



Annual Report 2014 Dutch Electoral Council



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Preface

Electoral Act requires constant maintenance

Compared to many other countries, the electoral system of the Netherlands seems to weather the years without much change. 2017 will be the centenary year of universal male suffrage (the centenary of universal adult suffrage will follow two years later, in 2019) and of the system of proportionate representation. However, on closer inspection, the system only seems to have remained unchanged. The Electoral Act has been amended many times since 1917, sometimes substantially. More than 50 smaller revisions followed on the most recent integral review of the Electoral Act, in 1989. The simple fact that the Electoral Council has, in the last 10 years, on average produced 8 to 10 recommendations per year on amending our Electoral Legislation clearly shows our electoral system is not set in stone. This is only logical. Developments in society and technology constantly challenge the electoral process. Challenges that often can only be properly overcome by amending the relevant legislation. Far less often, changes in the political opinion on the intended workings of the electoral system lead to revisions of the legislation. Examples of such revisions are the repeated lowerings of the preference threshold for elections to the House of Representatives in the 1990s and the raise of the preference threshold for elections to the Senate in 2011.

History combined lists

More recently, the combined list phenomenon has been questioned. The option of submitting a combined list was introduced in the 1970s to promote the convergence or even merger of political parties. This practice was fully in keeping with the character of the age, which had some parties pursue a vision of a two-party system. History has proven that this vision did not, or only hardly, turn into reality. The foundation of the CDA party might constitute an example of this desired process, as might, possibly, the foundation of the GROENLINKS and ChristenUnie parties. In practice, combined lists were mostly used as an instrument for capturing an extra residual seat for one's own party or allied political group. Discontent about the fact that it turned out to be possible to calculate what combined list to form so as to capture the most seats in the elections to the Senate before the actual elections took place led to the legislature disallowing the formation of combined lists specifically for elections to the Senate as per 1 January 2011. A further consideration in coming to this decision was that people casting their vote in the elections to the Provincial Councils had no way of knowing what combined lists would be formed for the subsequent elections to the Senate and, thus, were unable to take this into account when casting their votes. However, the new ban turned out not to be the final word on this specific element of the elections system.

Request for abolishment of combined lists

On 9 December 2014, the House of Representatives carried a motion requesting the Government to submit proposals on the abolishment of combined lists. The parties tabling this motion pointed to the improper aims of forming combined lists and, moreover, considered such lists to be an unjustified violation of our constitutional system of proportional representation. The results of the elections of the Dutch members of the European Parliament showed that CDA, though having received fewer votes than D66, still managed to capture a seat more by joining a combined list. PvdA in the same way captured a seat more than SP did, even though it received fewer votes.

Pros and cons abolishment

It therefore seems likely that the 2015 elections will be the last allowing combined lists. Of course, the Government is yet to respond and this is yet to be followed by a legislative proposal, if any will be forthcoming. But in the light of the many questions regularly received by the Electoral Council on the matter over the past few years, we can already safely state that abolishment will indisputably be advantageous in terms of transparency and clarity to the voters. The authorities overseeing the elections, too, will benefit, for abolishment will simplify the system used to determine election results. On the other hand, the disappearance of the option to form combined lists may also remove one of the few incentives the Elections Act contains for political parties to collaborate or converge. Which, in turn, raises questions about the 'fragmentation of the political landscape' and the 'governability of the country' - questions that are frequently asked to the Electoral Council.

Preview

It is clear that the possible abolishment of the combined list will not in any way suffice to provide an answer to the questions on 'governability' and 'stability'. And it is equally clear that eyes will once more be cast to regulations in electoral systems abroad implemented to improve such, like raising the electoral threshold. Such questions, however, predominantly belong to the realm of politics. The Electoral Council will be there to assess any legislative proposals forthcoming with the usual dispatch, employing its technical and legal expertise. We can but wait whether such proposals are actually submitted. Whatever will happen, in 2015, too, the electoral system will require continued attention and care.

H.R.B.M. Kummeling,
Chairman of the Electoral Council



1. 2014 in a nutshell

In 2014, regular Municipal Council elections and elections of the Dutch members of the European Parliament were held. In addition, the year witnessed municipal redivision elections for the Municipal Councils of the municipalities of Alkmaar, Nissewaard, Groesbeek, Krimpenerwaard, 's-Hertogenbosch and Oss.

