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ASSESSMENT OF VOTER REGISTRATION IN SERBIA

September 2012

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Steve Canham

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Belgrade, Serbia

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Document Objectives

This document is designed to provide a summary of voter registration in Serbia, and is the result of preliminary discussions conducted with election stakeholders in Serbia between the dates of August 10-22, 2012. Discussions were held with 14 municipality offices and a small number of other electoral stakeholders. The findings of this consultation process were further supplemented through questionnaires forwarded to municipality offices July 27-September 3, 2012.

This report provides an outline of the status, issues and considerations related to voter registration, and presents a series of recommendations for consideration in developing plans for improving the voter registration process.

This document does not attempt to provide detailed or technical recommendations for future voter registration systems or processes. Any detailed and technical plans and process improvements should be developed following dialogue and agreement between relevant agencies and other stakeholders, and the subsequent full consideration of available options.

Background

The Republic Election Commission (REC) is a permanent body composed of a chairman and 16 permanent members. Appointees are nominated for a period of four years by the political parties represented in the National Assembly. The REC also has two non-voting members, a secretary and a representative of the National Statistical Office.

Voter registration in Serbia is conducted under the provisions of the Law on The Single Electoral Roll as announced on December 16, 2009 and December 27, 2011. Application of the law was to commence two years after entry into force, not later than December 27, 2011.

The voter registration process is based on a permanent register, updated continuously, and with maintenance of the register conducted ex-officio by the ministry responsible for public administration. Until the May 6, 2012 elections, the ministry overseeing the maintenance of the voter register had been the Ministry of Human and Minority Rights, State Administration and Local Self Government. During the formation of the new post-election government and the reallocation of ministerial responsibilities, oversight of the voter register was passed to the Ministry of Justice and State Administration.

On March 13, 2012, parliamentary elections were called for May 6, 2012. These elections were scheduled simultaneously with local and provincial elections, and the parliamentary speaker called for an early presidential election to be held the same day. The previous parliamentary elections were held on May 11, 2008.

Following the close of the voter register for the May 6 elections, the ministry responsible for voter registration determined the total number of voters to be 7,026,579, and this number was published by REC in the official gazette. The final number of voters declared by REC on May 3, 2012, was 6,770,013, which increased to 6,771,479 for the second round elections of May 20.

Extracts for the voter lists for the May 6 elections were printed and distributed to polling boards through municipality offices. Few major issues were reported with the quality of extracted voter lists, but varying levels of confusion were reported due to a lack of voter awareness/education; training of polling staff; and the new printed format of the voter lists and voter notifications.

The 2011 Census of Population, Households, and Dwellings in the Republic of Serbia as released by the Statistical Office of the Republic of Serbia indicates a national population – excluding the Autonomous Province of Kosovo and Metohija – of 7,291,436, with 81.46 percent of the population 18 years or older. The discrepancy between the 18 and above population and the final number of voters is due to citizens not reachable during the census. This includes voters/citizens in the Autonomous Province of Kosovo and Metohija; resident abroad; citizens not contactable during the census; and in some areas voluntary non-participation in the census for political or other reasons.

Prior to the implementation of the Single Electoral Roll, commonly referred to as the Unified Voter Register (UVR), the voter register was maintained by each municipality as separate registers, using independent systems developed by each local administration. These separate registers presented inherent difficulties in the lack of a uniform view of the national register and in migrating of voters from one municipality to another.

The Organization for Security and Cooperation in Europe's (OSCE) Office for Democracy and Institutions and Human Rights (ODIHR) conducted a limited observation of the elections of May 6 and May 20, 2012. In the mission's final report, the OSCE/ODIHR noted that most interlocutors welcomed the implementation of the UVR, but they commented on the late start of the register's implementation and the lack of transparency in its compilation. The mission report also noted a lack of clarity in information and figures for registered voters, limited voter awareness and issues in relation to the availability of voter lists in official national minority languages.

The OSCE/ODIHR mission report recommended that following a comprehensive independent audit of the quality of the UVR, further efforts should be undertaken to enhance the accuracy and completeness of the voter register in Serbia. The report also notes that public confidence in the voter register could be strengthened by full transparency of its compilation.

Voter Registration in Serbia

Legal Framework

Voter registration in Serbia is conducted under the provisions of the Law on The Single Electoral Roll as published in the *Official Gazette of the Republic of Serbia*, No. 104 of December 16, 2009, and No. 99 of December 27, 2011. The law entered into force eight days following publication and application of the law was defined to commence two years after entry into force, no later than December 27, 2011.

