

## **2012. UPDATED INFORMATION. ELECTRONIC VOTING IN SPAIN.**

### **1. POLITICAL ELECTIONS**

#### **1.1 Project: Internet voting pilot for Spanish Electors Abroad.**

In 2011 the Organic Law on the General Electoral Regime (Ley Orgánica 5/1985, de 19 de junio, del Régimen Electoral General) was modified so that: the out of country voting procedure for the Spanish electors permanently living abroad (CERA) is no longer used at Local Elections, as it was before; and the Spanish electors permanently living abroad have now to apply to vote at every election (before the modification of the Law, they did not have to do so: they, ex officio, would receive by mail the electoral documentation without having to apply for it.) CERA electors may send their vote by mail or to hand it over at the Spanish Embassy or Consulate.

The 2011 legal modification had the aim to increase legal certainty of the OCV but one of the side effects of this modification was the decrease of OCV turnout (before the electoral Law modification the OCV turnout in Parliamentary Elections was 31% and after de modification it only reached a scarce 5%).

The Organic Law on the General Electoral Regime does not regulate e-voting, but Article 75, which establishes the OCV procedure, in its last paragraph, provides the following: "The Government, previous report of the Central Electoral Commission, may regulate the criteria and limit the cases this article is of application, as well as establish other procedures for the vote of the Spaniards living abroad in Countries where it is not possible to apply what it is established in this article."

At present, the Ministry of the Interior is evaluating the possibility of running a non binding Internet voting pilot, not yet defined, as a means to put to the test a complementary remote Internet-voting procedure for those electors registered at the Electoral Census of the Spanish Electors permanently living abroad (CERA) in some countries.

### **2. NON POLITICAL ELECTIONS.**

#### **2.1 Congress of Deputies.**

On May 21st 2012 the Board of the Congress of Deputies passed a resolution on the remote e-voting system (using an electronic signature supported by a digital certificate to enter the Congress Intranet) to be used by Congress members on sick leave or maternity/paternity leave

#### **2.2 Police Board Elections. (Ministry of the Interior).**

Royal Decree 555/2011, establishes an e-voting procedure for the Police Board elections.

#### **2.3 Consejo Superior de Deportes- Sports Board- (Ministry of Culture, Education and Sports)**

In 2007 a Ministerial Order, which included a reference to an Electronic voting system, was approved. Since then, Sporting Federations could borrow e-voting machines from the Consejo Superior de Deportes. In 2012, for the first time, a Sporting Federation, the Spanish Swimming Federation, has used the e-voting machines provided by the Consejo Superior de Deportes, as regulated in the Resolución de 29 de julio de 2008, del Consejo Superior de Deportes, por la que se desarrolla el procedimiento de voto electrónico previsto en la Orden ECI/3567/2007, de 4 de diciembre. This Resolución followed the standards included in the Rec(2004)11.

#### **2.4 UNED (National Distance Education University).**

Elections to the University Board (2010 and 2012) and Students' delegates Elections (2011) have taken place using e-voting systems.