Municipal Council and European Parliament elections

The Municipal Council elections of 19 March 2014 required the Electoral Council to provide more information and support to municipalities, political parties, voters and, of course, the media. Most of its efforts were made through the Elections Information Point, an information centre formed through the collaboration of the Electoral Council and the Ministry of the Interior and Kingdom Relations (hereinafter: the Interior) and active from 22 October 2013 through 31 May 2014. The Council played an equally active role prior to the European Parliament elections of 22 May 2014. In addition, the Electoral Council served as the central electoral committee for the latter elections and was in this capacity responsible for the registration of appellations, the nomination of candidates and for determining the election results. The Electoral Council also for the first time registered the logos of the parties for publication on the ballot paper submitted to voters abroad for the elections to the European Parliament.

First Aid during Elections

In addition to providing information to municipalities, the Electoral Council and its secretariat are increasingly more often requested to support municipalities with certain tasks, such as the recount of the votes. The Electoral Council's expertise and independence form the main reasons for municipalities to approach the Council. In 2014, the Electoral Council supported the municipalities of Aalburg, Waddinxveen, Noordwijk and Groesbeek.

Stemfie

The Municipal Council elections of 19 March led to concerns about whether or not the so-called 'stemfies', photographs voters make of themselves and of their filled-in ballot papers, should be allowed. The court in preliminary relief proceedings judged that taking such 'stemfies' was not in and of itself unlawful, but that the objections against allowing them outweighed their benefits. In its evaluation recommendation on the two 2014 elections, the Electoral Council even argued in favour of banning stemfies.¹ Neither the Government nor the House of Representatives agreed with this recommendation. The House of Representatives did, however, urge the continued monitoring of the development.

Voting by proxy

In the run-up to the Municipal Council elections of 19 March, rumours on alleged electoral treating of proxy votes circulated in a number of municipalities. Suspected electoral treating of proxy votes was reported in a small number of municipalities. When the Electoral Council contacted the mayors of these seven municipalities, it turned out none of the cases reported led to criminal prosecution. The Electoral Council included these findings in its investigation into the effect of penalty provisions in the elections process. The Council expects to submit its recommendation on this topic to the Minister of the Interior in 2015.

In addition, the Electoral Council conducted investigations in those municipalities where a conspicuously high percentage of the votes was cast by proxy, so as to find possible explanations for this state of affairs. The responses received by the Council suggested a number of plausible explanations. No mayor of the municipalities concerned reported possible irregularities in the elections.

¹ One Council member adopted a deviating opinion.

Combination of Provincial Council elections and Water Board elections

The combined elections that are to take place on 18 March 2015 required the Electoral Council to perform quite a bit of work in 2014 already. In implementation of an agreement concluded by the Electoral Council and the Dutch Water Authorities, the Electoral Council instructed that a new Water Board elections module be added to the existing Supporting Software for Elections (SSE). Partly in collaboration with the Ministry of the Interior, the Council organized information and instruction meetings for municipalities, political parties and water boards in late 2014. In addition, a new Elections Information Point became active on 1 October 2014.

Recommendations

In 2014, the Electoral Council made ten recommendations. Most of these recommendations were submitted to the Minister of the Interior and Kingdom Relations; one was submitted to the Minister of Infrastructure and the Environment. Some of these recommendations related to the elections of the governing boards of the water boards, to which the Electoral Act has come to apply. In addition, the Council responded to the Van Beek Committee's report on electronic voting and vote counting.

Advisory referendum

To the Electoral Council, 2014 was mostly about the preparatory work for the entry into force of the Advisory Referendum Act. Upon this Act's entry into force in, most likely, July 2015, all voters may apply for a referendum to be held on any newly passed legislation. This referendum allows voters to vote in favour of or against this newly passed law. Its results are not binding, however. Implementation of the Act is mainly the responsibility of the Electoral Council, in its capacity of central electoral committee. For instance, the Council is to decide on applications and determine the results of the advisory referenda.

Revision of the Electoral Act

The issue of revising and modernizing the Electoral Act came to the fore once again in 2014. The Electoral Council has been pushing for a review of the Electoral Act for quite some time now, and now was joined by the Senate. The Minister of the Interior therefore submitted questions on the importance and performance of an integral review of the Electoral Act to the Electoral Council. In its response to the answers provided by the Council, the Minister announced his intention to discuss the Council's proposals with the Council. The Minister repeated this intention in the 13 November 2014 General Consultation with the House of Representatives on the evaluation of the elections held in 2014.

