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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)
in co-operation with
THE EUROPEAN COMMISSION**

**COMMISSION EUROPEENNE POUR LA DEMOCRATIE PAR LE DROIT
(COMMISSION DE VENISE)
en coopération avec
LA COMMISSION EUROPEENNE**

**Second European Conference
of Electoral Management Bodies**

**Deuxième conférence européenne
des administrations électorales**

Strasbourg, 10-11 February/février 2005

TABLE OF CONTENTS / TABLE DES MATIERES

Introduction	5
Discours d'ouverture M. Gianni Buquicchio	7
Electoral Management in Ireland* Mr Gabriel O'Duffy	13
The role of STAPE, Portugal* Mr Domingos Magalhaes	17
The Council for Democratic Elections and its activities in the electoral field Mr Peter Paczolay	23
Voter Turnout with special regard to first time voters* Mr Mate Radics	41
Tackling the problem of voter abstention – the facilitation / mobilisation framework and some empirical evidence Mr Richard Sinnott	49
E-voting and its impact on voter turnout in Switzerland Ms Nadja Braun	69
Austria's remote voting – status and room for improvement Mr Thomas M. Buchsbaum	87

The obligatory vote in Belgium Mr Stephan De Mul	103
Absentee voting in Swedish history and considerations Ms Kristina Lemon	111
Overview of a comparative study on voting abroad* Mr Carlos Navarro Fierro	117
Regional (and National) Electoral Associations Ms Nicola Schmidt	133
Follow-up to the conference	147

* Power point presentation.

INTRODUCTION

The Venice Commission with the assistance of the European Commission organised the Second European Conference of Election Management Bodies, at the Council of Europe headquarters, in Strasbourg, on 10-11 February 2005.

Since its creation the Venice Commission has been very active in the field of electoral law. However, this is the first time that the Commission has organised an activity bringing together representatives of the national authorities and different international organisations specialised in electoral matters.

The main aim of this meeting was to discuss the problem of voters' turnout during elections, the impact of the new technologies on the participation of citizens in electoral process and to explore the different electoral systems and experiences of a number of national electoral administrations and agencies.

Representatives from Austria, Belgium, Cyprus, France, Ireland, Latvia, Lithuania, Malta, Poland, Portugal, Sweden, Switzerland, the Netherlands and the United Kingdom participated in the conference. Other participants of the event included representatives of the Council for Democratic Elections of the Venice Commission, the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, the European Commission, as well as international organisations such as ACEEEO (Association of Central and Eastern European Election Officials), IFES (International Foundation for Election Systems), IDEA (International Institute for Democracy and Electoral Assistance), OSCE/ODIHR (Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights) and the Federal Electoral Institute (IFE, Mexico).

The following publication is a collection of the reports presented during the Conference. It also includes the conclusions and recommendations for the future co-operation agreed upon by the participants.

DISCOURS D'OUVERTURE

M. Gianni BUQUICCHIO
Secrétaire de la Commission de Venise

Mesdames, Messieurs,

C'est pour moi un privilège et un grand plaisir de m'adresser à cette assemblée qui comprend des spécialistes des élections, en provenance d'Europe et d'Amérique. La diversité n'est pas que géographique ; les participants viennent aussi bien d'administrations nationales que de commissions électorales ou d'organisations internationales. Cela nous permettra d'échanger des expériences diverses qui nous enrichiront mutuellement, et de discuter de la coopération et de l'action commune futures. Je suis d'autant plus heureux que cette conférence est organisée par la Commission de Venise à Strasbourg – ville où siègent le Conseil de l'Europe, le Parlement européen et plusieurs autres organisations internationales. Cette conférence est une occasion idéale d'échanger les expériences de nos différents pays

Le sujet qui nous réunit ici aujourd'hui est d'une importance capitale pour tout Etat européen. Les élections sont le miroir de la maturité de la démocratie. Aujourd'hui, il est clairement affirmé dans toutes les constitutions européennes que la seule origine légitime du pouvoir est le suffrage universel, dans la mesure où la souveraineté, c'est-à-dire le pouvoir de décider librement des règles de la vie sociale, n'appartient ni à un homme ni à un parti mais réside dans le peuple. Les cinq grands principes du droit électoral - le suffrage universel, égal, libre, secret et direct - sont profondément ancrés dans le patrimoine constitutionnel européen. Ils sont la base de la démocratie, qui est elle-même l'un des trois piliers de la civilisation juridique consacrée par le Statut du Conseil de l'Europe. L'existence de valeurs fondamentales communes n'exclut cependant pas des divergences dans leur concrétisation. Les systèmes électoraux nationaux sont très divers et chaque pays choisit le mode de

scrutin qui lui convient le mieux. En même temps, cette diversité ne doit pas faire perdre de vue l'essentiel, tel que consacré par la Convention européenne des Droits de l'Homme et développé par les constitutions nationales : la mise en place et la sauvegarde d'institutions démocratiques fondées sur la souveraineté du peuple.

Toute en gardant leur spécificité nationale, les administrations électorales font face à des problèmes qui, très souvent, leurs sont communs. Nous allons nous consacrer au cours de nos travaux à deux aspects importants de la pratique électorale, à savoir la participation aux élections et le vote à distance. Beaucoup de pays européens sont confrontés ces derniers temps à un faible taux de participation des citoyens aux élections. Les raisons sont multiples ; bien les connaître permet d'examiner les solutions à apporter. C'est ce que nous allons faire pendant cette conférence sur la base des expériences nationales. Un autre aspect très important est celui des occasions, ou plutôt des nouvelles options que nous offrent les nouvelles technologies. Certes, des sujets tels que le vote électronique sont très controversés, mais certains pays l'ont déjà testé et il est toujours utile de connaître les résultats de leur travail. Je suis sûr qu'une réflexion commune nous permettra d'utiliser les nouvelles technologies en minimisant les risques de fraude tout en rendant l'exercice du droit de vote plus commode et plus attrayant pour les électeurs.

Mesdames et Messieurs, chers amis,

Je ne pourrais pas conclure mon intervention sans mentionner le travail dans le domaine électoral de l'institution que je représente - la Commission de Venise. Depuis sa création en 1990, elle attache une importance particulière au droit électoral européen. En 2002, en coopération avec l'Assemblée Parlementaire et le Congrès des Pouvoirs locaux et régionaux du Conseil de l'Europe, elle a créé le Conseil des élections démocratiques dont la tâche principale est la coopération en matière électorale. Un des premiers textes élaborés par ce Conseil fut le Code de bonne conduite en matière électorale qui rassemble et codifie les principes européens essentiels pour l'organisation d'élections libres et

démocratiques¹. Ces normes du patrimoine électoral européen sont d'abord les principes constitutionnels classiques du droit électoral : le suffrage universel, égal, libre, secret et direct, ainsi que la périodicité des élections. Ainsi proclamés, ces principes ne suscitent guère de contestations ; il en va autrement lorsqu'il s'agit d'en définir précisément le contenu. Par exemple, l'examen du suffrage libre comprend deux aspects : la libre formation et la libre expression de la volonté de l'électeur. Le premier aspect, la libre formation de la volonté de l'électeur, est souvent oublié, mais implique par exemple la neutralité des médias publics qui est encore loin d'être réalisée de manière générale. Quant au deuxième aspect, la libre expression de la volonté de l'électeur, il impose un examen des procédures de vote qui ne peut rester superficiel : quand est-ce que le vote par correspondance, le vote par procuration, le vote électronique seront-ils admissibles ? Le respect des principes que je viens de citer est nécessaire à des élections régulières, mais non suffisant : certaines conditions-cadres doivent être réunies tels que l'organisation du scrutin par un organe impartial, l'existence d'un système de recours efficace et le respect des droits de l'homme.

Le Code de bonne conduite en matière électorale a été approuvé en 2003 par l'Assemblée parlementaire du Conseil de l'Europe et par le Congrès des pouvoirs locaux et régionaux du Conseil de l'Europe. Le 13 mai 2004, le Comité des Ministres l'a soutenu dans une déclaration solennelle lors de sa 114e session. Cette consécration par les organes statutaires du Conseil de l'Europe lui donne une place très importante dans la liste de documents de référence à l'échelle européenne.

Nous nous félicitons du fait que la Commission de Venise ait pu développer une coopération efficace dans le domaine électoral non seulement avec ses Etats membres, mais également avec d'autres organisations supranationales et internationales, gouvernementales et non gouvernementales comme l'OSCE, le BIDDH, l'Union européenne, l'Union Interparlementaire, l'IFES et autres.

¹ CDL-AD(2002)023rev.

Il y a quelques jours, j'ai découvert l'existence d'une conférence des Conseils supérieurs de la magistrature. Depuis longtemps, la Commission de Venise a des relations suivies avec la Conférence européenne des cours constitutionnelles et l'Association des cours constitutionnelles francophones ; elle a été l'initiatrice d'une conférence des présidents des cours suprêmes d'Afrique australe et coopère étroitement avec l'Association des cours constitutionnelles des nouvelles démocraties. Tout cela prouve l'utilité de forums au sein desquels il est possible de discuter de problèmes communs. Dans le domaine électoral, des normes et valeurs communes existent au niveau paneuropéen, qui se traduisent d'abord dans l'article 3 du protocole additionnel à la Convention européenne des droits de l'homme, mais aussi dans d'autres normes tels que le Code de bonne conduite en matière électorale dont j'ai parlé tout à l'heure. La mise en œuvre des principes du patrimoine électoral européen implique une coopération étroite, telle que celle qui s'est développée dans la patrie orientale du continent depuis plus d'une décennie avec l'ACEEEO². L'ACEEEO s'est ouverte à l'Europe occidentale, comme l'a démontré l'organisation de sa conférence annuelle à Londres en 2003. D'un autre côté, les autorités espagnoles ont organisé en 2002 à Palma de Majorque une première conférence paneuropéenne des administrations électorales qui mettait davantage l'accent sur l'Europe occidentale et en particulier l'Union européenne. Avec l'élargissement de cette dernière, le clivage entre les deux parties de l'Europe disparaît progressivement - plusieurs États membres de l'ACEEEO appartiennent dorénavant à l'Union européenne - et il se justifie encore plus de travailler au niveau de tout le continent. C'est ce que nous allons faire pendant ces deux jours, et je l'espère, régulièrement à l'avenir. La Commission de Venise est à votre disposition pour poursuivre cette expérience qui s'annonce comme un succès.

² ACEEEO: Association des administrateurs d'élections d'Europe centrale et orientale.

La Commission de Venise continue à développer un nombre croissant de projets en matière électorale. L'un de ces projets qui est la conséquence d'une longue réflexion et d'un échange de vues avec nos partenaires, surtout l'ODIHR, est la base de données 'VOTA' qui a été créée au Secrétariat de la Commission de Venise et qui a comme but premier de faciliter l'accès aux législations électorales de l'ensemble des Etats membres du Conseil de l'Europe et d'autres Etats participant aux travaux de la Commission de Venise. A mon avis, elle constituera un instrument important et utile pour tous ceux et celles qui travaillent dans le domaine électoral et je suis convaincu que cette initiative obtiendra votre soutien.

Avant de conclure, je tiens à remercier tout particulièrement la Commission européenne pour le soutien apporté à l'organisation de cette Conférence.

Je vous remercie de votre attention.

ELECTORAL MANAGEMENT IN IRELAND

Mr Gabriel O'DUFFY
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I. Introduction

- Electoral Codes;
- Right to Vote;
- Who does what?
- PR STV Voting System;
- Electronic Voting and Counting.

II. Electoral Codes

1. 7 Electoral Codes:

- Dáil (Lower House of Parliament),
- Two Seanad (Upper House of Parliament) codes (43 Panel members, 6 University members),
- Referendum,
- Presidential,
- European,
- Local/Udaras.

2. Electoral Codes (continued):

- One register of electors for all – except Seanad elections;
- Open election system – minimum number of disqualifications (candidates/voters);
- Importance of written Constitution.

III. Right to Vote

- Irish citizens - Referenda and all elections.
- British citizens - Dáil, European and local Elections.
- Other EU citizen - European and local elections
- Non-EU Citizen - Local elections only.

“Ordinary residence” in constituency required on 1 September before register comes into force.

IV. Who Does What?

1. Minister/Department

- a. Policy and legislation.
- b. Revision of constituencies (but independent).
- c. Routine functions under electoral codes:
- d. appointing polling day;
- e. prescribing forms e.g. nomination paper;
- f. emergency orders.
- g. Advice and back-up service for Returning Officers and local Registration Authorities.
- h. Department official is presidential and referendum returning officer. Main function is to declare result as ascertained locally.

2. Returning Officers

- a. Responsible for conduct of elections including:
- b. taking nominations,
- c. preparing ballot papers,
- d. selecting and fitting-out polling stations,
- e. employing staff,
- f. counting votes,
- g. declaring results.
- h. Not subject to Ministerial direction.

- i. Returning Officers at Dáil, etc., elections are either:
 - i. County Registrars – solicitors who manage court business in their counties; or
 - ii. City and County Sheriffs in Dublin and Cork.
- j. Returning Officers at local elections are local government officials.

3. Local Authorities

- a. Maintain register of electors used for all elections - except Seanad elections.
- b. Informally, provide staff at all elections.
- c. Provide the returning officers for local elections, run the elections and pay for them.

V. PR STV Voting System

1. Proportional Representation – Single Transferable Vote.
2. 1919 Sligo Corporation (a local authority).
1920 Local elections generally.
1921 Westminster elections in Ireland.
3. Also used in Northern Ireland, Malta and Tasmania.

For

- Wide choice for elector,
- Candidate rather than party,
- Easy to vote.

Against

- Over-emphasis on personalities,
- Competition within parties,
- Not fully proportional,
- Hard to count.

VI. Electronic Voting and Counting

1. 2000: Government Decision in favour.
2. Legislation in 2001, Pilots in 2002 (420,000 voters).
3. Planned nationwide use June 2004 deferred.
4. Further Assessment and Testing required.

THE ROLE OF STAPE, PORTUGAL

Mr Domingos MAGALHAES
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Technical Secretariat for Electoral Processes, Portugal

I. The role

- STAPE is a specialised general direction of the Ministry of Internal Affairs [Interior before 1974] www.stape.pt
- responsibility for co-ordination on Portugal wide electoral matters, for all issues associated with elections, referendums and the registering of electors
- develops standard procedures and guidelines for the entire country
- the election operations performed by STAPE are carried out through the following services:

1. DSCLE - integrating two divisions:

- Finance and logistics:
 - o managing the budget and distributing election materials,
 - o integrates a personnel and administrative section.
- Data processing - manage the database of electors, tabulating results and statistics and estimating quantities of materials and amounts of funds to be transferred to the local authorities.

2. DSJ - integrating also two divisions:

- Legal - for drafting regulations, advisory and communication with the electoral administration agents,
- Studies:
 - o electoral matters and electoral sociology,

- co-ordination of the voting process for residents abroad [by mail],
- organogram at www.stape.pt/data/pdf/org_stape.pdf.

Notes:

- Elections managed exclusively by the government
- rely on the administrative apparatus of municipal (308) and parish (4252) offices certain phases of the elections are managed by the local authorities under the co-ordination of STAPE
- supervision of the existing Electoral Commission is defined in the law
- decisions of appeals only by judicial bodies; lower court ('comarca') to Constitutional Court (higher level)
- reform and modernization for electoral procedures, promoting e-democracy in order to facilitate participation by all developed the first pilots for e-voting (1997 and 2001) and works now in partnership with UMIC to promote e-democracy
- election planning and management
- comparative analysis, development of partnerships with social and electoral research organizations, policies and options for legislative reform (on a technical perspective) producing guidebooks, manuals and videos for use by local officials, polling station members, as training tools.

II. Logistic concerns

- relevance of local government officials in conducting electoral operations,
- outsourcing is a growing resource for contracting out a number of operations: printing ballots, totaling of the provisional counting of ballots, printing and distributing of election materials, data registration,
- domestic and foreign suppliers (e.g. indelible ink for an electoral assistance action in Africa, purchased in India).

Notes:

- effective international assistance to election processes and registration of voters (advisory activities, planning and logistics), namely in Portuguese speaking countries in Africa broader strategy for building stronger democracies and encourage people to take part in the democratic process,
- reinforce governance.

III. Practical points

1. Register of voters

- a centralised database of electors was created in 1997/98 managed by STAPE;
- since 1999 the register of voters has been permanent and updated with the inputs of the civil registers (Ministry of Justice) and new voters (parish offices);
- a lighter version of the database can be searched in the Internet by the citizens www.recenseamento-eleitoral.stape.pt;
- drawing up voter lists is a responsibility of administrative committees in the parishes;
- problem: comparing the voting age population [Bureau of Statistics] with the number of registered voters [STAPE];
- "Technical Abstention" – difference between the turnouts referred to the number of registered voters and to the voting age population expressed as a percentage;
- use of data from IDEA, " Voter Turnout From 1945 to 1997", www.idea.int 2nd edition.

Notes:

- it is possible to browse the electors of a given parish,
- the voter list can be printed by STAPE if required by the parish committee.

COUNTRY	YEAR	VOTE/ REGISTRATION	TECHNICAL ABSTENTION
Portugal	1999	61,8	9,9
Greece	1996	76,3	7,6
Italy	1996	82,9	4,4
Spain	1996	78,1	2,5
Finland	1995	68,6	2,5
Ireland	1997	66,1	0,6
United Kingdom	1997	71,5	- 2,1
Denmark	1998	85,9	- 2,8
Holland	1994	78,7	- 3,5
Sweden	1994	88,1	- 4,5
Germany	1994	79,0	- 6,6
Austria	1995	86,0	- 7,5
Belgium	1995	91,1	- 7,9
France	1997	68,0	- 8,1
Luxembourg	1994	88,3	-27,8

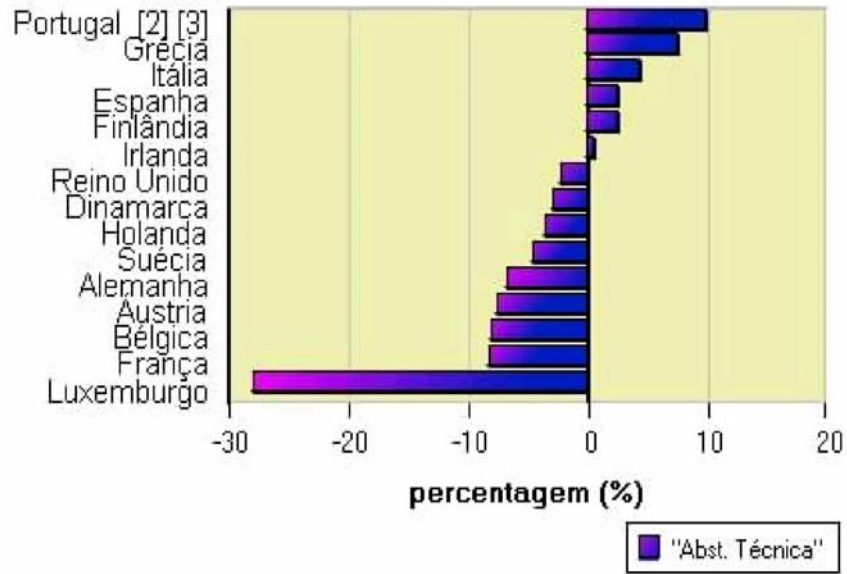
Note:

- Table compiled in 2001 before the Presidential election (January) – doubts raised about the number of “ghost electors” (deceased, expatriates, multiple registers) and said to be in excess of 0,5 million.

Portugal in 1995 (Parliamentary Elections) - source: IDEA

<i>f</i>	vote/VAP	= 79,11
<i>f</i>	vote/registration	= 66,30
<i>f</i>	tech. abstention	= 79,11 - 66,30 = 12,8%
<i>f</i>	in 1999	
	technical abstention	= 9,9

"Abstenção técnica" nos países da UE países da UE



2. Cost of elections

- EP'2004 in Portugal - some numbers from the budget of STAPE:
million euros (€)
 - funds transfer for local expenses 0,5
 - payment to polling station members 4,2
 - ballot papers, provisional counting, etc. 0,5
 - residents abroad - voting process 0,2
 - radio and TVs campaign (political parties) 3,8
- TOTAL 9,2
- cost per elector: € 1,10.

**THE COUNCIL FOR DEMOCRATIC ELECTIONS AND ITS
ACTIVITIES IN THE ELECTORAL FIELD**

Mr Peter PACZOLAY
Deputy Head, Office of the President of the Republic of Hungary,
Member of the Council for Democratic Elections

I. The Venice Commission

The European Commission for Democracy through Law, better known as the Venice Commission, is the Council of Europe's advisory body on constitutional matters.

The Commission's main mission is the adoption of constitutions that conform to the standards of Europe's constitutional heritage. Established in 1990 as a partial agreement of 18 member states of the Council of Europe, the commission in February 2002 became an enlarged agreement, thus allowing non-European states to become full members. All Council of Europe member states are members of the Venice Commission; in addition, Kyrgyzstan joined the commission in 2004. Belarus is associate member, while Argentina, Canada, the Holy See, Israel, Japan, Kazakhstan, the Republic of Korea, Mexico, the United States and Uruguay are observers. South Africa has a special co-operation status similar to that of the observers.

The European Commission and OSCE/ODIHR participate in the plenary sessions of the Commission.

According to Article 1 of the Revised Statute of the European Commission for Democracy through Law the Commission is an independent consultative body which co-operates with the member states of the Council of Europe, as well as with interested non-member states and international organisations and bodies. Its own specific field

of action shall be the guarantees offered by law in the service of democracy. It shall fulfil the following objectives:

- strengthening the understanding of the legal systems of the participating states, notably with a view to bringing these systems closer;
- promoting the rule of law and democracy;
- examining the problems raised by the working of democratic institutions and their reinforcement and development. [Resolution Res(2002)3 adopting the revised Statute of the European Commission for Democracy through Law (Adopted by the Committee of Ministers on 21 February 2002 at the 784th meeting of the Ministers' Deputies)].

The Venice Commission is composed of “independent experts who have achieved eminence through their experience in democratic institutions or by their contribution to the enhancement of law and political science” (Article 2 of the revised Statute).

The members of the Commission act on the commission in their individual capacity, the members are appointed for four years by the participating countries.

The work of the European Commission for Democracy through Law aims at upholding the three underlying principles of Europe's constitutional heritage: democracy, human rights and the rule of law. The Commission meets four times a year in Venice for plenary sessions and works in the following four main fields:

- constitutional assistance;
- elections and referendums;
- co-operation with constitutional courts; and
- transnational studies, reports and seminars.

As regards electoral matters the Commission strives to bring the electoral legislation of member states up to European standards. For any democratic society, free and fair elections are of paramount importance; therefore, the Venice Commission has defined the principles applicable to democratic elections in the Code of Good Practice in Electoral Matters and a number of other standard-setting texts. It also drafts opinions and recommendations on the electoral legislation of member countries and organises training seminars targeting all actors involved in the electoral process. To a large extent these activities are carried out through the Council for Democratic Elections, a joint body set up in co-operation with the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe.

II. The Council for Democratic Elections

In 2002 the Commission set up, together with the Parliamentary Assembly and the Congress of Local and Regional Authorities, a new, tripartite body: the Council on Democratic Elections.

The Venice Commission had intensive co-operation with a number of States in the field of electoral assistance in the former years, too. The most important aspect of this co-operation is the adoption of opinions on electoral legislation. In this respect the Venice Commission increased its co-operation with ODIHR and started a practice of joint opinions of the two institutions. This reinforced the weight of these opinions and could prevent contradictions between both institutions which could be exploited politically.

In addition, the Venice Commission takes active part at workshops on electoral standards.

