move towards increasingly sophisticated forms of biometrics, and other forms of technology, must be assessed in order to determine who might be excluded by such measures, especially in the short term. Universal access by the population to such biometric documents and the underlying documents that might be required to obtain them, as explored in a limited fashion in this report, is hardly assured.

Election management bodies should also consider whether biometric technology is worth the associated risks and costs relative to other possible improvements. Before continuing to pursue such products, countries should consider whether they have the capacity to manage the system properly, in such a way that it does not disenfranchise citizens. They should also consider whether the physical environment in their country—road conditions, climate, etc.—can support such systems. Given its expense, countries should remember that biometrics only addresses one problem: multiple voting. It does not address the myriad of other forms of fraud that can, and does, take place. Thus, officials must consider whether multiple registrations and/or voting are among the most serious problems the electoral system of a given country faces.

OVERVIEW OF LATIN AMERICA

Voter identification systems in Latin America are both simpler and more complex than in Africa. In nearly every country reviewed, a national identification card is used for voting, with only minor variations. This contrasts significantly with many countries in Africa where there are a number of avenues for proving identity in order to vote. In one way, this simplifies the process, as there is no confusion, or discretionary power, over what documents must be presented to participate in the process. On the other hand, for those who are undocumented or who face significant obstacles to obtaining documentation, this single ID system can limit participation in the electoral process.

In much of Latin America, citizens present a single document in order to vote. Only in a few countries can they present one of several documents. Like in some African countries, Latin American countries are increasingly moving towards using biometric or other technologies for voter identification at a substantial cost.

PRELIMINARY ANALYSIS OF LATIN AMERICA

Beneath the surface, the Latin American system is in some ways more complicated, at least for certain citizens, than in Africa. When voters can only use one document in order to vote a number of questions arise, including:

- Does everyone have the national ID card?
- What must one do in order to get the card?
- What other documents must a citizen present in order to obtain the ID card?
- What is the government doing to ensure that all eligible voters have, or at least have access to, the ID card?
- Who is responsible for disseminating the identification document and do they have adequate capacity to do so?
- Is the agency responsible for dissemination of the ID nonpartisan and neutral?
- Are some communities or people excluded from the political process because getting the identification document represents too high a barrier?

The truth is that while the single ID system works well in some countries where governments have devoted substantial resources to making it work, in many South and Central American countries a considerable number of citizens are disenfranchised as a result of this system for a number of reasons. Primary among these reasons is the significant number of people who lack documentation entirely, including birth certificates, which tend to be a necessary prerequisite to obtaining the national identity document needed to register to vote. The majority of the undocumented are indigenous, poor, rural, and among the youth, as well as people who have been displaced due to armed conflict. In Latin America, there are millions of undocumented people who cannot even start the process of registering to vote. They must first overcome oftentimes difficult barriers, including foremost obtaining a birth certificate, which can be very complicated, before they can register to participate in elections.

Honduras presents an example of how a complex process can thwart citizens from becoming documented. In Honduras a person who was not registered at birth will have to apply for a birth certificate in order to get the national ID card. In order to do so, one or both parents must fill out a birth registration form at a civil

registry office in the municipality where the birth took place.[50] For births that took place in a hospital, one or both parents must provide a medical certificate for the birth as well as their own identity card.[51] For children born at home, the midwife, or any other person who attended the birth, must provide the birth report.[52] That report must contain, among other information, "the midwife's name, the number of her identity card, her place of residence, her signature confirming that she was the person in charge during the birth, and photocopies of the identity cards of two witnesses."[53] These requirements present an array of potential obstacles: the parents may not have identity cards; travelling to the municipality may be a hardship; the midwife may not have an identity card; and so on.

In these cases, it is reasonable to question why governments do not make the process simpler so that more people can access it. The role of political motivations, or at the very least a kind of political negligence, cannot be excluded when certain constituencies are systematically disenfranchised. Politicians around the world tend to favor preserving the electorate that elected them.[54] In any case, to understand the state of democracy in Latin America, one must step back and examine broader societal developments with regards to documentation, identity, and marginalized communities.

For citizens who may have documentation, the cost of the national ID card and/or the indirect costs such as travel to urban centers can be impossible barriers to overcome. As is the case in some African countries, certain Latin American countries simply do not have the capacity to register voters and issue identity cards in a timely manner, consequently disenfranchising people. Finally, in a few countries there are reports that distribution of the cards is politically manipulated and voters who might oppose the incumbent administration are denied identity documents or have their ID cards taken from them or bought.

It is important to note that along with the few countries where the system has worked relatively well there are some countries, such as Peru, that have undertaken substantial efforts to improve the process, especially with respect to addressing the problem of undocumented citizens.

As in Africa, the bottom line in Latin America remains the same: whatever the system for determining voter identity a country decides to mandate, it must commit the resources and have the capacity to implement the system such that it is inclusive of all of its citizenry.

PROBLEMS WITH THE NATIONAL ID SYSTEM IN LATIN AMERICA

THE UNDOCUMENTED

The Indigenous: Across Latin America there are millions of citizens who are unable to even begin the process of registering to vote because they do not have the underlying documents required to register, such as a birth certificate. Furthermore, obtaining these underlying documents, let alone the voter ID itself, can be arduous and at times expensive given the poverty that many people live in.

The largest population lacking documentation is the indigenous. Throughout Latin America there are huge numbers of indigenous with no identifying documents whatsoever. In Ecuador, as of 2007, the civil registry estimated at least 1.5 million unregistered citizens, about 10 percent of the population, mostly among the

indigenous population in the Amazonian provinces; 500,000 were of voting age.[55] In 2009, again the Civil Registry estimated that roughly 500,000 qualified voters, primarily from the Amazonian indigenous people, were not registered.[56]

The Inter-American Development Bank (IADB) estimates that 10 percent of Guatemalans lack any documentation, including birth certificates, while 40 percent of indigenous Guatemalans are undocumented.[57] Some analyses conclude it could be as much as 50 percent among rural indigenous, especially women.[58] A few Guatemalan experts estimate that approximately one million Guatemalans lacked identification in the last election.[59] In Bolivia the 2001 census found that nearly 10 percent of Bolivians had no identity documents, while the National Police, who are responsible for disseminating ID cards, estimated 30 percent.[60] Other reports claim percentages of undocumented in indigenous communities as high as 50 percent, in a country where 62 percent of the population is indigenous.[61]

The Displaced: Many Latin Americans are undocumented because they were displaced during civil conflicts and their documentation was either destroyed, left behind, or lost. Among these, Guatemala and Colombia stand out. In Guatemala, the war caused the displacement of between 400,000 and one million people.[62] The issue of lost documentation reached such an extent that it was discussed in the peace agreements, specifically in the Agreement of the Uprooted Population Groups.[63] The Temporary Law on Personal Documentation, which was originally meant to take effect from 1998 to 2001 but was extended to 2003, was an attempt to make issuance of ID cards more flexible, in recognition of the difficulty those affected by the armed conflict would have in getting the ID under existing rules.[64] It was not sufficient.[65]

Between 2000 and 2011, the Colombian government reported around 3.6 million internally displaced persons.[66] According to the independent Observatory on Human Rights and Displacement (CODHES), between 1985 and 2011, the figure reached 5.2 million.[67]

The Rural Poor: It is not surprising that the combination of poverty and living in a rural or remote area is highly associated with a lack of documentation. For example, in Bolivia research shows that poverty is the biggest factor associated with lack of documentation.[68] With respect to Ecuador, the EU has reported that the undocumented population "is located in remote, non-accessible areas along the borders with Peru and Colombia, as well as in certain areas of the coastal provinces… Since the Civil Registry offices are located in provincial and cantonal capitals, citizens living in rural and remote areas have fewer possibilities to register."[69] In Nicaragua, the EU reported that it is particularly difficult for indigenous populations, who tend to have higher rates of poverty and illiteracy and tend to live in remote areas, to obtain identity cards.[70]

The Cost Problem: Another significant issue impeding voter registration among the poor is the direct and indirect costs associated with registering and obtaining documents. For example, although Peru is a country that has improved its documentation of citizens, until recently many citizens have not had documents because areas surrounding remote villages lacked the government offices where such documents are issued, and residents had to devote considerable time and resources to get to an office. The Ministry of Economics and Finance found just a few years ago that,

> The population living in poverty or extreme poverty is not in a position to assume the costs that are really necessary when completing all the processes to have personal documents issued. In this sense, getting a birth certificate is free, but it is impossible for this population

> to afford the expenses involved to travel to the nearest health post and request a birth certificate, and for this reason birth certificates cannot be issued massively. For this same reason, this part of the population does not always register births, and registering the children later on is impossible for them because it can cost between S/.5.00 [$1.96 USD] and S/.50.00 nuevos soles [$19.63 USD] in some municipalities. The possibility of acquiring a DNI later on entails a registration cost of S/.23.00 nuevos soles [$9.00USD], a rather high cost for the aforementioned sectors since it represents 20% of their per capita monthly income.[71]

In Ecuador, where 37 percent of the population lives on $2 per day, ID cards cost approximate $2.[72] In one province, the ID costs $10.[73] Similarly, in Brazil many poor, rural people do not have the money to get to the county seat to register.[74] In Colombia, the government has sent out mobile units to register people, but with a few exceptions they must travel on their own to an urban center to pick up the finalized ID.[75] In some areas the only way to travel is on the river by boat, a complicated and expensive means of transport. Moreover, it can be dangerous to travel given the ongoing conflict in some areas.[76]

Latin American countries that charge some amount at some point in the process include Argentina, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Panama, and Peru.

LACK OF CAPACITY

Even those citizens in Latin America who do have documents can be disenfranchised because of the inability of the election management bodies to carry out the registration process, produce the identification cards, and/or distribute the identification cards. Like Africa, although to a lesser extent, lack of capacity and competence has led to voter disenfranchisement.

Honduras represents a rather dramatic example. The process of obtaining an ID card can take between four to six months.[77] The National Registry of Persons (RNP) reportedly has one million ID cards that have not been distributed; people have tired of continually returning to RNP offices to find the card not yet available and therefore have stopped trying. The problem is that the RNP only prints cards one day a week; the printer is so old that this is all it is capable of.[78]

In Guatemala, the plan in 2007 to re-register the entire population was badly mismanaged, a fact that was compounded by outright corruption.[79] In 2011, many Guatemalans did not have the new ID card before the vote took place.[80] Some people did not pick them up, some went only to find the cards not ready, and some found that the cards contained mistakes.[81] As a result, the Congress was compelled to amend the law to extend the validity of the old identity cards through January 2013.[82]

POLITICAL MANIPULATION

As evidenced by several African countries that utilized a single identity document, this method does opens the voter registration process to potential manipulation of the vote through the ID distribution system. In both Argentina and Mexico,[83] there have been allegations of people suspected of being aligned with the opposition being paid to give up their voter ID card so that they cannot vote. In Argentina, there have been reports of politicians taking away the ID cards of poor, indigenous Argentineans to ensure that their vote cannot be recorded.[84]

In 2012, during the most recent Mexican election, "Candidates' supporters allegedly… sought to 'borrow' the voting credentials of people planning to vote against them for a fee, returning them after election day. The elections institute ran ads during the 90-day campaign reminding voters that such practices are illegal."[85] In El Salvador, EU observers in 2009 reported suspicions that mayors manipulated the process by issuing birth certificates to foreigners who could then get the national identity card and vote in favor of the mayors' partisan interests.[86] The EU also noted that "the RNPN [National Registry of Natural Persons] has contracted a private company to manage the issuing of DUIs, a measure that has been criticized by various political actors as it introduces commercial interests in the handling of a fundamental and obligatory document, which, as such should, be free of charge."[87] Instead, the ID costs more than $10 USD.[88] In Venezuela, the International Crisis Group reports that in advance of the 2012 elections, "opposition-allied civil society groups" complained that registration centers have been disproportionately located in pro-Chavez areas.[89]

The most egregious politicization of the process of issuing identity cards has occurred in Nicaragua (described in detail in the case studies offered in the appendices). Several international and domestic election observation organizations have documented that the ruling party, the Frente Sandinista de Liberación Nacional (FSLN), and its associates control the distribution of identity cards and that thousands of Nicaraguans have been disenfranchised through the manipulation of national ID cards.[90] In the 2011 election citizens identified as supporting the opposition were denied identification cards while the distribution of ID cards was actually run out of FSLN offices much of the time.[91]

COUNTRIES THAT ARE SUCCEEDING AND COUNTRIES THAT ARE IMPROVING

As is evident, many countries that require a single identity card to vote wittingly or unwittingly disenfranchise some segments of their citizenry. While the idea of requiring a national identity card may be popular among governments, in some places little attention has been paid to the number of people excluded by such a process. Governments provide varying levels of resources and responsiveness to combat documentation issues among their populations.

On the other hand, while no country has implemented the national identification system perfectly, there are a few who do it well by providing the requisite funding, staffing, and training to make it work. Peru in particular has taken substantial steps to improve the process and to ensure that more Peruvians are able to participate in the system.

COUNTRIES WHERE THE ID SYSTEM WORKS EFFECTIVELY

Panama is a country that has carried out the registration and identification system well. Primarily this is because in Panama virtually everyone is entered into the civil registry at birth and issued a birth certificate and an identity number at that time.[92] Such an accomplishment is possible because approximately 95 percent of the population is born in a hospital.[93] Upon turning eighteen, Panamanians must petition the Electoral Tribunal (TSE) for a national ID card (known as a "cedula de identidad");[94] upon receiving it they will be added to the voter registration list automatically. The national ID card is required to vote.[95] With respect to those Panamanians who are undocumented, who were not registered at birth, the state has undertaken major efforts to get them documentation. The state also does a great deal to publicize the voters' list so that if someone is not included on it or his or her information has changed (e.g. address) she or

he can make sure the appropriate information is included on the list.[96] The TSE campaigns using the media and the internet; in new housing developments, shopping centers, and transportation hubs; and by including notices in payroll checks and electricity, telephone, and water bills.[97] According to the president of the TSE, the Tribunal also campaigns in "traditional Panamanian handicraft fairs throughout the country and tours isolated places in the country with the voters list."[98]

Similarly obtaining the ID card in Chile is not a problem. The IADB has found that Chile has the highest birth registration rate in the hemisphere—nearly 100 percent.[99] The Office of the Civil Registry and Identification (SRCEI) has a presence in most maternity wards in the country.[100] Newborns are given a unique identification number referred to as "the RUN,"[101] which will appear on all identity documents, including the national ID card, and will be used for voting purposes when the person reaches voting age.[102]

In Mexico, reports show that 95 percent of Mexicans are registered to vote.[103] The system in Mexico is widely commended; however, it must be noted that the process there is extraordinarily strict, which does lead to some voter disenfranchisement. For example, citizens must present three different types of identification to obtain the national ID card required to vote, including a birth certificate, photo identification, and proof of residence.[104] Deadlines are also difficult: the Instituto Federal Electoral (IFE) itself acknowledged in 2012 more than one million Mexicans might be disenfranchised for failure to renew their identity documents as of the deadline, yet refused to extend the deadline.[105] Nonetheless, Mexico is able to achieve generally positive results because of the substantial effort and resources it puts into ensuring that registration is accessible throughout the country. In the period leading up to elections, the government sets up registration and renewal campaigns targeting voters whose voting credentials are about to expire and for young people soon to turn 18.[106] During these campaigns, the government opens additional offices, sends mobile offices able to provide same-day credentials to remote areas, and ensures that existing offices stay open Saturday and Sunday.[107] It also hosts birth registration awareness campaigns for women and midwives to encourage them to report the births of children ages zero to 15.[108] In 2010 there were 180 offices (both fixed and mobile) staffed by 80 agents, which registered at least 2.5 million births.[109]

A COUNTRY IMPROVING

Peru is a country that has experienced an enormous problem with lack of documentation among its population. As detailed in the case studies, its election management body, working with international institutions, has undertaken major efforts to reach out to the undocumented to register them and provide documentation. It has undertaken operations in the most isolated regions of the country to reach its poor, remote, indigenous communities.[110] Unlike many countries in Latin America, Peru has confronted the problem of the undocumented openly and aggressively, and has been increasingly successful in making its identification system work.