The law defines a voter registration process based on a permanent register, updated continuously, and with maintenance of the register conducted ex-officio by the ministry competent for public administration. The law mandates that the register be maintained as an electronic database with voter information entered by municipal/town administrations as per the voter's permanent residence. Separate and additional provisions are made for absentee, voters residing abroad and internally displaced persons.

All changes to the voter register are based on a relevant decision, which may be made ex-officio, or upon a citizen's request based on data contained in birth/death/marriage register or other official records and public documents. Until the close of the voter register (15 days before election) the adoption of decisions is the responsibility of municipal/town administrations. From the time of close of the register until 72 hours prior to election, decisions can only be applied by the ministry responsible for public administration and forwarded to the REC.

To facilitate ex-officio changes to the voter register, the ministry charged with managing internal affairs must provide all data from official records of citizen's permanent and temporary place of residence electronically, within 72 hours after changes occurring, to the ministry responsible for public administration. The ministry of public administration is in turn obliged to forward this information within 72 hours to the relevant municipal/town administrations to enable the municipal/town administrations to formulate a decision.

Affected voters have the legal option to appeal a decision of the municipality/town administration by lodging an appeal with the ministry in charge of public administration within 24 hours of receiving the decision. The ministry has 48 hours to adopt the decision on the appeal, or alternatively, an action may be filed with the Administrative Court against the decision of the ministry. The decision of the Administrative Court shall be final and enforceable.

Within 48 hours of closing the register, the ministry competent for public administration is required to prepare and verify printed excerpts from the voter register classified by local self-government units and polling places, and forwards the excerpts to the REC.

The law makes provisions for the disclosure of part of the voter register. Article 14 indicates that one day after calling elections, municipal/town administration must disclose part of the electoral roll for the territory of the local self-government unit for perusal by citizens. The list is to be disclosed until the close of registration to enable citizens to request decisions for changes. The method for disclosure is to be prescribed by the ministry charged with public administration duties.

Article 21 of the law states that once the electoral list is finalized, the submitter, or the person authorized by him/her, will have the right to perusal of the voter register. Under Article 63 of the relevant regulations, the submitter of the electoral list or the person authorized by him/her may review a part or the entire electoral roll.

Transition to the Unified Voter Register

Under the Law on The Single Electoral Roll as published in the *Official Gazette of the Republic of Serbia* on December 16, 2009, the UVR was to be fully implemented no later than December 27, 2011. The provision of the two-year implementation window was to ensure sufficient time for migration to the UVR in advance of scheduled elections.

At the commencement of the transition process from municipality's independent voter registration systems to the UVR, each municipality was requested to export their latest registration data in a specified format onto CD, and then forward these CDs to the ministry. The voter registration data on these CDs provided the baseline data for the UVR. While it appears the majority of voter register data conversion proceeded effectively, some issues were encountered in a number of municipalities, which delayed the commencement of registration under the UVR from December 2011 to March 2012 or later.

While relatively few issues were encountered in relation to the migration of voter data, all municipalities met during visits by the IFES team reported significant issues with the migration of address data. These issues related to the loss of street and household address data, particularly in settlements with more than one polling station. It was reported to the IFES team that only settlement information was migrated to the new address database, making it impossible to allocate voters to the correct polling station. This issue was predominantly addressed prior to elections

through significant effort being made by municipality staff to update and restore the address database with the required street information.

For the majority of municipalities, training in the UVR and migration to the new system commenced in mid to late December 2011. Training was provided by staff from the ministry and the software development company. It was conducted as either specific training for each municipality or regional clusters of municipalities. As a result of time pressures for implementing the UVR, Due to the rushed nature of the training as a result of time pressures for implementing the UVR, some municipalities reporting the training to be sufficient but many report the training experience as being chaotic and inadequate.

During the transition period, all municipalities were required to maintain operation of two voter registration systems, one being the UVR, and the other being their current/previous voter registration system. The parallel processing was required to ensure a level of redundancy in data and processes for the upcoming election period, while the UVR was tested and commissioned. Most municipalities continued this parallel processing from December 2011 until March 2012, but some continued until the close of registration for the elections. Several municipalities continue running parallel voter registration systems due to missing functionalities in the UVR, and the lack of clarity in the law relating to the use of UVR for local referendum and minority council elections.