On 8 November 2001 the Permanent Commission of the Parliamentary Assembly, acting on behalf of the Assembly, adopted resolution 1264 (2001), inviting the Venice Commission to:

- “i. set up a working group, comprising representatives of the Parliamentary Assembly, the CLRAE and possibly other organisations with experience in the matter, with the aim of discussing electoral issues on a regular basis;*
- ii. devise a code of practice in electoral matters which might draw, inter alia, on the guidelines set out in the appendix to the explanatory memorandum of the report on which this resolution is based (Doc. 9267), on the understanding that this code should include rules both on the run-up to the election, the elections themselves and on the period immediately following the vote;*
- iii. as far as its resources allow, to compile a list of the underlying principles of European electoral systems by co-ordinating, standardising and developing current and planned surveys and activities. In the medium term, the data collected on European elections should be entered into a database, and analysed and disseminated by a specialised unit.”*

Following this resolution, the Council for Democratic Elections was founded on 7 March 2002. It consists of members of the Venice Commission, the Parliamentary Assembly and the Congress of Local and Regional Authorities of Europe. The ODIHR, the Parliamentary Assembly of OSCE, the European Commission, the European Parliament and, as of the 3rd meeting (16 October 2002), the ACEEEO (Association of Central and Eastern European Election Officials) were all invited to participate in its work as observers. On its 2nd meeting the Council for Democratic Elections (Venice, 3 July 2002) decided to admit ACEEEO as an observer. At the first meeting it was decided that the working group will be named as “the Council on Democratic Elections”. Observer status was granted to ODIHR, to the OSCE Parliamentary Assembly, to the European Parliament and to the European Commission.

Assuming the appropriate and quick responses of the Venice Commission to the demands of the Parliamentary Assembly, the same body on 30 January 2003 adopted a resolution inviting the Venice Commission to further tasks:

- “i. to set the activities of the Council for Democratic Elections on a permanent footing and consider the Council one of its own bodies while maintaining its current form of mixed membership, as specified in Resolution 1264;*
- ii. to implement the aims of the Council for Democratic Elections, as set out in Resolution 1264, and, in particular, continue its activities with a view to:*
 - a. setting up a database comprising, inter alia, the electoral legislation of Council of Europe member states;*
 - b. formulating opinions, in co-ordination with the Assembly, on all general questions relating to electoral matters as well as opinions concerning possible improvements to legislation and practices in particular member states or applicant countries;*
 - c. drafting, as soon as possible, a computerized questionnaire, setting out in a practical form the general principles of the Code of Good Practice in Electoral Matters, which would give the observer delegations a better overview of the electoral situation.”*

The Venice Commission was also involved in work aimed at defining international standards in electoral matters in the framework of the OSCE/ODIHR.

At its ninth session (February 2003), the Congress of Local and Regional Authorities of the Council of Europe adopted Resolution 148 (2003) and Recommendation 124 (2003) going in the same direction.

The Council adopted its Internal Rules of Procedure on 11 March 2004 (CDL-EL(2003)017rev).

According to Article 1 of the Rules, the Council for Democratic Elections is made up of Internal Rules of Procedure on 11 March 2004 (CDL-EL(2003)017rev).

9 members and 9 substitutes, as follows:

- 4 members and 4 substitutes appointed by the Venice Commission;
- 3 members and 3 substitutes appointed by the Parliamentary Assembly of the Council of Europe;
- 2 members and 2 substitutes appointed by the Congress of Local and Regional Authorities of Europe.

Unless otherwise decided, the CDE shall hold its meetings on the day preceding the plenary meeting of the Venice Commission. The CDE appoints rapporteurs on questions submitted to its attention. Members, substitute members, observers and external experts can be Rapporteurs of the CDE (Article 5).

The Chairman of the Council presently is Mr Erik Jurgens, Member of the Parliamentary Assembly, Amsterdam. Mr Hjörtur Torfason, Former Judge of the Supreme Court of Iceland, Reykjavik was elected as Vice-Chairman.

III. Code of Good Practice in Electoral Matters

The Parliamentary Assembly resolution set three tasks to the Council:

First, to establish a permanent working group – this has been satisfied by setting up the Council itself.

The second aim was to prepare a code of good practice in electoral matters. A preliminary draft guidelines in electoral matters had been already drawn up by the Venice Commission Secretariat (CDL-EL(2002)002) on the basis of Appendix IV to document 9267 of the Parliamentary Assembly, and which was developed in the preliminary draft code of good practice in electoral matters (CDL-EL(2002)001). The so-called Code of Good Practice in Electoral Matters was adopted by the

Venice Commission at its 51st and 52nd sessions.

The Code contains guidelines and an explanatory report offering details on the issue. It aims to define a European electoral heritage which should be respected when organising democratic elections. The document is divided into two parts. The first part deals with the principles of European electoral heritage, namely free, equal, universal, secret and direct elections at regular intervals. The second part relates to the conditions of implementation of these principles and in particular to the respect of fundamental rights such as freedom of expression, assembly and association, observation of elections and guarantees to be ensured with respect to funding and security.

The main merit of the Code is that it provides guidance on European standards for all interested states, especially the new democracies, and it is a clear reference framework for our Commission's activity of legislative assistance in the electoral field.

The Code of Good Practice is not a binding document under international law. The Code of Good Practice in Electoral Matters was forwarded to the Parliamentary Assembly which on 30 January 2003 adopted Resolution 1320 (2003) and Recommendation 1595 (2003), both concerning the Code of Good Practice in Electoral Matters (CDL-AD(2002)023). These documents gave the Code of Good Practice, which had already been adopted by the Council for Democratic Elections and the Venice Commission, official status at Parliamentary Assembly level. The recommendation called on the Committee of Ministers to transform the Code of Good Practice in Electoral Matters into a European convention.

The Code of Good Practice in Electoral Matters was also debated at a CLRAE meeting on 20 March 2003.

The Parliamentary Assembly circulated the Code of Good Practice to the national delegations, national parliaments, the presidents of the European Parliament, the European Commission, the Parliamentary Assemblies of the OSCE, the WEU and the CIS and the President of the ACEEEO. The document was published in the "Science and technique of democracy"

series (No. 34). The text was to be distributed to the members of the Venice Commission, the Parliamentary Assembly, the CLRAE and electoral commissions, as well as interior ministries, foreign ministries, international organisations such as the UN and, possibly also, the recipients of the first edition. The text had already been translated into Russian and other languages.

The Recommendation by the Congress of Local and Regional Authorities, as well as a recommendation by the Parliamentary Assembly, recommended the Committee of Ministers to transform the Code of good practice in electoral matters into a European convention. In its replies to these recommendations, the Committee of Ministers *“has noted with satisfaction the adoption by the Venice Commission in October 2002 of the Code of Good Practice in Electoral Matters, which was subsequently adopted also by the Parliamentary Assembly and by the Congress of Local and Regional Authorities... recognises the importance of the Code and is pleased to note that it is already serving as a useful reference document for related Council of Europe activities.”*

According to the Committee of Ministers, *“A convention in this field would further highlight the importance for all Council of Europe member states to adhere to the fundamental principles of democratic elections (i.e. universal, equal, free, secret and direct suffrage). For the convention to have any added value, however, its standards would have to be no less exacting than those in the Code.”*

However, the Committee of Ministers assumed that *“it may prove difficult at this moment to draft a legal instrument (particularly a binding one) on this matter... in the immediate future a sustained effort should be made to increase awareness in member states of the existence and merits of the Code of good practice in electoral matters”*.

Finally, the Committee of Ministers of the Council of Europe, at its 114th session at Ministerial level (12-13 May 2004), adopted a declaration on the Code of Good Practice in Electoral Matters, and undertook to give political support to this document drawn up by the Council for Democratic Elections. Following this, the Committee of

Ministers forwarded to the Parliamentary Assembly a complementary reply to Recommendations 1595(2003) of the Parliamentary Assembly and 124(2003) of the Congress of Local and Regional Authorities of the Council of Europe. Before a decision is taken on whether to draw up a Convention on this matter, the Committee of Ministers prefers, as does the Venice Commission, to take into consideration the experience gained in the application of the Code.

The Code is composed by the Guidelines on elections and a detailed Explanatory report. The main message of the document is summarized in the Conclusions:

“Compliance with the five underlying principles of the European electoral heritage (universal, equal, free, secret and direct suffrage) is essential for democracy. It enables democracy to be expressed in different ways but within certain limits. These limits stem primarily from the interpretation of the said principles; the present text lays out the minimum rules to be followed in order to ensure compliance. Second, it is insufficient for the electoral law (in the narrow sense) to comprise rules that are in keeping with the European electoral principles: the latter must be placed in their context, and the credibility of the electoral process must be guaranteed. First, fundamental rights must be respected; and second, the stability of the rules must be such as to exclude any suspicion of manipulation. Lastly, the procedural framework must allow the rules laid down to be implemented effectively.”

The Code in its section on procedural safeguards discusses the role of impartial management bodies in the organisation of elections.

“According to the reports of the Bureau of the Assembly on election observations, the following shortcomings concerning the electoral commissions have been noted in a number of member States: lack of transparency in the activity of the central electoral commission; variations in the interpretation of counting procedure; politically polarised election administration; controversies in appointing members of the Central Electoral Commission; commission members nominated by a state

institution; the dominant position of the ruling party in the election administration.”

The Code states in a very definite language that

“This is why *independent, impartial electoral commissions* must be set up from the national level to polling station level to ensure that elections are properly conducted, or at least remove serious suspicions of irregularity.”

IV. “VOTA” Electoral Database

The third project to be dealt with by the Council was to create a database on electoral matters [see document CDL-EL(2002)003] in close co-operation with ODIHR. The database has been installed in the Venice Commission offices and the electoral laws are currently being integrated and indexed according to the systematic thesaurus adopted by the Council. Some refinements were discussed at the December 2004 meeting of the Council on the basis of the Secretariat’s experience of indexation (see the Updated systematic Thesaurus CDL-EL(2004)021).

V. Practical Guides for Electoral Matters

The Council for Democratic Elections and the Venice Commission also adopted an *Election Evaluation Guide*, which is not confined solely to legislation, but also covers the issue of its implementation. This document includes three questionnaires to be used during election observation: a questionnaire on visits to polling stations before opening, a questionnaire to be completed for each polling station and a questionnaire on observation of the vote counting. The Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe already used the Election evaluation guide during election observation.

The Council for Democratic Elections and the Venice Commission adopted "*Elements for information documents for voters*", which include the main features of free and fair elections and are the basis for documents to be distributed to voters at an election. This was the case for the parliamentary elections, which took place in Georgia in 2003.

VI. Media and election observation

In 2004 Mr Masters prepared a report for the Council on media monitoring during election observation missions (CDL-EL(2004)005). This document follows on from the work carried out by OSCE/ODIHR in this sphere (the document entitled "*Guidelines on media monitoring during election observation missions*"). Later in this year the Council submitted further comments on media monitoring during election observation missions (CDL-EL(2004)012 and 013). ODIHR agreed to the drawing up of a joint text by the two organisations. The Council for Democratic Elections adopted the comments on media monitoring during election observation missions on 9 October 2004.

VII. Forms for Election Observation

The Council for Democratic Elections adopted in October 2004 the draft simplified version of the election observation forms prepared by Mr Casagrande (CDL-EL(2004)014) with reservation to the comments made by Mr Owen (CDL-EL(2004)015) on the one hand, and those made by members of the Council on the other hand. Once the final version has been adopted, the Secretariat will contact the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, with a view to using the simplified forms during future electoral observation missions.

It is noteworthy to mention that on 29 September 2004, a restricted meeting was organised by the European Commission, the United Nations Election Assistance Division (UNEAD) and NDI to discuss the draft guidelines on election observation. This initiative group expressed the wish that a large number of organisations involved in the electoral field (including the Venice Commission) be implicated in this project

with a view to examining and, if possible, adopting draft joint guidelines at a future meeting to take place in January/February 2005. It is envisaged that this meeting take place at the UN Offices in New York. The Venice Commission was invited by the Initiative Group on standards in election observation (UNEAD) to examine the draft standards on election observation with a view to participating in this initiative. The Council for Democratic Elections agreed to examine the draft standards on election observation, and that a member of the Council for Democratic Elections or of the Venice Commission should take part in the initiative group on standards in election observation.

VIII. Electronic Voting

The Council for Democratic Elections and the Venice Commission were represented at all meetings of the Multidisciplinary Ad Hoc Group of Specialists on legal, operational and technical standards for e-enabled voting and of its sub-group, the Group of Specialists on legal and operational standards for e-enabled voting. The Group is preparing a draft recommendation of the Committee of Ministers on e-voting.

In particular, the Venice Commission adopted an opinion on the compatibility of remote voting and electronic voting with the Council of Europe requirements (Article 3 of the Additional Protocol to the European Convention on Human Rights and the Code of Good Practice in Electoral Matters). This opinion was prepared following discussions in the Ad Hoc Group of Specialists on legal, operational and technical standards for e-enabled voting (IP1-S-EE). In conclusion, remote voting including that in a non-controlled and non-supervised environment is in principle compatible with European standards.

The Council for Democratic Elections adopted the report on the compatibility of remote voting and electronic voting with the requirements of the documents of the Council of Europe (CDL-EL(2003)16rev), with some modifications on 11 March 2004.

IX. Electoral Systems

The Council for Democratic Elections and the Venice Commission adopted a report on “*Electoral systems: overview of available solutions and selection criteria*”. This report is divided into two parts. The first one deals with “electoral systems on offer” and summarises the various possibilities governing the casting of votes as well as the counting of votes and the distribution of seats. The second part is dedicated to criteria for selecting a particular election system and the implications of that choice. It underlines in particular the three major functions of an electoral system: representation, selection and investiture, which are completely fulfilled by no election system. It summarises the three historical models of democracy: the elitist model, the mass democracy model and the consumerist individuation model.

X. Referendums

The Commission’s previous work regarding electoral matters resulted in among others in the preparation of guidelines for constitutional referendums at national level (CDL-INF(2001)010). The Council for Democratic Elections adopted in June 2004 a questionnaire on the use of referendums, drawn up on the basis of a contribution by Mr Luchaire (CDL-EL(2004)003rev).

XI. ACEEEO Draft Convention

The Council for Democratic Elections in March 2004 adopted an opinion on the draft ACEEEO Convention on Election Standards, Electoral Rights and Freedoms (CDL-EL(2004)006), with some modifications. The aim of the ACEEEO (Association of Central and Eastern European Election Officials) Convention on Election Standards, Electoral Rights and Freedoms (CDL(2003)057) was to draw up common rules, and elements for evaluating the democratic character of elections, in particular in States in which the democratic tradition is less developed.

The provisions of the draft Convention are grouped in four blocks. The first block deals with the standards of democratic elections such as periodic and mandatory, free, genuine, fair, open, and public elections based on universal and equal suffrage, held by secret vote or by equivalent free voting procedures, assuring voters of their freedom to vote with effective judicial protection and civic (public) and international monitoring. This list also includes language guarantees, which is particularly important for ensuring the participation in elections of national minorities and ethnic groups, as well as indigenous peoples and nationalities.

The second block of the draft Convention defines the status of election participants and the technological infrastructure of the modern electoral process. The draft Convention also lays down general principles for the formation of a transparent funding mechanism for elections and the election campaigns of candidates and political parties.

The third block of the draft Convention defines the parameters of the status and powers of international observers. The presence of international observers contributes to the publicity and openness of elections.

The fourth, concluding block of the draft Convention sets forth the measures that must not be regarded as discriminatory in the legislative regulation of the national electoral process. It defines the obligations of the parties to the Convention and regulates the matters relating to the signing, ratification, and entry into force of the Convention.

XII. Further Opinions

In 2004, Ms Lazarova Trajkovska presented her *report on electoral rules and affirmative action for national minorities* (CDL-EL(2004)020). The Secretariat will contact members of the Venice Commission and the Forum of Minorities to ensure that there are no omissions in the report. Contacts with the Forum of Minorities will enable a proposal for follow-up to this report to be drawn up.

It is also in process of preparation a report on *restrictions to rights to vote*.

The Secretariat presented to the Council proposals for activities related to the *participation of political parties in the electoral process* (CDL-EL(2004)024).

XIII. Country Specific Activities

An important area of the Council's activity is focused on assisting individual member-states of the Council of Europe in the legislative and administrative tasks related to electoral matters.

1. Opinions and Recommendations

The Council for Democratic Elections has started drafting recommendations concerning possible improvements to legislation and practices in particular member states. The first ones, which were already adopted in 2003, related to Georgia and to Armenia. The Venice Commission and the OSCE/ODIHR prepared jointly the recommendations on the electoral law and the electoral administration in Armenia.

The Venice Commission adopted opinions on electoral law in Azerbaijan, Georgia, Chechnya (Russian Federation) and Ukraine. The Venice Commission and OSCE/ODIHR prepared jointly the opinions on Azerbaijan.

The Venice Commission also co-operated in the revision of the Albanian Electoral Code. The Council for Democratic Elections adopted in June 2004 the revised version of the joint recommendations by the Venice Commission and OSCE/ODIHR on the electoral law and electoral administration in Albania (CDL-EL(2004)002rev).

Similarly, the Council for Democratic Elections adopted the draft joint opinion of the Venice Commission and OSCE/ODIHR on the draft amendments to the electoral Code of Armenia taking into account the modifications made by OSCE/ODIHR (CDL-EL(2004)016), and instructed the Secretariat to forward it to the Armenian authorities. A revised opinion should be drawn up once the draft revised modifications have been sent out by the Armenian authorities.

The Council also adopted the Recommendations by the Venice Commission and OSCE/ODIHR on the electoral law and electoral administration in Azerbaijan (CDL-EL(2004)007) with a view to forwarding them to the Azeri authorities.

The Council for Democratic Elections adopted the revised version of the joint recommendations by the Venice Commission and OSCE/ODIHR on the electoral law and electoral administration in Moldova (CDL-EL(2003)015rev).

On another occasion the Parliamentary Assembly of the Council of Europe has requested an expertise from the Venice Commission on the *law on local elections in Romania* (CDL-AD(2004)040), in particular on the provisions concerning candidates from national minorities standing for election. The Council at its 11th meeting (2 December 2004), and on the following day the Commission itself adopted the opinion. It concluded that in general, the law conforms with the standards of the European electoral heritage. However, the law strongly restricts the possibility of more than one grouping of persons belonging to a national minority to be represented in authorities at local level throughout the country. The opinion did not find these restrictions justified.

2. Seminars and Training Workshops

Training workshops on the holding and supervision of elections were organised in Armenia, Albania, Azerbaijan, Georgia and Ukraine. A seminar took place in November 2004 in Croatia.

This is a new activity of the Venice Commission aimed at ensuring that common European standards are applied in practice, through a better knowledge of how they are applied in other European countries. The target groups of these training workshops are people involved in the preparation, adoption and implementation of electoral law, first of all election administrators and election observers, members of electoral Commissions and NGOs specialised in electoral matters but also judges, lawyers and media for example.

The Venice Commission assisted the Central Election Commission of Georgia in the preparation of the November 2003 and January 2004 elections, and the Constitutional Court of Armenia in the settlement of disputes related to the presidential elections.

3. Electoral Observation Missions

The Venice Commission initiated participation in electoral observation missions in accordance with Item 15 of the agreement concluded with the Parliamentary Assembly of the Council of Europe. Ukraine was the first country concerned under the terms of the agreement. A member of the Venice Commission and a member of the Secretariat would go to Ukraine for the first round of the Presidential elections to be held on 31 October 2004; the member will assist the Parliamentary Assembly delegation from a legal point of view. A similar visit would be desirable in the case of a possible second round of the election which would take place on 21 November.

Further assistance missions envisaged are the local election in Azerbaijan in December 2004 as well as to Moldova, Albania, Kyrgyzstan in 2005, on the condition that the Parliamentary Assembly organises election observations missions to these countries.

XIV. Conclusions

The above outlined activities testify that the CDE provides theoretical and practical assistance in a wide range of matters related to elections. Standard setting and formulating opinions on electoral laws and other legislations forms the more theoretical part of the Council's work. Election observations, elaboration of guide-lines and questionnaires, trainings and seminars contribute to the practical improvement of fair elections. The tri-partite composition of the Council also reflects and at the same time strengthens the combination of theoretical foundations and practical aspects of its aims and achievements.

**VOTER TURNOUT WITH SPECIAL REGARD TO FIRST TIME
VOTERS**

**Mr Mate RADICS
Senior Project Manager,
Association of Central and Eastern European Electoral Officials
(ACEEEO)**

Slide 1

ACEEEO Annual Conference
2004 September 9-11
“Voter Turnout with special regard to the first time voters”
120 participants in the conference, from 25 countries.

Mr Chairman, Ladies and Gentlemen,

I. Opening

I'd like to begin to convey Mr Toth's apology for not being here, but we have the steering committee meeting for the 2005 conference in Budapest on Friday. It is a great honour and privilege for the association and for me to speak here today about what the ACEEEO achieved at its last conference in Tirana.

First of all I would like to speak about the conference, secondly about the results of the research and last but not least about our future plans.

II. Conference of 2004

The Association of Central and Eastern European Electoral Officials (ACEEEO) in co-operation with Central Election Commission of Albania and the International Foundation for Election Systems (IFES) organized its annual conference, "Voter Turnout with special regard to the first time voters". The conference was held between 9 and 11 September 2004 in Albania.

The main topics of the conference were Voter turnout and first time voters. The fundamental condition of the countries' democratic function is the largest rate of electors who participate at the elections, because this is the most effective way to provide the legitimacy of the legislative bodies, and to provide the public interest. One of the central issues was the topic of first time voters, because in these young ages it is the easiest to become accustomed to the participation.

The General Assembly was informed about the draft European Convention on Election Standards, Electoral Rights and Freedoms. The revised version, based on the recommendations of the Venice Commission (Council of Europe), was acknowledged by the General Assembly.

There were 120 participants in the conference, from 25 countries. During the conference several international experts delivered a speech on these topics. There was a possibility to discuss important and current issues with various international organizations and bodies such as OSCE-ODIHR, IFES, European Commission, Council of Europe (Venice Commission), Parliamentary Assembly of the Council of Europe, International IDEA (Institute for Democracy and Electoral Assistance), international NGOs and Central Election Commissions from all over the world. The decisions, documents and photos can be found in our website (www.aceeeo.org).

The next ACEEEO annual conference will be organized in Hungary in September, 2005. Conference information will be put on our website in the spring of 2005.

Now I would like to present the main topic of last year:

III. Voter turnout and first voters.

In 2004 Voter turnout and the first time voters was the main research area of the Association. The reason to choose this topic was simple. The voter turnout is a very important index in a modern multi-party democracy. The data of voter turnout are not only mechanic index numbers of the citizens' political activity. The level of participation is a sensitive index number of the social integration, which reflects to the social, economic and cultural courses and their effects, and which cannot be neglected by any careful social policy. Nevertheless, the voter turnout is the most obvious determinant of the legitimacy of the plural democracy.

During the research we had to avoid overestimating the statistical data during the drawing of the tendencies and interpreting the special data which differ from them. The processing of the index numbers is not realized by simple or mechanic correlations. During the analysis of the voter turnout data, it is necessary to reveal the complicated matrix of the motives, and take into consideration all of its units with the required importance and meaning.

It makes the evaluation, especially the comparison of data, more complicated that differences of the election systems of the countries may put the different data in different light, and so different conclusions may be drawn from them. On the one hand it may produce a bigger electoral socialization by the fact that citizens can use their suffrage more often, on the other hand it may also cause electoral apathy as well.

Now I would like to speak about the general tendencies which are the environment of the research:

At the turn of the years 80's and 90's the generally decreasing tendency of the voter turnout began to take form. There are several factors for the causes of the general decrease. For example:

- the loosening and the disintegration of the macro- and micro communities (e.g. families),
- the globalization process decreasing the importance of the national social participation and political participation,
- electoral absence of interest caused by the transformation of the party systems and party ideologies,
- the rude, personalized campaign.