COMPARATIVE ANALYSIS: AFRICA AND LATIN AMERICA

When it comes to the potential for disenfranchisement as a result of voter identification laws and procedures and their implementation, in many respects the problems and challenges that Africa and Latin America confront are the same. Similarities between the continents include the problems of large-scale undocumented populations; a lack of resources, training, skills, and capacity; political manipulation of the process; poverty; and the challenges of remote, rural populations. Yet when it comes to responding to those challenges, the regions are extremely different. The differences lie in the solutions constructed to meet these challenges. In Latin America, the solution has almost uniformly been to erect a national ID system. On the other hand, African countries have implemented a wide range of responses and offered greater flexibility with respect to identification requirements.

What is not known from the research in this report is how the two regions compare and contrast with respect to levels of fraud, and perhaps more important for present purposes, what types of fraud are most prevalent in the regions. Is impersonation fraud—the type of fraud a very strict ID system would help address—a major problem, and if so, where is it most common? This knowledge is needed to fully complete a comparative analysis of the two continents and to measure how effective and necessary various procedures are in the countries that have been studied.

A comparative analysis of these two regions raises as many questions as it provides conclusive findings. Further research is needed to determine what lies beneath the similarities and differences, looking at such factors as history (including colonial history), culture, demographics, armed conflicts, and economics (in terms of poverty and inequality), among others. Some of the issues that go beyond the purview of the present research are raised for further consideration.

SIMILARITIES

African and Latin American countries in many cases confront the same problems with respect to providing access to identification documents necessary to take part in the democratic process. These similarities can fit into a handful of categories, including: the issue of undocumented persons, a lack of capacity to implement a system, political manipulation of the process, the costs to potential voters of obtaining identity documents, and incorporation of biometric technologies.

UNDOCUMENTED PERSONS

Among the sampling of countries from both continents examined here there are large numbers of citizens completely lacking any identifying documents. The reasons for this generally transcend the two regions.

Both continents have huge numbers of displaced people due to armed conflict. Whether a given conflict took place some years ago or is ongoing, internal or international, armed conflicts generally result in displacement whereby people frequently lose their belongings, as well as their roots in a particular location. Lack of documents may be an issue even if the displacement has continued for a considerable length of time. In some parts of Africa, this has led to the absence of any documents at all, whereby even in the more flexible systems obtaining a voter card will likely present more of a challenge. In South and Central America displacement might mean the loss of the underlying documents necessary to get a national ID card, such as a birth certificate, or of the national ID card itself.

Similarly, both continents suffer great poverty, although it is deeper and more pervasive in Africa.[111] Poorer people are far less likely to have documentation. Lack of education and literacy, and the lower likelihood of hospital births, among the poor also play a role in this regard.

Both regions have large ethnic minority and indigenous communities. As detailed, these populations are far less likely to possess identity documents than other populations. To some extent this reality correlates with poverty, as well as the rural and remote nature of the regions that some of these groups reside in, where it is difficult if not impossible to access government services. This was reported more extensively with respect to Latin America, but is also the case in African nations.

As a result, both continents have significant populations that are undocumented and may be otherwise marginalized. Some of the countries with large numbers of undocumented citizens according to this research include Bolivia, Cameroon, Colombia, the Democratic Republic of Congo, Ecuador, Guatemala, Liberia, and Nicaragua. In most cases being without documentation can preclude, or at least render extremely difficult, participation in the electoral system.

LACK OF CAPACITY

Countries on both continents suffer a lack of operational capacity to carry out voter identification systems. This applies among typically African systems, whereby one can present multiple types of ID to register but must receive a voter card in order to vote, and to systems in Latin America, where citizens must obtain a national ID card and frequently must also actively register to vote. There are a few Latin American countries that do seem to carry out their systems effectively, however. Countries on both continents that have experienced particular limitations to their capacity leading to disenfranchisement of potential voters include Cote d'Ivoire, Guatemala, Honduras, Mozambique, Rwanda, and Uganda.

POLITICAL MANIPULATION

On both continents there are a number of states where the identification process is, allegedly, politically manipulated. In some cases ID cards are not distributed or access to ID cards for opposition voters in certain areas is made difficult. In other cases the distribution of ID cards has been managed in a partisan manner, for example through party offices. We noted complaints of such corruption in Argentina, Cameroon, Cote d'Ivoire, Kenya, Mexico, South Africa, Venezuela, and—most particularly—Nicaragua.

COSTS

There are countries on both continents that charge for some aspect of the process of obtaining identification. While this is not the norm, it is the case in a substantial number of nations. In most cases the fees are fairly low, yet they still present a barrier to the impoverished. Most Western observers would be critical of such fees because, to use a common American term, it represents a "poll tax"—a potential barrier to equal access to political participation. Countries that charge some amount at some point in the process include Argentina, Cameroon, Chile, Costa Rica, Ecuador, El Salvador, Guatemala, Honduras, Kenya, Mexico, Panama, Peru, and Senegal.

MOVEMENT TO BIOMETRICS

One final likeness across both regions is the allure of biometric technology for both the voter registration process and to be embedded in voter identification cards. Many political and election administration leaders on both continents have expressed a desire for biometrics and in some cases have infused, or are in the process of infusing, their registration and documentation systems with biometric technologies.

It is unclear what precisely is driving the move towards biometric technologies. As mentioned, biometric technology is expensive, requires training and sufficient staff to implement, and necessitates that all the citizens at some point re-register and/or get the new card.[112] Are politicians truly moved by the desire to address duplicate registration and voting or is there some other political interest that drives them? What outside pressures exist? Perhaps technology companies or the international donor community have taken action that is facilitating or accelerating the race to biometrics. It is still unclear whether biometric technologies are the most efficient use of resources given the particular problems individual countries in Africa and Latin America confront. In some cases increased use of biometrics may make sense; in others it may only address a less urgent problem. These issues require further exploration.

There are countries in both regions where biometric technology is being used in fits and starts, including Bolivia, Cameroon, Colombia, Cote d'Ivoire, Ghana, Guatemala, Venezuela, and Uganda.

DIFFERENCES

The differences between the two regions lie primarily in how they have decided to approach the challenges inherent in voter identification procedures in societies that face many socio-economic problems. Many African countries have decided to err on the side of greater inclusion and to encourage participation by making it easier for people to obtain identify documents and to register to vote when they might not otherwise have been able to do so under a stricter system. By and large, this research did not unearth significant controversy around this system in most states. There seems to be an implicit recognition that there really is no choice if a government seeks the legitimacy that a robust voting process can bestow. Although there have been widespread complaints about fraud in the electoral system in Africa, this research did not expose many complaints about the identification process in particular as a cause of those problems.

By contrast, most Latin American countries have resolved to implement a system in which one must obtain a national ID card or some equivalent in order to register to vote. While this is not inherently a bad idea, the trouble lies in how such regimes are implemented. Logistical shortcomings and a lack of flexibility have in some cases led to significant disenfranchisement. What is not known at this juncture is whether significant fraud has been thwarted as a result of the system, which would make an assessment of these policies more complete.

One other notable difference is that no Latin American country has a process for identification that is so vague as to be indecipherable; every country has some accessible laws and procedures that address the issue. By contrast, a number of African countries have extremely opaque and confusing laws or occasionally no accessible laws or regulations at all governing the voter identification process, allowing great discretion among election administrators and the potential for confusion for all involved. This difference may reflect where different countries fall along a spectrum with respect to the development of democratic systems.

These findings lead to a number of interesting questions, beginning with why the two continents have gone in such different directions on this issue. One can speculate on a few possibilities. For example, it could be

that African leaders are more focused on maximizing participation than on risking disenfranchisement through narrowly defined identification rules. This perhaps could be because in some African countries the future functioning and stability of the country, particularly in terms of democracy, is more precarious.

The strong presence in many African countries of tribes and tribal leaders must also be considered. Given the number of countries on that continent that allow a tribal leader to vouch for the identity of a citizen, an option which is nonexistent in Latin America, it is clear that the role of tribes and ethnic groupings and their levels of authority and influence varies between the two continents. Different colonial histories and legacies of former political systems may also influence how systems are constructed today.

Another possibility is that African leaders may intend to implement systems similar to those in Latin America but simply lack the resources and capacity to do so. Recent and ongoing armed conflicts may make contemplating such an overhaul extremely difficult.

These various differences beg the question of whether there is variation in public confidence in the system, and in election management bodies in particular, affecting policy choices. The particular types of fraud affecting a given country also dictate policy and legal responses. All of these queries demand further investigation.

What is not known from the research in this report is how the two regions compare and contrast with respect to levels of fraud, and perhaps more important for present purposes, what types of fraud are most prevalent in the regions. For example, is impersonation fraud—the type of fraud that a very strict ID system would help address—a major problem, and if so, where is it most common? This knowledge would help complete a comparative analysis of the two continents and measure how effective and necessary various procedures are in the countries that have been studied.

To some extent, a comparative analysis of these two regions raises as many questions as it provides conclusive findings. Further research will expose more about the similarities and differences, looking at such factors as history (including colonial history), culture, demographics, armed conflicts, and economics (in terms of poverty and inequality), among others. We have raised here some of the issues that go beyond the purview of the present research for further consideration.

VOTER IDENTIFICATION REQUIREMENTS AND INTERNATIONAL PUBLIC LAW

Article 21 of the Universal Declaration of Human Rights states, "The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage…"[113] Thus, a crucial question when analyzing a state's democratic system under international law is whether it affords universal and equal opportunity to participate in the electoral process. This is a broad mandate that all nations should aspire to but few meet fully , including those under review here. Almost every legal framework, electoral process, or public outreach program is flawed or falls short of total universality and equality in some way. Thus, universal and equal suffrage is understood to mean that the electorate should be as inclusive as possible.[114]

Many other international legal documents, in particular the ICCPR, speak to the issue of voter identification in the electoral process more specifically. These documents can aid in judging the degree of a country's compliance with international norms. Assessing whether the laws and practices in the countries described in this report are meeting the standards set out by these instruments can be challenging, however, given the dilemmas of defining common terms and deciding from among multiple possible interpretations. Nonetheless, some observations can serve as the basis for further discussion.

Internationally recognized voter identification requirements can be categorized into the following basic standards that countries must meet in order to fully comply with the most relevant international instruments: (1) any conditions which apply to voter registration and other electoral processes should be based on objective and reasonable criteria, and only reasonable restrictions may be applied; (2) obstacles to registration should not be imposed; (3) there should be no discrimination in the law or the process on the basis of race, color, sex, language, religion, political or other opinion, national or social origin, property, sexual orientation, physical ability, birth, or other status; (4) there should be no "abusive interference" in the process; (5) governments must take measures to ensure that displaced persons can replace lost or destroyed identity documents that proves their citizenship; (6) states must take active measures to ensure that citizens are able to vote and to facilitate the process of registration, including the identification process; (7) potential voters should have the ability to verify the accuracy of their personal data; and (8) an effective remedy for a violation of electoral rights should be available.

Most countries are bound to fail to meet at least one—if not several—of these criteria. However, a few nations stand out from this research because they by and large meet the standards, most typically because they put substantial resources into ensuring that citizens have documentation or have established a scheme that provides sufficient flexibility to be inclusive without incurring any evident significant fraud. Panama, Chile, and Peru fall into in the first category. In the second category, examples might include Malawi, Liberia, and Ghana.

REASONABLE AND OBJECTIVE CRITERIA

Within international law, the question of what constitutes a "reasonable" restriction on the enjoyment of a right is always difficult. In the case of this research, we are further restricted by the absence of data on the degree and type of electoral fraud that may be occurring in these nations. To some extent, the reasonableness of the identification regime should be examined in relation to the problems that the country has experienced.

For present purposes, reasonableness will be assessed on the basis of outcomes—to what extent the citizens of a country appear to have problems with identification requirements. In other words, a country's laws and practices would be considered reasonable if they maximize participation and minimize fraud given the particular political and historic background and cultural environment of that country.

The flexibility employed by many African countries usually helped these countries to meet the reasonableness standard as assessed by the outcomes test. These more flexible regimes also are based on objective criteria: they take into account the lack of documentation among the population and try to facilitate the participation of a maximum number of citizens (although again this does take into account whether the state has made its decisions based also on the level and type of fraud that may exist). Clearly, the countries that have vague or no apparent laws regarding identification procedures should not be deemed reasonable. As described in the report, to the extent that people in countries like Cameroon or Kenya are unable to obtain the single identification card required to register to vote, the laws cannot be judged reasonable even if based on the reality of the country's capacity or environment.

Most countries in Latin America require a national identity card. In many countries this requirement is arguably unreasonable because not all citizens have access to that card or the state is unable to competently disseminate such a document. However, there are countries under review here that have such a requirement and are able to meet the standard because they have invested significant resources in order to make the system work. They have been able to achieve high levels of inclusivity by ensuring an overwhelming majority of the country has true access to the necessary documents in order to participate in the electoral process.

OBSTACLES

A prohibition on erecting obstacles to participation through a voter identification system must include not only those occasions when governments may purposefully try to erect unfair and unnecessary obstacles, but also those instances when through sheer lack of competence or capacity the state disenfranchises citizens by making it impossible for them to acquire the identification required to vote. Interpreted in this way, a majority of the countries included in this study struggle to meet this requirement. Charging a fee for any aspect of obtaining identification can be considered an obstacle to participation. Other examples would include major delays or complete failures in delivering identity documents, erecting complex systems for obtaining the identification—such as requiring repeated in-person visits or multiple secondary documents, or a lack of clarity regarding the requirements. Many of the countries included here have experienced these types of problems to the detriment of their citizens' ability to vote and the fairness of their electoral systems.

DISCRIMINATION

International law does not allow discrimination in any aspect of the voting process, including in the process of proving one's identity.[115] In Africa and Latin America, while most of the laws regulating voter identification and registration are not blatantly discriminatory, there is pervasive de facto discrimination, most particularly against ethnic minorities and the poor. Throughout Latin America in particular the system discriminates against indigenous peoples who often live in more remote regions, do not have birth certificates, and may speak a minority language. Requiring a national ID card in countries where no serious attempt is made to provide such communities with birth certificates and/or other identity documents or to

send mobile units to register and document these groups, could be considered a violation of the mandate against discrimination in the voting process.

Charging a fee for any part of the process—directly or indirectly—is also discriminatory. While the direct fees can seem insignificant, in some instances they represent a sizeable percentage of a poor person's income. Indirect fees, such as requiring people to travel long distances to apply for and obtain identification documents are also relevant and can be discriminatory.

INTERFERENCE

The UN Committee on Human Rights interprets Article 25 of the ICCPR to include a prohibition on any "abusive interference" with registration or voting, as well as intimidation or coercion of voters.[116] The most obvious form of abusive interference in the process of identification is when governments manipulate the process for political purposes and deny documentation to certain groups and not others. There have been allegations of this in a handful of countries, and fairly definitive evidence of it in Nicaragua. In Nicaragua the ruling party controls the distribution of identification documents and has been known to refuse such documents to citizens believed to be supporters of the opposition.[117] Such actions clearly violate an international standard prohibiting interference or intimidation in the voting process.

Additionally, in a couple of countries there have been concerns about village or tribal leaders maintaining too much power over the registration process, especially in places like Zanzibar[118] and The Gambia.[119] Village or tribal leaders there are perceived as gatekeepers to the process who possess too much arbitrary discretion. Such influence also potentially constitutes a transgression of the principle of non-interference.

INTERNALLY DISPLACED PERSONS

Internally displaced persons who lack necessary identification documents are a major concern on both continents and countries have undertaken various efforts to address the issue. The African Union Convention for the Protection and Assistance for Internally Displaced Persons in Africa (the "Kampala Convention") requires states to take measures to ensure that displaced persons can acquire or replace any documentation that proves their citizenship.[120] Principle 22 of the UN Commission on Human Rights Guiding Principles on Internally Displaced Persons states that "internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights… (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right…."[121]

Several countries under review do not comply with this requirement. The Democratic Republic of Congo has been singled out as implementing a process that made it impossible for Internally Displaced People (IDPs) to obtain replacement documentation.[122] In Guatemala, up to one million citizens were displaced by the conflict; many of these citizens still are without the necessary documentation to vote.[123] On the other hand, Peru actively assists people displaced during its conflict to obtain the documents that they require to participate in the electoral process.[124]

ACTIVE STATE PROMOTION AND ENGAGEMENT

The U.N. Comment to Article 25 declares, "States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated…."[125] This obligation requires states to take active measures to ensure that eligible citizens have the identification they need to register and to vote.