While there were many challenges in migration to the UVR, it should be recognized that the migration was completed successfully prior to the close of the register for the elections. All municipalities had a functioning voter registration system for the election period, all changes to the register were processed in time and voter lists were produced for all polling stations.

It should also be recognized that there were substantial risks in implementing a new registration system in a period immediately prior to the elections; this risk could have been avoided. The UVR implementation would have benefitted from more planning following the proper systems development methodologies, including end user consultations, requirements definitions and adequate development, testing and commissioning plans and schedules.

Most importantly, the UVR as it is currently implemented should not be seen as a final product. While many municipalities report the system is performing adequately, others report issues including the non-receipt of voter update information, and all municipalities report difficulties with missing system components particularly reporting and statistical functionality.

Voter Registration Process

It was reported by municipality staff that the voter registration process and utilization of the UVR for processing changes to the voter registration is currently working satisfactorily. Most reported that once the initial difficulties of the transition to the UVR were overcome, the voter registration process progressed relatively smoothly.

However, further analysis of the processes indicates a level of inconsistency in the procedures being followed for voter registration. These inconsistencies are due to a lack of procedural documentation for the UVR; perceived differences in the availability and reliability of data sources; interpretations of laws and regulations; variations in training; and other locality specific requirements.

A diagrammatic representation of the voter registration processes described by municipality offices is attached as ANNEX A.

Local Level Information Exchange

Prior to the implementation of the UVR, municipalities operated independent voter registration systems with changes based on locally-sourced information from the local police, civil registration and other locally based agencies. It is evident that strong levels of cooperation have been developed at the local level and these relationships continue to be important in the maintenance of the current voter register.

Changes to the law remove the mandate for local police to provide information on changes to temporary or permanent residences to the municipality office, but for all changes to now be provided electronically at the central ministry level, and then distributed to the relevant municipality. While some municipalities rely on the centrally-distributed information on changes of residence, as intended by the amended law, a number of municipalities continue to cooperate with local police and receive information at the local level. This is done for re-verification of central data, in deference to central data that is perceived as unreliable or due to necessity, as limited or no central change of residence data is being received.

Municipalities foster strong relationships between civil registration and voter registration activities, and in some cases, the same staff perform both operations. The civil registration process informs voter registration units of changes in name; marriage (potentially name change and address change); deaths (from within this municipality and for local residents deceased on other municipalities); and citizens turning 18.

There are potential duplications in the information received from civil registration information and that received from local police and/or central ministry. For example, a marriage would result in marriage registration information from the civil register, potentially including change of name. This information will also be received through the local police and/or central ministry if an application has the change of name and place of permanent residence reflected on the citizen's ID card. In some cases, municipalities use civil registration information to confer with local police to determine if applications have been lodged to update ID cards before proceeding with changing the voter register records. In other cases, officers accept the civil registration information as the basis for changing the voter register, or civil registration information on marriage and name change is put aside and no change is applied to the voter register until central data is received on ID card and domicile changes.

Removal of a voter from the voter register on the grounds of death can only be conducted with the receipt of an original copy of the death certificate. In the case of a death recorded within the municipality, the death certificate is received through the civil registration office and hospital. In the case of a local citizen who has passed away in a hospital outside of the municipality, the original death certificate is initially forwarded from the civil registration office in the municipality of death.

Municipalities currently face significant challenges in the case of any local citizen who is known to have passed away, but the original death certificate cannot be located. Current regulations make it extremely difficult to remove these voters without a lengthy legal procedure; this has resulted in a number of voters remaining of the voter register who are known to have been deceased for a significant period of time.

Municipalities receive a relatively small number of notifications from Social Service offices regarding changes to the legal competence of local citizens. This information is used to update the voter register to remove or reinstate voters on the basis of their legal competence.

Under Article 12 of the law, citizens may file a personal request with the municipality for a change in the voter register. These requests are typically supported with a copy of the voter's ID card.

Ministry Level Information Exchange

The UVR has been designed around a process applied to the voter register based on regular electronic information provided through the Ministry of Interior and the central ministry. This data typically relates to changes in citizens ID cards (name change, first issuance of card, correction, replacement card), and changes in temporary or permanent residence through citizen submitted applications lodged in police stations.