Concerning **the transforming countries** I would like to mention the following **characteristics**:

Slide2

Characteristics of the transforming countries

The first free elections

Voter turnout in the last two general elections

Results:

- above 70% - 9 countries
- between 50-70% - 10 countries
- below 50 % - 1 country

Tendencies:

- decreasing trend - 12 countries
- increasing trend - 4 countries

The international experiences referring to the turnout in our region can be considered by different correlation. The regime transformation created conditions different from the western countries for the execution of the elections. The first elections after the collapse of the one-party regime attracted in general a larger mass of the voters, then later the general international tendency began to effectuate. But there were exceptions: for example in Poland and Hungary the process of pluralism following the “soft dictatorship” did not produce an exceptionally high turnout level, which was the case in the other countries. The other principal cause of the difference arises from the differences of the social distribution: in the Polish and Hungarian societies the financial-income differentiation of the society had already been more significant before the transformation of the regime, which influenced the mobilization of the voters negatively.

Taking into consideration the **characteristics of first voters**, we should know the following facts:

Slide3

The first voters

Significance of first voters:

- widespread research for their electoral participation and the motives Orientation and education
- independent organizations and NGOs
- youth voters' information and education

Recommendation

IV. Age structure of the population

The countries of the central-eastern European region can be classified into two groups by the age structure of their population. Most countries (e.g. Latvia, Hungary, Russia, and Slovakia), similarly to most western countries, have aging structure of population. There are fewer countries, which have younger population (e.g. Albania, Azerbaijan, Turkey). In these countries more than 30% of the population is under 15, and about 5% of it is over 60.

The voter turnout has its lowest rate among the young population, while in the older population it becomes more and more higher, until we reach that age when the active work decreases naturally or stops functioning.

These experiences show how important the motivation of the young voters is for the participation as – especially in the young age-structured societies – compared to their proportion within the population, they are far underrepresented.

The conclusions drawn by the developing demographic procedures in Central and Eastern Europe demand the elaboration of the necessary operational program in order to maintain the appropriate level of the turnout. An operational program must be elaborated for the hereditary transmission of the models of the conventionalism, the traditions and the

social cohesion, which play important role among the motives of the participation, which will ensure the support of healthy distribution of the turnout, even when the young population becomes a middle-aged population.

The lack of information relating to the first voters shows that there is no required interest for them yet. However, their importance we introduced here would justify in any case beginning a widespread research for their electoral participation and the motives of that.

V. Orientation and education of the first voters

An important element of the socialization of the young people is the establishment of the appropriate level of the public life activity.

The youth organizations of the political parties have been diffused in order to develop the political participation of the young population, however there are very few independent organizations, which aim to encourage the electoral activity. As the youth plays a vital role in securing democracy in the long run we consider it very important to hold dialogues with the youth also in the electoral process. Using the experience and knowledge in this field our Association is willing to play an active role in the youth voters' information and education.

For this reason the ACEEEO started the project called "www.firstvoter.eu" which aims to raise attention to the first time voters for elections through creating a homepage containing useful information in different languages. This web-based informative forum would widen the knowledge of the youth in Europe around the importance of electoral participation in the form of voting.

VI. As a conclusion of the conference and the researches the general assembly adopted the following Recommendations:

- The member states of ACEEEO should enlarge the statistical and sociological information collection for the turnout, in order to create increasing database and statistical evaluation of the election results.
- They should enlarge the exit poll surveys, with the infiltration of the former participation related questions. (A powerful limit of this retrospective information collection is the subsequent “over-valuation”, which needs to be revised by the completion of the post-control.)
- It is extremely important to examine the age-specific research of the voter turnout and collect the information aiming to this.
- The member states aim to pursue effective party-neutral campaign in order to increase the general voter turnout, to elaborate electoral mobilization-programs. The non-profit organizations, foundations separated from the political parties and state-organs seems to be the most effective solution but the activity of the electoral organs of this direction is not negligible either.
- In order to increase the electoral activity of the young people, we recommend principally practicing the infiltrated programs in the education.
- It is necessary to create as many non-governmental organizations as possible, which – besides the youth organizations of the political parties – are able to develop the public life activity.
- The ACEEEO must continue to collect the voter turnout data of the member states, and inform related researchers about the turnout and results.
- The ACEEEO must continue its project about the first voters, and motivate the member states to create an internet site for their first voters, containing the necessary information for the elections and executing the electoral mobilization role as well.
- The ACEEEO must participate actively in the civic education programs of the Council of Europe and the European Union, and motivate the member states to participate in these programs.

VII. Some words about our future plans

In 2005 we are continuing our first voter project knowing that it is not enough to make a research, but we have to use the findings to influence the tendencies.

Finally I would like inform you that the ACEEEO will co-organize 'World Conference of Election Experts' placed in Siofok (Lake Balaton, Hungary) on 12-17 September 2005. Partners are the followings: IFES, Elections Canada, the International Institute for Democracy and Electoral Assistance (IDEA), the United Nations Electoral Assistance Division (UN) and the Federal Electoral Institute (IFE) and the Ministry of the Interior of Hungary. This symposium will cover 3 conferences, 3 issues:

- 'Role and development of technical equipment in the electoral process';
- 'Election monitoring and international cooperation';
- 'Electoral disputes at the court of justice.'

We expect about 200 election experts from 30 countries for a week. The conference will be opened by the President of the Republic of Hungary. You are more than welcome. We will send the invitation in the near future.

Thank you very much for your attention.

**TACKLING THE PROBLEM OF VOTER ABSTENTION – THE
FACILITATION/MOBILISATION FRAMEWORK AND SOME
EMPIRICAL EVIDENCE**

Mr Richard SINNOTT
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I. The research and policy problems

Voter turnout varies between countries and over time, it diverges across arenas and levels of governance,¹ and, most dramatically, it differs between one citizen and the next. The purpose of this paper is to provide an overview of the issues that arise in the study of electoral participation/abstention and to put forward an integrated framework for dealing with both the research and policy aspects of the problem.

Figure 1 illustrates the first of the variations referred to by showing the proportion turning out to vote in the national election closest to 2002 in the 25 member states of the European Union and in the United States of America². The outer limits of the range are found in Belgium and Malta on the high side (96 per cent in each case) and in the United States* and Poland on the low side (49 and 46 per cent respectively). Three of the countries with very high turnout have compulsory voting (Belgium, Greece and Luxembourg), leaving little to explain. The remaining countries show the wide differences in national turnout that have intrigued and challenged politicians and social scientists for more than a century.

¹ Levels of governance refer to the sub-national level (local and regional), the national level, and the supranational (for example, the European Union). Arenas of governance refer to the (directly or indirectly) elected branches of government plus the mechanisms of direct democracy: executives, legislative assemblies, judges and referendums.

² This selection of countries is not intended to imply that the countries in question are either particularly representative or particularly important. The selection has been determined rather by a combination of interesting and puzzling variation among them, along with the availability of appropriate data (individual-level and aggregate).

A country's rate of voter turnout is not static. In recent years, the trend in most Western countries has been downwards. Comparing turnout in the national election held in or closest to the year 2002 to turnout in the national election closest to 1979, shows that turnout remained essentially the same (up or down 1 or 2 percentage points) in just five of the 26 countries considered. In the other 21 countries, it fell, the fall being relatively modest (3 to 5 percentage points) in five countries but substantial (between 7 and 25 percentage points) in the remaining 16 countries (see Figure 2). This trend adds to the analytical puzzles we confront. It also adds to the political importance of the topic. When growing numbers of citizens lose interest in conventional politics, become ever more poorly informed, and vote only when roused to action by crises and demagogic appeals, the health of democratic political systems may be endangered.

The third kind of variation in voter turnout (variation across levels or arenas of governance) tends to be even more dramatic than the considerable variations in national-election turnout that occur across countries and over time. The great majority of Europeans vote in national elections, but they are frequently absent for decisions at the increasingly important level of governance represented by the EU and the European Parliament (EP). Similarly, a majority of Americans vote in presidential elections, but only about one third turn out to elect the constitutionally co-equal branch, the Congress.

As Figure 3 shows, the national-to-EP-election drop-off in turnout in the 2004 EP election was 20 percentage points or more in 18 of the 25 member states and was 40 percentage points or more in 6 countries. Worse, the downward trend in EP turnout since the inception of EP elections has been more rapid than the downward trend in national elections over the same period, so that the gap is increasing. In the United States the drop-off between the 2000 Presidential and the 2002 Congressional elections was 18 points from an already low level of national turnout. The implication seems quite clear: in the majority of cases, constitutionally important democratic institutions are failing to engage many citizens, even among those who do make it to the polls for national elections.

Finally and most significantly, turnout varies substantially as between different kinds of people. Using data from the Euro-barometer European Parliament election survey (Flash Euro-barometer 162), Figure 4 shows the “propensity to vote” of particular categories of citizens, that is, their deviation from the overall average turnout in that election.³ Many of these relationships are substantial. Thus, propensity to vote in European Parliament elections is positively related to experience of the campaign (meetings, contact by parties, candidate and party differentials), to sense of party attachment, to being older, to being a civil servant or to being in a general management occupation, to being a farmer/forester/fisherman, to having high levels of political knowledge, to having positive attitudes to Europe and European integration, to being interested in politics, and to having discussed the campaign with one’s family, friends or acquaintances. On the other end of the scale, manual workers (skilled and unskilled), young people, the unemployed, full-time students, those who did not hear about the campaign through either newspapers or television, those with no sense of attachment to Europe and those with secondary education only – all these voted less.

The difficulty, of course, is that it is far from clear what the relationships identified in Figure 4 mean in either theoretical or practical terms. Bivariate correlations, important as they may be for descriptive purposes, do not answer causal questions. In Figure 4, for example, note that both third-level education *and* those with only primary education have a positive propensity to vote in an EP election, while those with a secondary education are less likely to turn out. Determining whether education truly increases turnout cannot be done descriptively. Education and turnout are related to one another, but they are also powerfully related to age. This example underlines the larger problem in the study of turnout, namely the proliferation of variables that makes fundamental causal factors difficult to discern and policy prescriptions difficult to devise.

³ Thus the propensity to turn out in some category of people is measured by subtracting the national turnout percentage from the group’s turnout percentage. In surveys, both percentages are measured by respondents’ self-reports, which include some over-reporting.

The proliferation-of-variables problem is no accident but rather lies in the nature of the phenomenon of turning out to vote. In a review of rational choice approaches to the analysis of abstention, Aldrich has argued that ‘...turnout is for many people most of the time a low cost, low benefit action. Turnout is a decision almost always made “at the margin”. Small changes in costs and benefits alter the turnout decision of many citizens’ (Aldrich, 1993, p. 261). If this is so, it follows that the decision to turnout or to abstain is potentially subject to a myriad of particular influences. This leaves us with two options - an unsatisfactory one and a challenging one. The unsatisfactory option would be to simply document item by item the wide range of factors affecting the decision to vote. The challenging option would be to attempt to categorise the influences so that each particular effect is a recognisable instance of some class of effects. If one could go on from this to suggest some ways in which these categories of effects might be related to turnout and, perhaps, to one another, one would have taken a second significant step.

The literature on turnout has tended to respond to the problem of the diversity of influences on turnout by producing what are apparently alternative and mutually exclusive theories or explanations of turnout. Thus, for example, Blais (2000) notes that, in addition to the rational choice approach (which is his main concern), "There are four alternative explanations for why people vote. These are the resources and mobilisation models, and what could be called the psychological and sociological interpretations" (Blais, 2000, p. 12). While he notes that there is some overlap and some complementarity between these various approaches, his review of the theoretical explanations suggests that these tend to be regarded as alternative or competing accounts. Similarly, Franklin argues that the many theories that have been proposed to explain variations in political participation "essentially boil down to explanations involving three different features that distinguish people from one another: resources, mobilisation, and the desire to affect the course of public policy (what we shall call "*instrumental motivation*")" (Franklin, 1998, p. 219). He goes on to explain that "instrumental motivation is the sense that individuals may have that their actions (at least taken in concert with the actions of other individuals who share the same concerns) might affect an election outcome" (ibid.). He appears to endorse the notion of

competing theories when he concludes that "the instrumental approach to understanding political participation is superior to the other two common approaches because it subsumes them both by explaining additional aspects of political participation that neither of the other approaches can address" (p. 222).

The problem of the fragmentation of the existing literature into competing and mutually exclusive explanations or schools of thought is compounded by fragmentation across different research traditions -- in particular as between approaches that take countries as the units of analysis and approaches where the units of analysis are individuals and as between those who use aggregate data and those who use individual-level data. Clearly, a comprehensive account of the problem of abstention must draw on the strengths of each of the competing theoretical perspectives and each of the various methodological approaches.⁴ The first step in this direction would be to devise a classification of the independent variables that influence turnout (rather than a classification of competing theories). If this could be done it would provide the basis for integrating the disparate insights at present scattered across the various approaches.

II. A typology of the factors affecting participation /abstention

A step in this direction is suggested by Blondel, Sinnott and Svensson who argue that the factors affecting turnout can be thought of in terms of facilitation and mobilisation (Blondel, Sinnott and Svensson, 1998. pp. 246-257). This distinction has the merit of being related to an important behavioural distinction between circumstantial and voluntary abstention (ibid, pp. 40-54). Thus high facilitation lowers circumstantial abstention and low facilitation increases it. Likewise high mobilisation lowers voluntary abstention and low mobilisation increases it. But there are also

⁴ The FP5 project referred to above attempts to do this by conducting a comparative multi-level analysis of turnout using both individual-level and aggregate data. Given the problem of exaggeration of propensity to vote and of reported voting and given the probable bias towards non-voters in non-responses in survey research, the aggregate data plays a particularly important role, especially in identifying levels of turnout among socially excluded groups. The utility of aggregate data is enhanced by a recent advances in techniques of ecological inference.

potential interaction effects -- high mobilisation may overcome low facilitation or low mobilisation may be offset by high facilitation. In summary, a starting point in devising a comprehensive typology of factors affecting voter participation can be found in the distinction between facilitating turnout and mobilising turnout, understanding both these terms in a broad and inclusive sense. Facilitation refers to any process or variable that makes voting easier. Mobilisation is any process or variable that provides an incentive to vote.

The second essential element in the attempt to construct a typology is based on taking account of the location of the variables, recognising that the processes of facilitation and mobilisation operate both at the level of institutions/organisations and at the level of individuals. Cross classifying the two distinctions leads to the four types of influence on turnout/abstention displayed in outline form in Figure 5 and in detail in Figure 6.

1. Institutional facilitation consists of two sets of variables that are not usually put in the same box. The first is the set of practical *administrative* arrangements that govern the way in which elections are conducted (e.g., the presence or absence of compulsory voting, the month in which the election takes place, whether polling takes place on a weekday or at the weekend, the hours of polling, the accessibility of polling stations, the availability of postal voting etc.). There is an obvious sense in which factors such as these can be said to facilitate voting. But there is a second set of institutional processes that also facilitate voter participation by increasing citizens' capacity to deal with political issues and by increasing their level of political knowledge. This can be thought of as a process of *cognitive* facilitation. It includes neutral information campaigns related to the election or to the institution in question; it also includes the extent and quality of media coverage of electoral politics and election campaigns, the availability of free television air-time for party broadcasts, the occurrence of televised debates related to the election, the availability of adequate resources for mounting election campaigns etc.

2. Institutional mobilisation has long-term and short-term aspects. In the long term, the characteristics and the role of the elected body lead to stronger or weaker incentives to vote. These characteristics include the degree of concentration of power in the elected body, the scope of its policy competence, its relationships with other institutions of governance, the nature of the electoral system etc. The short-term aspects of institutional mobilisation include the campaigns by the parties and the candidates, but they also include partisan media coverage and non-partisan campaigns urging higher turnout.

3. Individual facilitation refers to the attributes of the individual that make voting easier or more difficult. These attributes include practical matters such as, for example, disposable time, residential stability, proximity to the polling station, etc. These practical considerations are different for different people, depending on constraints and opportunities related to various individual variables such as an individual's occupation, family responsibilities etc. It is vital to note, however, that individual facilitation variables also include politically relevant resources and capacities such as the individual's level of education, level of media consumption, political knowledge and sense of political competence.

4. Individual mobilisation comprises the attributes of individuals that provide incentives to vote. These include long-standing attitudes such as, for example, party identification, ideological commitments, sense of civic duty, sense of social solidarity etc. However, they also include short-term perceptions, experiences and preferences acquired in the course of the campaign, such as issue and leadership preferences, sense of issue salience, and election-specific party and candidate differentials.

III. The advantages of the typology

The advantages of this fourfold classification of the variables affecting turnout can be illustrated by considering a number of examples. We know, for example, that turnout is strongly (curvilinearly) related to age. The problem is that it is not immediately apparent what this means or what the implications are. The typology in Figure 6 helps to clarify the issue by bringing out the fact that the relationship between age and turnout

can be a matter of facilitation or a matter of mobilisation and can indeed reflect different processes of facilitation and different processes of mobilisation. Thus, the typology suggests that the relationship between age and turnout can reflect different aspects of the process of facilitation - the relationship being due to practical considerations such as residential mobility/stability or due to cognitive factors, older people having learned by experience about how political institutions at the national or supranational level function. Alternatively, the typology suggests that the relationship between turnout and age can be due to a different form of political learning, i.e. learning to have partisan preferences and a party identification, in short, becoming politically mobilised. Finally, according to Figure 6, the relationship between age and turnout can reflect a process of generational mobilisation or demobilisation in which different generations acquire habits of political participation or non-participation in early adulthood and carry those habits forward into later life.

A second example of the value of the typology is the manner in which it brings out the different ways in which occupation can be related to turnout - occupation can act as a resource that facilitates discussion of politics and of issues in the election; on the other hand it can be an indicator of the presence or absence of an occupation-related time constraint that makes voting more difficult or easier in practical terms; more generally, it can be a proxy for the presence or absence of a variety of resources that make voting easier or more difficult; finally, occupation may be a mobilizing or de-mobilising factor in so far as it gives a person a stake in the political process at national or at supranational level.

On the institutional side of things, the typology helps to clarify the differences between various forms of communication and how these are related to one another. Thus, there are fundamental differences between efforts to increase the facility or capacity with which citizens approach elections and efforts to persuade citizens to act in a certain way (i.e. to turn out to vote or to vote this way or that). The crucial point is that the success of the latter (that is of mobilizing efforts) is heavily dependent on the success of the former (that is, especially, on the success of cognitive facilitation). If people have no sense of how government functions or of what the parties stand for, it is a very difficult to persuade them to turn out

to vote or to prefer this or that party or this or that candidate. Contrariwise, increasing people's knowledge and understanding of political institutions and of the political process makes it much more likely that they will notice and respond to appeals to turn out to vote or appeals to support particular parties or candidates.

IV. The connections between the four types of variables

The connections between the four types of variables and turnout are summarised in Figure 7. The five numbered arrows represent the main causal connections or processes influencing turnout in any given election. While much research needs to be done to clarify the nature of these connections and their relative strength, this paper concludes by considering each of the hypothesised connections in order to engage in some speculative policy-oriented thinking and to test the potential applicability of the approach.

Administrative facilitation (arrow 1 in Figure 5) Research has shown that a substantial amount of abstention in elections is due to the circumstances in which individuals find themselves around the time or on the day of the election (Blondel, Sinnott and Svensson, 1998, Lyons and Sinnott, 2003). This "circumstantial" abstention can be reduced by practical measures to *facilitate* the act of going to the polls to cast a vote. In an ideal world, polling would be spread over two days; the preferred polling days in such a scheme would be a Sunday and a Monday to facilitate both types of voters - those for whom Sunday is inconvenient or unacceptable in principle and those for whom weekday voting poses practical problems. Also in an ideal world, though perhaps a bit more within the realm of the practicable, polling should not take place during the main holiday season.⁵ Finally, and in very practicable terms, national electoral management bodies should make sure that voter registration lists are as up-to-date as possible, that the hours of opening of polling stations are as long as possible, that the option of postal voting is as widely available and as

⁵ In particular, given its low level of turnout, it is not sensible for the European Parliament to hold its elections on (in most member states) a Sunday in mid-June.

simple as possible and that information about these and all other practical aspects of the election is as widely disseminated as possible. Administrative facilitation measures are potentially relevant to all citizens. However, they are likely to have a particular effect on turnout among young people and among those whose occupation or other commitments make voting within a very constricted time period difficult.

Cognitive facilitation (arrow 2 in Figure 5) For many people, politics is a remote realm. Accordingly it is necessary to facilitate participation by such people by improving their understanding of the basic institutions and process of politics and by providing them with a way of relating the issues that concern them to the representative political process. Becoming a voter depends on learning about politics and the evidence suggests that much of this learning takes place in adulthood. While learning about politics may be largely a matter of experience, an effective communication strategy can accelerate the learning process and, in this way, substantially increase turnout in elections. The targets of cognitive facilitation measures include both demographic groups and groups defined in terms of their level of attention to or knowledge of politics.

Political mobilisation (arrows 3, 4 and 5 in Figure 7) Institutional mobilisation takes a number of forms. Institutional influences on long-term individual mobilisation derive in part from the structure and nature of political institutions. These include the degree of concentration of power in the elected body, the scope of the powers invested in elected institutions and the characteristics of electoral systems that expand or limit the choices available to citizens and translate those choices more or less proportionately into distributions of political power. Long-term processes of institutional mobilisation also include the nature and structure of political cleavages and the extent to which these are rooted in fundamental socio-cultural cleavages in the society in question.

The individual-level effects of the long-term institutional mobilisation processes just described are evident in, among other things, citizens' perceptions of the power and scope of governance, their confidence in political institutions, their sense of political efficacy, their feelings of party identification or party attachment and their sense of civic duty. Needless

to remark, any weakening in long-term processes of institutional mobilisation has the effect of eroding these various forms of long-term individual-level political mobilisation. Such individual political mobilisation in turn has an independent effect on the propensity to vote (arrow 4). That is, individuals with high levels of prior political mobilisation are likely to turn out to vote almost irrespective of the degree of short-term institutional mobilisation (see next paragraph) that may characterise any given electoral contest.

Institutional processes leading to short-term mobilisation consist mainly of the campaigning efforts of political parties and the campaign-related activities of other political groups. It is important to note that these processes depend on the level of individual facilitation, in particular on the cognitive capacities with which individuals approach politics and political participation. This interaction between processes of institutional mobilisation and states of individual facilitation is illustrated in Figure 7 by the broken lines passing through the individual facilitation box (note that the interaction applies as much to long-term institutional mobilisation as to short-term institutional mobilisation).

V. Conclusion

This paper has presented an analytical framework for the study of electoral participation/abstention based on the distinction between facilitating participation and mobilising participation and on the recognition that both these processes operate at an institutional and at an individual level. The framework is designed to respond to a variety of research questions, to incorporate the wide range of findings produced by empirical research, and to enable policy recommendations to be developed, assessed and prioritised.