The comment also states, "Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community."[126] Some of the countries under review in this research have made an effort to undertake registration campaigns that include providing citizens with documentation and conducting voter education on the identification requirements. Reports indicate that in its most recent registration exercise Ghana made quite extensive efforts to promote and ensure participation.[127] Panama has been very strong in ensuring widespread documentation, and has also publicized the voters' list in a wide variety of venues and informed people of the need to check this list.[128] Mexico also does a great deal to ensure that people at least have the opportunity to obtain an ID card and register through its use of campaigns, including birth registration awareness campaigns, and mobile offices.[129] Venezuela has made efforts through mobile units[130] and, as indicated, Peru has taken major strides to expand the reach of its registration and identification services.

As outreach campaigns were not a major component of the process studied for this report, it is particularly difficult to know with certainty which states are failing in this regard. However, it could be argued that those countries in Africa that have extremely opaque or no laws or regulations on the subject of proof of identity are unlikely to be conducting vigorous education campaigns.

FUTURE RESEARCH AND CONCLUSIONS

Requirements for proving identity to register to vote and to vote at the polls vary a great deal depending on numerous factors, including a country's political situation, the capacity of its government to implement a given system, the environment, cultural factors, history of conflict, and poverty levels. Laws and policies governing proof of identity in the voting process can have a major impact on the ability of citizens to register to vote and to cast a ballot. At times such regulations can be helpful in facilitating the process and increasing confidence in the electoral process, but too often they also cause substantial disenfranchisement, especially among certain communities. Discussion and research in this field has tended to focus on how identification systems can be used to prevent certain types of voter fraud. What has been omitted frequently from this dialogue is whether these policies are also serving to exclude portions of the population from participating in the electoral system. This study represents an initial effort to further explore this issue and to offer some analysis of the relative value of voter identification requirements vis-à-vis the delicate balance between fraud prevention needs and facilitating greater participation among potential voters.

There is much more work to do in this area. First and foremost, it is necessary to conduct more in-depth case studies, which would further explore (a) what is actually occurring on the ground, not simply what is written in the laws and procedures; (b) how decisions regarding identification requirements are made and who makes them; and (c) what factors are taken into account in determining how the identification process should work, such as whether the state has sufficient capacity to implement a system and what responses will address the particular types of fraud affecting a given country.

Other areas for further study include the relationship between undocumented populations and the voting process; ways in which identification requirements may discriminate against women; and the fairness and effectiveness of having tribal and village leaders play a major role in the process of identification. It is also extremely important that the increased push towards use of biometric technologies in creating identification documents and registration systems be further examined in order to examine the ways in which they may be helping or harming state compliance with international standards for universal and equal suffrage.

While this research has focused on the continents of Africa and Latin America, there is tremendous value in also examining the laws and procedures in other regions of the world. Further regional research would illuminate additional types of identification requirements and procedures and the challenges they present to ensuring a fair and inclusive voting process.

Finally, such research initiatives will ideally result in the development of more universal recommendations, models, or a specific set of principles that states can consult when determining what proof of identity requirements to require and how to ensure that all eligible citizens are able to meet these requirements.

TERMS AND ABBREVIATIONS

AU	African Union
CEM	Consejos Electorales Municipales / Municipal Electoral Councils (Nicaragua)
CIN	Cedula de Identificación Nacional / National Identification Card
CIS	Commonwealth of Independent States
CNE	Consejo Nacional Electoral / National Electoral Council
CODEO	Coalition of Domestic Election Observers (Ghana)
CODHES	Consultoría para los Derechos Humanos y el Desplazamiento / Observatory on Human Rights and Displacement (Colombia)
CSE	Consejo Supremo Electoral / Supreme Electoral Council (Nicaragua)
DNI	Documento Nacional de Identificación / National Identification Card (Peru)
DPI	Documento Personal de Identificación / Personal Identification Document (Guatemala)
DRC	Democratic Republic of Congo
EISA	Electoral Institute for Sustainable Democracy in Africa
EOM	Election Observation Mission
EU	European Union
FELMAUSA	Federation of Liberian Mandingo Association of the United States of America
FSLN	Frente Sandinista de Liberación Nacional (Nicaragua)
IADB	Inter-American Development Bank
ICCPR	International Covenant for Civil and Political Rights
ICG	International Crisis Group
IDP	Internally Displaced People
IED	Institute for Education in Democracy
IFE	Instituto Federal Electoral
IFES	International Foundation for Electoral Systems
IPADE	Instituto para el Desarrollo y la Democracia / Institute for Development and Democracy (Nicaragua)

IREC	Independent Review Commission
MEF	Ministerio de Economía y Finanzas / Ministry of Economy and Finance
MOH	Ministry of Health
MRC	Mombasa Republican Congress (Kenya)
NDI	National Democratic Institute
NEC	National Elections Commission
NVR	National Voters' Register
OAS	Organization of American States
ONIDEX	Oficina Nacional de Identificación y Extranjería / National Identification and Immigration Office (Colombia)
PVRIS	Photographic Voter Registration and Identification System
RENAP	Registro Nacional de las Personas / National Registry of Persons (Guatemala)
RENIEC	Registro Nacional de Identificación y Estado Civil / National Registry of Identification and Civil Status (Peru)
RNP	Registro Nacional de las Personas / National Registry of Persons (Honduras)
RUN	Rol Único Nacional / Unique National Registration
SADC	Southern African Development Community
SRCEI	Servicio de Registro Civil e Identificación / Office of Civil Registry and Identification (Chile)
TSE	Tribuno Supremo Electoral / Supreme Electoral Tribunal
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Human Rights

APPENDICES

The following appendices have been included to provide further detailed information related to voter identification in Africa and Latin America. Appendix A contains case studies from across the continent of Africa that provide a representative sampling of laws, practices, and regulations regarding the process of voter identification and registration. Following this section, in appendix B, are case studies from Latin America. In addition to these case studies, appendices C and D offer the basic voter identification information on 37 other countries in Africa and Latin America.

Subsequent to this country-specific information, appendix E offers a condensed chart of the themes noted throughout this research across both continents. Appendix F offers a list of the experts consulted in pursuit of this research. And finally, appendix G provides a selection of excerpts from key international legal documents relevant to voter identification requirements.

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APPENDIX A: AFRICA CASE STUDIES

CAMEROON

Cameroon has among the most narrowly defined voter identification laws in the region. In order to register to vote, one must have a national identity card.[131] Upon registration, the applicant will be issued a receipt with a registration number.[132] Subsequently, the voter can only receive a registration card upon presentation of his or her national identity card, the receipt, or on the basis of testimonies by two witnesses on the registration list of the polling place.[133]

On election day a voter must present the national ID card;[134] the voter registration card is not necessarily required. If one arrives at the polls with the voter card but not a national ID card s/he must be identified by witnesses who are registered at that polling place.[135] In practice, however, during the 2011 election there was confusion among some voters as to whether they could vote with only their national ID card if they had not received their voter registration card, and polling station officials implemented different policies at different locations.[136]

There were many problems with this system in the 1997 election as well. Many voters were not allowed to vote without their voter card when they should have been. Furthermore, numerous voters had not received their voter registration cards prior to election day.[137]According to the Commonwealth observer group report, "there were allegations that this was a deliberate policy on the part of district officials. It was also alleged that the voters' cards, instead of being held at Divisional offices for collection, were often entrusted to traditional chiefs and other unauthorized persons for distribution."[138]

Given that it is mandatory to have a national ID card to vote and citizens are normally charged for the card (around $3.38USD)[139], the Cameroonian government decided to temporarily waive the fee in advance of the 2011 election, in what appeared to be a one-time gesture.[140] Moreover, during the registration period the "Joint Revision Commission" conducted mobile registration in markets, institutions, neighborhoods, and villages.[141] However, the Commonwealth observed that not all voters received their cards and a few political parties claimed that multiple cards were issued to some voters.[142]

Perhaps the biggest problem regarding Cameroon's voter ID system is that it can be difficult to obtain the national ID. One must present his or her birth certificate in order to acquire a national ID card.[143] In many instances, people do not have their birth certificate, which means they must obtain a nationality certificate—a court document certifying that one is a Cameroonian citizen—which can be difficult to obtain, especially in rural areas.[144] This judicial procedure can cost between $20 and $200USD.[145]

While there is no data on how many people are without the ID, the United Nations Children's Fund (UNICEF) uncovered high numbers of Cameroonians who were not registered at birth and therefore are unlikely to have birth certificates, a prerequisite for obtaining other documents.[146] Various studies have found in recent years that only between 70 and 76 percent of Cameroonians are registered with the state.[147] Citizens in rural areas are much less likely to have registered at birth.

Additional data show that children of minorities, street-children, and other vulnerable children are more likely to remain unregistered. The registration of births by the poorest quintile is 51% while the richest quintile registers at a rate of 91%.[148] UNICEF also reports that "expensive procedures to obtain birth certificates

through a court procedure have led to an underground market for false certificates. The under-funding of the civil registration service goes hand in hand with the underpayment or the absence of payment of registrars, which has resulted in illegal fees levied for registrar pay or local government revenue or both, corrupting the system and its officers and also encouraging a shadowy, secondary circuit."[149]

The government is working to improve access to the ID cards. Given that the ID is necessary for many types of transactions, people often find a means of acquiring the ID for their own ease and safety.

In 2011, a new law that aimed to reform civil registration established a central registration office and introduced other changes to the registration law such as the creation of secondary centers for registration and the extension of the time frame and grace period for the registration of births.[150]

On April 18, 2012, the elections commission entered into an agreement with a German company to undertake biometric voter identification and voter registration.[151] As a result of the anticipated time this transition would take, the National Assembly pushed back elections originally scheduled for June 2012 by 6 months, a timeframe that will likely require extending again.[152] The new registration process will require registrants to file fingerprints and photographs. Everyone will need to register anew. At this point it is unclear whether the conversion to a biometric system will do anything to address the problems Cameroon has experienced in the past with its registration procedures, especially with respect to documentary requirements.

KENYA

In Kenya the Elections Act of 2011 reaffirms the policies embodied in previous acts: in order to register to vote one must present his or her national ID card or a passport.[153] Since a national ID card is necessary in order to obtain a passport, effectively one must have a national ID card in order to register to vote. Upon registering to vote, one receives a voter card with a specific number.[154] While the initial card is free, renewals and replacements cost approximately 300 Kenyan Shillings or $3.50 USD.[155]

Under the Identification and Registration of Kenya Citizens Act of 2012, enacted in July 2011, Kenya now maintains a very detailed registration database, complete with photographs and fingerprints.[156] All Kenyans are required to register with the Citizens and Foreign Nationals Management Service.[157] In order to be registered, an applicant must prove his or her citizenship. Moreover, under article 11, "A Registration Officer shall require any person who has given any information in pursuance of this Act or rules made there under to furnish such documentary or other evidence of the truth of that information as the registration officer may require before effecting registration."[158] Within 30 days of registration, a national ID card will be processed.[159]

On election day voters must present the voter card in addition to either a passport or a national ID card.[160] This strict requirement of presenting the national ID card to vote has led to substantial problems. In its 2012 report the National Democratic Institute (NDI) found that:

> The failure to harmonize the issuance of national identity cards and voter registration has historically resulted in the disenfranchisement of youth. Bureaucratic processes and administrative delays have been cited as some of the factors responsible for this disenfranchisement. The perceived politicization of the issuance of national identity cards in order to deny certain groups' participation in the electoral process is yet another challenge.

> In July 2011, news reports indicated that approximately four million youth were in danger of disenfranchisement due to non-issuance of national identity cards. This was attributed to inadequate material resources to facilitate registration and to issue identity cards, which had resulted in the Ministry's suspension of issuing new national identity cards between January 2011 and July 2011. While the process has since resumed, it is believed that millions of youth remain under threat of disenfranchisement. In a recent public interview, the Minister for Immigration announced that the Kenya Citizens and Foreign Nationals Management Service was being constituted to manage the registration of persons, and to integrate registration services. The Minister also announced a target of issuing a further three million identity cards to reach a total of five million new cards before the next general elections. This was to be achieved through intensive registration efforts, including mobile registration. Concerns were expressed to the delegation that this number would be insufficient to enfranchise the voting age population.[161]

A 2010 study by the Institute for Education in Democracy (IED) confirms these problems, stating that the "voter registration process in Kenya has faced a number of challenges over the years."[162] It cites complicated procedures and long wait times to acquire a National ID card, and notes that "marginalized communities" are disproportionately impacted and have an especially hard time obtaining the ID cards.[163] The Independent Review Commission (IREC) report concluded that the "voter registration system and processes in Kenya have not worked, have had very low productivity, is outrageously expensive, have not been properly managed and controlled, and have created a voters register that has a low and biased coverage."[164] IREC recommended the issuance of ID cards be integrated with the voter registration list and that citizens be able to vote with just their national ID card.[165]

IED found high levels of support for the national ID card but, according to focus groups, in some cases applicants must wait two to six months in order to receive the ID cards.[166] This obviously impacts the ability to register to vote in time for an election and could disenfranchise some people. The Institute recommends that ID cards be issued at the time of registration rather than requiring voters to wait for the card to be processed.[167] It also revealed that most Kenyans would prefer to have to bring only one card to vote.[168]

An IED survey found that 95 percent of Kenyans have the national ID card; the five percent without it were mostly youth.[169] Respondents reported that they did not get their ID cards because of long distances to the registration centers, the length of the process, and the waiting periods.[170]

MALAWI

According to Malawi's Parliamentary and Presidential Elections Act of 1993, one can prove his or her eligibility when registering to vote by producing a passport; a driver's license—even if expired; a tax or marriage certificate; an employment identity card or employment discharge certificate; a birth certificate or a similarly authentic document of identity; or written, verbal, or visual testimony of the chief, a village headman, a registered voter of the area, or the registration officer.[171] It is not uncommon for even an electricity bill to be used as identification, and in rural areas, verification through a witness is often the route many residents who have no documents will take. In other words, there are many different methods available for individuals to prove their identity and to register to vote, making the system very flexible and

accessible. Upon registration, one receives a voter registration certificate,[172] which the voter must present at the polls.[173]

As a result of a number of problems resulting from the voter registration process in 2004, Malawi pursued a new registration exercise in 2008. At this time citizens were issued certificates with photographs, which many Malawians now use for multiple purposes.[174] The voter roll also contained photographs. Although there were obstacles and administrative problems during implementation, the registration system was deemed successful overall.[175] A report by the Electoral Institute for Sustainable Democracy in Africa (EISA) found that "almost 5.9 million Malawians—around 94% of the estimated eligible population—registered to vote."[176] Nonetheless, many in Malawi hope for the creation of a national civil registry, but these efforts have yet to move forward.

Despite the wide range of ways in which a person can identify himself or herself in Malawi for voting and registration, there have been no known or reported cases of fraud or abuse. Observers have found that the system works well.[177] The only significant controversy in recent times has emerged over the question of procedure when someone is on the voter registration list and his or her photograph matches, but s/he does not possess the certificate. The Commission decided in these cases that if the voter attests that his or her certificate was lost, s/he may go ahead and vote.[178]

LIBERIA

The most recent elections took place in Liberia in 2011. According to regulations promulgated by the National Elections Commission (NEC) issued that year the voter registration process should proceed as follows: if the registrar is satisfied that the applicant is eligible to vote, s/he can simply register the applicant and give him or her the voter registration card.[179] If the registrar has doubts, the registrar can request proof of eligibility.[180] Sufficient proof of eligibility includes:

> (a) The sworn testimony of two other registered voters who shall appear in person before the Registrar and confirm the applicant's eligibility to register;
>
> (b) Confirmation by a Liberian traditional leader who is also a registered voter shall appear in person before the Registrar and confirm the applicant's eligibility to register;
>
> (c) A valid Liberian passport;
>
> (d) A certificate of naturalization;
>
> (e) A birth certificate;
>
> (f) A certificate of renunciation of citizenship of another county; or
>
> (g) A 2005 voter registration card.[181]

In other words, Liberian law permits many different types of documents to serve as proof of eligibility to register to vote and if one does not have any documentation s/he can still register with the testimony of two other registered voters or a tribal leader. The law recognizes that considering the circumstances, the history of Liberia, and the conditions many citizens are living in, many people may not possess the typical

documents necessary to register to vote. Thus, if the applicant can provide any of the above certificates of proof, s/he can receive the necessary voter registration card.