Electronic voting in the polling station

In late 2013, the Committee to assess electronic voting and vote counting in the polling station (the Van Beek Committee) published its report 'every vote counts'. In its 2014 response, the Electoral Council stated its agreement with the Committee's preferred option, to wit, introducing the use of voting printers and scanners. The Council did make a number of critical comments, including an argument that realistic demands be set with respect to the security of the voting printers and scanners, also in view of the financial consequences. Throughout the past year, the Electoral Council's secretariat rendered advice on the response to a number of additional questions to the Van Beek Committee posed by the Minister of the Interior.

Publications

The Electoral Council provided support in the 2014 publication of an important book on elections: *'De Tweede Kamerverkiezingen in vijftig stappen'* (in Dutch only). In their book, authors Niels van Driel and Ron de Jong, researchers at the Centre for Parliamentary History and the Electoral Council, respectively, detail how our current electoral system came to be.



2. Organization

The Electoral Council has been charged with a number of statutory duties:

- The Council acts as the central electoral committee for elections to the Senate and House of Representatives and for the Dutch members of the European Parliament and
- The Council advises the Government and the Senate and House of Representatives on matters of implementation relating to electoral law and elections
- The Council checks and registers appellations (and logos) of political parties
- The Council decides on the validity of submitted lists of candidates and their numbering
- The Council determines the official election results
- The Council appoints the newly elected members of the representative bodies

In the near future², the Council will be charged with yet another duty and will come to act in the capacity of central electoral committee on conducting advisory referenda.

Other duties

The Electoral Council serves as an expertise and information centre on electoral law and elections for municipalities, political parties, voters and the media. This duty is becoming ever more important, as is shown by a quick comparison: Between 1 September 2009 and 31 March 2010 (2010 Municipal Council elections), a total of 3,354 questions were received by the Elections Information Point. This amount had gone up to 5,795 in the period of 1 October 2013 through 31 March 2014. Finally, the Electoral Council acts as an adviser in legal proceedings related to electoral legislation.

Non-departmental Public Bodies Framework Act and Advisory Boards Framework Act

The Electoral Council, in its capacity of central electoral committee, is governed by the Non-departmental Public Bodies Framework Act.³ Due to the Council's necessarily independent position, some sections of this Act do not apply to it.⁴ Moreover, part of the Advisory Boards Framework Act does⁵ apply to the Electoral Council, and part does not.⁶ These exceptions, too, are connected with the special position of the Electoral Council in our form of government.

Relationship with the Ministry of the Interior and Kingdom Relations

The Ministry of the Interior and Kingdom Relations supervises all independent bodies performing a duty for which the Minister is politically responsible. The special position of the Electoral Council and its necessary independence affect this supervisory relationship. Since 1 January 2011, the Electoral Council has become more independent from the Ministry, because the Council was given more control over its staff members and the spending of its budget. This relationship is further detailed in a 'Supervision Arrangement' between the Electoral Council and the Ministry. In 2014, the Ministry agreed to grant the Electoral Council further independence with respect to its operations from 2016. The final arrangements required in this respect will be implemented in 2015.

Members

The Electoral Council consists of seven members who are appointed for a four-year period by Royal Decree. They are appointed on the basis of their expertise in the area of electoral law and elections and policy areas related or relevant to it. Social knowledge and experience also play a role in appointing members. Members can be reappointed for no more than two four-year periods. As one of the members will be stepping down on 1 April 2015, the Council started a procedure for appointing a new member.

² Most likely on 1 July 2015.

³ Act of 3 July 2013, *Bulletin of Acts and Decrees* 289.

⁴ Non-departmental Public Bodies Framework Act, Sections 12, 21 and 22.

⁵ Advisory Boards Framework Act, Section 15(1), (3), (4) and (5) and Section 16.

⁶ Advisory Boards Framework Act, Sections 21 and 29.



[Photo of Electoral Council members] caption: bottom row, left to right: Anneke van Dijk, Henk Kummeling and Jan te Veldhuis. Top row, left to right: Melle Bakker, Trudy Blokdijk, Monique Leyenaar, Peter Castenmiller and Willem Stoker.