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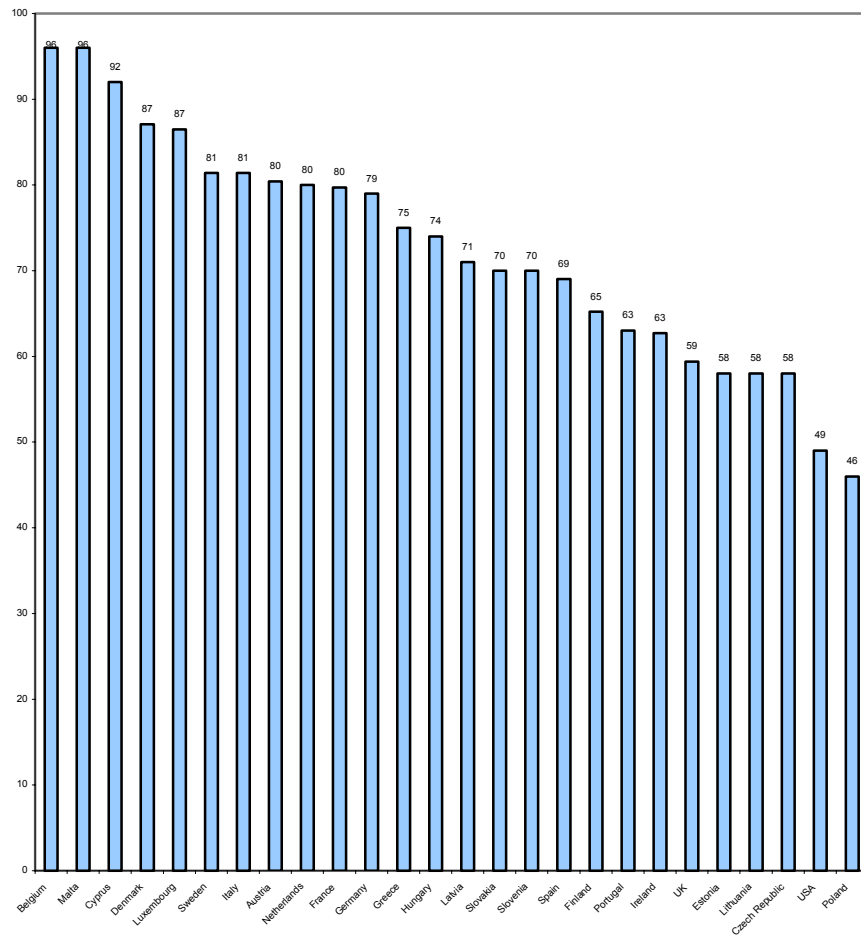
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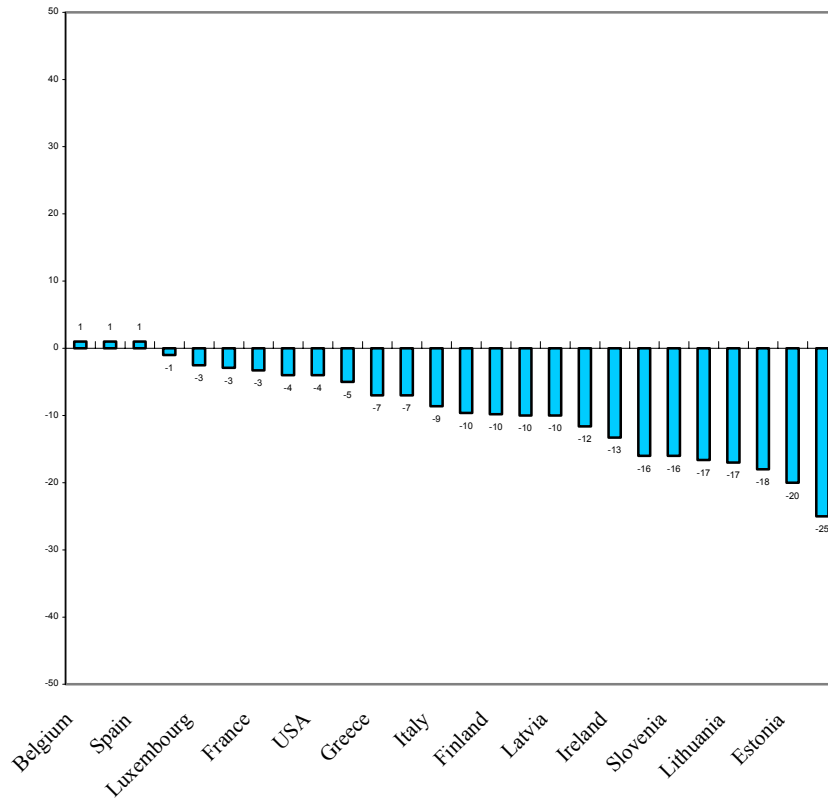
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Figure 1: Turnout in the most recent national election



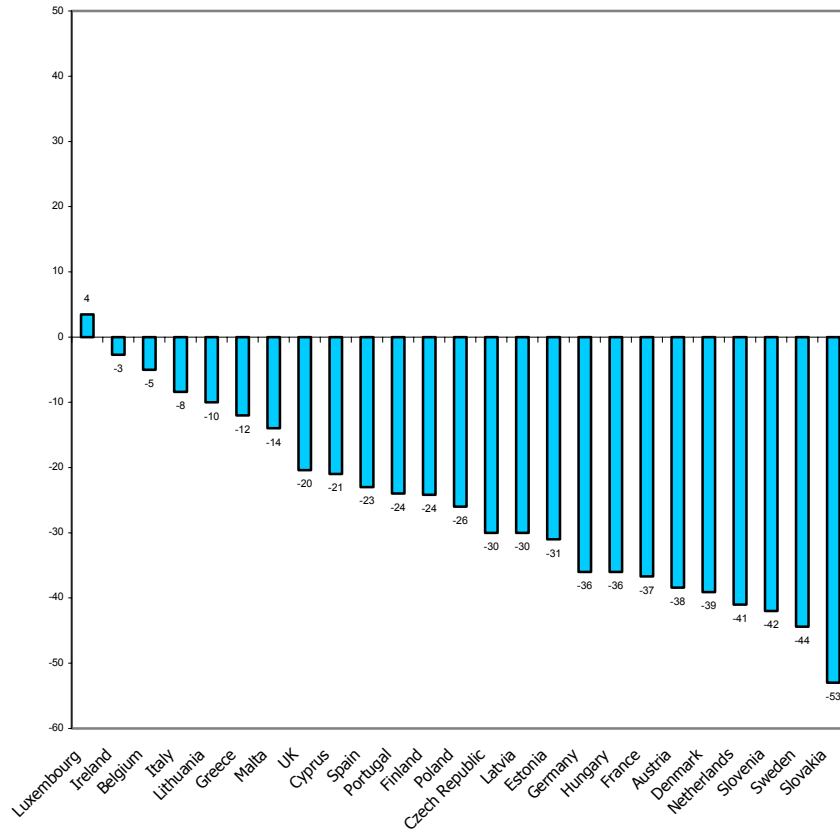
Source: IDEA, Stockholm

Figure 2: Turnout in most recent national election minus turnout in national election closest to 1979



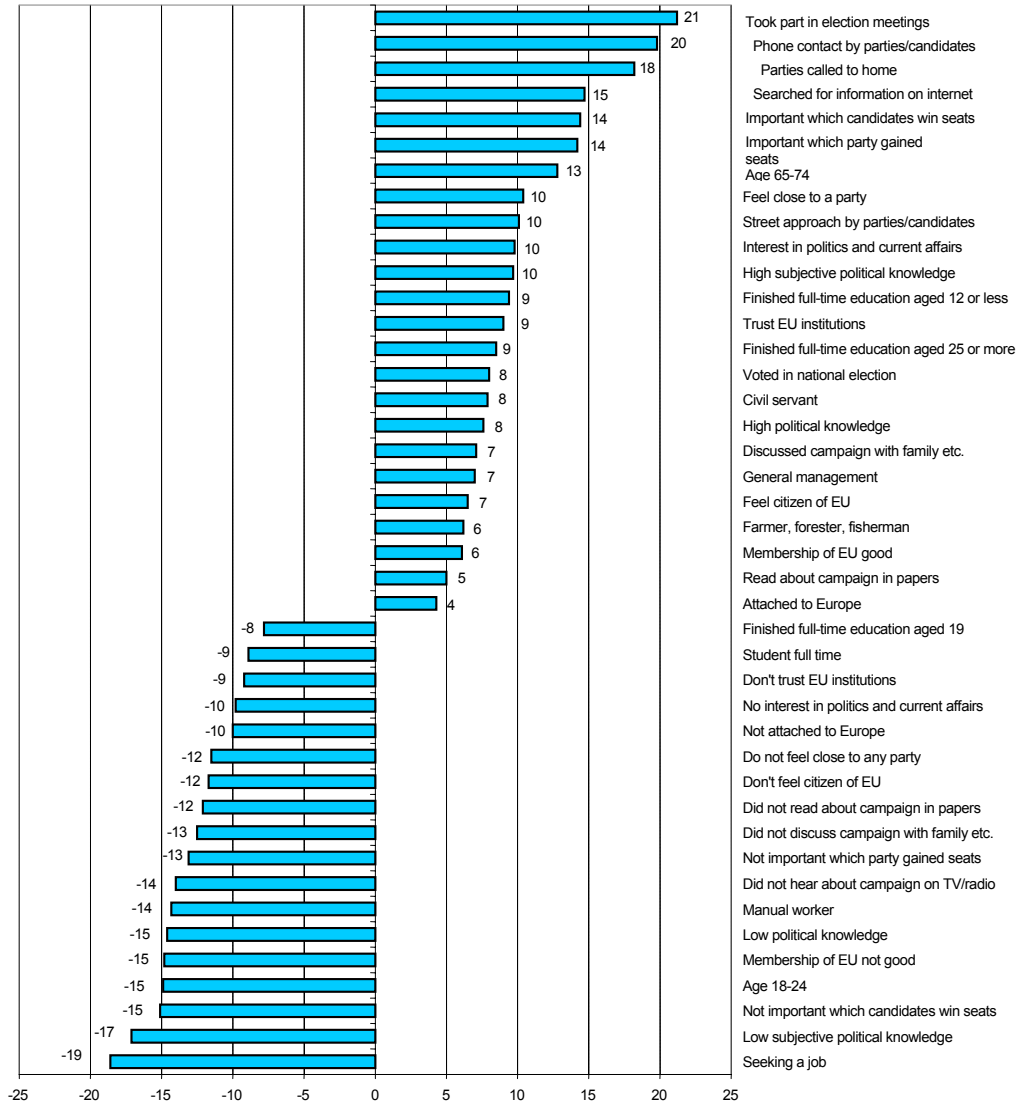
Source: IDEA, Stockholm

Figure 3: Turnout in 2004 European election minus turnout in most recent national elections



Source: European Parliament and IDEA, Stockholm

Figure 4: Net propensity to vote in 2004 EP election by selected socio-demographic, attitudinal and behavioural indicators (percentage point differences from mean)



Source: Post-2004 European Parliament election and Flash Euro-barometer 162

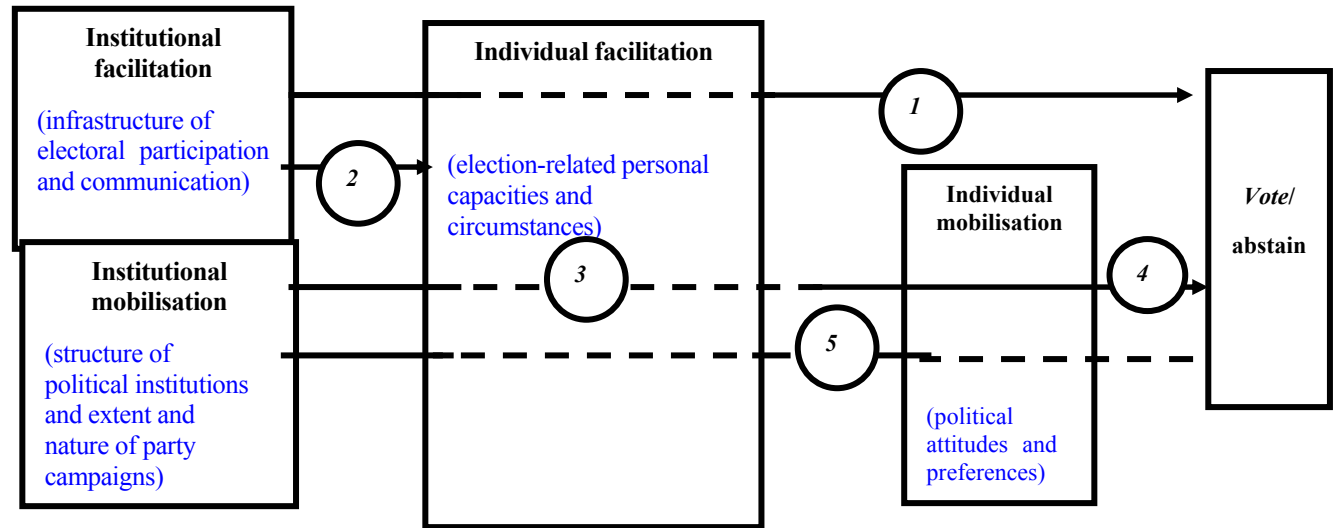
Figure 5 : A typology of the variables affecting voter turnout

Nature of the effect	Location of the variable	
	Institutional	Individual
Facilitation	<p>Institutional facilitation</p> <ul style="list-style-type: none"> - Features of the regulation of elections and features of prevailing political communication processes that make voting easier <p>(infrastructure of political participation and political communication)</p>	<p>Individual facilitation</p> <ul style="list-style-type: none"> - Characteristics of individual electors that make voting easier <p>(election-related capacities and personal circumstances)</p>
Mobilisation	<p>Institutional mobilisation</p> <ul style="list-style-type: none"> - Features of the political system and of the political process that provide incentives for voting <p>(political institutions and party campaigns)</p>	<p>Individual mobilisation</p> <ul style="list-style-type: none"> - Features of individual electors' political outlook that provide incentives for voting <p>(political attitudes and preferences)</p>

Figure 6 : A typology of the variables affecting voter turnout (details)

Nature of the effect	Location of the variable	
	Institutional	Individual
Facilitation	<p>Institutional facilitation</p> <ul style="list-style-type: none"> - Ease of voter registration - Month of voting - Day of voting - Hours of polling - Density of polling stations - Ease of postal voting - Funding of campaigns - Extent of media coverage of politics and elections - The educational system - Civic education in schools - Televised leader debates - Publicity related to election 	<p>Individual facilitation</p> <ul style="list-style-type: none"> - Occupation as time constraint - Occupation as resource - Age as proxy for residential stability - Income as resource - Level of education - Interest in politics - Media consumption - Campaign exposure - Political knowledge - Political efficacy (internal) - Proximity and accessibility of polling station
Mobilisation	<p>Institutional mobilisation</p> <ul style="list-style-type: none"> - Concentration of power - Scope of governance - Electoral system effects - Electoral cycle effects - Referendums as isolation of issues from party system - Party manifestos - Party campaigns - Candidate campaigns - Group campaigns - Partisan media coverage - Non-partisan campaigns urging higher turnout 	<p>Individual mobilisation</p> <ul style="list-style-type: none"> - Perceptions of power - Perceptions of scope - Age as proxy for political learning (partisan) - Age as generational demobilisation - Occupation as stake in election - Sense of civic duty - Trust in institutions - Social integration - Party attachment - Issue salience/preference - Party differentials - Candidate differentials

Figure 7 : The causal connections between the four types of variables and



Causal connections (numbered arrows):

1. institutional factors affecting the act of voting -- effects mediated by individual facilitation variables (e.g. effect of day of voting varies with occupation)
2. institutional factors affecting individual facilitation (e.g. civic education generates politically relevant skills)
3. institutional factors leading to long-term individual mobilisation - effects mediated by individual facilitation (e.g. a parliamentary system mobilises individuals depending on their level of civic knowledge)
4. long-term individual mobilisation factors leading to voting (e.g. party attachment leads to voting)
5. short-term institutional mobilisation activities (campaigning) leading to voting - effects mediated by individual facilitation and individual mobilisation variables (e.g. effect of advertising varies with individual's level of media consumption)

E-VOTING AND ITS IMPACT ON VOTER TURNOUT IN SWITZERLAND

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I. Introduction

There is an ongoing discussion in many countries about e-voting with particular emphasis on voting via Internet or electronic distance voting. While some kind of e-voting is already widely used by society, organizations and private industry, the situation is quite different when it comes to national elections and referendums. Several countries are considering the introduction of e-voting and are running a variety of pilot projects.² In some countries, there is a strong opposition to any kind of e-voting because of security concerns, specially when it comes to the use of the Internet for voting at national elections or referendums.

E-voting is also an issue in the Council of Europe. Within the Integrated Project “Making democratic institutions work” of the Council of Europe, a Multidisciplinary Ad Hoc Group of Specialists³ has elaborated legal, operational and technical standards for e-voting. The result of this work is a Recommendation which has been adopted

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² See <http://focus.at.org/e-voting> for a list of countries with e-voting projects.

³ The author of this report was a member of the Swiss delegation to this group.

by the Committee of Ministers in autumn 2004.⁴ The Recommendation consists of a set of legal and operational standards and core technical requirements for e-voting. The Recommendation gives a list of possible reasons for introducing e-voting, such as the possibility of increasing voter turnout.

E-voting is short for 'electronic voting' and refers to the option of using electronic means to vote in referendums and elections. There are systems such as DRE (Direct electronic recording) voting machines that record the vote without that vote being transmitted over the Internet or another network. The interface of a DRE machine can be a touch screen or a scanner that scans the ballot paper where the voter marked the vote. The vote is then registered and stored in the voting machine. Furthermore, there is the voting over the Internet that uses a PC with an Internet-connection to cast the vote and send it to be stored in another remote computer. Personal Digital Assistants (PDA's), telephones or mobile phones can also be used to cast a vote electronically.

There are a wide variety of e-voting set ups, ranging from the casting of the vote with the aid of an electronic device (voting machines) inside a polling station to casting a vote anywhere outside the polling station at a PC and transmitting the vote via the Internet ("remote e-voting").

⁴ Recommendation Rec (2004) 11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting, adopted by the Committee of Ministers on 30 September 2004 at the 898th meeting of the Ministers' Deputies: www.coe.int/t/e/integrated_projects/democracy/02_Activities/02_evoting/02_Recommendation.

II. Switzerland – a federal state with direct democracy

Switzerland is well known for its direct democracy. All Swiss citizens over the age of eighteen⁵ may take part in elections to the National Council (main chamber of the Federal Parliament) both actively and passively. They may also cast their vote in popular ballots.⁶ A referendum⁷ is compulsory for all amendments to the Constitution and for membership to some international organisations.⁸ A vote must be held in such cases. In addition, voters have the right to initiative⁹ and referendum,¹⁰ which means that they can request a popular vote by collecting the requisite number of signatures. At present Swiss voters go to vote at the polls on polling weekends. In many places, depending on the local regulations, they can also cast a *postal vote*, i.e. they fill out their ballot paper before the polling weekend at any place outside the polling station and the vote is transmitted by ordinary mail. Postal voting is not connected with any preconditions – every voter can choose freely whether to cast a post vote or to go to the polling place on polling day.

⁵ Except for those who have been incapacitated on grounds of mental illness or mental disability; Article 136 I of the Swiss Federal Constitution.

⁶ Article 136 II of the Swiss Federal Constitution.

⁷ A referendum (in the Swiss context) means: Popular vote by means of which voters can decide on, i.e. accept or reject, new or amended constitutional provisions, federal acts, and certain other decrees of the Federal Assembly.

⁸ Article 140 of the Swiss Federal Constitution.

⁹ Articles 138 and 139 of the Swiss Federal Constitution. Citizens may seek a decision on an amendment they want to make to the Constitution. For such an initiative to take place, the signatures of 100,000 voters must be collected within 18 months.

¹⁰ Article 141 of the Swiss Federal Constitution. Federal laws, generally binding decisions of the Confederation, international treaties of indefinite duration and international treaties providing for the accession to an international organisation are subject to an optional referendum: in this case, a popular ballot is held if 50,000 citizens so request. The signatures must be collected within 100 days of a decree's publication.

Switzerland is a federalist state with 26 cantons and around 3'000 communes. *At least four times a year there are popular votes* in Switzerland on the national, cantonal and communal level. The four voting weekends and the intense political discussion on issues that are put to a vote are a particular feature of Switzerland.¹¹

Voter turnout in Switzerland has to be assessed on the background of the direct democratic and federalist system. Voter turnout in Switzerland, on the one hand, means turnout in elections; on the other hand, it means turnout in referendums. Generally, turnout on polling days where issues on several levels (e.g. national and cantonal) are voted on is higher than turnout on days where only one level is affected.

Since the e-voting experience so far comes from pilot projects with referendums, the usual level of participation in referendums in Switzerland is of special interest. The level of participation in federal referendums varies above and below an average of 40%, depending on the attractiveness of the issue to be voted on. Controversial subjects of great importance to everybody attract the most voters.¹² Swiss voters can be divided into three groups which differ in behaviour and motive: About 30% of citizens virtually always vote and about 20% of citizens never participate ("abstainers"). The largest group, about 50% of the electorate, consists of occasional voters. They have a selective interest in politics according to the issues involved. This group of voters leads to the fluctuating participation rate of between 30 and 70%. Measures for raising voter turnout should clearly be focused on the first and the last groups. It is of special interest to see whether e-voting attracts abstainers and occasional voters.

Before the most recent data on this question is presented in this report, the Swiss e-voting considerations are pointed out.

¹¹ For further information on Swiss Democracy in English see Kaufmann et. al. 2005 and Linder 1998.

¹² Linder 1998, p. 93 f.

III. E-voting in Switzerland

Switzerland is considering the question, whether e-voting should be introduced as an additional form of voting. The considerations in Switzerland are focused on *remote e-voting*, i.e. casting a vote from any PC that is connected to the Internet or from mobile phones. The notion of e-voting includes casting a vote in *elections and referendums as well as the electronic signature of initiatives, requests for referendums and candidate proposals* for the election of the National Council.¹³

Switzerland takes e-voting into consideration because of different reasons. Above all, the government is convinced, that the new information and communications technologies and, especially, the Internet have already changed the face of everyday and political life. Political information is increasingly being offered and obtained over the Internet. The changes in the information and communication habits have a significant impact on political discussions and efforts to mobilise the public. These changes are happening very fast whether or not e-voting is introduced. The Swiss Government wants to keep pace with these changes.¹⁴ Particularly, young people who can do everything over the Internet nowadays, will perhaps soon come to see it as "old-fashioned" if they are not be able to cast their vote electronically. The reasons for considering e-voting in Switzerland include:¹⁵

- bringing political procedures in line with new developments in society;
- making participation in elections and referendums easier;
- adding new, attractive forms of participation to the traditional forms;

¹³ Bericht über den Vote électronique: Chancen, Risiken und Machbarkeit elektronischer Ausübung politischer Rechte vom 9. Januar 2002, Bundesblatt 2002, S. 645-700 (BBl 2002 645): www.admin.ch/ch/d/ff/2002/645.pdf, p. 646.

¹⁴ Bericht über den Vote électronique, p. 653.

¹⁵ Bericht über den Vote électronique, p. 646 f.

- possibly increasing voter's turnout;
- better protection of the democratic principle "one person – one vote" against traditional abuse.

One of these reasons is of special interest: the possibility of increasing voter's turnout with e-voting. Before considering this question, the Swiss scheme of pilot projects will be outlined.

IV. Three pilot projects

E-voting is a joint project of the Confederation and the cantons. The cantons are the main actors in the running of Swiss referendums and elections. This is why the necessary e-voting trials are carried out in three cantons that have volunteered to participate.¹⁶ Two are French-speaking cantons, Geneva and Neuchâtel, and the third is a German-speaking canton, Zurich. Up to 80% of the trials are funded by the Confederation and the results will then be made available to all the other cantons.¹⁷

The pilot projects in the three cantons should be completed by the end of 2005 and then be evaluated. The political question as to whether and when e-voting will actually be introduced will subsequently be discussed and decided in the appropriate competent bodies, namely in the government and in the federal parliament.

¹⁶ See survey among all the cantons www.admin.ch/ch/d/egov/ve/dokumente/umfrage.pdf.

¹⁷ Further information on the organisation of the Swiss e-voting pilot projects is available on: www.admin.ch/ch/d/egov/ve/index.html.

1. Geneva: seven real e-votes¹⁸

Geneva has the most advanced pilot project. The cantonal administration, in partnership with Hewlett Packard and Wisekey of Geneva, developed an e-voting application. The system is based on existing voting materials and does not require any special features on a voter's computer. Swiss registered voters already receive their voting card and postal ballot by mail before every election. The card must be presented when voting or sent with the postal ballot by mail. Geneva added a scratchable field to the voting card that contains a personal ID code. When voting on the Internet, a voter uses this code to be recognised as an authorised voter by the Geneva servers. The voter then submits his/her vote and confirms or alters the choice before confirming his/her identity once again. This time the voter enters his/her date of birth and commune of origin, which are difficult to guess or counterfeit. The system then confirms that the vote has been successfully transmitted and recorded.

The electronic ballot is encrypted and sent to one of three servers, each one running on a different operating system. The votes are then forwarded to an electronic ballot box in a centralised location. Two keys are necessary in order to open the electronic ballot box.