Municipality offices receive change data through the UVR system. The change data arrives in an unformatted text string, for which most municipalities have developed their own software to decode and decide on the type of change required to the voter register. The requirement for municipalities to develop their own local methods of decoding the received text strings has opened a potential area of inconsistency in the voter registration process.

All municipalities the IFES team met reported receiving regular change data through the UVR system until the close of register for the May elections. From the date of the elections forward, while most municipalities continue to receive updates on a regular basis, some municipalities report to having received few or no updates.

The change information received through the UVR system is perceived by most municipalities as reliable and accurate. Some municipalities have, however, reported inaccuracies in the received data including change of domicile requests for voters who are long deceased. Some municipalities prefer to rely in information provided by local police as data provided centrally through the UVR is perceived to be inaccurate.

Through the UVR system, municipalities receive a copy of the decision/act for any voter from their municipality registering a new domicile in another municipality. The UVR automatically removes the voter from the former municipality and provides a copy of the decision/act for information and filing purposes. This process as conducted in the UVR is a significant advantage over previous voter registration systems in Serbia as it reduces the potential number of duplicate registrations. .

Documentation

Article 9 of the law states that every change to the electoral roll must be based on a relevant decision. The UVR system takes the options and information input by the computer operator and automatically generates the decision/act for each change to the voter register. The decision/act can then be printed for filing purposes and a copy sent as notification to the affected voter.

A copy of every decision/act is filed within the UVR system and may be retrieved at any time. The decision/act includes the voter's name in Serbian Cyrillic and a minority language, where applicable. The filing procedure for decisions/acts within each municipality is dependent on local administrative regulations, with some offices filing and archiving hard copies and others filing electronically or relying on the filed copy within the UVR.

Resources

The staffing, facilities and equipment allocated to voter registration in municipality offices appears sufficient to support the tasks required. Voter registration teams faced extreme peaks in workload during the election period and many were required to work extended hours and seek additional support during this period. The situation was particularly critical during the May 2012 election

period due to the requirement to run parallel registration systems and to address data migration and other issues.

To alleviate the peak registration loads at time of elections it should be considered to conduct periodic campaigns for voters to verify, and where necessary update their voter registration information. This could be done through simple awareness programs; providing SMS or web verification tools; and campaigns outside of the election period, or through periodic targeted reviews of the register. Targeted reviews of the register would focus on areas of high citizen mobility.

Voter List for Elections of May 2012

The elections of May 6, 2012, were the first election held with the UVR, and came immediately after the condensed and rushed implementation and migration from the previous independent municipality voter registers. As per Article 17 of the law, the voter register was closed 15 days prior to the election and the ministry determined the total number of voters on April 22 as 7,026,579. This number was published by the REC.

Article 19 of the law requires the ministry to prepare and verify printed excerpts of the voter list to the REC within 48 hours of closing the register. All decisions passed by the ministry from the date of the close of the register must be passed to the REC 72 hours prior to the date of elections for consideration and changes. The final number of voters published by the REC was declared on May 3 to be 6,770,013 voters, increasing to 6,771,479 for the second round elections of May 20.

It is envisioned that the decrease in the total number of voters from April 22 to May 3 was due to the ministry taking decisions based on a matching, de-duplication and database cleaning process. While this appears feasible, the process of removing 256,566 voters based on decisions of the ministry appears to have been taken with limited transparency. This lack of transparency is critical in an environment where no public display of the voter list is conducted, and despite Article 21 of the Law regarding “right to perusal” only limited if any access to the voter list appears to have been provided to submitters of the electoral list or authorized persons.

It is not possible to accurately assess the quality of the voter register without a properly executed audit and review, but anecdotal evidence based on reviews of background materials and discussions with electoral stakeholders have not uncovered significant issues with the quality of the voter list. It would appear that the majority of issues encountered by voters on Election Day in relation to locating their name on the list relate to the new sort order of the list – which is sorted in address order rather than alphabetic name order – poor training of polling staff and a lack of voter education on absentee voting provisions.

Voters were provided the opportunity to verify their voting details through SMS services and the ministry website. SMS verification was made available shortly after announcement of the election date, but in the initial stages led to a degree of confusion as the address database of the UVR was still in the process of correction and many voters were initially listed in the incorrect polling station. This issue was largely corrected prior to the close of the voter register.