In 2014, the Council was comprised as follows:

Prof. H.R.B.M. Kummeling, LL.M. Chairman. Appointed in 2005. Henk Kummeling is a professor of constitutional law and comparative constitutional law at Utrecht University. He also served as dean of the Faculty of Law, Economics and Governance of that university until September 2014.

A.G. van Dijk, LL.M., MSc. Appointed as a member in 2010 and as deputy chairman in 2013. Anneke van Dijk is Legislation and Legal Affairs director of the Ministry of Security and Justice.

Prof. Dr. M.H. Leyenaar. Appointed as a member in 2005. Monique Leyenaar is a professor of Comparative Political Science at Radboud University Nijmegen. She conducts research in the area of civic participation, political reformations, elections and political leadership of women.

A.J. te Veldhuis, LL.M. Appointed as a member in 2005. From 1982 to 2003, Jan te Veldhuis was a member of the House of Representatives, for the VVD, among others as spokesman of constitutional law. He currently chairs or is a member of various organizations, including Zeeland Refinery and the Zeeland Historical Research Foundation.

G.M.M. Blokdijk, LL.M. Appointed as a member in 2006. Trudy Blokdijk advises and evaluates Supervisory Boards and holds various supervisory and management positions. She is also affiliated with the University of Amsterdam and conducts research into the basic principles and position of internal supervision.

W.M.B. Stoker. Appointed as a member in 2006. Willem Stoker is senior advisor and Head of Elections for the Public Affairs Department of the municipality of Utrecht. He has been working in various positions for the municipality of Utrecht since 1972.

Dr. P. Castenmiller. Appointed as a member in 2013. Peter Castenmiller is employed by PBLQ-Zenc, a consultancy for innovations in the public domain, where he acts as project manager and reporter, among others.

Secretariat

In performing its duties, the Electoral Council is supported by a secretariat. The secretary-director is the head of the secretary and charged with day-to-day management.

The secretary-director and secretarial staff members are formally employed by the Ministry of the Interior and Kingdom Relations. However, they render account for their activities to the Electoral Council only.



[Photo of Electoral Council staff] caption: bottom row, left to right: Naima Qoubbane, Pamela Young, Melle Bakker, Heleen Hörmann and Jan-Jouke Vos. Middle row, left to right: Karin van der Mijnsbrugge, Patricia Chatrer-Mol, Henny Siero, Sabrina Bafati, Marjolein Walsmit-Brouwer, Edward Brüheim and Karina de Klerk Wolters. Top row, left to right: Marco Segers, Ron de Jong, Roderick Al and Marjoleine van Leerdam.

At the end of 2014, sixteen staff members worked at the secretariat in the following positions:

- Melle Bakker, LL.M., secretary-director
- Pamela Young, MSc, deputy secretary-director, also coordinator of the Legal Affairs cluster
- Heleen Hörmann, BSc, coordinator for the Communications, Research and Operations cluster, also communications advisor
- Roderick Al, LL.M., legal assistant
- Sabrina Bafati, LL.B., policy support assistant
- Edward Brüheim, LL.M., senior legal adviser
- Patricia Chatrer-Mol, policy support assistant
- Dr. Ron de Jong, scientific researcher
- Karina de Klerk Wolters, office manager
- Karin van der Mijnsbrugge, executive secretary
- Naima Qoubbane, LL.M., senior legal adviser
- Marco Segers, LL.M., legal assistant
- Henny Siero, policy support assistant
- Jan-Jouke Vos, LL.M., IT consultant
- Marjolein Walsmit-Brouwer, MSc, communications officer

In the run-up to the elections in 2014, the Electoral Council's secretariat was temporarily expanded with the Elections Information Point. The following staff members were employed at the Elections Information Point up to June 2014: Roderick Al, Niels van Driel and Bas Paauwe. The Elections Information Point was re-established in October 2014. The Centre is staffed by Roderick Al and Marjoleine van Leerdam.