To ensure security, the keys are given to members of different political parties that are represented in parliament. Since a voter's identity and ballot are kept in two distinct files, it is not possible to match a ballot and a voter. Geneva also carried out several hacking tests that proved the system to be very safe. Furthermore, any voting card with a scratched-off field is automatically rendered invalid for voting in person or by mail unless it can be proven that the voter tried to vote electronically but for some reason was unsuccessful. This can be confirmed online by voting officials or on lists distributed to voting stations. E-voting lasts three weeks and ends the day before the election or referendum.

¹⁸

For further information on the e-voting project in Geneva see: www.geneve.ch/evoting.

The first regular referendum at which e-voting was allowed took place in January 2003 in the small commune of Anières. Furthermore, six referendums with e-voting took place:

- in November 2003 in the commune of Cologny;
- in April 2004 in the city of Carouge;
- in June 2004 in the commune of Meyrin;
- in September 2004 in four communes during a national referendum;
- in October 2004 in the commune of Vandoeuvres; and
- in November 2004 in eight communes during a national referendum.

Moreover, the Geneva e-voting application was used in a Europe-wide consultation by the Council of Europe in October 2004.¹⁹

2. Neuchâtel: e-voting as part of a secure one-stop e-counter²⁰

This pilot project will use a different approach to e-voting and should be ready for its first test during a national referendum in autumn 2005. Close collaboration between the canton and its 62 communes has given way to the creation of a “virtual government window” – the “guichet sécurisé unique”. This window is an information network resulting from the shared management of voter registration lists and communications infrastructure. Similar to Internet banking today, canton residents will receive a user-ID, password and alternating transaction code to enter the one-stop e-counter, which offers different government services. E-voting is just one feature of the e-counter. Before each popular vote, voters will receive an additional code that will allow them to cast their electronic ballot.

¹⁹ For further information see: www.geneve.ch/coe.

²⁰ For further information on the e-voting project in Neuchâtel see: www.ne.ch/gvu.

3. Zurich: tackling the problem of decentralised voter registers²¹

Zurich has 216,000 registered voters divided into small communes of in some cases less than 200 voters. Each commune uses its own information system, manages its own registered voter's lists and counts its own votes. For this reason, this project will be the most ambitious one. Because voting is carried out at the canton and commune levels, close cooperation between all levels of government is vital for success. The plan is to implement e-voting at the commune level and have the communes pass on the results to the canton. Zurich is creating a canton-wide shared database of voters that will constantly be updated by the communes, whilst hardly changing the existing network of information systems in the communes. The first test during a national referendum is scheduled for the end of 2005.

V. Voter turnout

Wherever e-voting is tested and implemented or not, there are a lot of expectations that voter participation will be raised.²² In Switzerland this expectation exists as well and the experience with the introduction of postal voting in 1994 shows that this expectation is to a certain extent justified.²³

Ever since the start of the Swiss e-voting projects, controversial debates and studies on the issue of e-voting and voter turnout were going on. In 2001 and 2002 – i.e. before any real e-votes had taken place – different estimations with regard to the effect on voter turnout were made. The Research and Documentation Centre on Direct Democracy (C2D) came to the conclusion that participation in the canton of Geneva could be

²¹ For further information on the e-voting project in Zurich see: www.statistik.zh.ch/produkte/evoting.

²² Cf. e.g. Norris 2004.

²³ Bundeskanzlei: Umfrage über die briefliche Stimmabgabe, November 1998: www.bk.admin.ch/ch/d/pore/va/doku/pdf/enquete_bsa.pdf.

raised by 9%.²⁴ Another study, however, was a bit less optimistic. In analysing voter participation within Switzerland, it came to the conclusion that e-voting would raise voter participation by less than 2%.²⁵ Other assessments were not giving specific figures, but were convinced that e-voting could raise participation especially amongst younger people.²⁶

Meanwhile, seven referendums have been held with e-voting in the canton of Geneva and two surveys have been conducted: one based on interviews after two of the referendums with e-voting in Geneva²⁷ and another, national survey based on interviews after four national referendums in 2003 and 2004.²⁸

In the following paragraphs the results of the seven Geneva e-voting referendums will be summarised and then the findings of the two surveys will be highlighted.

A. Geneva e-votes

Anières (19.01.03): Voter participation was raised by 13,8%.

Registered voters	Turnout	Average participation in Anières	Votes cast with e-voting	Remote votes (postal votes and e-voting)
1'162	63,8%	50%	43,6%	93,5%

²⁴ Auer/Trechsel 2001, p. 54.

²⁵ Linder 2001, p. 6.

²⁶ Kriesi 2003.

²⁷ Trechsel/Christin 2004.

²⁸ Das Potenzial der elektronischen Stimmabgabe, Schlussbericht. Gfs.bern, vote électronique, 2003/2004: www.admin.ch/ch/d/egov/ve/dokumente/potenzial2005.pdf.

Cologne (30.11.03): 28,9% voters cast their vote using the Internet.

Registered voters	Turnout	Average participation in Cologne	Votes cast with e-voting	Remote votes (postal votes and e-voting)
2'523	59,3%	no indication	28,9%	66,8%

Carouge (18.04.04): 25,9% voters cast their vote using the Internet.

Registered voters	Turnout	Average participation in Carouge	Votes cast with e-voting	Remote votes (postal votes and e-voting)
9'049	43,9%	no indication	25,9%	95,2%

Meyrin (13.06.04): 22% voters cast their vote using the Internet.

Registered voters	Turnout	Average participation in Meyrin	Votes cast with e-voting	Remote votes (postal votes and e-voting)
9170	39,05%	no indication	22%	95,4%

Anières, Cologne, Carouge and Meyrin (26.09.04): Participation in these four communes exceeded cantonal average by 1,25 points.

Registered voters	Turnout	Average participation in the 4 communes	Votes cast with e-voting	Remote votes (postal votes and e-voting)
22'000	58,35%	no indication	21,8%	94,3%

Vandoeuvres (24.10.04): 29,2% voters cast their vote using the Internet.

Registered voters	Turnout	Average participation in Vandoeuvres	Votes cast with e-voting	Remote votes (postal votes and e-voting)
1'382	59,5%	no indication	29,2%	91,1%

Anières, Cologny, Carouge, Meyrin, Collonges-Bellerive, Onex, Vandoeuvres and Versoix (28.11.04): Participation in these eight communes exceeded cantonal average by 2,8 points.

Registered voters	Turnout	Average participation in Carouge	Votes cast with e-voting	Remote votes (postal votes and e-voting)
41'400	43,9%	no indication	22,4%	93,8%

The results in the two national referendums held with e-voting are promising. The total turnout in the e-enabled communes was higher than the cantonal average. It is too early to draw conclusions, but this gives a first indication of a possible impact of e-voting on turnout.

B. Survey after two e-votes in Geneva

This survey was conducted after the communal e-votes in Carouge (April 2004) and Meyrin (June 2004). Those who used the e-voting option to cast their ballot had the possibility to fill out an electronic questionnaire. Based on the answers received from this questionnaire, the Research and Documentation Centre on Direct Democracy (C2D) came amongst others to the following results.²⁹

²⁹ Trechsel /Chrstin 2004, p. 4 ff.

- E-voting supplements existing methods of voting, but also attracts voters who tended not to participate very often;
- Without e-voting, young people would be under-represented among voters;
- Abstainers usually have a lower education than active voters. E-voting does not change this situation;
- The percentage of occasional voters and abstainers among the users of e-voting reached 12% in Carouge and 16% in Meyrin;
- Among the e-voters, 96% indicated that they usually voted by post;
- E-voting has drawn habitual voters towards a new voting channel rather than drastically changing the participation rate, except among young people;
- More than 90% stated that they would vote more often if e-voting came into general use;
- The users would like to have political information and opportunities to discuss with politicians, authorities and other political actors to be offered by means of new information and communication technologies.

C. National survey

The Federal Chancellery has commissioned a survey on the potential of e-voting in Switzerland. The survey has been conducted in the years 2003 and 2004, interviewing in total 4'018 citizens who are eligible to vote throughout Switzerland after four national referendums (9.2.2003; 8.2.2004; 16.5.2004 and 26.9.2004). The results of the survey with regard to e-voting and voter turnout are:

- 30% of the interviewed voters stated that it was very probable for them to use e-voting, should e-voting be introduced. For 24% the use of e-voting was rather probable:³⁰

³⁰ The rather big difference between the results of this study and the Geneva survey can easily be explained: While in Geneva most of the interviewed voters were using e-voting, the sample of interviewed people on the national level consisted of people using traditional voting methods. Only by accident, a voter from Geneva who had used e-voting already, could have been amongst the interviewed people.

Probability of casting a vote via the Internet

If it were possible to cast a vote via the Internet today, would it be very probable/rather probable/rather improbable/completely improbable to cast a vote via the Internet?

	% of the electorate:
don't know/no answer:	11%
very probable:	30%
rather probable:	24%
rather improbable:	12%
completely improbable:	23%

Source and copyright: GFS Bern, Vote électronique, 2003/2004

- 36% of the abstainers said that they would probably use e-voting, while for 19% of the abstainers, the introduction of e-voting would not change their voting behaviour:

Probability of casting a vote via the Internet and participation

	% of the electorate:
Abstainers and use of e-voting improbable:	19%
Abstainers and use of e-voting probable:	36%
Participation and use of e-voting probable:	26%
Participation and use of e-voting improbable:	19%

Source and copyright: GFS Bern, Vote électronique, 2003/2004

- Amongst the abstainers who would use e-voting, the majority are young people,
- For some of those who vote (regularly or occasionally), e-voting would substitute postal voting.

The national survey also asked the voters why they would use e-voting and why they would not use it. Amongst the reasons for using e-voting, by far the most important one was comfort and simplicity of the system:

Reasons for using of e-voting

What is the most important reason, why you would probably use e-voting?

comfort/simplicity	<input checked="" type="checkbox"/>
general reasons	<input checked="" type="checkbox"/>
costs of a referendum/election	<input checked="" type="checkbox"/>
higher participation	<input checked="" type="checkbox"/>
guarantee of security	<input checked="" type="checkbox"/>
(technical) reliability	<input checked="" type="checkbox"/>
immobility	<input checked="" type="checkbox"/>

Source and copyright: GFS Bern, Vote électronique, 2003/2004

The lack of security was the most important reason for those who would not use e-voting:

Reasons for not using e-voting

What is the most important reason, why you would probably not use e-voting?

lack of security	<input checked="" type="checkbox"/>
tradition/culture	<input checked="" type="checkbox"/>
Lack of knowledge, Scepticism	<input checked="" type="checkbox"/>
general reasons	<input checked="" type="checkbox"/>
status quo	<input checked="" type="checkbox"/>
others	<input checked="" type="checkbox"/>
don't vote	<input checked="" type="checkbox"/>

Source and copyright: GFS Bern, Vote électronique, 2003/2004

VI. Conclusions

On the basis of the data collected during the *seven referendums using e-voting in Geneva*, the conclusion can be drawn, that e-voting has the potential of rising voter turnout. However, the data is not sufficient in order to give any indication as to what extent participation could be enhanced. A second conclusion that can be drawn is, that where voters have the possibility of using other remote voting channels, e-voting is not the most popular channel. Traditional remote voting channels seem to be preferred.

The *two surveys* came to similar results:

- E-voting will primarily replace postal voting,
- E-voting will also attract abstainers, mainly among young people.

Those who will most likely use e-voting are those who today use postal voting, i.e. voters, who already participate in elections and referendums. But apart from that group, there are other people who are likely to use e-voting: young people and voters who do not participate on a regular basis. In those two categories, there is likelihood of increase in voter turnout. E-voting, therefore, will contribute to a restoration of the balance among different age groups within the active electorate.

There is another group of voters that has not been mentioned explicitly in the two studies: the Swiss citizens living or staying abroad. Today, Swiss voters abroad are able to take part in popular votes and elections at the national level as well as giving their signatures to initiatives and referendum requests. Swiss voters abroad can submit their vote either personally in the voting commune in Switzerland or by post.³¹ Today, not all Swiss voters abroad can participate in national elections or popular votes because of practical problems. Either they are not able to travel back to their voting commune in Switzerland or the postal services are too slow to deliver their postal vote in time. It can be expected, therefore, that with the introduction of e-voting, participation of Swiss voters abroad can be raised.

On the basis of the surveys and the data available until today, the conclusion can be drawn, that e-voting has the potential of rising voter turnout. In order to take the most benefit out of e-voting, e-voting has to be easily accessible and the e-voting website has to offer more than only the possibility to cast a vote electronically. The surveys showed that additional incentives, such as easily accessible information on the referendums/elections at stake could contribute to a raise of participation. In Switzerland, only remote e-voting could raise participation.

³¹ cf. Kaufmann et al. 2005, p. 185

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AUSTRIA'S REMOTE VOTING – STATUS AND ROOM FOR IMPROVEMENT

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I. Introduction

In the following, we will present a case study on remote voting. The purpose of this presentation is not the description of a system of a particular country but of a system which has been in place for some years already, and which has thus been tested and reacted to. We will not compare this system to others, and we will not present alternative ways of devising remote voting.² And we will not point, here, to elements of this or other remote voting systems, which are usually perceived as shortcomings³ or cumbersome. We will neither discuss general low participation rates by expatriates nor possible reasons for this.⁴

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² With respect, e.g., to the constituency where the remote vote is counted for, to the place of holding of electors' registers, to the role of diplomatic and/or consular missions abroad.

³ With respect to the Austrian system, remote electors complain about the lacking automatic inscription in the electoral lists, lacking automatic receiving of ballot papers (without separate demand at each election), problems finding the necessary election "witnesses", unrealistic and thus prohibitive deadlines, being at the mercy of (unreliable) postal services, and certain referenda as well as initiatives not being included in the remote voting system.

⁴ Of those Austrian expatriates, whose addresses are known to Austrian missions abroad (through voluntary registration) and who are individually informed about forthcoming elections in written form in advance of each election and referendum, only one quarter is registered with the

For the purpose of this paper, we will use the definition of 'remote voting' as recently adopted by the Committee of Ministers of the CoE in its recommendation on legal, operational and technical standards for e-voting.⁵ Thus, remote voting is "*voting where the casting of the vote is done by a device not controlled by an election official.*"⁶

By Austrian election law for federal elections and referenda, *this* remote voting is at present only offered outside of her national territory - on land, at sea and in the air. The system and papers for this external voting are, however, modelled upon the absentee voting within the national territory at polling stations different from those of the voter's permanent residence. The ratio between absentee voters within Austria, and from abroad, is roughly 4 : 1.⁷

electors' registers. Of those included in the electors' registers, less than half participated in the last parliamentary election, less than a third in the last presidential election and less a quarter in the last EP election. Comparing these number to other countries is difficult because of varying systems, but reflects, for all Austrian expatriates (estimated up to approx. 500.000), lower median numbers with respect to registering in electors' registers (11-13%) and in the percentage of casting a vote in respect to registering in electors' registers (28-43%), and median numbers as to the percentage of participation in elections (3-5%). On further aspects of external voting by the same author, Aktuelle Entwicklungen zu E-Voting in Europa, in: Journal für Rechtspolitik, Jg. 12 (2004), Heft 2, Springer, Vienna, pp. 106-118.

⁵ Recommendation Rec(2004)11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting, adopted by the Committee of Ministers on 30 September 2004 at the 898th meeting of the Ministers' Deputies; [http://www.coe.int/t/e/integrated%5Fprojects/democracy/02%5FActivities/02_evoting/02_Recommendation/Rec\(2004\)11E_rec_adopted.asp#TopOfPage](http://www.coe.int/t/e/integrated%5Fprojects/democracy/02%5FActivities/02_evoting/02_Recommendation/Rec(2004)11E_rec_adopted.asp#TopOfPage).

⁶ There are other definitions possible, like, e.g., voting at a place different from the polling station of the voter's permanent residence.

⁷ Approx. 285.000: 66.206 (81: 19%) at the last parliamentary election of 2002. The ratio between those requesting absentee voting from within Austria and from abroad was 13:1 at the last parliamentary elections in November 2002, 16:1 at last year's presidential elections in April and 14:1 at the EP elections of June 2004: 27.469: 353.717; 20.216: 320.761; and 15.532: 218.191 (website of the Federal Ministry of the Interior, www.bmi.gv.at/wahlen/).

On the state - *i.e.* "*Land*" - level, in addition to external voting for the regional parliament of Lower Austria,⁸ *advance voting* was introduced both by the States of Lower Austria and Styria during the last years, for elections of the state parliament ("*Landtag*"). This absentee voting contains the possibility of casting the vote by the means of a "voting package"⁹ at municipal offices on the 8th and 3rd, or the 9th day respectively, before polling day.¹⁰

II. Characteristics of the system

The Austrian remote voting system consists of world-wide qualified postal voting, at national elections and referenda, for all foreign absentees. It is offered both to expatriates and to citizens resident in Austria and just staying abroad on election day.¹¹ It concerns presidential, parliamentary and EP elections, and qualified referenda. It is a rather comprehensive, *i.e.* an inclusive system. Remote voting is a *right* in case that the elector cannot go to the designated polling station of the voter's permanent residence on election day. The system contains a number of safety features, including that of another person involved in order to certify in written form that the voter has personally cast the ballot without outside interference.¹²

⁸ Upon the condition of holding an "ordinary residence" in that state, which can be held in parallel to another ordinary residence outside of Austria, and similar to federal remote voting, with the exception that two adult "witnesses" holding valid Austrian passports, are required; para. 72, Election regulation of Lower Austria [NÖ Landtagswahlordnung 1992 (LWO)].

⁹ For an explanation and details, see point v) below in text.

¹⁰ Para. 71, Election regulation of Lower Austria - NÖ Landtagswahlordnung 1992 (LWO), and para. 68, Election regulation for the [Styrian] State Parliament (Landtags-Wahlordnung 2004 - LTWO), the latter in force since September 1, 2004.

¹¹ In the latter category, EU citizens resident in Austria and registered in Austria's EP electors' registers - so-called 'Community voters' -, are included as well.

¹² The text to be signed by the "witness" only contains references to the presence of the voter and the putting of a sealed envelope into another envelope sealed by the voter.

The system is effective in particular with respect to avoiding multiple voting, precluding unused ballots going astray, enhancing the universality of the vote, and safeguarding to a high degree the secrecy and personal exercise of the vote.

The system has been used 13 times since 1990, by more than 600.000 persons.¹³ There is thus a reasonable amount of data and experience available. And also a number of requests and ideas for improvement on record.

III. Remote voting abroad

Remote voting abroad, also called 'external voting' or 'voting from abroad', presents a number of challenges with respect to traditional voting methods, *i.e.* voting at the polling station of the voter's permanent residence. Not only can polling stations not be physically situated as close to the voter as within the national territory of the voters, but some countries put conditions or even restrictions to the casting of ballots by foreigners for foreign elections. Even in countries where postal voting within the national territory is common use, voting abroad contains additional challenges.

The right to participate in elections by expatriates - *i.e.* residents abroad - or by tourists or travelling businessman just staying abroad on election day is, in many countries, a rather recent development, and not (yet) universal in Europe.¹⁴ In many instances, external voting was first instituted for citizens on official or semi-official duty abroad (diplomats, soldiers, workers at construction sites, citizens aboard vessels, or on

¹³ At 3 presidential elections (four tours), 5 parliamentary elections, 3 EP elections, and one referendum - by 624.809 persons, where roughly double the number of external votes was cast by voters abroad just on election day than by expatriates.

¹⁴ In some countries, this right - while itself not being granted to the voter temporarily being abroad - may be exercised by another person, a proxy, while another method of how to enfranchise voters being abroad just on election day, without granting them the right to vote from abroad, is 'advance voting'; both proxy and advance voting, however, do not take care of the expatriates' wishes to participate in elections and can thus not be regarded as an alternative to fully-fledged external voting.

mission under the auspices of the UN or other international institutions).

Universal - *i.e.* unrestricted and unconditioned - external voting is, however, regarded by many as part of citizens rights - in a world where living or staying abroad forms part of the life of millions of persons, and where the exercise of rights and the enforcements of laws becomes more transnational every day. Those living or staying abroad should not, just by doing so, be deprived of a fundamental right of a citizen.

A brief overview of the development of national legislation within the EU region with respect to *external voting* demonstrated that after Belgium,¹⁵ Estonia, Germany, Finland, the UK (1918), Spain, and Poland (1957) - Portugal introduced voting from abroad in 1976, Denmark in 1980, Luxemburg at the beginning of the 1980ies, the Netherlands in 1989, Austria and Slovenia in 1990, Sweden in 1997, the Czech Republic in 2000, Italy in 2001 and Hungary in 2004.

Within the Council of Europe region remote voting was by the beginning of the year 2004 forbidden in Albania, Azerbaijan, Bulgaria, Croatia, Cyprus, the Czech Republic, Latvia, Moldova, Poland, San Marino and Turkey.¹⁶ It is offered in a rather restricted way by Denmark and Ireland.

One of the reasons which may (have) hinder(ed) and retard(ed) simple or easily accessible ways to external voting in general could be legal, political or psychological barriers to remote voting. The right to vote in the minds of many is intrinsically linked to citizenship. "Citizenship as an indivisible requirement to acquisition and exercise of basic political rights, among them the right to vote, is still essentially related to a specific state

¹⁵ Eased / amended in 2002.

¹⁶ European Commission for Democracy through Law (Venice Commission), Report on the Compatibility of Remote Voting and Electronic Voting with the Requirements of the Documents of the Council of Europe, on the basis of a contribution by Mr. Christoph Grabenwarter (substitute member, Austria), 12-13 March 2004; Doc. CDL-AD(2004)012, at p. 7; [www.venice.coe.int/docs/2004/CDL-AD\(2004\)012-e.pdf](http://www.venice.coe.int/docs/2004/CDL-AD(2004)012-e.pdf).

and its corresponding territorial dimension."¹⁷ Some countries thus did not or do not wish voting taking place outside of their national territory, and some countries put restrictions or conditions to foreign voting on their own territory.

IV. Six Austrian election principles

Before explaining the Austrian system of remote voting, attention has to be drawn to the fact that the Austrian Federal Constitution sets one more election principle than constitutes the international "average". In addition to the universal, equal, free, secret and direct suffrage,¹⁸ the personal exercise of the vote is added.¹⁹ This additional criterion carries consequences on the ways Austrian voters can exercise their voting rights.²⁰

¹⁷ Carlos Navarro, *Compared study on voting abroad*, Mexico City, 2002.

¹⁸ Lately in: Code of Good Practice in Election Matters, European Commission for Democracy Through Law, October 2002, CoE doc. no. CDL-AD(2002)23; and included in the CoE's E-Voting Recommendation (see above) - EU only since 2002 lists four principles, and does not mention "equal" suffrage - Act concerning the election of the representatives of the European Parliament by direct universal suffrage, consolidated version at http://europa.eu.int/eur-lex/en/consleg/pdf/1976/en_1976X1008_do_001.pdf - and OSCE, while circumscribing and partly enlarging the principles of universal, equal, free and secret suffrage - e.g. by holding "periodic" elections, "at reasonable intervals" -, qualifies the criterion of direct elections ("directly or through representatives freely chosen by the [citizens] through fair electoral processes" while "permit[ting] all seats in at least one chamber of the national legislature to be freely contested in a popular vote"), Document of the Copenhagen Meeting of the Conference of the Human Dimension of the CSCE, 29 June 1990, points 6-8; www.osce.org/documents/odihr/1990/06/1704_en.html.

¹⁹ Art. 26, 60, 95 and 117, Federal Constitution, with respect to parliamentary, presidential, state ("Land") legislature ("Landtage") and mayoral elections; the universal suffrage is not explicitly mentioned but deduced from articles defining the persons eligible to vote - the draft Federal Constitution emanating from, but not agreed by, the "Austria Convention" (see point vii in text, below) proposes six election principles: universal, equal, direct, secret, personal and free suffrage ("allgemeines, gleiches, unmittelbares, geheimes, persönliches und freies Wahlrecht").