Under Liberia's "New Elections Law," incorporated and published in 2011, voters must present their voter registration card in order to vote.[182] Under polling and counting regulations issued in 2011, "If a person has a valid registration card marked for a precinct, but cannot be found on the registration roll for the precinct, the presiding officer shall permit the person to vote if two other persons who hold voter registration cards permitting them to vote at the same voting precinct certify that they know the person and that he or she is the person described on the voter registration card."[183]

Voter registration in Liberia took place from January 10 to February 6, 2011.[184] The NEC announced that it had registered 1.8 million people—one half million more voters than in the previous election of 2005—and provided them with photo identification cards.[185]

Several international election observers who were engaged in the election process in 2011 believed that with respect to identification the system worked well.[186] They observed no problems at the polls in this regard, except for a few cases in which voters had lost their card after the date by which they had to apply for a new one.[187]

During the registration process, a domestic observation group noted that "there was no systematic attempt to deny or exclude particular ethnic or social groups from registering which would have denied them their right to vote as Liberians as guaranteed in the Constitution. Observers reported relatively low numbers of ineligible persons being allowed to register; however there were some reports, particularly in Grand Gedeh and Grand Cape Mount, that eligibility criteria were not always consistently applied."[188]

Indeed, the Federation of Liberian Mandingo Association of the United States of America (FELMAUSA) claimed that the NEC applied different standards for Liberian Mandingoes than other groups: "Mandingos…are allegedly subjected to the most rigorous and ridiculously-crafted civic exams followed by humiliating citizenship and residency requirements. NEC's registration centers continue to require Mandingoes to speak other local vernaculars as proof of their citizenship."[189]

Some observers believe the biggest problem in the voter registration process was the issue of under-age voters on the registration rolls.[190] The NEC attempted to address this issue during the public display of the list. In the end it was not considered a significant enough factor to have affected the fundamental fairness of the election or the outcome.[191]

Another issue of concern in Liberia, as in many African countries, is the use of testimony from a village elder to vouch for someone's voter eligibility. In Liberia village elders are considered partisan figures. Despite concerns, most observers did not ultimately note major issues with this system and recognized that the number of undocumented Liberians justifies the practice.[192] Liberia is working on the creation of a civil registry, but it may be some time in coming.[193]

GHANA

Ghana also allows many different avenues for proof of identity to register to vote. The 2012 regulations governing voter registration say that an applicant must present one of the following in order to register: a

passport, a driver's license, a national identification card, a National Health Insurance card, an existing voter identification card, or one voter registration guarantee form completed and signed by two registered voters.[194] According to the Elections Commission, successful registrants will be issued a voter's card at the time of registration—which, as of 2012, will be biometric.[195] Presumably this will be the primary document voters must present on election day in December 2012; however, existing regulations from 1996 state that a voter may present his or her voter card or "furnish such other evidence as may be determined by the Commission to establish that he or she is the registered voter whose name and voter identification number and particulars appear in the register."[196]

In early 2012, Ghana, following many other countries on the continent and elsewhere, began undertaking its first biometric voter registration exercise. As a result, everyone in the country had to register to vote anew. Applicants for registration under the new system had their fingerprints recorded and their photographs taken, which would appear on the voter card and the voter registration list.[197]

It is unclear what prompted the commission to spend some $45 million on this system given that Ghana's last election was considered successful, and the biometric system will not be able to detect underage persons or noncitizens, the issues that were mentioned as potential problems in 2008.[198] Moreover, registration lists will not be linked across the polling stations on election day.[199] Nonetheless according to the Commission, "The old method of registering voters did not have inbuilt mechanism for detecting multiple registrations and therefore there were instances where some unscrupulous individuals registered more than once. Biometric technology will make the detection and removal of multiple registrations from the system possible. With this a more accurate and reliable register will be produced for the elections."[200]

The Election Commission is considered to have done a relatively good job of implementing the biometric voter registration system, according to a number of press reports.[201] Some 13 million citizens were expected to have registered by the close of the procedure, which was still ongoing at the time of writing. The process was not problem-free, however. In some places, registrars ran out of laminates for the voter cards and registrants were unable to get their card right away; the Commission assured the public that these cards would be distributed "soon."[202] The Coalition of Domestic Election Observers (CODEO) has pointed out many of the difficulties that the Commission and voters experienced. Most of the problems involved technology malfunctions, which allegedly were fairly widespread and may have led to a number of citizens not being able to register. CODEO also noted that, "in many rural registration centres, registration officials continued to ignore the instruction to ask registrants to produce identification documents or even to call guarantors. In other registration centres, attempts by registration officers to enforce the ID requirement and insist on proof of age or citizenship provoked some misunderstanding and commotion."[203] The organization called for an extension of the exercise given the problems that arose for many registration applicants.[204] Overall, however, CODEO expressed satisfaction with the registration process.[205]

Ghana's next presidential and legislative elections will take place on December 7, 2012.[206]

DEMOCRATIC REPUBLIC OF CONGO

The Democratic Republic of Congo's (DRC) 2 Law No. 04/028—Identification and Enrollment of Voters in the Democratic Republic of Congo (2004)—requires in-person voter registration for all citizens. The local registrar can vouch for the identity and nationality of the applicants.[207] Otherwise, the applicant must provide one of the following:

> - A certificate of nationality or a document attesting that you have applied for a certificate of nationality;
>
> - An identity document;
>
> - A national passport;
>
> - A national driving license;
>
> - A national pension book;
>
> - A pupil or student card; or
>
> - A service card.[208]

If the potential voter has none of these documents s/he can take an oath before the office of the registration center, witnessed by five people registered on the electoral roll for that registration center, who have lived for at least five years in the district.[209] Upon so doing, the applicant receives a voter card on the spot.[210] Voters must present their voter card at the polls on election day.[211]

Given the conditions in the DRC, legislators and elections officers recognize that many Congolese may not possess any documentation. Additionally, because Congolese use voter cards for more than just voting, those unable to obtain a voter's card are severely disadvantaged.[212] Therefore, the regulations allow for a number of alternatives in order to facilitate enfranchisement.

Nonetheless, in 2005-2006 the registration process was troubled. According to an International IDEA report,

> …the registration campaign allowed only three weeks per province—and many of DRC's provinces are larger than Rwanda, Burundi and Uganda combined; the DRC's several million internally displaced were likely to have lost their documentation at the time of flight; many who had suffered multiple displacements over the years were unlikely to be able to find five witnesses from their host population; and for the hundreds of thousands of refugees in nine neighbouring countries, the three-week registration period was an impossibly small window of opportunity within which to organize to return home after years in exile. Thus the registration process risked excluding some of the very people whose return and participation in the elections would be a key indicator of a successful post-conflict transition.[213]

In 2011, the election commission (known as the "Commission Electorale Nationale Independante" or "CENI") passed a new election law and revised the process of registration, although it appears to be virtually identical to the previous procedures. Under the regulations the eligible voter must appear before the registrar and identify himself or herself through the testimony of local witnesses or by supplying official documents that confirm that the individual is a Congolese national aged 18 years or more.[214] Witnesses must be registered on the Central Registration list of voters, and must have been living in the community for at

least 5 years and known by the majority of community members.[215] Among the options for official documents are identity documents issued by a civil service officer or similar documentation such as a certificate of citizenship (or statement in lieu of the certificate of citizenship), a passport, a national driver's license (with security elements), a pensioner's card issued by the Congolese National Social Security Institute or any other legally recognized Congolese institution in lieu thereof, a student ID card, or a service card.[216]

In its final observer mission report, the Southern Africa Development Community (SADC) commented that the 2011 process may have worked better; others found it to be quite flawed. SADC reported that roughly 32 million Congolese registered and received voter registration cards, and that there were approximately 63,000 polling stations manned by 350,000 polling officials.[217] The report states, "In general, the voter registration exercise seemed to have been properly carried out, as there were no observed complaints from political parties, candidates or their respective agents."[218] However, according to David Pottie of The Carter Center, some people did not receive their voter cards, and it is unclear what happened to them on election day.[219] Others purportedly received their cards but were not on the voters' list.[220] Due to problems in the registration system and with the registration list, CENI issued a press release at the very last moment stating, "Any voter who is the bearer of a voter registration card, but whose name is not on the voter list or on the list of cancelled registrations, will be admitted to vote at the voting office indicated on the voter registration card or at the closest voting office in the same district."[221] Moreover, a domestic observation group reported that, "In some enrollment centers, officials of INEC [election commission] were paid between 500 and 1500 FC by applicants before issuing the voter card. Such is the case in Nyangezi, which is located 25 km from the town of Bukavu."[222]

The Carter Center felt that the legislative elections of 2012 were "compromised," and recommended "an evaluation and in-depth examination of the entire electoral process, with the participation of all political party actors, and including transparent reviews of polling station-level results and other key electoral information."[223]

ALGERIA

Algeria is an example of the handful of countries in Africa in which the voter identification requirements are either unclear or unknown. The electoral code of 2012 simply states that a voter registration card issued by the *wilaya* (province) is issued to everyone on the voter registration list.[224] The law goes on to say, "The procedure for drawing up, issuance, replacement and cancellation of the card and the duration of validity are defined by regulation."[225] Yet extensive research and interviews with representatives of organizations conducting democracy work in the country reveals that either such regulations do not exist or that they are so inaccessible that no one can locate them.[226] Such an absence of clarity has the potential to lead to abuses of individual discretion as well as confusion for voters, polling officials, the press, and observers.

A pre-election statement from the National Democratic Institute (NDI) reports that the voters' list for 2012 was based on a registry that is updated annually, and that under the new law, a local commission overseen by an appointed judge and comprised of the elected council president and private citizens is responsible for reviewing and revising the list.[227] These activities took place during a 10-day registration period in 2012.[228] Interviews revealed that, anecdotally, registrants must provide proof of identity by way of a national ID card or possibly a passport, proof of residency by way of a utility bill or a residency card, and proof of age by way

of a birth certificate.[229] The 2012 electoral code states that successful registrants will be issued a voter registration card.[230]

Upon arrival at the polling station, the 2012 electoral law says that the voter must verify her or her identity using "any document regularly required for this purpose."[231] With so little guidance, voters, poll workers, and observers are left to determine the law's meaning in this regard. Following the casting of a ballot, the voter registration card should be stamped with the date of the vote.[232]

Yet another provision of the law states that in the absence of a voter registration card, a voter can still vote if s/he is on the registration list upon presentation of national identity card "or other official document proving his or her identity."[233] As it would seem that having a national identity card would best fulfill this requirement, it is necessary to review what is required to obtain a national identity card—a birth certificate, a certificate of nationality, a certificate of residency, four color photos, a tax receipt or excise stamp to pay for the service, and a copy of the blood group card.[234]

On election day, observers from three different organizations reported that voters used a national ID card, a passport, or a driver's license.[235] This practice did not seem to result in many issues, as people expected that these were the types of identification they would be required to have. In rural areas people often were allowed to vote simply because they knew one another.[236] Given the reportedly low turnout of the 2012 election, the electorate may not have been representative of all Algerians registered to vote.

UGANDA

Uganda has virtually no identification requirements in order for people to register or to vote.[237] The norm is to have another resident of the community attest to the applicant's residency, but that is the extent of it.[238] There is very little in the law, regulations, or in practice that requires one to provide evidence of identity for registration.[239] Thus, registrars maintain a great deal of discretion. A registrar may demand from any applicant any information necessary to ascertain the registrant's eligibility.[240] In practice community vouching is accepted for identification purposes but it is not as readily available in urban areas.[241] According to the International Criminal Court (ICC) the Electoral Commission recognizes the problems that Ugandans have in obtaining proof of identity and will register people who do not have any form of identification on the basis of confirmation from others.[242] While there are some advantages to this system, given that many Ugandans do not have documentation, it also makes the process vulnerable to concerns about ineligible voters on the voter registration list.

Upon registration, the registrant receives a receipt with an ID number, which s/he must provide on election day.[243] Following registration there is a period of public inspection of the voters' list during which time potential voters can challenge ineligibility. Usually the residency register maintained by the local, zonal, or ward council, or village executive committee is used for verification purposes.[244]

The history of voter registration and identification procedures in Uganda is revealing. In 2001, the government instituted the Photographic Voter Registration and Identification System (PVRIS). The number of people registered dropped from 11 million to 8.5 million and half a million photos were missing.[245] In 2005, during the update period, 500,000 people registered, but after the display period 400,000 names were eliminated.[246] According to article 25 of the 1997 Electoral Commission Act, a five-member tribunal is meant

to adjudicate objections to registrations,[247] but few understood the objection process and the tribunal never convened.

In 2006 the Commission "cleaned" the rolls, removing 150,000 people from the list, without informing the public.[248] The Supreme Court reprimanded the Commission for this; in response, the Commission instituted a public display of the names removed from the rolls, yet made it very difficult logistically for citizens to see the list.[249]

On election day, according to the Parliamentary Elections Act of 2005 article 29(4), "any person registered as a voter and whose name appears in the voters' roll of a polling station and who holds a valid voters' card shall be entitled to vote at the polling station."[250] Under article 34(3), "where a person does not have a voter's card but is able to prove to the presiding officer or polling assistant that his or her name or photograph or both is or are on the voter's register, the presiding officer or polling assistant shall issue him or her with a ballot paper."[251]

During the 2006 elections, voters were supposed to use voter ID cards in order to vote. However, because the Commission only managed to issue cards to 6.7 million of 10.5 million registered voters, it decided that voters did not have to show documentation at the polls.[252] If a voter was on the list s/he could vote; if someone objected, s/he could sign an oath of identity and still vote.[253]

Given the problems of the past, the Commission began the registration process much earlier in 2010, but the President demanded the introduction of a new biometric system with fingerprint technology, which meant that everyone would have to register or re-register.[254] Although the law provided for the issuance of ID cards and four million people registered, the card itself was never produced.[255] As a result, once again voters were not required to produce an ID to vote; instead, people received a registration receipt with the ID number as they did in 2006, which was all they needed at the polls.[256]

According to the European Union (EU) observation mission in 2011,

> The Electoral Commission's decision not to issue voter cards to some four million newly registered voters compounded suspicions that the NVR [voter registration list] was not accurate, inclusive and reliable and that there were inadequate safeguards against fraud. In the absence of any documentation, confirmation of a voter's identity on polling day was dependent on the agreement of polling staff, with possible consultation of party agents or local people. While such approaches may have value in isolated cases of doubt, it was not an adequately secure or objective method to rely on systematically.[257]

On the other hand, a description of the Ugandan process by the ICC noted that "because the Electoral Commission is aware of the problems people have in obtaining proof of identity and does not wish to set the bar too high and discourage people from voting, they will register people who do not have any form of identification on the basis of a confirmation from others, such as neighbours, that they belong to a particular residential area."[258]

Going forward the government of Uganda has stated that it will implement a national ID system, but there have been many impediments to this process. Thus far, the company that the government contracted in 2011 to issue cards has issued a total of 400 cards.[259]

APPENDIX B: LATIN AMERICA CASE STUDIES

GUATEMALA

In order to register to vote in Guatemala one must obtain a national identity card called a "Documento Personal de Identificación" (DPI) from the National Registry of People ("Registro Nacional de Personas" or "RENAP"). To get the DPI one must provide an Ornate Ballot *(Boleto de Ornato)* from the current year or an original birth certificate to RENAP. [260]The process is more detailed if the applicant is over twenty years of age, when one must furnish a sworn statement notarized by a commissioned notary that includes, among other items, the reason why the applicant does not already have an ID and the names of two witnesses.[261]

If one was not registered at birth, the procedure for acquiring a birth certificate is also complex. It is mandatory to register births occurring in public or private health centers, or in rural community health centers ("canton centers")[262] operated by the Ministry of Public Health, Social Assistance and Guatemalan Social Security Institute (IGSS) within three days after the birth at that venue. Failure to do so will result in a 500 *quetzale* fine (roughly $64 USD).[263] If a birth is not registered, "untimely registrations" must be made by the parents who will have to prove their citizenship and relationship to the minor, and attach a baptism certificate, a "negative" birth certificate, or a school registration certificate; failing those two requirements, the parents must attach sworn statements by two people of legal age before the Civil Register.[264] Furthermore, birth certificates in Guatemala are not necessarily permanent documents and may sometimes need to be renewed, leading to additional charges.[265]

Upon obtaining the ID card one must present it to the Supreme Electoral Tribunal (TSE) to register to vote. Upon presenting the ID card, the citizen is given a password that includes the date when s/he needs to pick up his or her registration card and stamped ID card.[266] The citizen can pick up the cards any time after that date.[267] The stamped identity card is what the citizen must present to vote at the polls on election day.[268]