Voters were issued voter notifications prior to the election. An electronic file was sent to each municipality with a print ready copy of notifications for both the national and local government elections. Due to production constraints and time pressures municipalities were instructed to only print and send to voters the voter notifications for the national elections. This may have added a level of confusion for some voters in finding their names on the voting list for local government

elections, as their voting sequence number on the voter list for local government elections differs from the sequence number for national elections due to the omission of internally displaced persons from the local list.

The Way Forward

The UVR in its current form represents a step forward in voter registration for Serbia through the implementation of a nationally integrated registration system. The implementation of an integrated system has introduced significant benefits, particularly in the linkage of municipality processes for inter-municipality migrations and in providing a national view of registration status.

In the post-election environment, the UVR is functioning satisfactorily in most municipalities, although some discrepancies exist in the source and quality of information received through the system. It was not possible for IFES to determine during this mission if these discrepancies occur due to any function of the UVR system, or if they are a product of the original information source.

The major challenges with the introduction of the UVR related to the available timeframe for implementation and the risks and inherent difficulties in introducing a new system during an election period. This situation should be avoided in the future and the responsible ministry should utilize the post-election period to assess experiences from the election period and develop a cohesive plan to improve, stabilize and standardize the UVR system in advance of future elections. Improvements should be focused on transparency of management of the register; accountability and reporting processes and functions; and standardization and consistency in processes.

Post Implementation Review

A post-implementation review of the voter registration system and processes should be conducted to develop a cohesive picture of the strengths and weaknesses of the UVR system. The assessment should not be a purely technical assessment of the UVR system, but should encompass the full registration process including voter education, training, work processes, resources, information sources and inter-agency cooperation. It is also important that the assessment should be forward-looking, with the sole objective of improving the system and supporting processes.

One of the key issues in the methodology for the development and deployment of the UVR is a lack of consultation with the end users (municipalities) and other stakeholders in the voter registration process. Therefore, it is essential that in the post-implementation review, these critical players in the registration process are fully engaged and their inputs considered.

The following points should be considered in planning and convening a post-implementation review process in relation to the UVR:

- The ministry should invite and engage with a broad cross section of municipality VR staff.
- Consideration should be given to the inclusion of other stakeholders in the voter registration process including civil registration, Ministry of Interior, social services and civil society.
- Participants should be focused on current and future issues and requirements, not discussing the implementation process of early 2012.
- The review may be conducted through one or several workshops facilitated by the ministry.
- The workshops should include a number of break-out groups focused on specific aspects of voter registration, some examples for consideration may be:
 - Legal framework
 - Information sources
 - Statistics, reporting and accountability
 - Voter registration processes and guidelines
 - Voter education and awareness

The objectives of the workshop(s) should be:

- Develop a cohesive, agreed upon set of voter registration requirements
- Develop a cohesive, agreed upon understanding of current issues and their impacts
- Develop an action plan and timeline to address agreed issues in advance of future elections

Long Term Objectives

With a legal structure specifying that the voter register is to be maintained ex-officio based on citizen's permanent residence, it is logical that further integration and cooperation is explored between the Ministry of Interior's national identity database and the UVR.

The traditional strength of a national identity system, as implemented in Serbia, is that the centralized system can provide a single legal definition of each citizen's identity, normally based on each citizen's full name, gender, date of birth and place of birth. This single definition for each citizen's identity can then be used as the unique identification and linkage for other government agencies that provide services for citizens such as health, education, social security, employment and others such as electoral entitlement. Each specialized agency would manage and maintain their own specific data, but would be linked to the single version of each citizen's identity.

While this process is loosely supported in the UVR, confirmation of citizen's identity and place of residence is supported purely through textual information and is based on the citizen's 13-digit identity number. The quality, accuracy and integrity of the identity data is purely based on the accuracy of the data entry process, and leaves room for typographical and other errors that may ultimately affect the accuracy of the voter list.

Given the level of technical development and infrastructure in Serbia, a more modern connectivity between national identity and voter registration systems should be explored. The connectivity between the two central systems should be implemented to ensure that when municipality staff enters the 13-digit identity number of a citizen, the identity is validated for the voter registration staff, and the accurate identity information is returned to the data entry screen. This would simplify the data capture process and ensure the correct 13-digit identity numbers and citizen details are captured.

The linkage does not need to compromise the security and integrity of the Ministry of Interior systems, as direct linkage to the actual Ministry of Interior database is not required. Simple access to a separate view of the database containing only relevant data would be sufficient. No updating of this data would be necessary for voter registration purposes.

ANNEX A –Current UVR Processes