Voor Nederland
Voor banen
Sterk Nederland
Sterk Europe
D66

Nu voor D66

Aanpak banken en bonussen?
Daarom PvdA in Europa!
PvdA

GROEN LINKS
Samenwerking JA
SUPERSTAAT NEE

NEE TEGEN DEZE EU

ZEG NEE
TEGEN 4 JAAR TOEGEGEN LEEFWERKLOOSHEID

UIT DE EU

3. Elections

The following elections were held in 2014:

- Wednesday, 19 March: Municipal Council elections
- Thursday, 22 May: European Parliament elections
- Wednesday, 19 November: municipal redivision elections in 16 municipalities

Municipal Council elections

On Wednesday, 19 March 2014, Municipal Council elections were held in 380 municipalities. Even though the Electoral Council does not serve as the central electoral committee for Municipal Council elections, these elections, too, require the Council (and its secretariat) to be active. In the run-up to these elections, citizens, municipalities, political parties and the media frequently call on the Electoral Council in its capacity as expertise and information centre. So as to be able to properly answer all questions asked to it, the Electoral Council established an Elections Information Point to be active during the Municipal Council elections and their run-up. High on the list of topics the Information Point was asked to provide more information about in the run-up to the Municipal Council elections was that of electoral treating of proxy votes (refer to Chapter 1).

Registration of political parties

Political parties registered with the Electoral Council as participating in the elections to the House of Representatives are not required to have themselves registered once again with the various municipalities when participating in the Municipal Council elections. Their registration with the Electoral Council carries over to participation in those elections. For ease of reference, the Government Gazette in the run-up to the Municipal Council elections published an item listing all political parties that had their appellations registered with the Electoral Council.⁷

Council of Europe observer mission

The 2014 Dutch Municipal Council elections were the first to be observed by a Council of Europe (Congress of Local and Regional Authorities) observer team. An Electoral Council delegation received the observer mission members and informed them about the Municipal Council elections and all these elections involve.

Recounts

Following the Municipal Council elections of 19 March, the central electoral committees of the municipalities of Aalburg, Aalten, Appingedam, Boxtel, Houten, Menameradiel, Vught, Waddinxveen, Weert, Wijchen and Zaltbommel called for a recount of the votes in their respective municipalities. In the municipalities of Culemborg, De Bilt, Hardinxveld-Giessendam, Heerlen, Kaag en Braassem, Landerd, Noordwijk, Simpelveld, Strijen, Venlo, Vlissingen, Wassenaar and Zederik, it was the Municipal Council that called for the recount. The Electoral Council was in close contact with some of these municipalities to support in the preparations for these recounts. The Council's secretariat provided on-site support during the recount sessions of the municipalities of Aalburg, Waddinxveen, Noordwijk and Groesbeek.

Election results

After the elections, the Electoral Council entered all election results in the election results database (www.verkiezingsuitslagen.nl).

⁷ Government Gazette 2013, 36780, 30-12-2013.

Comparison of election results of Municipal Council elections

	2010	2014
Valid votes	6.581.330	6.691.870
Invalid votes	17.101	24.674
Blank votes	14.703	27.846
Blank vote percentage	0,22%	0,42%
Amount of persons eligible to cast a vote	12.216.546	12.489.683
Voter turnout	6.613.134	6.744.390
Turnout percentage	54,13%	54,00%

European Parliament elections

On 22 May 2014, elections were held to appoint the 26 Dutch members of the European Parliament. The Electoral Council, acting in its capacity of central electoral committee, is responsible for determining the results of these elections. In addition, the European Parliament elections require the Electoral Council to perform the following tasks:

- registration of political party names ('appellations') and logos
- investigating and assessing the validity of lists of candidates and the candidates listed thereon
- assessing the validity of combined lists
- numbering the lists of candidates
- allocation of seats and appointment of members

The Electoral Council registered 15 appellations of parties newly participating in the European Parliament elections. The parties submitted their lists of candidates to the Electoral Council on 8 April 2014, nomination day. The assessment by the Electoral Council of the validity of the lists and the candidates listed thereon took place by open session held on 14 April. In this session, the Council also determined the validity of the submitted combined lists and the numbering of the lists.⁸ 19 parties participated in the elections. 2 combined lists were submitted. In total, 345 candidates participated. 26 members were appointed. 15 of these are men, 11 are women.

Official report assessments

Although the Electoral Council formally is only required to announce the number of votes cast for each party and each candidate and the resulting allocation of seats when determining the results, the Electoral Council at the request of the Committee on the Verification of Credentials of the House of Representatives has also come to pronounce its opinion on the reliability of the election results. The Electoral Council in this connection in 2014 for the first time, and in cooperation with the Committee on the Verification of Credentials, inspected the official reports of the electoral committees, paying particular attention to those official reports containing irregularities or objections raised by voters. Basing itself on these data and the general information made available to it, the Electoral Council determined that there was no reason to doubt the reliability of the results of the European Parliament elections.