In 2007 RENAP decided to completely overhaul the system using biometrics.[269] This overhaul required all Guatemalans to re-register and get new identity cards to replace the old ones. In a report published in advance of the 2011 election, the International Crisis Group (ICG) described this process as having been fairly disastrous:

> The exercise was overambitious from the start. Planners misjudged the time required to retrieve and sort old data from municipalities and then collect and verify new data from around fourteen million Guatemalans. The bad design was compounded by corruption. Deputies in Congress and RENAP's managers, who have since been replaced, reportedly awarded contracts inappropriately, or at least without sufficient transparency. Ill-qualified cronies were appointed to key positions. The combination of poor design, nepotism and incompetence led, unsurprisingly, to a deficient registration. The exercise has cost far more than originally projected but remains incomplete. Politicians, especially from opposition parties, and some in civil society have accused RENAP of inflating registration numbers so as to benefit the ruling party.[270]

The ICG reported at that time that many Guatemalans did not have the new ID card before the election. Some did not pick them up, some went only to find the card was not ready, and many found that the cards contained mistakes.[271] As a result, Congress was compelled to amend the law to extend the validity of the old identity cards through January 2013.[272] However, the ICG report expressed concern that there would be a significant number of citizens without either the old or new ID who would be disenfranchised.[273]

A more significant long-term concern is the lack of any documentation at all among many Guatemalans, particularly in indigenous communities. Having no birth certificate or any other identifying documentation, these citizens cannot even begin the process of making themselves eligible to participate in the country's elections. The Inter-American Development Bank (IADB) estimates that 10 percent of Guatemalans lack any documentation, including birth certificates, while 40 percent of indigenous peoples are undocumented.[274] Some analyses conclude it could be as high as 50 percent among rural indigenous people, especially women.[275]

The IADB reports that the undocumented in Guatemala tend to live in rural areas and to be poor "since low income precludes affording the indirect costs of processing a registration, such as the trip (travel from the village to the administrative center of the municipality), the loss of work hours, etc., in addition to the direct cost of the document (neighborhood card or the process to register the birth certificate when it was not registered on time), since the Civil Registry offices are located in the cities that serve as administrative centers for municipalities."[276] Inability to speak Spanish in communities where an indigenous language is predominantly spoken is also a barrier. There are also actual fees attached to acquiring an identification card in Guatemala. An ID costs 85 *quetzales*,[277] although by law "individuals who are part of the social groups that RENAP's Directorate determines as not having the economic means to pay for the DPI" can obtain the ID for free.[278]

The Temporary Law on Personal Documentation, which was originally meant to be in effect from 1998 to 2001 but was extended until 2003, was an attempt to make issuance of ID cards more flexible, in recognition of the difficulty those affected by the armed conflict would have in getting the ID under existing rules, but it was not sufficient.[279] As significant an issue as navigating the laws is, another problem is that by decree RENAP was constituted an autonomous entity in 2005 but is not yet financially independent from the national budget, which has made its job more challenging.[280]

The difficulty of obtaining a national ID card, and the number of people without it, may be the biggest challenge facing Guatemala's electoral system. Some Guatemalan experts estimate approximately one million Guatemalans were without identification in the last election.[281] Some of these undocumented are people who fled during the conflict and returned without documentation—the war caused the displacement of between 400,000 and one million people.[282] Others' documents were destroyed. The issue of loss of documentation even arose in the peace agreements, specifically in the Agreement of the Uprooted Population Groups.[283] In order to become documented some people, especially those affected by armed conflict, may have to go before a judge and through a judicial process that can take years.[284]

RENAP is mostly focused now on the people whose cards will expire in January 2013, but has asked the legislature to work on the problem of the undocumented. One of the recommendations that civil society has

made is to temporarily allow the undocumented to present witnesses to attest to their identities in lieu of documents.[285]

COLOMBIA

In order to register to vote in Colombia one must present his or her national identity card and have his or her fingerprints taken by the National Civil Registry.[286] The process is often described as registering the ID card with the electoral registrar. In order to vote on election day a voter must again present his or her national identity card (through 2010, there were three generations of cards—representing three valid formats—since which time only the latest version issued has been accepted).[287]

In order to obtain the ID card one must present a birth certificate,[288] which some Colombians do not have. If a child is approximately 30 days old, one parent or both parents must bring the certificate of live birth to the National Registry in order to obtain a birth certificate.[289] If the parents do not have this certificate, they must provide a declaration under oath from two people who know about or witnessed the birth.[290] If a child is older than one month, one needs two witnesses with valid identification or a baptism certificate.[291]

A significant issue is that there are many difficult-to-access, remote areas in Colombia. In order to address this issue campaigns utilizing mobile units travel through remote areas to add people to the birth registry and to provide birth certificates.[292] Additionally, people who were and continue to be displaced by the conflict have a harder time acquiring an ID. While lack of documentation is likely not as widespread as it is in other countries such as Guatemala, and the government has taken steps to reduce the number of undocumented,[293] between 2000 and 2011 the government reported roughly 3.6 million internally displaced people (IDPs).[294] The independent organization Observatory on Human Rights and Displacement (CODHES) reported 5.2 million IDPs between 1985 and 2011.[295] The IADB claims that Colombia has the biggest internally displaced population in the world, reaching somewhere between 2.5 and 5 million.[296]

Voter registration in Colombia faces other problems. The National Registry reported that as of July 2012, 1.4 million citizens had applied for identity cards but had not picked them up.[297] One of the difficulties is that while the government sends out mobile units to register people, often they must travel on their own to an urban center to get the ID. In some areas the only way to travel is on the river by boat, which is complicated and expensive for many. There have been too few efforts to distribute the cards in remote areas. Moreover, it can be dangerous to travel in some areas given the ongoing conflict. In some cases people are not even aware that they need to pick up the cards because there is no mode of communication.[298] Such issues must be addressed. If one does not have the card, one cannot vote even if s/he has registered with the civil registry. One must register to vote with the card and present the card on election day.[299]

On the other hand, according to an article written by the National Registrar of Civil Status, more than 30 million Colombians—63.9% of the population[300]—have the new ID card.[301] The registry has been conducting pilot projects using biometric technologies, but has not been able to move beyond the pilot stage due to lack of resources.[302]

NICARAGUA

Civil birth registration of infants younger than 12 months old is required in Nicaragua.[303] In practice, Nicaraguans are expected to be in the Civil Registry by their 16th birthday,[304] at which point they are

obligated to apply for the identity card form the state and the state is obligated to grant it to them.[305] This national identity card, obtained from the Consejo Supremo Electoral (CSE), makes one eligible to vote.[306] Although the electoral registration list is based on this civil registry, the Electoral Law of 2000 states that "Nicaraguan citizens have the duty to register or verify their inclusion in the electoral roll in the polling station of their rightful accordance."[307] If one is not on the list, in order to register to vote one may present his or her national ID card, INSS card, driver's license, or passport.[308] If the applicant has no such documentation s/he may present two witnesses to testify as to his or her identity and age.[309]

In order to vote on election day, a voter must present his or her national ID card or a temporary document issued pending confirmation of his or her inclusion in the civil registry.[310] If a citizen does not appear on the registration list on election day, article 41 of the Electoral Law of 2000 states that s/he may still vote if s/he has the national ID card or temporary card that demonstrates residence in the jurisdiction of the polling place.[311] However, the EU election observation mission reported in 2011 that there was arbitrary and disparate application of this rule, and noted that in 28 percent of observed polling places people who should have been able to vote under article 41 were denied the right.[312]

According to the Law on Citizens Identification of 1993, in order to obtain the national ID card, age, personal information, and place of birth must be confirmed with a birth certificate.[313] Identity is confirmed by presenting a passport, driver's license, a document from the Nicaraguan Institute for Social Security, or any other identification document accepted by the Municipal Identification Card Issuance Director.[314] Nicaraguans who do not have such documents may present two witnesses to testify as to their identity.[315]

Despite the reasonable requirements for obtaining the requisite national ID card in Nicaragua, the reality of the process of acquiring the card is dramatically different. Several international and domestic election observation organizations have documented that the ruling party, the Frente Sandinista de Liberación Nacional (FSLN), and its associates control the distribution of identity cards, and that thousands of Nicaraguans have been disenfranchised through the manipulation of national ID cards.[316] In 2011 the EU reported the following:

> The provision of identity cards to citizens remains a persistent problem in Nicaragua, as in other countries in the region. Although the EU EOM was not able to quantify the problem with precision, it was able to confirm that there was a real problem of citizens not being issued with identity cards by the CSE in sufficient time to enable them to vote, and that this was frequently related to the election administration's discriminatory provision of services, to the point where the CSE delegated the distribution of identity cards to FSLN members (and not to members of any other party) or to members of the Consejos del Poder Ciudadano (CPC, Citizens' Power Councils), which are closely allied to the ruling party.[317]
>
> While it was not possible to quantify the exact extent of the problem, EU EOM observations confirmed that the phenomenon of citizens without identity cards was real and widespread. During their time in the field, EU EOM observers reported on credible cases of citizens with[out] identity cards from every department in the country, with lowest estimates of total reported cases accounting for about 50,000 citizens. Of these, young people were the most commonly-affected, and while those without identity cards were not always members of opposition parties, they were always unaffiliated to the FSLN. The EU EOM also observed a

> number of practices in relation to the provision of identity cards which are consistent with accusations of discriminatory practices. These included several instances of identity cards being distributed not by electoral authorities but rather by técnicos de ruta and members of the Consejos del Poder Ciudadano, as well as by FSLN activists and from FSLN campaign offices. In several departments, the EU EOM obtained lists for provision of identity cards which separated citizens into different categories such as 'special' or 'normal.' Some of these practices were also reported by members of the Municipal Electoral Councils.[318]

There have been reports that cards were distributed from the ruling FSLN offices in several departments.[319]

Even in the absence of overt manipulation and discrimination, a huge number of Nicaraguans do not have the ID card. NDI reported that three in ten Nicaraguans did not have the card in 2005; in 2009 that statistic rose to four in ten.[320] It is particularly difficult for indigenous populations, who tend to have higher rates of poverty and illiteracy and live in remote areas, to obtain identity cards.[321] Youth are also especially affected.[322] The failure of the CSE to deliver identity cards in 2011 resulted in protests and violence in some areas.[323] The OAS similarly documented these problems that same year.[324]

In 2011, the Institute for Development and Democracy (IPADE), a domestic organization, produced the most extensive documentation of political manipulation of the distribution of identity cards. In the period between January and April 2011 IPADE reported that many municipalities had no office for distribution of cards at all.[325] It reported that two-thirds of the municipalities that they had monitored had offices that, rather than being run by the CSE, were controlled by political parties, mostly the FSLN.[326] Between May and July, the organization again observed that approximately two-thirds of the identification distribution offices were actually controlled by political parties, not the CSE, almost all of them by the FSLN.[327] IPADE noted further that "of these locations that are not part of the CSE and that are issuing identity cards, 70.7% (46 municipalities) are reported to only issue identity cards to FSLN sympathizers."[328] Even where there were CSE offices, they had arbitrary and limited opening hours and some Municipal Electoral Councils (CEMs) stopped issuing cards completely, most often because they did not have the necessary supplies.[329] In its third report, IPADE noted the high number of people who had applied for cards successfully but never received them.[330]

PANAMA

In Panama, virtually everyone is entered into the civil registry at the time of birth and issued a birth certificate and an identity number.[331] To a large degree this is because some 95 percent of the population is born in hospital.[332] Upon turning eighteen, one must petition the Electoral Tribunal (TSE) for a national ID card ("cedula de identitdad") and upon receiving the card will be included on the voter registration list automatically. The national ID card, sometimes called a personal identity card, is required to vote.[333] Because photographs are included in the voter registry at each polling place, the hope is that in the future there may be no need for a voter to produce the physical card.[334]

In order to acquire the ID card one must present his or her birth certificate or the identification card of one parent.[335] If one has neither, one can provide other types of evidence, such as witnesses, to prove birth in Panama in a process referred to as "late registration."[336] The local official generally decides if the evidence is

sufficient; however, for cases on the border with Colombia, where there is a history of non-Panamanians attempting to register, the materials are processed at the TSE headquarters in Panama.[337]

With respect to those Panamanians who are undocumented, who were not registered at birth, the state has undertaken significant efforts to get them documentation. The state also does a great deal to publicize the voters' list so that if someone is not included or his or her information has changed (e.g. address), s/he can make the appropriate changes to the list.[338] The TSE also campaigns through use of the media and the Internet; in new housing developments, shopping centers, and transportation hubs; and through notices included in payroll checks and electricity, telephone, and water bills.[339] According to the president of the TSE, the Tribunal also campaigns in "traditional Panamanian handicraft fairs throughout the country and tours isolated places in the country with the voters list."[340]

VENEZUELA

In Venezuela the electoral registry is based on the civil registry. Several government agencies are involved and integrated into the civil registry including the National Electoral Council, the Ministry of Interior and Justice, the Ministry of Foreign Affairs, the Ministry of Health, and the ministry that oversees indigenous populations.[341] The National Electoral Council oversees the civil registry.[342]

In order to register to vote, one must present his or her national ID card at a National Registry and Electoral Office.[343] The National Identification and Immigration Office (ONIDEX) issues the national ID card, which ones can get by presenting his or her birth certificate.[344] According to the Organization of American States (OAS),

> Although Article 56 of the Constitution sets forth that all individuals have the right to have their own name, to be registered in the Civil Registry free of charge after their birth and to obtain public documents that prove their identity, in 2003 seven out of every ten Venezuelans did not have a laminated identity card. To solve this problem, the Identity Mission was implemented in 2004 as part of President Hugo Chavez's program to issue laminated identity cards to the poor, including indigenous communities who up to that point used identification documents specifically designed for them. To achieve this goal, the program sent 190 mobile identity card issuing units throughout the country to strengthen the work done by ONIDEX.[345]

A 2006 EU report found that 2 million voters had been added to the register since 2003, many of them young people.[346] However, the National Electoral Council (CNE) reported to the EU at that time that over 1 million young people over age 18 were still not on the voter registry.[347] In addition, there were complaints that the civil registry was flawed, that citizens had more than one ID card, that people had cards that did not reflect a current address, and that foreigners—especially Colombians—had received Venezuelan identity cards.[348]

There have been several developments since the election of 2006, in preparation for the October 2012 election. Venezuela now has the "Automated Authentication System," a biometric process by which a voter certifies his or her identity at the voting machine by entering his or her identification number and scanning his or her fingerprints.[349] If the voter does so accurately and is verified, the machine will activate for

voting.[350] At the time of writing, officials were considering a back-up mechanism that would allow the head of the polling place to use his or her fingerprints to activate the machine.[351] That way if the voter is on the list and has his ID card, but the fingerprint match does not function properly, the voter can still vote. Such a mechanism is controversial as some are concerned that this system will allow poll workers who support the current government to add votes.[352]

Another concern is that if the machines are able to record fingerprints, the government will be able to trace how individuals voted.[353] In this regard, the ICG notes,

> The vote may be secret, opposition technicians argue, but many citizens do not fully understand or believe that, especially given the government's history of using their personal data to discriminate against opposition supporters. Voters' perceptions that the authorities will know how they vote risk influencing their choice of candidate. Civil servants, often already subject to pressure to vote for Chávez, are especially vulnerable…The president himself often mentions the importance of the scanners, which the opposition campaign team argues is a 'psychological game,' a subtle implication they serve government purposes.[354]

The CNE reported in April 2012 that it had succeeded in reducing the number of non-registered voters to 3.5 percent of the population, and that 1.3 million people registered for the first time this year, many of them young people.[355] This is partly due to government efforts to send out mobile units to register people in advance of the October 2012 election.[356] ICG reports, however, that "opposition-allied civil society groups" complained that registration centers were disproportionately located in pro-Chavez areas.[357]

PERU

In Peru, the voter registration list is based on the civil registry.[358] All citizens registered in the civil register are automatically included in the voter register once they turn eighteen.[359] Therefore, citizens do not need to do anything to register to vote as long as they are in the civil registry. The National Registry of Identification and Civil Status (RENIEC) is responsible for updating the registry.[360] Additionally, registration is free of charge.[361]