²⁰ The Austrian Federal Constitution Court held in 1985 that postal vote was contrary to Austria's Constitution (G18/85, VfSlg. 10.462). According to that decision, the physical presence of the voter appearing before a governmental authority was required. This is, however, not the case since 1990 for those voters who are casting their votes outside of Austria's national territory. Furthermore, the Court held that postal vote was contrary to the secrecy of the vote as it were the state which had to secure the guaranteeing of the secret suffrage.

V. The techniques of Austria's remote voting²¹

The Austrian system of remote voting is based upon the absentee voting at any polling station within the national territory. *That* system has, therefore, first to be explained. It was introduced in 1971. Any Austrian elector unable to go to the designated polling station of the voter's permanent residence²² and wishing to cast a ballot, has to apply at the municipality of the permanent residence, for a so-called "voting package" ("*Wahlkarte*"²³) in advance of the election day.²⁴ The voter has a right that such "voting package" be issued, without a specific proof of the reason why the voter is unable to go to the designated polling station.

Such "voting package" contains the ballot paper, an envelope to put it in, and a special envelope marking the regional polling district the ballot has to be counted at. It goes without saying that both these two inner envelopes are uniform in size, colour and paper for the whole electorate in order to safeguard the secrecy of the vote.

Electors having been sent a "voting package", are marked in the electoral list of their designated polling stations as having received such material.²⁵ In case they wish to cast a ballot at that polling station, in order to avoid double voting, the casting of the vote is only possible by using the

²¹ More details (including forms) in German and partly also in English at the election website of the Federal Ministry for Foreign Affairs: www.wahlinfo-bmaa.at.

²² The applicable election laws specify various reasons.

²³ The literary translation by "voting card" would be misleading as by "voting card" is often meant a kind of ID card which (proves identity and) gives access to a specific polling station and the right to cast a ballot.

²⁴ Different deadlines apply to different elections: between the second and fourth day before election day.

²⁵ The "electoral lists" for a specific election (or referendum) are, at a defined period before election day, established - and accessible to the public - by the respective municipality, based upon the electors registers, i.e. the residence register transformed into [EP] electors' register plus the additional expatriates entered upon request into the [EP] electors' register - plus, for EP elections, the 'Community voters' entered upon request, into the EP electors' register.

personalised "election package", but by personally using the ballot papers in the voting booth at the polling station.

In 1989 - after a broad and massive movement by expatriates²⁶ - the Austrian Constitutional Court decided, that Austrian nationals living abroad, *i.e.* expatriates, must not be excluded from the right to vote only due to the lack of an "ordinary" domicile, *i.e.* a permanent residence in Austria.²⁷

By current legislation, Austrian citizens resident abroad or just staying abroad on election day, may thus participate in elections of the head of state - the Federal President who is elected by popular vote -, the members of parliament (the National Council, "lower house"), and the members of the European Parliament. Only one state (*Bundesland*)²⁸ extends voting rights to the Regional State Parliament (*Landtag*) to citizens residing or staying abroad.

In addition to these voting rights, Austrian expatriates as well as tourists and businesspeople abroad on election day, may also participate in certain referenda: those where the head of state can be recalled after such a decision was passed by both houses of parliament, as well as where a federal law already passed is put to the decision of the electorate by Parliament (*Volksabstimmung*). Austrian expatriates *cannot* participate in initiatives (*Volksbegehren*), and other referenda where a question of fundamental importance to Austria is put to the electorate by decision of the Parliament (*Volksbefragung*).

²⁶ On the genesis and early discussion of the voting rights of Austrian expatriates, see Werner Dujmovits, *Auslandsösterreicher-Wahlrecht und Briefwahl*, Verlag Österreich, Vienna 2000, pp. 22-28.

²⁷ Judgement of March 16.3, 1989, G 218/88; for full text [in German only] go to <http://www.ris.bka.gv.at/vfgh/> and enter "G218/88".

²⁸ Lower Austria (Niederösterreich).

In practise, an Austrian citizen having the right to vote²⁹ and wishing to do so from abroad, has to apply for a paper ballot within a voting package (“*Wahlkarte*”) at the election authority of the Austrian municipality where the elector is inscribed in the electors’ register. This application can be submitted only after the official announcement that an election or referendum will be held.

If the person is not holding a permanent residence in Austria, *i.e.* is an expatriate, and wishes to participate in Austrian elections *in general*, a preliminary – separate – request for inclusion in the electors’ register is required. The municipality where the expatriate can apply for inclusion into the electors’ register is defined by the expatriates’ - or his/her ancestors’ - previous physical or financial links to Austria. There is a legally defined order of priority which municipality to apply at. If there is none available where the person had a previous place of permanent residence (during his/her lifetime), the link is determined - in *this* order - by the place of birth, the place of permanent residence of the spouse, the place of permanent residence of the closest relative, the place of business of the employer, the place of ownership or property titles to real-estate or flats, the place of property assets owned, OR the place of other vital circumstances. - For a number of years already, a regular and effective data-exchange is in place. It precludes the inscription by expatriates in more than one (municipal) electors’ register.

This inclusion into the electors’ register at an Austrian municipality is valid for maximum 10 years only, after which a re-inscription has to be applied for.³⁰ It is automatically deleted also if the person established a permanent residence in Austria.

²⁹ Having had the 18th birthday the latest on election day, and not being deprived of the right to vote.

³⁰ And, in addition to this inclusion into the electors’ register, expatriates before each election or referendum, have to request the “voting package” from that municipality (without being advised to do so by that municipality).

Because of different electoral rights, a separate electors' register is held for Austrian EP elections (*Europa-Wählerevidenz*). The same rules and procedures apply to that register as do those of the general electors' register.

By the explanation of the procedure of how to be included in the electors' register, it becomes clear that the external voter's ballot is not counted for a *separate constituency for expatriates*, but for the constituency *in Austria* to which the expatriate voter carries closest links to.

Once the voting package including the ballot paper is received by the elector, the casting of the vote *by an expatriate* can be undertaken immediately³¹ – and is not restricted to the election day as in Austria itself. The vote may, however, not be cast after the pre-announced closing time of the polling station closing latest *in Austria*. In order to validly cast one's vote, a "witness" is necessary who may be another Austrian citizen – or in the case of EP elections, another EU citizen - carrying a respective valid passport.³² This "witnessing act" can also be undertaken by an Austrian embassy or consulate, or by a person similar to an Austrian notary public, or by an institution, which is competent by local regulations, for official attestations. The "witness" has to give written testimony on the outside envelope into which the voter has put the ballot paper within a sealed envelope.³³

³¹ i.e. another kind of 'advance voting'.

³² The "witness" can be a relative of the voter.

³³ In total, there are three envelopes: the inner (Wahlkuvert) carrying the ballot paper (within a sealed, second envelope) and the inscription of the competent regional electoral authority only, and the outer (Wahlkarte) carrying that, as well as the address of the state electoral authority and the instructions and form for the witness.

Finally, the voter has to see to it that the ballot reaches the competent election authority *in Austria* within 8 days after election day.³⁴ Austrian diplomatic and consular missions may be requested by the voter, to undertake the transmission of the ballot paper to the final addressee.

The same procedure applies to voters resident in Austria - and to EU citizens resident in Austria and inscribed in the Austrian EP electors' register - and being abroad on election day.

The casting of the ballot may also be undertaken on board of aircrafts outside of the national airspace. In case of national carriers, flight attendants (holding Austrian and EU citizenship, respectively) are usually acting as witnesses and forward the ballots to the respective election authority.

VI. Co-operation between authorities

It goes without saying that with remote voting, a number of national and possibly regional and local authorities have to co-operate in a co-ordinated way, and within tight time limits. With respect to external voting, the authorities of the host country are added to this network.³⁵ And with respect to EP elections, also the authorities of all partner countries³⁶ as well as the EC.

In Austria, during election time, a separate unit is created within the Foreign Ministry, the so-called 'election office' staffed by 4-6 persons. They cater for the remote voters abroad: with information, including a dedicated website,³⁷ and the (twice) forwarding of voting material.

³⁴ Five days in the case of the first round of an election of the head of state.

³⁵ With respect to agreeing to holding them and to providing possible security measures.

³⁶ With respect to the clearing of electors' data.

³⁷ www.wahlinfo-bmaa.at

At the last parliamentary election in 2002, *e.g.*, each and every registered expatriate voter - whose current address was available via Austrian embassies and consulates³⁸ - was informed in writing, twice, of registration and voting procedures, including receiving the relevant forms. This meant 600.000 letters and forms to be distributed worldwide via embassies and career consulates. In addition to this, there was forwarding of 5500 applications for registration to municipalities, of 4,500 return information from municipalities to voters, of 2,500 applications for voting packages to municipalities, of 3,000 voting packages to expatriates as well as of 14,500 such packages upon their return from the voters and embassies and consulates to the respective election authorities in Austria - in time, which is defined by law as Monday, noon, of the eighth day after election day. In addition, 275 Austrian embassies and consulates ran extra opening hours on election day, which always is a Sunday.

At EP elections, where most of the election regulations are defined by individual member states, there is the added challenge/burden of informing electors in their national language, if possible. This results from voting rights of resident foreigners of EU citizenship³⁹ and amounts in theory now up to 20/21 languages.⁴⁰ Remote voting at EP elections is solely ruled by (different) national laws and regulations.⁴¹ On external voting at EP elections, EC law provides only for one category of external voters: "Community voters", *i.e.* EU citizens residing in an EU country different from that of the voters' citizenship. No provisions are in place for extra-EU external voting and intra-EU external voting for MEP

³⁸ Such registration being of voluntary character.

³⁹ 'Community voters', potentially nearly 6 million, at the 2004 EP election; Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, OJ L 329, 30.12.1993, p. 34.

⁴⁰ Depending if Turkish - of the Turkish-speaking population of member country Cyprus - is included.

⁴¹ As a consequence, in an EC questionnaire on the 2004 EP elections, out of 50 queries none even mentions such "extra-EU external voting".

candidates of the country of the voters' citizenship.⁴²

VII. Room for improvement

In any area of legislation and democracy, there is constant room for improvement. This demand is heightened on the one hand by falling participation in elections - which is not only a challenge to the elections and the electorate, but in itself a challenge to the institution elected and its members.⁴³ On the other hand, improving electoral laws has become necessary in many instances because of the increasing user-friendliness of government and administration ("good governance"). As to election laws, we will just quote from a summary of a recently held seminar on election issues in Vienna by the countries of the "Regional Partnership", summarizing reasons for improving election laws:

“Overall low and falling participation, the generation gap in particular, constantly improving democratic practices, membership of the EU, and new technologies are demanding changes in established voting rules. Public confidence, linked, *inter alia*, to transparency and accountability, are crucial for participation. Information to electors, easing administrative

⁴² As to Austrian foreign-resident electors worldwide (approx. 350,000 in total), 53,784 were registered in spring 2004 with the EP electors' registers in Austria (in comparison to 66,331 in the same year's presidential election) - of whom 35,527 were resident in another EU country. Of all Austrian expatriates worldwide registered in Austrian EP electors' registers, 15,532 had upon their request, a ballot sent to for the Austrian 2004 EP elections - of whom approx. more than 10,000 were resident another EU country. On 19,016 Austrian foreign-resident electors, data from registration as 'Community voters' in other EU countries by spring 2004 were received. Comparing all these data, of Austrian expatriates resident in EU countries, double as many choose to register to vote in the Austrian 2004 EP elections rather than in those of the (EU) country of their residence. On the question of the number of expatriate electors who actually participated in the vote, no data are available (there is a constant percentage of ballots sent abroad which is not validly returned, because of lacking will by the electors, postal errors and delays, other time constraints and mistakes in filling in the return forms).

⁴³ Given the unequal distribution of popular opinion with low participation, this can lead to a "representative" body where the share of fringe, extremist parties of whatever kind is much higher than their actual share of the electorate. This not only can make the elected body unrepresentative of the population but can also further alienate the general public from this body. In addition to this, it may also reduce the feeling of accountability by the elected.

hurdles and providing additional and remote channels, are, too.”⁴⁴

Possible improvements to the legislative framework for elections were discussed by the "*Austrian Convention (Österreich-Konvent)*", a body similar to the "EU Convention".⁴⁵ It was established in summer 2003 in order to review the Austrian Constitution. In the domain of elections, the issues of election principles, postal voting and e-voting were discussed. A few days ago, the final report by the chair was presented to the public. In the draft federal constitution submitted by the chair in a personal capacity, postal voting is foreseen outside of the geographical area of election - even within Austria's national territory - if the electoral decision is undertaken personally and in a way that third persons cannot detect it.⁴⁶ It is now up to Parliament to draw conclusions and possibly arrive at such.

In parallel to the deliberations of the *Austrian Convention*, the Austrian Federal Minister of the Interior constituted a working group on remote Internet-voting in spring 2004. This working group included experts from different federal ministries, from central, regional and local administration, from academia and from industry. Its mandate was to evaluate necessary legislative, technological and operational measures, based *inter alia* upon international experiences, *in case that* a political or legislative decision with regard to e-voting may be taken in future. The

⁴⁴ Austria, the Czech Republic, Hungary, Poland, the Slovak Republic, and Slovenia, plus the EU candidate countries of the region: Bulgaria, Croatia, and Romania; Summary by the Chair, 2nd Election Seminar within the 'Regional Partnership' (Vienna, 6 and 7 December 2004), provisional (20/01/05), at www.wahlinfo-bmaa.at, 'Vienna Election Seminar 2004', or directly at www.wahlinfo-bmaa.at/view.php3?f_id=6805&LNG=de&version

⁴⁵ www.konvent.gv.at.

⁴⁶ "Wahlberechtigten, die sich am Wahltag voraussichtlich nicht im Wahlgebiet aufhalten und ihre Stimme nicht vor einer Wahlbehörde außerhalb des Wahlgebietes abgeben können, ist die Stimmabgabe nach den näheren Bestimmungen der Wahlordnung in Form der Briefwahl zu ermöglichen, wenn sichergestellt ist, dass die Wahlentscheidung persönlich und in einer für Dritte nicht erkennbaren Weise getroffen wird." - draft Art. 16, point 10; www.konvent.gv.at/pls/portal/docs/PAGE/K/zd/Teil4B_Bundesverfassung.pdf; text of the entire report (in German):

www.konvent.gv.at/portal/page?_pageid=905.81616&_dad=portal&_schema=PORTAL&p_inf2=54.

final report was submitted to the Federal Minister of the Interior at the end of the year.⁴⁷

What we will summarily present here are avenues for improvement to the Austrian remote voting, as suggested by various quarters. These suggestions are thus neither official nor exhaustive. They do, however, show points where voting could be eased for the users, *i.e.* primarily the voters. They thus carry indications far beyond any specific remote voting system of any particular country and may be of use when reviewing remote voting systems in general.

These suggestions contain:

- extending remote voting (to the national territory);
- extending advance voting;
- introducing simple postal voting;
- eliminating the requirement of another person involved in the remote casting of the ballot;⁴⁸
- extending deadlines to be sufficient for today's pace of postal (speed) services around the globe;
- reducing administrative requirements such as multiple registration;
- offering registration channels over the internet;
- obligatory sending of voting information to any elector;
- obligatory sending of all information and papers necessary to cast the vote, to all remote electors; and last but not least
- offering additional channels of voting including, in particular, remote e-voting.⁴⁹

⁴⁷ The text of the entire report is available in German only at http://reference.e-government.gv.at/Ergebnisse_der_AG_E-Voting.610.0.html-, while summaries of the of the reports of the sub working groups on 'international experience and expertise' and on 'technical aspects of e-voting' are available also in English at www.wahlinfo-bmaa.at, see "E-Voting"; or direct at www.wahlinfo-bmaa.at/view.php3?f_id=6016&LNG=de&version.

⁴⁸ Or: replacing the person's involvement by an affidavit of the voter (ref. German and UK practise).

What to do, therefore? It needs no explanation that a user-friendly, citizen-oriented administration has to ease citizens' participation in democratic processes, in particular in elections, without at the same time putting election principles at risk. Easy access means as little efforts and costs as possible for the voter. Safeguarding election principles means securing in particular the free and secret suffrage - and in Austria's case also the personal exercise of the vote. In addition to this, election results should be available as quickly as possible, and not subject to illegal attacks or changes during counting or transmission.

⁴⁹ The Austrian Federal Minister of the Interior constituted a working group on remote Internet-voting in late spring of 2004. This WG included experts from different federal ministries, from central, regional and local administration, from academia and from industry. Its mandate was to evaluate necessary legislative, technological and operational measures, based inter alia upon international experiences, in case that a political or legislative decision with regard to e-voting may be taken in future. The final report was submitted to the Federal Minister of the Interior at the end of the year of 2004. While the entire text of the report is available in German - http://reference.e-government.gv.at/Ergebnisse_der_AG_E-Voting.610.0.html - summaries of the parts on technology and international issues are available also in English: www.wahlinfo-bmaa.at, at "E-Voting"; or direct at www.wahlinfo-bmaa.at/view.php3?f_id=6016&LNG=de&version.

More on e-voting in English by the same author: E-Voting: International Developments and Lessons Learnt, in: Alexander Prosser, Robert Krimmer (eds.), Electronic Voting in Europe - Technology, Law, Politics and Society, Lecture Notes in Informatics (LNI), vol. P-47, Gesellschaft für Informatik, Bonn 2004, pp. 31-42.

THE OBLIGATORY VOTE IN BELGIUM

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I. The evolution of the Belgian voting system since 1830

During the first election for the federal Parliament (Chamber and Senate) in 1831, only a few citizens, who paid a certain poll tax, had the right to vote. This system is called voting system based on the poll tax, which means that only the wealthiest Belgians had the right to elect their members of Parliament.

The distribution of the seats is based on a majority system.

This voting system based on a poll tax gradually evolved towards the system of the and became a plain universal suffrage and every citizen had one vote. However this evolution was not a smooth one.

In 1893, after some bloody strikes, they began to introduce the universal suffrage which was however tempered by the plural voting. In this system, each man had one vote and some others, who paid a poll tax or owned a certain education diploma (« capacity »), received two or even three votes. In 1893, you had to be 25 years old to be allowed to vote and women had no right to vote.

As it already was the subject of some parliamentary propositions as from 1858, it is also during the electoral reform of 1893 that Belgium adopted the obligatory vote.

In 1899, Belgium puts an end to the majority system and introduces the proportional representation.

The plain universal suffrage (one man, one vote) is introduced in 1919 and the requested age to be allowed to vote is brought down from 25 to 21.

It is only in 1948 that the women will be allowed to vote.

Since July 28, 1981, every citizen (men and women) aged 18 and more has the right to emit one vote.

II. Why was the obligatory vote introduced?

1. Political and historical considerations

The introduction of the obligatory vote by the Constituent of 1893 has been traditionally presented as being the consequence of the introduction of the universal suffrage, but there was also another reason: the fight against absenteeism. (1892: 16 % voters - 1894: 6,5 % voters)

I think you have to mix those two elements together. In fact, the majority of the categories of citizens who obtained the right to vote for the first time in 1893 came from the poor working class. It may be that these persons, due to a lack of information or due to the pressure imposed by their employers for instance, did not want to go to the polling stations and this would have meant the loss of the utility of the universal suffrage.

2. Philosophical considerations

One may consider the vote as being a public-spirited institutionalization. The obligation to vote is then linked to the theory which says that the right to vote is a duty and not a right. It is so that, during a session of the members of the Chamber of Deputies in May 1893, the Minister of Finance said the following words: « You do not vote for yourself but in the interest of the society ».

This conception is based on the theory of the sovereignty of the Nation, which was developed by Montesquieu.

III. The obligatory vote in practice

1. Principle:

The Constitution and the several electoral laws state that the vote is obligatory.

This means that you are obliged to vote otherwise you could be penalised, that you have to go to the designated polling station, that you have to accomplish the required formalities and that you have to deposit a ballot paper or a magnetic card in the ballot box. The polling station does not verify if the person has really voted (blank ballot paper) and if the vote is a valid one.

2. Who can be an elector?

In Belgium, to be an elector, you:

1. must have the Belgian nationality (except for the election of the European Parliament: EU citizen + except for the local elections: every foreign citizen);
2. have to be at least eighteen years old;
3. have to be registered on the population register of a Belgian municipality (or be registered on the population registers which are held at the diplomatic or consular post for the Belgians living abroad); and
4. may not be the object of one of the exclusion or suspension cases foreseen by the present Code (for instance: criminal sentence).

All the persons who meet these conditions are automatically placed on the voters list and are obliged to vote (except for the foreign citizens who must apply to their municipality. Note that once they register as an elector, the foreign citizens will be automatically placed on the voters list for the future elections, unless they expressly withdraw).

3. Sanctions

An absence to the vote is only punishable when it is an unjustified absence. The Justice of the Peace has the right to determine what is considered as an unjustified absence and what is considered as a justified absence. Within eight days after the proclamation of the elected persons, the Public Prosecutor makes up the list of the electors who did not vote and who do not have a valid excuse. The elector who did not fulfil his voting obligations is summoned to appear before the Police Court which rules without appeal.

The legal proceedings and the penalties you can incur in case of absence from the election are provided in articles 209 and 210 of the Electoral Code.

According to the circumstances, a first unjustified absence is punished with a simple reprimand or with a fine of 25 to 50 euros.

In the event of a repetition of the offence, the fine will be 50 to 125 euros.

No subsidiary imprisonment sentence will be pronounced.

If the unjustified absence occurs at least 4 times within a period of 15 years, the voter will be struck off the voters list for a period of 10 years. During that time, he can not receive a nomination, a promotion, or a distinction coming from a public authority.

IV. Temperance of the obligatory vote: vote by proxy

Some voters are allowed to express their vote by giving a proxy to another voter (article 147bis of the Electoral Code, as the diverse electoral laws).

So, the proxy can vote in the name of the constituent.

Who can appoint a voter to act as a proxy for him?

1. The voter who, due to illness or disability, cannot go or cannot be transported to the polling station.

This incapability is confirmed by a medical certificate.

2. The voter who, due to professional or service reasons:
 - is retained abroad and also the voters who are members of his family or his suite and who live with him
 - is in Belgium on the day of the ballot but finds it impossible to go to the polling station.

This impossibility is attested by a certificate delivered by the employer.

3. The voter whose profession is boatman, hawker or stallholder and the members of his family who live with him.

The profession is attested by a certificate delivered by the mayor of the municipality where that person is registered in the population register.

4. The voter who, at the date of the ballot, is deprived of his liberty due to legal measures taken against him.

This situation is attested by the director of the establishment where that person is incarcerated.

5. The voter for whom, due to his religious beliefs, it is impossible to go to the polling station.

This impossibility must be justified by a certificate delivered by the religious authorities.

6. The student for whom, due to his studies, it is impossible to go to the polling station.

This impossibility is attested by a certificate delivered by his school.

7. The voter who, for other reasons than those mentioned above, is not at his home on the day of the ballot due to a temporary stay abroad, and for whom it is therefore impossible to present himself at the polling station.

However, this impossibility must have been recorded by the mayor of the municipality where that person lives or by his authorized representative, after presentation of the necessary proofs (bill of the travel agency, plane ticket, etc.).

In this last case, the demand must be introduced at least a fortnight before the day of the ballot. If the mayor or his authorized representative grants the demand, he will deliver a certificate to this effect.

Thanks to the law of 7 March 2002 (Belgian Law Gazette of May 8, 2002), the constituent may from now on give proxy to any other voter (the proxy does not have to be the spouse or a member of the family to the third grade anymore).

Every voter may hold only one proxy.

The day of the election, and in order to be allowed to fulfil the proxy in the polling station, the constituent must possess the proxy form and the related certificate as well as his own notification and his identity card.

Note: our legal system allows the vote by correspondence for the Belgians who live abroad when the vote concerns the election of the European Parliament and the election of the Federal Legislative Chambers.

V. Conclusion

Nowadays, the question of the obligatory vote should be considered more in function of the motivation of the voters and in function of the concept of the liberty of voting.