Election results

The Electoral Council announced the official results of the elections of the Dutch members of the European Parliament in open session on Friday, 30 May 2014. The election results were entered into the election results database.

⁸ Government Gazette 2014, 11276, 16-04-2014.

Comparison of election results of European Parliament elections

	2009	2014
Valid votes	4.553.864	4.753.746
Invalid votes	9.866	11.719
Blank votes	10.013	16.786
Blank vote percentage	0,22%	0,35%
Amount of persons eligible to cast a vote	12.445.497	12.815.496
Voter turnout	4.573.743	4.782.251
Turnout percentage	36,75%	37,32%

Municipal redivision elections

On 19 November 2014, 6 Municipal Council elections were held in consequence to municipal redivisions.

- The municipalities of 's-Hertogenbosch, Maasdonk and Oss were redivided into the municipalities of 's-Hertogenbosch and Oss
- The municipalities of Alkmaar, Graft-De Rijp and Schermer merged to form the new municipality of Alkmaar
- The municipalities of Bernisse and Spijkenisse were merged to form the new municipality of Nissewaard
- The municipalities of Groesbeek, Millingen aan de Rijn and Ubbergen were merged to form the new municipality of Groesbeek
- The municipalities of Bergambacht, Nederlek, Ouderkerk, Schoonhoven and Vlist were merged to form the new municipality of Krimpenerwaard

These redivisions entered into force on 1 January 2015. No regular municipal elections were held in the newly formed municipalities in 2014. The new merged municipalities will join the municipal elections again in 2018.

Carry-over effect of registered appellations

The Electoral Council publishes a list of all registered appellations and authorized agents in the case of redivision elections as well.⁹ Political parties registered with the Electoral Council as participating in the elections to the House of Representatives are not required to have themselves registered once again when participating in redivision elections. Their registration with the Electoral Council carries over to participation in those elections.

Election software

The Supporting Software for Elections (SSE) was used for the Municipal Council and European Parliament elections. SSE is an invaluable tool for political parties, municipalities and principal and central electoral committees when performing their electoral process-related work, as it helps with drafting the documents required for nomination and with determining the election results and seat allocation.

⁹ Government Gazette 2014, 23510, 27-08-2014.

Additional requirements set on software

Section P 1a of the Electoral Act entered into force on 1 July 2014. This new Section sets a number of conditions on software used to aid the election results determination and seat allocation processes. For example, the central electoral committee is now to make an advance announcement of its planning to make use of software. The software itself is also to meet additional requirements. The Electoral Council has drawn up specifications for the software employed to determine the election results and to calculate the allocation of seats. These specifications detail how the software is to reference current legislation. Utrecht University has assessed these specifications to verify if the software meets all requirements. The Utrecht University assessment report is published on the Electoral Council's website.¹⁰ The updated software was submitted for assessment to Software Quality Systems Nederland. The results of this independent assessment were published on the Electoral Council's website in January 2015.

2015 elections preparations

Over the last six months of 2014, the SSE was updated to allow it to be used in connection with the Provincial Council elections and the elections for the governing boards of the water boards to be held in 2015. In addition to updating the software so it also covers the Water Board elections and implementing changes to the models (forms), a series of changes was also implemented in the software to ensure it can be used as a tool during the combined elections. The SSE programmes for nomination were submitted to the political parties and the central electoral committees in late 2014. At the same time, the Council, in cooperation with IVU Benelux, started organizing instruction sessions for political parties and central electoral committees. A first was that the Council last year also consulted with the Water Board elections project leaders to help them prepare for the Water Board elections.