In order to vote, Peruvians must present their national ID card (DNI).[362] The DNI is the only document accepted for the purposes of voting.[363] All Peruvians receive the DNI at the time of birth, but must renew it every eight years and receive a new DNI when they turn eighteen.[364] The document contains a unique number that a person maintains for his or her entire life.[365] The card includes a photo as well as fingerprints.[366]

If one is not registered with the civil registry within thirty days of birth, the parents, guardians, siblings of legal age, or other guardian in the jurisdiction of his or her birth or where s/he lives can register him or

her.[367] The applicant must prove his or her relationship with the person being registered, and the application must include a birth certificate or other similar document, or a baptism certificate, school tuition certificate, or a signed statement by two people.[368] In a unique provision, the law states that in locations where it is difficult to access population centers that have civil registry offices, such as border areas, jungle regions, regions bordering the jungle, or farming and aboriginal communities, registration may be made by military border garrisons or by missionaries duly authorized by the National Directorate.[369]

Those who are older than eighteen but have never been given a national ID card must apply for one at a RENIEC office. At this point, they are charged a fee.[370] In addition, the applicant must present a utility, water, or telephone bill with a current address, a certified copy of his birth certificate, or—if s/he is enrolled in higher education—a document from that institution.[371] After a citizen turns twenty, s/he must go to the RENIEC accompanied by a father, mother, or sibling, or in absence of any of these individuals, two witnesses of age.[372] One must submit payment through the National Bank, Bank Credit, or online or at the office with a Visa credit card.[373] Fees are waived for the poor and the fee is charged on a sliding scale.[374]

With regards to voter registration, Peru is considered a success story in the region.[375] According to a report of the IADB,

> RENIEC successfully developed and implemented a national plan for the restitution of identity as a result of a final report generated by the Truth and Reconciliation Commission. This commission was established in 2001 to investigate events that took place during the internal conflict in Peru, which spanned two decades. During this period, an estimated 70,000 people were killed or disappeared, and many were internally displaced. Moreover, local registration offices, along with the registration books, were burned completely or vandalized, which left a number of individuals without documentation and consequently extremely vulnerable…
>
> RENIEC has undergone important institutional transformation since its creation, and it is now recognized as one of the most efficient, sustainable, and transparent civil registries in the region. Throughout the last five years, RENIEC has expanded the reach of its services to get closer to the denizens, not only by setting up more offices but by travelling to and providing services to the most remote areas of Peru and by offering services using the internet and other communication methods. As these actions have helped RENIEC reach the neediest and most marginalized populations, public confidence for the institution has grown over time.[376]

Nonetheless, the problem of undocumented citizens does persist in Peru, and the government continues to work to resolve it. Early in 2012 there were reports that RENIEC was carrying out an investigation in areas that continue to have high levels of undocumented persons to learn more about the causes and to develop strategies that take into account cultural and geographic challenges to documentation.[377] Many of the undocumented in Peru are in rural jungle areas. As a result, reports claimed that RENIEC was planning to provide services free of charge, travel to communities by river to service them, and incorporate members of the indigenous communities into the registration process.[378] RENIEC is also working with UNICEF to continue to tackle the registration of births and delivery of ID cards.[379] Since June 2011 the two entities have

collaborated to provide registration and documentation services to 69 Amazonian communities.[380]The online news source *Andina* notes,

> In Ucayali, in the central Peruvian jungle, RENIEC recently reached the locality of Puerto Esperanza, in the province of Purus, to process and issue identity documents to the locals. RENIEC's personnel arrived in the area, which can only be accessed by plane, to accompany members of the Foreign Relations Commission of the Congress of the Republic. 83 DNI applications and 60 identity documents were issued in that jurisdiction.[381]

These efforts were warranted, as according to a publication of the Ministry of Economy and Finance (MEF), in recent years as many as 871,263 Peruvians of age had no identity documents, most of them in rural and poor communities.[382] The report noted that in many cases there are no government offices in some areas because the villages are so remote; residents would have to devote considerable time and resources to get to an office. In addition, the report found that poverty and lack of documentation were highly correlated.[383] The MEF concluded that,

> Based on these references, we can deduce that the population living in poverty or extreme poverty is not in a position to assume the costs that are really necessary when completing all the processes to have personal documents issued. In this sense, getting a birth certificate is free, but it is impossible for this population to afford the expenses involved to travel to the nearest health post and request a birth certificate, and for this reason birth certificates cannot be issued massively.
>
> For this same reason, this part of the population does not always register births, and registering the children later on is impossible for them because it can cost between S/.5.00 and S/.50.00 Nuevos Soles in some municipalities. Late issuance of a DNI entails a registration cost of S/.23.00 Nuevos Soles, a rather high cost for the aforementioned sectors since it represents 20% of their per capita monthly income.
>
> Lack of economic means by a portion of the population leads to most of them not having a birth certificate, and without this document it is impossible to do the necessary formalities to have access to a DNI, hence increasing the undocumented population.[384]

The MEF also cites the conflict of the 1980s and 1990s as another reason for the high number of undocumented in Peru, as the conflict resulted in many damaged civil registry offices and registry books.[385] Peru has confronted these problems and devoted resources to tackling them effectively and continues to do so. According to the RENIEC strategic report,

As of December 31, 2012, RENIEC had identified a total of 26,444,052 Peruvians who have a DNI, which represents 88.8% of the country's population. 19,250,609 of this total number of people with DNI are Peruvians of legal age who reside in Peru, which represents 99.7%, and 7,193,609 are minors, which represents 66.9% of the country's population of minors. If you compare these figures with 2006 figures, you can confirm that by 2010 a total of 8,480,881 more Peruvians have been identified as having a DNI. Of this total, 1,841,887 are of legal age and 6,638,994 are minors, hence highlighting the growing importance of issuing identifications for minors in recent years in the country.…

> To carry out these tasks, RENIEC has a nationwide coverage of 235 registry offices, agencies and service points, as well as 48 auxiliary registry offices – ("oficinas registrales auxiliaries" or "ORA") located in MOH Hospitals and ESSALUD (Social Security Portal[386]) in most of the 25 regions of our country.[387]

RENIEC has also attempted to address the issue of persons with disabilities without documentation, most recently by establishing a government working group and launching a campaign to provide identity cards to people in institutions.[388] Finally, it is working to develop new cards that will contain embedded data chips.[389]

BOLIVIA

For many Bolivians, the process for establishing eligibility to vote can be complicated. It can include a number of steps depending on the individual's circumstances, and in many instances may have associated fees.[390]

To register citizens must display their national ID card (CIN), a "unique national registration" (RUN) card, or a Military Service Booklet.[391] In order to get a national identification card—which normally has an associated cost—one must have a birth certificate.[392] In Bolivia, if a citizen was not registered at birth, and is therefore without a birth certificate, a parent or guardian must go to the Registry of National Identification and provide documentation of the relationship to the child; if they have no such documentation, they can present witnesses.[393] In the past it was mandatory that this take place within the first thirty days of the child's life.[394] This requirement was eventually considered culturally discriminatory because according to indigenous tradition women wait 5 years before naming a child.[395] As a result, and to encourage the registration of more minors, the age limit has been raised to twelve years of age to obtain the documents for free.[396]

There are several entities involved in the registration process in Bolivia: the Corte Nacional Electoral is in charge of the civil registry; the Minister of the Interior is in charge of the issuance of the national ID; and the police are primarily responsible for distributing ID cards to citizens.[397] The Tribunal Superior Electoral is responsible for issuing voter cards prior to elections. To cast a ballot at the polls, Bolivians must again present their national ID card.[398]

In recent years, lack of documentation among much of the population, and consequently voter disenfranchisement, has become a major problem. The 2001 census found that nearly 10 percent of Bolivians possessed no identity documents, while the National Police, who are responsible for disseminating ID cards, estimated that 30 percent of Bolivians had no documentation.[399] Other reports note percentages of undocumented within indigenous communities as high as 50 percent.[400] Sixty-two percent of the population of Bolivia is indigenous.[401] Poverty is the biggest factor associated with lack of documentation, and is often compounded by the fact that many undocumented communities live in remote areas of the Amazon.[402]

In recognition of this problem, in 2006 the Bolivian government initiated the "I exist, Bolivia exists" program to mobilize citizens to get identification documents.[403] At this time documents were offered free of charge.[404]

Although Bolivia still has not fully tackled the problem of the undocumented, the country undertook a new biometric registration system in 2009 in which fingerprints were recorded and digital photographs taken.[405] This process was largely successful because of the government's "intensive and proactive registration process" and because identification documents, including birth certificates, were free.[406] Although there were substantial controversies in 2009 when the system was implemented, some international organizations assessed the overall process as successful in its registration of many citizens for the first time.[407]

Press reports indicate that Bolivia is currently working on creating a new biometric identification card that will be distributed soon.[408]

APPENDIX C: SUPPLEMENTARY VOTER IDENTIFICATION FOR AFRICA[409]

ANGOLA

Registration: Registrants must present an identity document, expired or not, such as: an identity card, passport, driver's license, residence card, refugee card from the High Commissioner for Refugees, armed forces card, military registration passport or equivalent, or birth certificate.[410] In the absence of these documents community members may vouch for the identity of registrants. Successful registrants will be issued a voter card.[411]

Election Day: To vote by standard procedure voters must present their voter card.[412] If they cannot, they must recall the number of their voter card, use any of the above means to confirm their identification, and sign an oath.[413] If these conditions are met a voter will be allowed to vote by a provisional ballot procedure.[414]

BENIN

Registration: Registrants must present a birth certificate or any other document in its place, written evidence, or testimonial proof of declarations concerning family lineage.[415] Registration is voluntary but the government actively performs a census of all citizens eligible to vote.[416] To be recorded in the census one can present a civil registry document, national identity card, military identity card, passport, birth certificate or auxiliary judgment, civil or military pension documents, consular card, family record booklet, or in absence of civil registry documents a registrant may provide a simple declaration of oath and testimony by the head of the family group or household or representative thereof.[417] Successful registrants will be issued a voter registration certificate which will later be exchanged for a voter registration card.[418]

Election Day: Voters must show their voter registration card in order to vote.[419]

BOTSWANA

Registration: Registrants must present a valid national ID card for registration; successful registrants will be issued a voter card.[420] If the national ID card has been lost or has expired the individual is barred from registration.[421]

Election Day: Voters must present a valid national ID card and their voter card to vote.[422]

Cost: The initial ID is free, while a renewal costs 5 Pula ($0.63 USD) and a replacement ID costs 110 Pula ($13.88 USD).[423]

BURKINA FASO

Registration: Registrants must present a passport, a national ID card, or a military card.[424] Successful registrants will be issued a voter registration card.[425]

Election Day: The voter must present his or her voter registration card or any "other document granting the right to vote."[426]

Cost: The national identity card costs 500 Communaute Financiere Africaine (CFA) ($0.93 USD).[427]

CHAD

Registration: Registrants should present a passport, national ID card, military card, driver's license, civil or military pension booklet, student ID card, consular card, civil tax card, or birth certificate.[428] Lacking any of these documents a registrant's identity may be vouched for by at least two notable community members.[429] Successful registrants will be issued a receipt that will later be exchanged for a voter registration card.[430]

Election Day: Voters must present their voter registration card.[431]

COTE D'IVOIRE

Registration: There is very little available information on how an individual registers to vote in Cote d'Ivoire. In the period immediately prior to the election, voter cards will be issued to any registrant with proper identification,[432] and successful registrants will be issued a voter card.[433] In 2010, voter cards were distributed at a later date and 15% of individuals never received their voter cards in time for the election.[434]

Election Day: Voters must present a voter card along with a national ID card or another identification document.[435]

National ID: The voter list is used to determine which citizens are eligible to obtain a national ID card.[436] Nationality is a major controversy in Cote d'Ivoire and a significant cause of recent violence. The state had been known to prevent certain populations from obtaining official documents indirectly denying them the ability to register.[437]

Of Note: According to Carter Center reports, 2008 laws abolished the legal requirement to present a national ID in order to vote, but the Constitution continues to limit voting to Ivoirian nationals and this requirement is used to remove voters from the register between registration and election day.[438] A significant number of people were removed from the list in advance of the 2011 legislative elections. These individuals can be divided into four categories: around 500,000 people from the "grey list" who were not able to show proof of their nationality; around 207,000 people who registered to obtain their identity cards but who reached adulthood on or after April 1, 2010; around 55,000 people who were removed from the provisional voter list after administrative checks against the civil status registries; and around 20,000 people who were rejected due to technical problems regarding biometric data.[439]

ERITREA

Registration: A voter must produce a national ID card or a passport in order to register.[440] National ID cards can be obtained using a birth certificate, "any other relevant document," or the vouching of three witnesses above the age of 40.[441] It is unclear if there are costs associated with obtaining the national ID card. Successful registrants will be issued a voter card.[442]

Election Day: Voters must produce a voter card along with either a national ID or passport in order to vote.

Cost: Unknown.[443]

ETHIOPIA

Registration: Registrants can produce any number of documents for identification or rely on community vouching. Sufficient documents include: an identification card or certificate to prove residence, an employee identification card, a student identification card, a passport, a recently issued driver's license, a document proving discharge from the army, a refugee card issued by the United Nations, an ID card issued to those who receive retirement benefits, or other similar identity cards.[444] Expired or invalid documents are acceptable.[445] In the absence of these documents it is possible to register if the registrars recognize the elector, if it is possible to identify the registrant through a traditional or customary way, or based on the testimony of public observers.[446] Successful registrants will be issued an Elector's Identification Card.[447]

Election Day: A voter must present his or her Elector's Identification Card in order to vote.[448]

GABON

Registration: Registrants must present a national ID card, a birth certificate, or an auxiliary judgment in the place of a birth certificate.[449] Successful registrants will be issued a voter card.[450]

Election Day: Voters must present their voter card and either a national ID card, a passport, or driver's license on election day.[451]

GUINEA

Registration: Registrants may present any one of the following documents in order to register to vote: an identity card, passport, military service document, civil or military pension document, current student identity card, consular identity card, or a certificate issued by the district chief and countersigned by two leading citizens of the district.[452] Registration cards are issued to successful registrants 45 days prior to an election.[453] In order to receive the registration card, registrants must provide proof of identity and the receipt they were given upon initial registration.[454]

Election Day: A voter must present his or her voter card along with one of the other identifying documents listed above in order to vote.[455]

LESOTHO

Registration: Registrants must present a passport, birth certificate, or baptismal certificate. Successful registrants will be issued a registration card.[456]

Election Day: Voters should present their registration card.[457] In the absence of a registration card the voter shall provide proof that the card has been lost or defaced and shall provide proof of identity with either a passport, driver's license, or vouching by an official witness.[458]

MADAGASCAR

Registration: According to the 2012 electoral law, the voter list contains information including the number, date, and place of issue of a person's national identity card, implying that registrants must present a national ID in order to register.[459] Successful registrants will be issued a voter card.[460]

Election Day: Voters should present their national ID card and either their voter registration card or an order by the president of the tribunal or the magistrate designated president of the Commission of Material Counting of Votes.[461] If a voter is registered and does not have his or her voter card, a national identity card in addition to a certificate of registration issued by the local representative of the Independent National Electoral Commission will suffice.[462]

Cost: Documents necessary to prove a registrant's age for election purposes, such as a birth certificate or a supplementary judgment, are provided for free.[463]

MALI

Registration: In order to register to vote it is first necessary to register with the census bureau using an identity document or "carnet de famille." The census bureau then gives the citizen a paper, which she or he must present to the commune's administrative commission (the commission in charge of the voter registration updates, which take place from October 1 to December 31 in each commune annually).[464] Subsequently, the administrative commission places the citizen on the voter list. For the upcoming election, if she or he is age 17 in 2012 and will be 18 in 2013, the year of the election, she or he is automatically transferred onto the voter list.[465] Successful registrants will be issued a voter card.[466]

Election Day: Voters should present their voter card in order to vote.[467] In absence of the voter card a voter shall present an official ID.[468] In absence of both of these documents two registered voters possessing identity documents may vouch for a voter.[469]

MAURITANIA

Registration: Registrants must present a national ID card to register.[470] Successful registrants will be issued a registration card.[471]

Election Day: Voters must present their registration card in order to vote and the voting office president must verify their identification.[472]

MOZAMBIQUE

Registration: Registrants should present a passport, an identity card, or a "waiting pass" in order to register[473] Lacking these documents, a registrant can produce any other document used for identification

including a driver's license, a military card, or a birth certificate.[474] Two registered voters from the same area may also vouch for a registrant.[475]