So, for the defenders of the obligatory vote:

1. The obligatory vote is a way to oblige the citizen to participate to the functioning of the State, at a moment when the crisis inside the political institutions seems to grow bigger and at a moment where the interest of the citizen for the political thing does not appear to be a sufficient factor to guarantee an important participation to the elections.
2. The obligatory vote seems also to be the way for the different layers of the population to express themselves. Thus, certain layers of the population seem to be less sensible than others to the political thing, whether in function of age, gender, socio professional categories, or geographical location.
3. The obligatory vote can also be a way to assure a variety in the representation of the political parties, though we notice that the obligatory vote seems to profit more to the important political families. It also assures the legitimacy of the elected bodies because they have been chosen by a great part of the nation, thus eliminating the fact that a minority would take advantage of the apathy of the voters.
4. Finally, in the system of the obligatory vote, a blank vote could have a greater signification than a simple abstention to the elections, as it marks the clear will of the voter to reject the presented candidates, unlike the abstention which might result from several factors.

As for the defenders of the suppression of the obligatory vote :

1. They generally put the argument forward that you have to encourage the citizen to assume his responsibilities. It is the citizen, who possesses the right to vote, to freely decide if he wants to use or not use his right. This vision relates more to the theory of J.J. Rousseau concerning the sovereignty of the people. So we can assume that, in such an optic, the expression of the right to vote will be more authentic and more sincere than in the assumption that the voter is

obliged to go to the polling station.

2. Furthermore, if we can establish a link between the layers of the population and absenteeism, like it has been said above, the optional character of the right to vote allows us to more easily identify the populations for whom the political body should intensify its efforts in order to raise the consciousness of the electors to the political thing.
3. The ineffectiveness of the sanctions that should repress the absenteeism shown by the electors is another argument that the detractors of the obligatory vote put forward.

As far as Belgium is concerned, we notice that the obligation to vote has been cyclically introduced in our Constitution and that more than a century later it is still rooted in our legal system.

Should the debate “For or against the obligatory vote” be started?

These last years, several proposals have been introduced to the Belgian Parliament, whether to propose the suppression of the obligation to vote, whether to circumvent the obstacle of a constitutional or legislative revision by suppressing the sanctions imposed by the Electoral Code par le Code.

Other proposals also want to soften the conditions concerning the vote by proxy.

In any case, the analysis of the political evolution of Belgium allows us to notice that the maintenance of the obligatory vote till now is the result of an obvious absence of a parliamentary majority on this point.

ABSENTEE VOTING IN SWEDISH HISTORY AND CONSIDERATIONS

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I. Definitions

Absentee voting in this presentation implies voting outside your designated polling station on Election Day – both within the country and abroad.

II. The presentation

This presentation will make an attempt at giving information about the Swedish options for absentee voting by introducing not only a list of our variety of voting channels but also to give an account of the history of each channel and the considerations (problems vs. benefits) that some of the channels face – in particular with regard to the election administration.

III. Voting channels in Sweden

The following voting channels are available for the Swedish electorate:

Within Sweden:

- At a Swedish post office (may start 18 days before and including the Election Day). You may cast an advance vote at a post office wherever you are in Sweden.
- Care facilities; hospitals, elderly homes, prisons (may start 8 days before the Election Day). This channel is available for all, not only for patients/caretakers.
- By messenger (may start 24 days before until and including Election Day). Special rules apply for this channel.

Abroad:

- At embassies and consulates abroad (24 days before the Election Day). This channel is available not only for expatriates but for all persons entitled to vote and being abroad.
- By mail from abroad (may start 30 days before the Election Day). Available for all.
- By messenger (may start 24 days before the Election Day). Special rules apply for this channel.

The following criteria must be fulfilled for absentee voting in Sweden:

- that the voter can be identified
- that the vote is prepared freely and in secrecy
- that the vote is sealed
- that the vote's destination is clear
- that there are secure transportation methods

IV. Supervision

Voting in post offices, at care facilities or Swedish embassies/consulates abroad all constitute supervised voting channels, i.e. the vote reception is supervised by trained election officials. Voting by mail from abroad and voting by messenger, on the other hand, are not supervised by election officials and therefore require a witness procedure as well as special material acquired in advance.

In supervised advance voting places, the officials have a somewhat different task than those in an ordinary polling station on Election Day: There is no electoral roll available in any of these places, and no real ballot box, which means that the officials function as vote receptionists; they have to identify the voter, receive the sealed vote, place it in an outer envelope together with the voting card and make sure that the vote is sent to the municipality indicated on the voting card. Special education is provided to all vote receptionists; diplomatic staff, post office workers and vote receptionists at care facilities all receive specific training in how to perform their duties.

The received votes will be placed in a box while the voter is present, and the votes in the box are stored in a secure manner before being sent to their correct destination. A list of voters is kept throughout the vote reception period as a record of who has cast an advance vote at each respective place.

To vote by messenger you need special material and there are certain rules applicable to that procedure. You may vote by messenger only if you are old, disabled, sick or in prison, but you must still be able to prepare the vote by yourself (with some assistance, if asked for). To verify that the procedure is done correctly, a witness is required. The messenger can either deliver the sealed vote to the voter's ordinary polling station on Election Day, to a post office in Sweden or an embassy/consulate abroad. Both the messenger and the witness must verify with their signatures and their personal identification number on a special outer envelope that the voting procedure has been conducted in a proper manner. Some rural postmen in Sweden have a special duty to act as messengers and they do not have to indicate their personal identification number – verification with their signature is considered adequate.

History: voting by messenger in this form has been possible since 1966 – before that only a husband/wife could act as messenger. The number of messenger votes in 2003 amounted to app. 82,800.

To vote by mail from abroad you also need special material - a special package is prepared and sent out upon request. The procedure is similar as for voting by messenger, with the difference that there are two witnesses necessary and that the voter will send the sealed vote in a special outer envelope by ordinary mail back to Sweden. You may only use this channel from abroad and mail votes with a Swedish postmark will be judged as invalid.

V. The path of absentee votes

Almost all votes cast through these channels will be transported by mail (diplomatic mail for embassy votes) to the municipalities, which will forward the votes to the voter's original polling station on Election Day.

The absentee votes are not placed in the ballot box until they have reached their final destination and the polling station has closed its vote reception. Neither will the absentee voters be marked in any electoral roll during the actual voting procedure, since the rolls are exclusively kept in their respective polling stations on Election Day. The absentee voters will be marked in the electoral roll when the absentee vote has reached the polling station and has been properly checked. The voting card, which will accompany the vote to the polling station, will be separated from the voter's sealed vote before the vote is placed in the ballot box.

It should be noted in this context that there is only one central electoral roll compiled for the whole electorate before each election event – including the Swedes living abroad. The expatriates are listed for that electoral district where they last had their registered resident in Sweden.

VI. History and statistics

- Voting at post offices; since 1942. No of reception places: 1,375 in 2002; 1,365 in 2003 and 1,191 in 2004. In 2002 and 2003, app. 30 % of the votes were cast via the post office, 25 % in 2004.
- Care facilities; started gradually as a part of post office voting. No of places: 1853 in 2002, 1,756 in 2003 and 1,658 in 2004. No of votes: 2002: 32,300; 2003: 29,800; 2004: 10,100. For everyone - not only for patients/caretakers.
- Swedish embassies/consulates since 1982. In the last EP election close to 300 Swedish foreign missions offered vote reception, in 2003 and 2002 app. 330. The number of votes from foreign missions amounted to 19,000 in 2002, 21,800 in 2003 and only 6,300 in 2004. This channel is available not only for Swedes living abroad but for all

eligible voters being abroad at the time of an election. Sweden had app. 110,000 registered expatriates before the 2004 EP election.

- Mail vote from abroad; introduced for all in 2002, but allowed specially in Switzerland and Germany since 1982. No of mail votes: 18,300 in 2002, 29,400 in 2003 and only 6,400 in 2004. This channel is also available for all eligible voters being abroad at the time of an election, but is especially useful for those being in places far away from any embassy or consulate.

VII. Considerations – from an election administrative perspective

The benefit of having a fairly large number of voting channels is of course that it enables the electors to cast their votes with as little trouble as possible. The voting at Swedish post offices has been in place for so long that it has become more or less an integrated part of the election system. A parliamentary committee has recently proposed to transfer the responsibility to vote in advance from the Swedish Post Co to the local election authorities, which are the election committees incorporated in each municipality. Sweden is therefore facing a huge challenge in how to administer this change, if the parliamentary committee's proposal will become a reality. A government bill with a proposal for a new Elections Act is expected to be presented some time during the spring of 2005 and the new act could then come into force already on January 1 2006. One of the major challenges will be to inform the electorate that they can no longer go to the post office to vote. And since there will be no national common denominator, such as the post office logo, the election administration must think anew in their internal and external information campaigns. However, it should be mentioned in this context, that this proposal was presented against the background that the number of available post offices has decreased considerably recently and is expected to decrease even further. This makes it difficult to keep the Post Office Co as the responsible body for this type of advance voting since they can no longer guarantee a sufficient number of post offices to be open for vote reception. Another argument is of course that it is natural that all voting within the country should be arranged by one and the same body to get an

efficient organisation.

As mentioned before there are two types of absentee voting, which do not include any supervision from election officials, i.e. voting by messenger and voting by mail from abroad. We are aware of the risks involved in using witnesses as the only guarantee for certain fundamental election values (for example, preparing the vote freely and in secrecy and identification of the voter), and there is of course a risk of impersonation or unlawful "assistance" in choosing a party. But to take away these channels, especially the voting by messenger, it will affect an already very vulnerable group of persons that will be left outside the possibility to exercise one of a democratic society's most basic rights, which is to cast a vote.

Statistics show that a large administrative system has been constructed for fairly small groups with, in some cases, very low turnout. One such example is the group of Swedes living abroad, app. 110,000 persons, all of whom receive not only a voting card but also mail voting material sent to them directly to their home addresses around the world. Statistics on voter turnout for Swedes living abroad 2002 show that only 28 % of them voted. However, from a democratic perspective, it is still considered worthwhile to uphold the number of voting channels even though they generate considerable costs and rather complicated administrative systems. It is roughly estimated that every general election engages between 50-60,000 persons, and the cost for voting at post offices and care facilities amounted in 2002 to almost 65 percent of the total election budget.

Furthermore, it is considered difficult to change people's patterns of behaviour and take away an already introduced channel. There is an in-built notion that election systems should be stable over time and that the act of casting a vote should be recognisable as well as easy to understand. The question for us at the moment is not whether we may take on yet another voting channel but how to make the existing ones as efficient as possible.

**OVERVIEW OF A COMPARATIVE STUDY ON VOTING
ABROAD**

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I. CLARIFICATION OF THE TERM

POSSIBILITY CONSIDERED AND REGULATED BY THE ELECTORAL LAW OF A GIVEN COUNTRY, ALLOWING ITS RESIDENT OR IN TRANSIT CITIZENS (ELECTORS) ABROAD TO VOTE FROM OUTSIDE THE NATIONAL TERRITORY.

IT IS CONVENIENT TO DISTINGUISH THIS TERM FROM THE ACKNOWLEDGEMENT OF THE RIGHT TO VOTE THAT SOME COUNTRIES EXTEND TO RESIDENT FOREIGNERS WHO HAVE NOT BEEN NATURALIZED, AS WELL AS FROM SPECIFIC VOTING MODALITIES (ABSENTEE VOTE), THAT NOT NECCESARILY IMPLY VOTING ABROAD.

II. RELEVANCE AND CURRENT STATE

FROM THE PERSPECTIVE OF THE ELECTORAL LAW, THE EXTERNAL VOTING IS NOT A NEW SUBJECT. SOME NATIONAL EXPERIENCES DATE BACK FROM SOME DECADES AGO.

ITS RELEVANCE AND CURRENT VALIDITY IS EXPLAINED MAINLY BY TWO INTERRELATED FACTORS:

- UNPRECEDENTED EXTENSION AND REVALUATION OF DEMOCRATIC PRACTICES AND INSTITUTIONS.
- IMPORTANT INCREASE IN INTERNATIONAL IMMIGRATION PHENOMENA (REGIONAL ASSYMETRIES).

- ACCORDING TO THE ILO, FROM 1970 TO 1990 THE NUMBER OF IMMIGRANTS' COUNTRIES OF ORIGIN OR WORK INCREASED FROM 65 TO 100.

- ACCORDING TO THE UN (2002), ABOUT 185 MILLION PEOPLE LIVE IN A COUNTRY DIFFERENT FROM THE ONE WHERE THEY WERE BORN (3% OF WORLD TOTAL).

- INTERNATIONAL IMMIGRANTS EXEMPLIFY THE PROBLEM OF LARGER SECTORS OF POPULATION TOTALLY OR PARTIALLY DEPRIVED FROM THEIR FUNDAMENTAL POLITICAL RIGHTS.

- A HIGHER STANDARDS CONTEXT IS CREATED, HELPING UNIVERSAL SUFFRAGE TO ATTAIN A LARGER SCOPE AND VISIBILITY IN AN INCREASINGLY "GLOBALIZED" WORLD.

- HOWEVER, THESE HIGHER STANDARDS, AND ESPECIALLY THOSE RELATED TO THE ACKNOWLEDGEMENT OF IMMIGRANTS' POLITICAL RIGHTS IS COUNTERACTED BY IMMIGRATION POLICIES OF THE MAIN RECEIVING COUNTRIES.

III. CHALLENGES AND COMPLEXITIES

- THE COMPLEXITY LEVEL OF THE DEBATE AND POSSIBLE DECISION-MAKING PROCESS FOR ESTABLISHING A MECHANISM IS RELATED TO THE SPECIFIC LOCAL CONDITIONS AND REQUIREMENTS.
- AS A GENERAL RULE, THE MOST COMPLEX COUNTRIES ARE THOSE WITH HIGH RATES OF INTERNATIONAL EMIGRATION (ESPECIALLY WORK RELATED) AND, THUS, A LARGE NUMBER OF POTENTIAL VOTERS LIVING ABROAD: DEVELOPING COUNTRIES.
- THE PROFILE AND NUMBER OF POTENTIAL VOTERS ABROAD PRESENTS QUALITATIVELY DISTINCT CHALLENGES AND COMPLEXITIES.
- IT IS DIFFERENT TO DESIGN A MECHANISM TO ADDRESS THE NEED OF CITIZENS ON OFFICIAL DUTY OR TEMPORARILY OUT OF THE COUNTRY, THAN DESIGNING A MECHANISM TO ATTEND WORKING MIGRANTS, REFUGEES OR DISPLACED PEOPLE (FORCED OR PROLONGED ABSENCE).
- “FORCED” AND MASSIVE MIGRATION CASES FACE LARGER PROBLEMS AND CHALLENGES OF JURIDICAL AND CONCEPTUAL CHARACTER, AS WELL AS POLITICAL-INSTITUTIONAL AND TECHNICAL-OPERATIONAL DIFFICULTIES.
- ADDITIONALLY, ANY MECHANISM USUALLY REQUIRES UNPRECEDENTED ORGANIZATION AND LOGISTICAL EFFORTS, AS WELL AS A HEAVY BUDGET LOAD.
- IN SPITE OF THE VOLUME AND IMPORTANCE OF THE INTERNATIONAL IMMIGRATION PHENOMENA, POLITICAL RIGHTS OF IMMIGRANTS WERE LEFT ASIDE FOR A LONG TIME, BOTH IN THE INTELLECTUAL PRODUCTION AND THE POLITICAL AGENDA.
- GRADUAL CHANGES OCCURRED SINCE THE 70S. THE ULTIMATE CONSEQUENCE: INTERNATIONAL CONVENTION FOR THE PROTECTION OF RIGHTS OF MIGRANT WORKERS AND THEIR FAMILIES (1990 - 2004).

- WHEN ANALYZING AND DESIGNING ANY ALTERNATIVE, THE POSSIBILITY OF REVIEWING AND ADJUSTING THE CURRENT JURIDICAL FRAMEWORK HAS AN IMPACT, ESPECIALLY REGARDING THE FOLLOWING:
- THE CONCEPT OF CITIZENSHIP (BELONGING TO A POLITICAL COMMUNITY).
- THE ESSENTIAL ATTRIBUTES OF THE ELECTORAL SYSTEM: TRANSPARENCY, IMPARTIALITY, SECURITY, EQUITY.

IV. BASIC CHALLENGES AND CHOICES

IN THE COVERAGE AND REACH OF ANY EXTERNAL VOTING MECHANISM IT IS IMPORTANT CONSIDERING THE FORM IN WHICH THE FOLLOWING DILEMMAS ARE SOLVED:

- VOTING RIGHTS / POLITICAL REPRESENTATION.
- KIND OF ELECTION TO WHICH THEY ARE APPLIED.
- CONDITIONS OF ELIGIBILITY (ENTITLEMENT)
- REQUIREMENTS AND FACILITIES FOR REGISTRATION.
- MODALITIES FOR CASTING A VOTE.

V. CONDITIONS OF ELIGIBILITY

- CITIZENSHIP
- RESIDENCE
- INTENTION OF RETURN

VI. REQUIREMENTS AND FACILITIES FOR REGISTRATION

- REQUIRED PROCEDURE AND FACILITIES FOR PROCESSING ABROAD
- ID DOCUMENTS
- PLACES
- TIME LINE

VII. MODALITIES FOR CASTING A VOTE

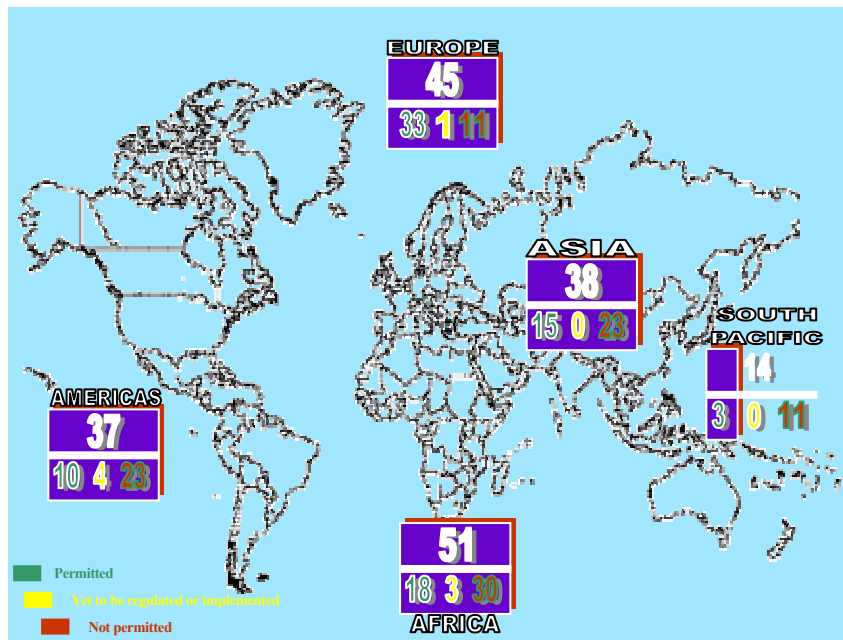
- IN PERSON (PERSONAL APPEARANCE IN OFFICIAL SITES)
- AT A DISTANCE (POSTAL, INTERNET, TELEPHONE).
- PROXY OR DELEGATION

VIII. ADDITIONAL CHALLENGES

- DIFFICULTY TO REPLICATE ABROAD ESSENTIAL ATTRIBUTES OF THE ELECTORAL ORGANIZATION AND THE ELECTORAL CONTEST (LEVELING THE PLAYING FIELD).
- REGULATION OF CAMPAIGN ACTIVITIES, INCLUDING FINANCING PROVISIONS AND DISCLOSURE REQUIREMENTS.
- INSTITUTIONAL COORDINATION: FROM DIPLOMATIC NEGOTIATIONS TO LOGISTICS
- VOTER EDUCATION AND INFORMATION CAMPAIGNS.
- ADMINISTRATIVE OFFENSES AND PENALTIES.
- ELECTORAL JUSTICE (CONTROVERSY RESOLUTION AND CHALLENGES).
- BUDGET DEMANDS AND LIMITS FOR EVALUATION AND SELECTION OF THE MOST SUITABLE ALTERNATIVE (FEASIBILITY).

COUNTRY UNIVERSE AND DISTRIBUTION

VOTE ABROAD	AFRICA	AMERICA	ASIA	EUROPE	OCEANIA	TOTAL
Yes	18	10	15	33	3	79
Application Pending	3	4	0	1	0	08
No	30	23	23	11	11	98
Total	51	37	38	45	14	185



KIND OF ELECTION

ELECTIONS TO WHICH IT IS APPLIED	NUMBER OF CASES
National, local and referendum	6
National and referendums	13
Nationals and locals	10
Only nationals	48
Only consultation	2

FORM OF GOVERNMENT

FORM OF GOVERNMENT	NUMBER OF CASES	CORRELATION
PARLIAMENTARY	39	POSITIVE IN 37 CASES*
PRESIDENTIAL	34	POSITIVE IN 30 CASES**

* Negative: Lituania y Serbia y Montenegro

** Negative: Azerbaijan, Botswana, Indonesia and Zimbabwe

**APPLICATION TO NATIONAL ELECTIONS
IN PRESIDENTIAL SYSTEMS**

NATIONAL ELECTION POSITIONS	NUMBER OF CASES	COUNTRIES
Executive and Legislative	21	Algeria, Argentina, Armenia, Belarus, Cape Verde, Colombia, United States, Philippines, Georgia, Ghana, Guinea, Indonesia, Kazakhstan, Mali, Namibia, Peru, Russia, Sao Tome and Principe, Senegal, Ukraine and Uzbekistan.
Only Executive	10	Brazil, Chad, Ivory Coast, France, Gabon, Honduras, Dominican Republic, Tunisia, Niger and Venezuela.
Only Legislative	3	Azerbaijan, Botswana and Zimbabwe.

DISTRIBUTION BY REGISTRATION

REGISTRATION MODALITY	NUMBER OF CASES
In a registry integrated abroad.	40
In a registry integrated within the country.	34
In an internal or external registry.	3
In an internal and an external registry.	2

DISTRIBUTION OF VOTING MODALITIES

VOTE CASTING PROCEDURE	NUMBER OF CASES
PERSONAL VOTE	44
POSTAL VOTE	23
MIXED	12

COUNTRIES WITH MIXED MODALITY

MIXED MODALITY	COUNTRY
Personal voting and mail voting	Bosnia and Herzegovina, Slovenia, Kosovo, Philippines, Sweden
Personal voting and proxy voting	Algeria y Chad
Mail voting and proxy voting	India, United Kingdom
Mail voting and e-mail voting	Estonia
Personal voting, mail voting and fax voting	Australia
Personal voting, mail voting, proxy voting and proxy voting abroad	Belgium

IX. CITIZEN'S REPRESENTATION ABROAD

- CROATIA: UP TO 14 SEATS ARE RESERVED BY LAW IN THE LOWER CHAMBER.
- FRANCE: THEY HAVE A 12 SEAT REPRESENTATION IN THE SENATE, ALTHOUGH THEY ARE CHOSEN IN AN INDERECT WAY THROUGH A COLLEGE.
- PORTUGAL: UP TO FOUR SEATS ARE RESERVED BY LAW THEY IN THE DEPUTY CHAMBER.
- COLOMBIA: ONE SEAT IN THE DEPUTY CHAMBER.
- ITALY: THEY WILL HAVE 12 SEATS IN THE DEPUTY CHAMBER AND SIX IN THE SENATE.

X. OTHER RELEVANT REGISTRIES

- BEFORE THE 80s ONLY A FEW IDENTIFIED CASES WERE APPLIED.
- PARTICIPATION RATES RANGE FROM 93.7 IN AUSTRALIA (2001) TO 10.9% IN FINLAND (1999).
- IN ABSOLUTE TERMS, THE MOST IMPORTANT TURNOUT CORRESPONDS TO THE US WITH MORE THAN 2.4 MILLIONS (POSTAL VOTE).
- IN THE PERSONAL VOTE MODALITY, IT CORRESPONDS TO PHILIPPINES WITH 235,000 VOTES (65% OF THE TOTAL OF VOTERS REGISTERED ABROAD).