¹⁰ <https://www.kiesraad.nl/artikel/ondersteunende-software-verkiezingen-osv>



4. Recommendations

In 2014, the Electoral Council made ten recommendations.¹¹

1. Response to the report on electronic voting and vote counting
2. Recommendation on the draft decree on amending the Electoral Decree and the Water Boards Decree in connection with combining the Water Board elections with the Provincial Council elections
3. Recommendation on the Temporary (Central Counting) Experiments Regulation
4. Recommendation on the integral revision of the Electoral Act
5. Recommendation on the requirements set for software used in calculating the election results
6. Recommendation in consequence to the 2014 Municipal Council and European Parliament elections
7. Recommendation on amending the Temporary (Ballot Paper and Central Counting) Experiments Decree
8. Recommendation on the draft regulation on amending the Electoral Decree in connection with combining the Provincial Council and Water Board elections
9. Recommendation on the draft regulation on the 2015 Water Board elections voting documents
10. Recommendation on the draft memorandum on Senate electoral colleges

The Recommendation on the draft decree on amending the Electoral Decree and the Water Boards Decree in connection with combining the Water Board elections with the Provincial Council elections (Recommendation 2) was issued to the Minister of Infrastructure and the Environment. All other recommendations were issued to the Minister of the Interior and Kingdom Relations. The Electoral Council issued two recommendations on its own volition, to wit its response to the report of the Van Beek Committee on electronic voting and vote counting (Recommendation 1) and its recommendation in consequence to the Municipal Council and European Parliament elections (Recommendation 6).

Response to the report on electronic voting and vote counting (4 February 2014)

On 18 December 2013, the Committee to assess electronic voting in the polling station, generally referred to as the Van Beek Committee, after its chair, published a report. In this report, the Committee concludes that the Dutch electoral process would benefit from the use of electronic voting and vote counting devices. In its response to this report, the Electoral Council noted that the voting system proposed by the Committee - the use of a voting printer and scanner - is the Council's preferred solution as well. The Council did, however, make some critical comments on some of the requirements set by the Committee on the use of electronic devices, including on the proposed measures to counter the so-called compromising radiation emitted by the devices. The Council recommends that system security requirements remain realistic. The costs and efforts associated with a measure are not to outweigh its benefits, in view of the nature, scope and severity of the risks.

Follow-up to the recommendation

The Electoral Council's response was referenced in the Government's response to the Van Beek Committee report. In its response, the Government stated it would further elaborate the Committee's recommendations. This elaboration process led to some further questions being asked to the Van Beek Committee. The Electoral Council, represented by its secretary-director, was involved as an adviser in providing a response to these questions.

Recommendation on the draft decree on amending the Electoral Decree and the Water Boards Decree in connection with combining the Water Board elections with the Provincial Council elections (10 February 2014)

The Electoral Council recommended the Minister of Infrastructure and the Environment to ensure the voting documents for the two elections are clearly and easily distinguishable. It also recommended that it be regulated that the electoral committees first count the votes cast in the Provincial Council elections before counting the votes cast in the Water Board elections. In addition, the Electoral Council recommended to not simply evaluate the 2015 Water Board elections, but also to investigate the effects of combining the Water Board and Provincial Council elections.

¹¹ All recommendations made by the Electoral Council can be found at www.kiesraad.nl/adviezen_en_publicaties.

Follow-up to the recommendation

The Minister acknowledged the importance of the voting documents for the two different elections being sufficiently distinguishable. The Minister did not follow the recommendation to have electoral committees first count the votes cast in the Provincial Council elections.

Recommendation on the Temporary (Central Counting) Experiments Regulation (11 February 2014)

The Temporary (Central Counting) Experiments Regulation lays down rules on conducting an experiment on the central counting of votes. During the 19 March 2014 Municipal Council elections, experiments were conducted in five municipalities: Hardenberg, Kampen, Ouder-Amstel, Raalte and Sittard-Geleen. In its recommendation, the Electoral Council pointed to the importance of the secure transport of voting documents to the counting site and of secure on-site storage.

Follow-up to the recommendation

Also in response to the Council's recommendation, the Regulation provides that the ballot box and the envelope containing the key to the ballot box and the electoral committee's official report are transported and stored separately. The experiment on the central counting of votes was repeated in the municipalities of Kampen, Ouder-Amstel and Raalte – the municipalities with the smallest population – during the European Parliament elections. So as to obtain a better picture of the efficiency, transparency and controllability of the central counting of votes, the Electoral Council had recommended that an experiment would also be conducted in a larger municipality (100,000+ inhabitants).

Recommendation on the integral revision of the Electoral Act (18 April 2014)

In this recommendation, the Electoral Council concluded that an integral revision of the Electoral Act may help improve the speed, accuracy and efficiency of the electoral processes and the clarity and accessibility of the Electoral Act. The Act is, for instance, to allow digitization of (parts of) the election process where this is a responsible option, such as when making declarations of support. The Council in this recommendation also argued in favour of a revision of the regulations on the recount of votes. The current arrangement raises several questions and is impracticable in the case of large-scale recounts.