Election Day: Voters must present their voter card in order to vote.[476]

NAMIBIA

Registration: Registrants should present an ID card, a passport, or a combination of a birth certificate, a citizenship certificate, and a driver's license.[477] In absence of these documents, statements under oath or affirmation by two persons who know the applicant are sufficient.[478] Successful registrants will be issued a voter registration card.[479]

Election Day: In order to vote voters must present their official voter registration card.[480]

NIGER

Registration: Registrants should present a national ID card, a passport, a driver's license, a consular card, a military or security forces card, a civil or military pension booklet, a family card or booklet, or proof of marital status of an emancipated minor.[481] In the absence of these documents a voter may have two witnesses vouch for his or her identity.[482] Successful registrants will be issued a voter card.[483]

Election Day: Voters must present their voter card or an order from the president of the District Court along with one of the above identity documents in order to vote.[484]

NIGERIA

Registration: In law, potential registrants must prove their identity using a birth or baptismal certificate, national passport, identity card, driver's license, or any other document that will prove the identity, age, and nationality of the applicant.[485] In practice, in recent elections identity documents were not required and community members had the final say when a person's eligibility was in question.[486] Successful registrants are issued a voter card.[487]

Election Day: Voters must present their voter card in order to vote.[488]

RWANDA

Registration: Registration is obligatory in Rwanda.[489] In order to be placed on the electoral roll, the law states that registrants must present "identification issued by the competent authority."[490] Registrants may prove identification using any document proving Rwandan nationality.[491] Successful registrants are issued a voter card.[492]

Election Day: Voters should present their voter card.[493] If the card has been lost the voter may vote after verification of enrollment.[494]

National ID: Rwanda distributed biometric national ID cards in 2008 and is transitioning to a new computerized card as of 2010.[495] Allegedly over 95% of Rwandans have received the card distributed in 2008.[496]

SENEGAL

Registration: Registrants must present a national ID card in order to register.[497] Applicants then receive a receipt with a registration number.[498] Subsequently, upon presentation of proof of registration and a scanned national ID card, successful registrants will be issued a voter registration card.[499] This voter card is valid for a period of ten years.[500]

Election Day: Voters must present their voter registration card and national ID card in order to vote.[501]

Cost: During election registration the cost of the voter card is free; at other times it costs 1000 CFA ($2.00 USD).[502] However, reports have surfaced that individuals are still charged various amounts for cards even during election periods.[503]

SIERRA LEONE

Registration: The National Election Commission says registrants do not need to submit documentation to register.[504] However, if the applicant's identity or eligibility is in doubt, the registrar may request an ID or ask for a community leader to vouch for the registrant's identity.[505] The law states that sufficient forms of identification are a birth certificate or other such document issued under the authority of an enactment, a naturalization certificate, vouching by a member of the local authority in the area of a person's residence, a statutory declaration giving particulars of a person's birth, or any other satisfactory evidence.[506] Successful registrants will be issued a voter registration card.[507]

Election Day: Voters should present their voter registration card in order to vote, but may be allowed to vote without the card if the electoral officer is satisfied that they are the person whose name appears in the register.[508]

SOUTH AFRICA

Registration: Registrants must present either a South African, bar-coded ID book or a valid Temporary Identity Certificate (TIC) in order to register.[509] No voter registration card is issued; rather, the document provided for registration will be marked and become proof of registration.[510]

Election Day: On election day, voters must produce the ID book or TIC used to register bearing the label affixed during the registration process.[511]

Cost: The ID book is free, but a temporary certificate costs 70 Rand ($8.50 USD), and replacement cards cost 140 Rand ($17 USD).[512]

SUDAN

Registration: The law is strict in Sudan but the National Election Commission (NEC) instructs registration staff to be significantly more lax in regards to identification of voters. The law requires that registrants have a personal identification document or a certificate authenticated by the People's Committee at the locality or by the native or traditional administrative authority.[513] The NEC instructs that registration staff members can act as identifiers if they are from the constituency area of the registrant, or the applicant can bring a witness

provided that the witness is from one of the following categories: a religious leader; an Umda, Sheikh, or Sultan of the village; or a head or member of the People's Committee.[514] Registrants are issued a voter registration receipt.[515]

Election Day: Voters are advised to keep their registration receipt in order to facilitate the process on election day, but they are not instructed that the receipt must be presented in order to vote.[516]

TANZANIA

Registration: Research revealed three differing opinions on what is necessary to register to vote in Tanzania, including no documents;[517] a birth certificate;[518] and any document proving the registrant is a Tanzanian citizen in good standing.[519] The National Elections Act of 2010 states that successful registrants will be issued a voter card.[520]

Election Day: The Elections Act states that voters must vote in the polling district for which they register and must "satisfy the presiding officer or a polling assistant at such polling station, that he is the voter he claims to be and that he has not voted at such polling station or elsewhere."[521] It goes on to say that a voter can prove his or her identity by producing a voter card or "any other documentary evidence as the Director of Elections may direct."[522]

ZANZIBAR

Registration: As of 2010 all registrants must present a Zanzibar national ID in order to register to vote.[523] Registrants must have been residents of their particular district for three years,[524] and local leaders ultimately determine who is eligible. Successful registrants receive a certificate of registration.[525]

Election Day: According to an interview, voters must present their voter card and national ID on election day.[526]

Of Note: In 2005 Zanzibar developed a national ID card, referred to as "ZanID," which is required to vote.[527] This card was in place for the 2010 elections.[528]

THE GAMBIA

Registration: Registrants must present a birth certificate, a passport, a national identity card, a document certified by five elders that the applicant is a citizen of The Gambia, or a document certified by the District *Seyfo* or an *Alkalo* of the village of birth of the applicant stating that the applicant was born in that district or village.[529] Successful registrants will be issued a voter card.[530]

Election Day: On election day voters must present their voter card in order to vote.[531]

ZAMBIA

Registration: Registrants must produce a national registration card in order to register.[532] In order to obtain a national registration card, a registrar may require an individual to present any document that is "within the power of such person to furnish."[533] Successful registrants will be issued a voter card.[534]

Election Day: In order to vote, voters must present their national registration card and voter card.[535]

Cost: The initial card costs 3060 *Kwacha* ($0.58 USD). A renewal is 1080 *Kwacha* ($0.20 USD) and replacement 2160 *Kwacha* ($0.41 USD).[536]

ZIMBABWE

Registration: Registrants must present proof of identity and proof of residence in order to register to vote.[537] Identity must be verified with a valid passport, a notice or identity document issued according to section 7 of the National Registration Act, or a valid driver's license containing an identity number.[538] An applicant can prove residency using a number of different certificates, receipts, or bills with the registrant's address or through vouching by community leaders.[539] Successful registrants will be issued a voter registration certificate.[540]

Election Day: Voters must present either their voter registration certificate or proof of identity on election day.[541]

APPENDIX D: SUPPLEMENTAL COUNTRY INFORMATION FOR LATIN AMERICA

ARGENTINA

Registration: All Argentine citizens with an ID book over the age of 18 are automatically enrolled in the electoral register, known as "*el Padrón Electoral*;" therefore, they do not need to initiate registration.[542] The registry reflects changes made as of 180 days before the elections, and includes all eligible voters who will turn 18 by election day.[543]

Election Day: Three documents are permitted to exercise the right to vote: the *libreta de enrolamiento*, the *documento nacional de identidad* (DNI), or the *libreta civica*.[544] At the polling station corresponding to a person's registered residence,[545] the voter must present the most recent civic document that appears in the voter roll[546] and the data contained in this document must match the registration data.[547] As a general rule, the most recent ID document can be used even if the most recent version is not in the registry.[548]

Cost: A complex fee scheme applies for new cards, renewals, and data verifications/updates and can be found on Registro Nacional de las Personas website.[549] Fees range from 10-35 Argentine Pesos depending on a person's age, the type of document, and the reason for renewal. Exchanging an old ID document for a new DNI (plastic photo card) involves a processing fee; however, this change is not obligatory.[550] A birth certificate is free.[551]

Registration Rate: According to a Brennan Center analysis, because voter registration is essentially automatic the registration rate is roughly 100% in Argentina.[552]

Of Note: Argentine citizens are required to renew their National ID cards at age 8 and 16.[553] Local election officials have data-sharing arrangements with the federal agency in charge of ID renewal, and through these arrangements the local election officials become aware of 16 and 17 year old citizens who reside within their voting district and "pre-registers" them by placing these individuals on provisional voter lists that will feed their information into the official voter database after their 18th birthdays.[554]

The voter register is a unique, primarily digital (with supporting paper documentation) database containing information such as voters by district, disqualified voters, expatriate voters, and voter's occupation, as well as information about forced disappearances. Both digital and paper copies must include fingerprints, photo and signature.[555]

As of 2012, the national ID card is undergoing changes to a plastic card format, and will be punched (instead of stamped) to show voting activity, in a move towards a single national ID format.[556] The new ID card is not required for voting, and the following forms ID will still be accepted: *la Libreta de Enrolamiento*, *la Libreta Cívica*, el *DNI de tapa verde* and *el DNI de tapa celeste*.[557] Thus, it is not obligatory to change to the new card for voter identification purposes.[558]

BELIZE

Registration: In Belize eligible individuals must initiate their own voter registrations in person at a local election office.[559] Registration is ongoing and available every working day.[560] Applicants must bring a birth certificate, passport, or certificate of naturalization, complete an application form and record card,[561] and be

photographed. In absence of a birth certificate or a certificate of naturalization, an individual may complete a form at the polling station containing name, address, date, place of birth, and any other identifying particulars.[562] At this time, the election office will create a registration record card, identification card, registration certificate, and a name index card.[563] During the application process, the Chief Elections officer may direct the registering officer to summon witnesses or to produce documents necessary to verify eligibility of a voter.[564] The General Registry or the Immigration Department must verify these applications before registering the individual.[565] The application initiates a process to verify residence and qualifications for voting. The approval cycle takes one to two months and a person will only receive an ID card if they pass this verification.[566]

Election Day: In order to vote, a person must have a valid national ID card.[567]

Cost: Unknown.

Registration Rate: Belize's voter registration rate is roughly 97%.[568]

Of Note: Following a period of public scrutiny, the list of voter registration applicants must be approved by the Magistrate in a Revision Court at the end of every month.[569] All voters are re-registered every ten years on July 1.[570]

BRAZIL

Registration: Individuals must initiate registration at their local registration office, provide three photographs, an official identification document with photo (either an identity card, work card, certificate of birth /marriage, card of a legally-recognized professional association, or certificate of discharge from military service[571]); proof of residence; and certificate of discharge from military service for males over 18 (unless the individual has not served yet[572]).[573] Although the birth certificate has been the most frequently-cited ID document required for voter registration, leniency in legal application means that sometimes baptism certificates or witness testimony are also accepted (although officially this has not been adopted by the TSE or in law).[574] Registrants will receive a bar-coded[575] elector's card (*título eleitoral*) proving their registration within at least 15 days of the request.[576]

Election Day: In order to vote, citizens must bring a voter registration card showing the voter's name as it is on the voter registration list.[577] Since the voter's card has no photo, it must be accompanied by a photo ID card (national ID, passport, driver's license, military ID card,[578] birth certificate).[579] If the voter card is missing, the chairman of the voting station can question the voter regarding personal data on his or her voting card to compare this to the voter registration list, along with asking the voter to replicate the signature on their voter ID card.[580] Leniency with the photo ID rule is more frequent in rural areas.[581]

Cost: Birth or marriage certificates are free when intended for election voting enrollment.[582]

Eligible voters who do not register by 19 years old, or newly naturalized persons who do not register within a year of acquiring citizenship, face a penalty of 3-10 % of the minimum wage in the region (payable at time of voter registration),[583] unless the person was abroad on election day (in which case there is a 60-day justification extension and they must register within 30 days of returning to Brazil).[584] However, no fine will

be applied if voters register at least 101 days before the election that will take place after their 19th birthday.[585]

Registration Rate: Over 70% of Brazilians are registered. The 30% unregistered are mostly young and rural; the latter are often unable to register due to lack of a birth certificate (rural births are often assisted by a midwife) and lack of funds to travel to the county seat to register.[586]

Of Note: Brazil introduced a biometric (finger print) ID system in the 2008 elections; however, it is 10 years away from expanding this technology to all states.[587]

CHILE

Registration: Registrants must have a national ID card issued by the Civil Registry and Identification Service in order to register to vote.[588] To receive a national ID an individual must go to the Civil and Identification Registry Service Office and provide their RUN number,[589] address/telephone, photo, fingerprint, and payment. It takes a maximum of eight days to process a National ID card.[590]

Election Day: Voters must present a national identity card or passport in order to vote.[591] If any doubt persists as to the veracity of the voter's identity, an identification expert is called in to do a fingerprint analysis.[592]

Cost: While birth registration is free, all subsequent documents have an associated cost.[593] The Chilean civil registry website states that the identity card costs 3,600 Chilean pesos (approximately $7.28 USD).[594]

Registration Rate: Nearly 100% of births in Chile are registered but the voter registration rate is unknown.[595]

Of Note: The Electoral Service (known as "SERVEL") is housed within the Ministry of the Interior but is an autonomous body responsible for election activities as well as maintenance of the voter registry. It prints books, forms, ballots, and registration documents, in addition to ID documents.[596] Since 2002, the Chilean national identity document and the passport have contained biometric information and are machine-readable.[597] Chile's Constitutional Court recently approved a new law that would make voter registration automatic, while the act of voting itself would be voluntary; previously, registration was voluntary but voting once registered was mandatory.[598] Criticism has surfaced with regards to access to Registration Boards for the purposes of voter registration, given limited operating hours and the need to physically transport the paper register monthly to the SERVEL office.[599]

COSTA RICA

Registration: Every individual is assigned a unique ID number at birth, which they carry for life.[600] This number appears on most official documents, including the birth certificate, national ID, passport, and driver's license.[601] The birth registry is linked to the voter registry such that once a Costa Rican turns 18 they are automatically registered to vote.[602] Citizens apply for the national ID card (*cédula de identidad*)[603] at age 18.[604] They must submit three photographs, which can be taken for free at the Civil Registry office.[605] They may apply as early as 16 years old but may not claim their ID card until they reach 18 years of age.[606] The electoral registry is updated automatically, based on modifications to the civil registry.[607]

Election Day: The national ID card is required to cast a ballot.[608]

Cost: The national ID is free to receive and renew[609] since, according to the Costa Rican Ministry of Foreign Affairs website, all consular transactions required for inclusion in the Civil Registry must be free of charge.[610]

ECUADOR

Registration: Citizens turning 18 are automatically included in the voter register.[611] Their data is drawn from the civil registry.[612]

Election Day: An identity or citizenship card or passport is required to vote.[613]

Cost: The cost of an ID card is $2, with estimates as high as $10 in certain areas.[614]

Registration Rate: There are an estimated 1,500,000 non-registered citizens in Ecuador,[615] which equates to about 17.12% of the 2009 voting-age population of 8,763,905.[616] Non-registration is particularly acute among the indigenous populations in the Amazonian provinces.[617]

EL SALVADOR

Registration: Since 2000 registration in El Salvador has been automatic after a citizen obtains a Single Identity Document (*Documento Único de Identidad*, or DUI),[618] which is valid for five years.[619] The Constitution establishes the duty of citizens to register themselves at the National Registry of Natural Persons (*Registro National de las Personas Naturales*, or RNPN) which issues the DUI.[620] The electoral tribunal prepares the electoral register, using data taken from the list of DUI's of eligible voters in the National Register of Persons.[621]

Election Day: To vote, one must have the DUI and be enrolled in the electoral register.[622]

Cost: Registering and obtaining a DUI is free the first time; renewals and modifications cost $10.31 USD.[623]

Registration Rate: 4,226,479 voters were registered in the 2009 elections,[624] representing 115% of the 2009 voting-age population of 3,673,486 according to data collected by International IDEA.[625]

Of Note: The ID system was overhauled in 2009 with the institution of a new DUI card (referred to as the "Sole Identity Document"), which removed the need to initiate voter registration and added a photographic element to voter rolls. The DUI has technological safeguards against forgery and is a more reliable document than the previous ID (*Cédula de Identidad Personal*) or voter card (*Carnet Electoral*) formerly used to vote.[626] This reform was a 15-year process from 1994 to 2009.[627] The RNPN contracted with a private company to issue DUIs, a move that various political actors have criticized.[628] There has also been criticism of the lack of effective controls for verifying residency and control mechanisms for modification of DUI data, specifically the ease with which groups of voters may be "relocated" to fit strategic political constituency goals.[629] Similar lack of safeguards has also been identified in the birth certificate system, wherein mayors may have the opportunity to abuse the system by issuing false certificates. Criticism has also surfaced regarding the speed of updates to the register, in addition to the large number of deceased persons on the register.[630]