XI. FINAL COMMENTS

- THIS IS A SPECIALLY COMPLEX AND POLEMIC ISSUE FOR DEVELOPING COUNTRIES WITH STRONG EMIGRATION PATTERNS, HENCE WITH A HIGH VOLUME OF POTENTIAL ELECTORAL VOTERS ABROAD (IN RELATION WITH NATIONAL VOTERS).
- THERE ARE NO VALID MODELS OR GENERAL APPLICATION, ANY INITIATIVE MUST BE SENSITIVE AND ADJUST TO THE NATIONAL CONDITIONS AND DEMANDS.
- THIS IS A SPECIALLY COMPLEX AND POLEMIC ISSUE FOR DEVELOPING COUNTRIES WITH STRONG EMIGRATION PATTERNS, HENCE WITH A HIGH VOLUME OF POTENTIAL ELECTORAL VOTERS ABROAD (IN RELATION WITH NATIONAL VOTERS).
- THERE ARE NO VALID MODELS FOR GENERAL APPLICATION, ANY INITIATIVE MUST BE SENSITIVE AND ADJUST TO THE NATIONAL CONDITIONS AND DEMANDS.
- THE AVAILABLE ALTERNATIVES TO ORGANIZE ELECTIONS ABROAD AND ITS CORRESPONDANCE WITH NATIONAL STANDARDS.
- THE DIFFICULTY TO REPLICATE ABROAD ESSENTIAL ATTRIBUTES OF THE ORGANIZATION AND ELECTORAL CONTEST (INTEGRITY, SECURITY, TRANSPARENCY AND FAIRNESS).
- THE CAPACITY TO CONFRONT BUDGET, ADMINISTRATIVE AND LOGISTICAL DEMANDS.

PARTICIPATION RATES

COUNTRY / YEAR	REGISTERED VOTERS	VOTES CASTED	% OF VOTES OF REGISTERED VOTERS
Argentina (1997)	23.389	5.700	24.4
Armenia (1996)	19.033	8.438	44.3
Australia (1996)		46.307	
Bosnia (1997)	200.480	121.633	60.7
Brazil (1998)	47.961	21.844	45.5
Canada (2000)		31.116	
Colombia (1998)		44.313	
Croatia (2000)	360.110	126.841	35.2
Estonia	9.100	4.099	45.0
Finland	204.917	22.424	10.9
France (1995)	245.317	130.036	53.0
Japan (2000)		9.899	
Moldova (1998)		3.202	
Peru (2001)	248.790	132.406	53.2
Portugal (1995)	192.329	45.832	23.8
Senegal (1998)	80.844	24.246	29.9
Spain (1996)	526.065	181.741	34.5
Sweden (1994)		25.000	
Switzerland (1999)	70.063	35.102	50.1
Southafrica (1994)	428.461	96.268	22.1
United States (1996)		2.401.000	
Ukraine (1999)	121.201	30.598	25.2
Venezuela (2000)	11.873	6.785	57.1

REGISTRATION RATE AND TURNOUT IN LATIN AMERICA

COUNTRY	TOTAL CONSIDERED	ELECTIONS	REGISTERED VOTERS	TURNOUT	OBSERVATIONS
ARGENTINA	1 million (1999)	Presidential 2003	29,283	n/d	The registry represents 0.11% of the national totals
BRAZIL	1.6 millions (2002)	Presidential 2002	69,937	38,618 (55.4%)	The registry represents 0.06% and turnout 0.04% of the national totals
COLOMBIA	3 millions (1999)	Presidential 2002	165,631	106,931 (64.6%)	The registry represents 0.68% and turnout 0.94% of the national totals
HONDURAS	n/d	Presidential 2001	10,826	4,541 (42.0%)	The registry represents 0.31% and turnout 0.20% of the national totals.
PERU	2 millions (2001)	Presidential 2001	248,790	132,406 (53.2%)	The registry represents 1.66% and turnout 1.08% of the national totals.

VENEZUELA	200,000 (2000)	Presidential 2000	15,269	7,959 (52.17%)	The registry represents 0.13% and turnout 0.12% of national totals.
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REGIONAL (AND NATIONAL) ELECTORAL ASSOCIATIONS

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I have been asked to give a presentation on regional electoral associations. I thought that a focus on a regional association, the Association for Central and Eastern European Election Officials (ACEEEO) and a national association, the Association of Election Officials in Bosnia-Herzegovina (AEOBiH), would give us an interesting overview of the history, establishment, aims and programmes as well as the successes and challenges that such associations face.

I. Regional Electoral Associations

- Association of African Election Authorities (AAEA)
- Association of Asian Election Authorities (AAEA)
- Association of Caribbean Electoral Organizations (ACEO)
- Association of Central and Eastern European Election Officials (ACEEEO)

During the 1990s, regional electoral associations were formed in Africa – the Association of African Election Authorities, Asia – the Association of Asian Election Authorities, the Caribbean – the Association of Caribbean Electoral Organizations, and Central and Eastern Europe – the Association of Central and Eastern European Election Officials. Apart from the ACEEEO, these associations formally came into being in 1998 with the adoption of a respective charter and formation of an Assembly, Advisory Board and an Executive Secretariat.

II. Association of Central and Eastern European Election Officials (www.aceeeo.org)

As an example, I would like to look more closely at the Association of Central and Eastern European Election Officials. The ACEEEO was established in November 1991 as a result of a Central European Electoral Systems Symposium and at the initiative of and with support from IFES. The Executive Board of the Association comprises representatives from seven member countries, its Secretariat and Documentation Centre are based in Budapest. Mr. Ilirjan Celibashi, the Chairman of the Albanian Central Election Commission, is the current President of the ACEEEO.

At this moment, ACEEEO has 21 institutional members, which are the following: Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Georgia, Hungary, Kazakhstan, Latvia, Lithuania, Macedonia, Moldova, Poland, Romania, Russia, Serbia & Montenegro, Slovakia, Turkey, and Ukraine.

A. ACEEEO Mission Statement

To provide a non-partisan forum, independent of national governments, for the exchange of information among election officials and experts [...] to discuss and act upon ways to promote open and transparent elections with the objective of supporting good governance and democracy.

ACEEEO is a non-governmental and non-profit organisation whose aim is to contribute to good governance and democracy and to promote open and transparent elections in the region. The mission of the organisation is to provide a non-partisan forum, independent of national governments, for the exchange of information, discussion and decision on action among election officials and experts throughout the region.

This mission statement is very similar to the aims of the other regional electoral associations. The objectives of the ACEEEO can also be viewed as representative for regional electoral associations.

B. ACEEEO Objectives

Promotion and support of:

- Democracy and good governance,
- Open and transparent elections,
- Independent and impartial election authorities/ election officials,
- Professional development of election officials through training and further education,
- Citizen participation and public confidence in electoral processes,
- Exchange of information, experiences, and technology,
- Co-operation in improvement of electoral laws and practices,
- Establishment/ development of resource centre for election-related information and research.

The ACEEEO serves to institutionalise and professionalise democratic processes and procedures through the following objectives:

C. Charter of the ACEEEO: Chapter I. Objectives Article 1.1

The Association shall have the following objectives:

1. Promotion of open and transparent elections through an exchange of experience and information related to election law and procedure, technology, administrative practice and voter education;
2. Promotion of the training and further education of election officials and international observers;
3. Promotion of the principle of independent and impartial election authorities and administrators;
4. Development of professional election officials of high integrity, with a strong sense of public service, knowledge of electoral practices and commitment to democratic elections;
5. Promotion of the principle of participation in electoral processes by citizens, political contestants and non-partisan civil organizations; and
6. Development of resources for election-related information and research.

The African, Asian and Caribbean Associations have laid down almost identical objectives in their respective charters. All associations aim to provide an impartial forum for exchange and support with the aim of promoting democracy through free and transparent elections.

D. ACEEEO Activities

- Holding annual conferences
- Maintaining a documentation centre
- Participating in election observation
- Providing education and training for electoral officials
- Improving international co-operation
- Exchanging electoral experience and expertise
- Implementing specific projects

ACEEEO implements different programmes, projects and activities:

- Holding annual conferences – Past conferences have focused on a wide range of issues including electoral technology, campaign finance reform, citizen participation, e-voting and young voters. Such conferences provide an important network for participants to share information and ideas. They also are important professional development opportunities and promote innovative approaches.
- Maintaining a documentation centre - The Association maintains a Documentation Centre with information related to elections, such as election law and administration, voter education, election results.
- Participating in election observation – The Association has for example sent observers to the current presidential election in Ukraine and to participate in the International Election Monitoring Mission for the Iraqi Elections.
- Providing education and training for electoral officials
- Improving international co-operation
- Exchanging electoral experience and expertise
- Implementing specific projects, for example on: Media and Elections, on first-time voters, Money and Politics (MAP), on the European Parliamentary Elections, e-voting, database on election laws and results based at Essex University

E. ACEEEO Achievements

- Majority of Central and Eastern European countries' Central Electoral Bodies are members
- Internationally recognised
- Contributed to development of election systems
- Important role in election observation
- Support and training for election bodies

The biggest successes and achievements of the ACEEEO include:

1. Majority of CEE countries' central electoral bodies are members of the Association.
2. Internationally acknowledged (participatory status with CoE, relations with UN and UN bodies, co-operation agreement with OSCE-ODIHR and International IDEA).
3. Contribution to the development of election systems in the region.
4. Important role in the monitoring and observation of elections in the region and also out of the region (eg. Iraq).
5. Concrete support for election bodies (supporting the foundation of the electoral association in Bosnia and Herzegovina, training for Palestinian election officials).

F. ACEEEO Challenges

- Secure funding and continuity
- Stay updated with developments and issues regarding elections and election systems
- Identify appropriate and professional experts
- Achieve greater influence in region, particularly among countries where significant progress in the conduct of elections is necessary
- Influence the development of international standards for elections in the region

The ACEEEO is supported by different sources to implement its programs and develop its institutional capacity. Association members host annual conferences and other events, provide expertise. Every members also contributes directly through membership fees.

International partners such as IFES, OSCE, and other Western European governments and organisations provide advice and expertise.

In addition, the Government of Hungary, United States Agency for International Development, Charles Stewart Mott Foundation and several other private sponsors provide direct financial support.

The biggest challenges of the ACEEEO are to:

1. Secure funding and financial resources for ongoing and new activities and administration.
2. Staying up-to-date with most important current topics and developments of election systems.
3. Finding the appropriate experts (knowledge in election issues and language) for the preparation and implementation of projects.
4. Achieving greater influence in the region, particularly among countries where significant progress in the conduct of elections is necessary.
5. Influencing the development of international standards for elections in the region.

III. Association of Election Officials in Bosnia-Herzegovina (www.aeobih.com.ba)

The Association of Election Officials in Bosnia and Herzegovina (AEOBiH) was founded in September 1999. It is one of the first NGOs in Bosnia-Herzegovina registered at the state level, not at entity level. The OSCE and IFES were instrumental in initiating and supporting the formation of the AEOBiH. IFES has provided financial support to the AEOBiH, particularly until 2003. Since March 2003, the Association is a self-reliant NGO without the previous institutional support of IFES.

Today AEOBiH has over one thousand (1,000) members representing all three constituent peoples and nearly every municipality throughout the country. Members include former and current members of Municipal Election Commissions (MECs), former OSCE election staff, members of polling station committees, and staff of voter registration centers. MEC members are responsible for conducting all levels of elections in their municipalities and include secretaries of municipal councils, presidents of municipal courts, judges and prominent lawyers.

A. AEOBiH Aims

- To provide an independent forum for exchange of information among election officials in Bosnia and Herzegovina and to contribute to the advancement of democracy in BiH by ensuring the fairness of and public confidence in the electoral process.

AEOBiH was founded to provide an independent forum for the exchange of information among election officials in Bosnia and Herzegovina and to contribute to the advancement of democracy in BiH by ensuring the fairness of and public confidence in the electoral process. The AEOBiH aims to be a politically impartial forum in Bosnia and Herzegovina which shall serve as a means of exchange of information between governmental bodies, in order to debate and work for the promotion of democratic, open and transparent elections.

B. AEOBiH Statutes

Article 3.

The presidents, secretaries, members, past and present, of Election Commissions and election experts possessing comparable electoral experience in Bosnia and Herzegovina voluntarily form the Association of Election Officials in Bosnia and Herzegovina (hereinafter; the Association) for the purpose of exchanging ideas and experience, so as to enhance their ability to perform electoral duties in the most professional manner possible, to promote the independence of election commissions, and to ensure respect and realization of their common aims, and

development of democratic processes and accountable government and management in Bosnia and Herzegovina.

Article 4.

The Association, foremost, shall be dedicated to the progressive advancement of democratic elections to ensure the fairness of and public confidence in the electoral process. The Association's creed shall rest, above all, upon the professionalism of its members.

The Association shall be a non-profit organisation, independent of government and of any political parties, and shall be constituted by voluntary membership open to all citizens of Bosnia and Herzegovina and other countries who currently serve or have served on electoral commissions, regardless of nationality, religion, political orientation, race or other attributes.

Article 7.

The aim of the Association shall be:

to provide a politically impartial forum in Bosnia and Herzegovina which shall serve as a means of exchange of information between governmental bodies, so as to debate and work for the promotion of democratic, open and transparent elections.

C. AEOBiH Objectives

- Promoting open and transparent elections;
- Advocating for improvement to the electoral system;
- Increasing professionalism of election officials;
- Exchanging experiences and information relating to electoral laws and procedures, technology and administrative practice;
- Promoting the principles of independence, integrity and freedom from coercion of electoral commissions and their members;
- Promoting public confidence in the electoral process and election results;

- Voter and civic education to promote greater participation by citizens.

Programme objectives:

1. Activities for the advancement of the electoral system, monitoring comparative electoral systems in democratic countries and the submission of initiatives to the legislative authorities.
2. Raising the professionalism of election officials so as to advance the activities of holding of elections (education of participants in the electoral process).
3. Promotion of open and transparent elections by means of exchange of experiences and information relating to electoral laws and procedures, technology, administrative practice and education of voters.
4. Promotion of the principles of independence and freedom from coercion of electoral commissions and their members.
5. Raising the level awareness of election officials with the highest degree of integrity, a sense of public service, knowledge of electoral processes, experience in the election process and dedication to the principles of democratic elections.
6. Promotion of the principles of participation in the electoral process by citizens, political parties and candidates, together with politically independent civic organisations.
7. Advancement of electoral information and research relating to elections, in order to promote public confidence in the electoral process and election results.
8. Development of civic education programmes designed to promote greater participation by citizens in election.

D. AEOBiH Programmes

- Professional Development
- Civic Education
- Technical Assistance
- International Election Observation
- Public Advocacy
- Conferences

Professional Development Programmes: Elections Course (covers international election standards, characteristics of different election systems, elections in BiH and responsibilities of municipal election commissions), Conflict Resolution Course, organized in co-operation with the Canadian Institute for Conflict Resolution, covers negotiation and conflict resolution techniques. Media and Presentation Course focuses on media and public presentation skills organized in co-operation with the Media Center in Sarajevo.

Civic Education Programmes: Strengthening the role of local communities in local politics, Human Rights and Good Governance Programme in BiH, Public Education and Professional Training on the Conflict of Interest Law ('Money and Politics' Project), School Curricula, Youth Camps.

Technical Assistance Programmes: Voter Education, Voter Registration, Training for political parties and domestic observers, Training for Polling Station Commissions, International Election Observation.

Public Advocacy: AEOBiH Legal Council, advocacy to improve election law and administration.

Conferences: Annual conference and other meetings.

E. AEOBiH Achievements

- Credible, internationally recognised reputation
- Skilled, experienced and professional team of trainers
- Professional election administrators
- Large, diverse membership
- Established contacts with government institutions, international organisations, NGOs
- Reconciliation
- Gender balance

The professional development programmes of the AEOBiH resulted a skilled, experienced and professional team of trainers who are capable of designing and conducting training in democracy and elections-related issues.

Approximately 40% of the municipal election commissions in Bosnia and Herzegovina have participated in the AEOBiH Election Course, which represents comprehensive training on all aspects of election administration and theory.

The AEOBiH has a large and diversified membership.

AEOBiH has succeeded in establishing and maintaining important contacts with public officials in government institutions. AEOBiH members are present in institutions including the Constitutional Commission of the BiH Parliamentary Assembly, Parliament of Bosnia and Herzegovina, Ministry of Justice of Federation of BiH, Constitutional Court, and the Supreme Court of Federation of BiH. In addition to that, many AEOBiH members are presidents of municipal and cantonal courts throughout BiH.

AEOBiH is able and competent to be a crucial partner not only in the field of elections but also in projects that support democracy and good governance through education of government officials and citizens about their rights and responsibilities, public advocacy, and lobbying for improvements in the existing legislation or adoption of new laws.

Reconciliation:

The membership and structures of the AEOBiH reflect the ethnic groups in BiH. All ethnic groups are involved in the different aspects of the association's work. The Association brought together people from across ethnic lines to share their experiences and information regarding elections and election administration in post-conflict BiH with its complex election system. This information sharing included the sharing of photocopies of voter registries of municipalities that were divided during the war.

The AEOBiH could provide a forum for exchange and co-operation and sometimes even friendship among its members. Members of AEOBiH consider this consolidation of social and professional relations across ethnic lines to be a very important aspect of the work of the association (this has been stated by members in evaluations after participating in AEOBiH courses).

This unpredicted benefit of the Association, this building of networks, co-operation and trust across the entities (Republika Srpska and Federation of BiH) and across ethnic lines should not be underestimated.

Another achievement of the AEOBiH and an advantage of having an association for election officials at municipal level is its gender balance – the membership is approximately 40% women and 60% men. Often women are more present at lower levels of government, female municipal secretaries are often members of the election commissions, as are female lawyers and judges.

F. AEOBiH Challenges

- Fundraising
- Maintain activities focused on elections and professional development
- Keep members involved and interested
- Keep experienced and dedicated staff
- Strategic planning
- Encourage and influence the establishment of similar associations elsewhere in the region

Article 51.

The resources of the Association shall derive from:

- membership fees, the amount of which shall be determined by the Steering Board,

- gifts, donations, legacies, bequests, and sponsorship from legal persons, natural persons, or otherwise, provided that they do not jeopardise the independence or impartiality of the Association and its members,
- other sources of finance

The main challenge for the AEOBiH is fundraising. The AEOBiH has so far been successful in securing funds for their activities. They have even moved away from only election-focused work and included activities in areas such as governance, civil society development, conflict of interest. These activities and the 'regular' election-based work has to be maintained as well as the secretariat with its staff.

But it is important to continue election activities and professional development to keep their members involved in the association (since members are mostly municipal election commission members).

It is also a challenge to keep members involved and interested. A "core group" of members will be active while most members will only be active during elections or annual conferences or during particular project activities which suit their experience and profession.

The AEOBiH has very dedicated, dynamic and professional staff, including its Executive Director. It is important to ensure continuity at these early stages which again will be dependent on securing funds.

Another challenge is strategic planning. It is important for the Association to be up-to-date with changes in their environment, relating to funding, elections, political climate in the country and the region.

AEOBiH could also encourage and influence the establishment of similar associations elsewhere in the region.

IV. Conclusion

- Two successful examples of regional and national co-operation of election officials
- Challenges to be overcome include funding, strategic planning, maintaining focus and credibility and will to co-operate among members
- Future should see increased co-operation between regional associations, establishment of new national associations and greater influence by both

I hope I was able to show two successful examples of regional and national co-operation of election officials, the ACEEEO and the AEOBiH.

They are faced with similar challenges – as indeed are other regional associations that are not as active as the ACEEEO – which include funding, strategic planning, maintaining focus and credibility and the will to co-operate among members.

In my view, there should be increased co-operation between regional associations in the future. The success of the AEOBiH should serve as an example and encouragement for the establishment of new national associations. Such an association could be a way to overcome existing problems (including politicisation and lack of professionalism) with the election administration in countries like Albania or Armenia.

FOLLOW-UP TO THE CONFERENCE

The discussions during the working sessions of the Conference revealed that regardless the different electoral systems existing in the countries participating in this project, a number of issues were of common interest. It was stressed that meetings of Electoral Management Bodies could help not only to share a positive experience on some technical aspects of elections but also to elaborate common approaches to modern challenges which most countries face in the XXIst century, such as increasing voter's participation in elections, making the electoral process more transparent, using the modern technologies without compromising the credibility of elections' results and many other issues.

The participants were unanimous that in order to promote and develop the common European standards in electoral field there was a real need to meet and to discuss these problems on a regular basis.

Following a fruitful exchange of views the participants agreed on the following:

1. to request the Venice Commission to:
 - co-organise with participating countries yearly meetings of the Electoral Management Bodies;
 - to set up and maintain an internet discussion forum restricted to representatives of electoral management bodies and inter-governmental organisations;
2. to invite the participating institutions to come up with proposals for the topic of the next conference on the basis of the list of subjects adopted at the conference;

3. to extend the invitation to participate in forthcoming activities to the Electoral Management Bodies to all Council of Europe Member States;
4. to contribute with regular up-dates of the legislation to the Venice Commission's 'VOTA' Database;
5. to encourage the participating countries to support and to contribute to different research projects in the electoral field led by international organisations and research institutions (such as, for example, the research project on voters' turnout run by Professor Sinnott, University College Dublin, Ireland).

This publication includes reports from the Second European Conference of Election Management Bodies, organised by the Venice Commission with the assistance of the European Commission at the Council of Europe headquarters, in Strasbourg, on 10-11 February 2005. It was the first time that the Venice Commission organised an activity bringing together representatives of national authorities and different international organisations specialised in electoral matters to discuss problems of voters turnout during elections, the impact of the new technologies on the participation of citizens in the electoral process and to explore the different electoral systems and experiences of a number of national electoral administrations and agencies.

The conference was attended by representatives from Austria, Belgium, Cyprus, France, Ireland, Latvia, Lithuania, Malta, Poland, Portugal, Sweden, Switzerland, the Netherlands and the United Kingdom. Other participants in the event included members of the Venice Commission, as well as representatives of the Parliamentary Assembly, the Congress of Local and Regional Authorities of the Council of Europe, the European Commission, and international organisations such as ACEEEO (Association of Central and Eastern European Election Officials), IFES (International Foundation for Election Systems), IDEA (International Institute for Democracy and Electoral Assistance), OSCE/ODIHR (Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights) and the Federal Electoral Institute (IFE, Mexico).

Cette publication contient les rapports présentés lors de la Deuxième conférence européenne des administrations électorales organisée par la Commission de Venise avec l'assistance de la Commission européenne au siège du Conseil de l'Europe à Strasbourg, les 10 et 11 février 2005. C'est la première fois que la Commission de Venise organise une activité réunissant des représentants des autorités nationales ainsi que de différentes organisations internationales spécialisées en matière électorale pour discuter du problème de la participation des électeurs aux élections, de l'impact des nouvelles technologies sur la participation des citoyens dans le processus électoral ainsi que pour explorer les différents systèmes électoraux et expériences de plusieurs administrations et organismes électoraux nationaux.

Des représentants de l'Autriche, de la Belgique, de Chypre, de la France, de l'Irlande, de la Lettonie, de la Lituanie, de Malte, de la Pologne, du Portugal, de la Suède, de la Suisse, des Pays-Bas et du Royaume-Uni ont participé à la conférence. Ont également participé à cet événement des membres de la Commission de Venise ainsi que des représentants de l'Assemblée parlementaire, du Congrès des pouvoirs locaux et régionaux du Conseil de l'Europe, de la Commission européenne, et d'organisations internationales telles que l'ACEEEO (Association d'administrateurs d'élections de l'Europe centrale et orientale), l'IFES (Fondation internationale des systèmes électoraux), l'IDEA (Institut international pour la démocratie et l'assistance électorale), l'OSCE/BIDDH (Organisation pour la Sécurité et la Coopération en Europe/Bureau des Institutions Démocratiques et des Droits de l'Homme) et l'Institut fédéral électoral (IFE, Mexique).