HONDURAS

Registration: Presentation of a national ID Card (*cédula de identidad* or *tarjeta de identidad*) is required to be included in the voter roll (*El Censo Nacional Electoral*).[631] To receive a national ID card an individual must be 18

years old[632] and must provide paper versions of a birth certificate or a certification of inclusion in the Civil Registry or of naturalization.[633] The national ID card is valid for 10 years.[634]

Election Day: In order to vote, voters must present their national ID card.[635]

Cost: The issuing, replacement, and renewal of national ID cards are free according to the 2007 law.[636] The necessary documents for obtaining the national ID card also must be free according to the 1992 law.[637] And finally, according to an interview with a civil registry director's office staffer, birth certificates and their replacements are free.[638] However, a recent press article brought to light a 200 Lempira (about $10 USD)[639] fee for Civil Registry-issued national ID cards.[640] According to a civil society expert, in the past when elections neared, the RNP has waived the card fee[641] but the RNP denies that this has been an option.[642] According to the expert this is "not an automatic legal provision…each time the payment is exempted, a specific law is approved."[643] Additionally, he mentioned that "a bill was proposed during the current period so that individuals would not be charged this amount."[644] The aforementioned bill,[645] which was passed on June 14, 2012, stipulates that for a period of eighteen months from the date of the decree citizens, with the exception of politicians, will be exempt from the 200 lempira fee for all card requests and renewals.[646]

Of Note: Obtaining the national ID card can be difficult and often takes as long as 4-6 months.[647] The National Congress is studying the possibility of producing a single life-long ID card that would combine the birth certificate and national ID, and would involve biometrics.[648] Youths represent the demographic most lacking IDs.[649]

MÉXICO

Registration: Individuals must register in person at their local election office.[650] Applicants provide a signature, fingerprint, and photograph in order to obtain a "Voter's Mexican Credential," a system created after the electoral reforms of 1992.[651] Photo voting cards are delivered to citizens 20 days after application submissions.[652] The card must be renewed every 10 years.[653] To receive the voting card an individual must provide an original, un-altered document from each of the following three categories: 1) Evidence of citizenship—either an original birth certificate or a naturalization certificate or, in exceptional situations, a CURP[3] unique ID card if the birth certificate is already digitized [in the civil registry]; 2) A photo ID (no older than 10 years)—including either a passport; driver's license; military service record; nationality certificate; professional certificate; other ID cards; certificate of naturalization or Mexican nationality; consular registration with holograph stripe; diploma, professional title, or school transcript; expired voter ID card; or two witness identifying themselves with fingerprints and voter credentials; and 3) proof of residence—either a tax receipt, utility bill, bank statement, department store account statement, rent contract, certified copy of deed of real property, or two witnesses as above.[654] All of the documents used are scanned and retained by the Institute Federal Electoral (IFE).[655]

Once the voter card is ready, the individual must present two fingerprints and sign to receive the card. If the individual does not come for their card, the IFE will send up to four notices (although the law accounts for three notices), and the application becomes invalid after one year.[656] The names of individuals who do not pick up their card in the allotted time will be removed from the voter registry.[657] Individuals may register at

[3] The "Clave Única de Registro de Población" is a unique population registry code or personal ID number.

any time during the year; however renewals and card re-issues have deadlines in relation to the election day.[658]

Election Day: An individual must be in the Federal Registry of Voters in order to vote and must possess the voter ID card.[659]

Cost: The voting card is free.[660] According to the Organization of American States in 2010, it is free to register the birth of a minor if done immediately, while registration after six months of age incurs a 185 Peso (about $13 USD)[661] fine and after six years or more this fine increases to 380 Pesos (about $28 USD).[662] However, during the month of April, birth registration is free and fines are waived.[663]

Registration Rate: Approximately 95% of eligible voters over 18 are registered in Mexico.[664]

Of Note: The government sends out mobile registration units to rural areas and other locales with low registration rates to facilitate registration, although most voters must register at local election offices.[665] In the period leading up to elections registration and renewal campaigns are established to facilitate registrations and reduce "saturation of the system," targeting voters whose voting credentials are about to expire, along with young people turning 18 on or after the election.[666] During these campaigns, additional offices open, mobile offices capable of providing same-day credentials in remote areas are sent to remote areas, and existing offices stay open on Saturday and Sunday.[667] There are also birth registration awareness campaigns for women and midwives to report births of children aged 0-15.[668] According to the 2010 OAS Best Practices Manual, 180 offices (both fixed and mobile) staffed by 80 agents have registered at least 2.5 million births.[669]

PARAGUAY

Registration: Paraguayans over 18 who are eligible to vote and have a civil identity card are automatically registered in the Permanent Civil Registry, which is administered by the Voting Registration Directorate.[670] The civil identity card is valid for 10 years.[671] To receive a civil identity card, an individual must go to their Electoral Registration District office, fill out a form in triplicate, and sign or fingerprint the application.[672]

Election Day: The civil identity card is the only valid voter ID document.[673]

Cost: For the purposes of voting, the civil identity card will be issued at a cost to be determined by the Ministry of the Interior and the Supreme Tribunal of Electoral Justice.[674]

URUGUAY

Registration: All native-born persons who will turn 18 by May 10, 2015 are required to obtain a Civic Credential from the *Dirección Nacional de Identificación Civil* (DNIC), which they must request at a Departmental Electoral Office.[675] To receive this document, an individual must furnish a public/private photo ID and a birth certificate.[676] The National Civil Registry, which is housed within the Ministry of Education, carries out birth registration, while the DNIC, which is housed within the Ministry of the Interior, issues the Civic Credential.[677] The Civic Credential contains a photo and fingerprints, which are digitally stored (biometric data).[678]

Election Day: The Civic Credential is the only document accepted for voting.[679] Voting is compulsory for those that have the DNIC.[680]

Cost: Both the birth certificate required to process a Civic Credential request and the Civic Credential request are free.[681]

Of Note: There is a project under way to provide a unique ID number to every child upon birth in Uruguay, thus digitally linking a birth certificate with the Civic Credential ID card via a unique ID number.[682] The Civic Credential card is already being issued to newborns at some large hospitals and eventually will be rolled out to all public maternity wards.[683]

APPENDIX E: CHART OF THEMES FOR AFRICA AND LATIN AMERICA

APPENDIX F: INTERNATIONAL LEGAL DOCUMENTS RELEVANT TO VOTER IDENTIFICATION REQUIREMENTS

Several major international and regional agreements provide provisions relevant to the voter identification process, as referenced in the report. The following are excerpts from these documents that apply to the issue.

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Article 25

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned

in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen

representatives;

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal

suffrage and shall be held by secret ballot

UN HIGH COMMISSIONER FOR HUMAN RIGHTS GENERAL COMMENT 25

4. Any conditions which apply to the exercise of the rights protected by article 25 should be based on objective and reasonable criteria.

10. The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions, such as setting a minimum age limit for the right to vote. It is unreasonable to restrict the right to vote on the ground of physical disability or to impose literacy, educational or property requirements. Party membership should not be a condition of eligibility to vote, nor a ground of disqualification.

11. States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. If residence requirements apply to registration, they must be reasonable, and should not be imposed in such a way as to exclude the homeless from the right to vote. Any abusive interference with registration or voting as well as intimidation or coercion of voters should be prohibited by penal laws and those laws should be strictly enforced. Voter education and registration campaigns are necessary to ensure the effective exercise of article 25 rights by an informed community.

INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL Discrimination

Article 5

In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:

… (c) Political rights, in particular the right to participate in elections—to vote and to stand for election—on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service;

ARTICLE 21 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

OSCE COPENHAGEN DOCUMENT (1991)

7. To ensure that the will of the people serves as the basis of the authority of government the participating States will

(3) guarantee universal and equal suffrage to adult citizens

THE OAU/AU DECLARATION ON THE PRINCIPLES GOVERNING DEMOCRATIC ELECTIONS IN AFRICA (2002)

IV. Elections: Rights and Obligations

2. Every citizen has the right to fully participate in the electoral processes of the country, including the right to vote or be voted for, according to the laws of the country and as guaranteed by the Constitution, without any kind of discrimination.

CIS, CONVENTION ON THE STANDARDS OF DEMOCRATIC ELECTIONS, ELECTORAL RIGHTS AND FREEDOMS IN THE COMMONWEALTH OF INDEPENDENT STATES

Article 19.2(e): The States party to the Convention commit themselves to: conduct voter registration on the basis of a legislatively established non-discriminatory and effective procedure that envisage such parameters of registration as age, citizenship, place of residence, basic document certifying citizen's identity.

In addition to formal legal documents, a number of international and regional organizations engaged in promoting good democratic practice have expressed views that relate to the voter identification issue. The following are excerpts from reports and guidelines published by such organizations.

EISA and Electoral Commission Forum of SADC Countries, Principles for Election Management, Monitoring, and Observation in the SADC Region, p. 15: "The voter registration process should promote broad participation and should not inhibit the participation of eligible voters… Cost effective voter identification protocols should be established to enable the maximum possible inclusion of eligible voters, while minimizing multiple or illegal voter registration."

UN, Guiding Principles on Internal Displacement, Principle 20: "1. Every human being has the right to recognition everywhere as a person before the law. 2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents. 3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names."

OSCE, Guidelines for Reviewing a Legal Framework for Elections, p. 16: "The legal framework should clearly specify the method of establishing voter eligibility, including what documentation is required, so that the process is fully transparent, not subject to arbitrary decision, and can be publicly monitored in an objective manner."

NDI, How Domestic Organizations Monitor Elections: An A to Z Guide, p. 54: "...procedures that cause unreasonable difficulty for certain sectors of the population to register or obtain the identification card necessary for voting, including: limiting hours or days for registration; placing registration sites at inconvenient locations; levying fees; conducting literacy exams; or subjecting registrants to unfairly burdensome procedures such as presenting multiple identification cards or photographs, making multiple visits to the registration site, etc."

NDI, Promoting Legal Frameworks for Democratic Elections, p. 50: "The legal framework must address a myriad of issues to ensure a genuine opportunity to exercise the right to vote on the basis of equal and universal suffrage… The provisions must ensure, among other things, that: …voter identification and related procedures that are nondiscriminatory concerning race, color, religion, language, national origin, other status or political or other opinion, that prevent disenfranchisement of eligible voters and avert illegal voting."

OSCE, Guidelines to Assist National Minority Participation in the Electoral Process, p. 21: "The voter registration process is administered in such a way so as to ensure that persons belonging to a national minority may register without difficulty or material cost. The following kinds of administrative issues are

implicated under this head: … so far as is feasible, the registration forms and any explanatory documentation should be in the language of the national minority."

EU, Handbook for European Union Election Observation, Second Edition, p. 42: "Registered voters may be provided with voter cards as proof of their registration. There may be legal provisions that allow non-registered eligible voters to be included on special supplementary voter lists on election day. In all cases, the procedures in place should ensure that all eligible electors are able to vote, only eligible electors are able to vote and that adequate measures are taken to prevent multiple registration that could lead to multiple voting (e.g., through changes in residence or name changes after marriage). Procedures should also be in place to ensure the removal of the names of deceased persons and the inclusion of newly eligible voters."

EU, Handbook for European Union Election Observation, Second Edition, p. 71: "As citizens of the country, IDPs should still retain all of their political rights, including the right to participate in the country's electoral process. Measures will need to be taken to ensure their enjoyment of these rights. In particular, this will include a continuation of their right to suffrage and their right to cast a vote, which may be affected by their forced change of residence or loss of documentation."

EU, Handbook for European Union Election Observation, Second Edition, p. 75: "Where voters are required to prove their eligibility through showing identification papers, documentation constituting valid proof should be outlined in law and should be the same for all voters."

EU, Handbook for European Union Election Observation, Second Edition, p.96: "Invariably voters are required to prove their identity by showing a passport or ID or some form of identification."

UN, Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections, para. 64: "Universal suffrage requires that the broadest reasonable pool of voters be guaranteed participatory rights."

UN, Human Rights and Elections: A Handbook on the Legal, Technical, and Human Rights Aspects of Elections, para. 48: "Finally, the principle of non-discrimination must be respected so that all persons are ensured equal access to participation in the election process."

OSCE, Existing Commitments For Democratic Elections In OSCE Participating States, p. 58: "The election system therefore must provide clear and narrowly defined criteria concerning the circumstances in which the right to vote can be denied, withdrawn, or suspended. Criteria establishing the definition of universal suffrage (for example, age and citizenship) must be addressed in the constitution and electoral law, and criteria for disqualification (for example, due to mental incapacity or criminal conviction) must be defined in law and should be implemented with judicial involvement."

NEEDS and European Commission, Compendium of International Standards for Elections, 2007, p. 12: "Universal suffrage defines the electorate. This element concerns who, among the 'everyone,' that should have the right to participate in elections, with a premise that it should be defined in terms as inclusive as possible. It is implicitly understood that a relationship of some sort between the individual and the country in question can be required, in addition to the usual requirement for minimum age."

NEEDS and European Commission, Compendium of International Standards for Elections, 2007, p. 7: Article 25 is a "legally binding human rights document and norm, creating formal obligations for states that have signed and ratified the ICCPR."

NEEDS and European Commission, Compendium of International Standards for Elections, 2007, p. 14: "[T]he state is required to take so-called positive measures to realize the right to participate. Such positive measures may include, for example, the effective registration of voters that is as inclusive as possible…"

APPENDIX G: LIST OF EXPERTS CONSULTED

1. Roberto Abdul, Súmate
2. Tom Crick, The Carter Center
3. Sharon de Dumanoir, Electoral Tribunal of Panama
4. Matt Dippell, National Democratic Institute (NDI)
5. Rudolf Elbling, United National Development Programme (UNDP)
6. Astrid Evrensel, United Nations Office to the African Union
7. Andrew Farrand, National Democratic Institute (NDI)
8. David Fleischer, University of Brasília, Political Science Institute
9. Dr. Susanne Giendl, European Union Electoral Observation Mission
10. Steven Griner, Organization of American States (OAS)
11. Mia Harbitz, Inter-American Development Bank (IADB)
12. Mariaby Hernandez Marin, Organization of American States (OAS)
13. Francisco Herrero, National Democratic Institute (NDI)
14. Sarah Johnson, The Carter Center
15. Vincent Kearns, ACE Project
16. Lauren Kunis, National Democratic Institute (NDI)
17. Brett Lacy, The Carter Center
18. Pablo León, National Democratic Institute (NDI)
19. Rafael Lopez Pintor, International Foundation for Electoral Systems (IFES)
20. Martha Lucía Ortega, National Democratic Institute (NDI)
21. Grant Masterson, The Electoral Institute for Sustainable Democracy in Africa (EISA)
22. Jennifer McCoy, The Carter Center
23. Charlotte McDowell, Organization of American States (OAS)
24. Alexander O. Mintah, International Foundation for Electoral Systems (IFES)
25. Hilda B. Modisane, Electoral Commissions Forum of SADC countries (ECF-SADC)
26. Diego Molina, Organization of American States (OAS)
27. Eduardo Nunez, Independent Elections Expert on Guatemala
28. Simon Osborn, National Democratic Institute (NDI)
29. David Pottie, The Carter Center
30. Salvador Romero, National Democratic Institute (NDI)
31. Ana Santos, International Foundation for Electoral Systems (IFES)
32. Mark Stevens, Commonwealth Secretariat
33. Lucien Toulou, The Electoral Institute for Sustainable Democracy in Africa (EISA)
34. Fernando Tuesta Soldevilla, Head Professor, Political Science and Papal Government, Catholic University of Peru (PUCP)
35. Felix Ulloa, National Democratic Institute (NDI)
36. Eduardo Valdés, Electoral Tribunal of Panama, Tribunal Magistrate
37. Marcelo Varela Erasheva, The Carter Center
38. Frank Vassallo, United National Development Programme (UNDP)
39. Alan Wall, International Foundation for Electoral Systems (IFES)
40. Abigail Wilson, International Foundation for Electoral Systems (IFES)
41. Michael Yard, International Foundation for Electoral Systems (IFES)

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