Follow-up to the recommendation

The Minister announced he would like to consult with the Electoral Council to have its suggestions be included in the plans to improve the Electoral Act.

Recommendation on the requirements set for software used in calculating the election results (24 June 2014)

Central electoral committees may opt to make use of software to calculate the election results and allocate the seats (Section P 1a of the Electoral Act). Such software is to be assessed by an independent body (Section P 1 of the Electoral Act). The requirements this body is to assess the software meets or not are laid down in an annexe to the Electoral Regulations. In its recommendation, the Electoral Council proposed the wording for a number of provisions on software requirements.

Follow-up to the recommendation

The annexe to the Electoral Regulations referred to entered into force on 1 January 2015. Many of the suggestions on the software requirements proposed by the Electoral Council were included in the annexe's wording. The Council does, however, raise some objections against the wording of the regulation chosen in the Electoral Decree, as it is not always in line with actual practice. It is unclear, for instance, who is to assess the software specifications drafted by the Electoral Council, or on the basis of which criteria assessment is to take place.

Recommendation in consequence to the 2014 Municipal Council and European Parliament elections (24 July 2014)

In this recommendation, issued at its own volition, the Electoral Council recommended that the practice of making so-called 'stemfies' - photographs voters make of themselves and of their filled-in ballot papers - be disallowed.¹² The Council argues that the 'stemfie' is at odds with the principles of the freedom and the secrecy of the vote. Every possibility of voters being pressured or coming to feel pressure to vote for a specific party and/or candidate and show proof thereof must be prevented. In addition, the recommendation contains the proposal to have the number of declarations of support a prospective candidate is required to submit to be nominated for the European Parliament elections be made equal to the number of declarations of support required to be a candidate in the elections to the House of Representatives in all electoral districts. The Council also recommended that the text on granting a right of proxy by filling in and handing over the poll card as stated on the poll card itself be made more clear.

Follow-up to the recommendation

The Minister stated that, while he believes the secrecy of the vote is one of the most important safeguards of the electoral process, he does not believe 'stemfies' should be disallowed. All future developments in this connection will, however, be monitored and assessed. The recommendation to clarify the text on the poll cards was followed up on. The Minister started research on the recommendation to increase the number of declarations of support to be submitted for nomination for the European Parliament elections.

Recommendation on amending the Temporary (Ballot Paper and Central Counting) Experiments Decree (24 July 2014)

The experiments conducted on the central counting of votes during the Municipal Council and European Parliament elections led to amendments to the regulations on such experimentation. The Electoral Council recommended that municipalities not be required to prescribe separate transport boxes for transporting the voting documents to the central counting site.

Follow-up to the recommendation

The recommendation by the Electoral Council led to further clarification of the regulation: municipalities may make use of separate transport boxes when transporting the voting documents to the central counting sites, but may also employ the ballot box as a transport box.

Recommendation on the draft regulation on amending the Electoral Decree in connection with combining the Provincial Council and Water Board elections (25 August 2014)

In this recommendation, the Electoral Council argued in favour of the proposal to have everyone applying for a Water Board elections voter card tick what municipality they plan to use the voter card in. This would make the borders of the water board and the associated limits within which the voter card can be used more clear to the voter. This led to the Council also recommending that the form for applying for a voter card for the Provincial Council elections be amended in the same fashion.

Follow-up to the recommendation

The Minister opted not to have voters casting their vote in the Provincial Council elections tick the municipality they plan to use their voter card in, in contrast to the practice for Water Board elections. Voters applying for written proxy are now also explicitly requested to verify whether the intended proxy is eligible to vote in the elections to the relevant representative body.

¹² One Council member adopted a deviating opinion.

Recommendation on the draft regulation on the 2015 Water Board elections voting documents (20 October 2014)

2015 will see the first combined Water Board and Provincial Council elections. It is important that the voting documents for these two elections are sufficiently distinguishable. In this recommendation, the Electoral Council in the main agrees with the proposed models of the poll card, voter card, certificate of authorization and ballot paper for the Water Board elections. It does believe there is room to further clarify some of the options available, like printing the Water Board's logo on the voting document.

Follow-up to the recommendation

The part of the recommendation detailed in the above was followed up on.

Recommendation on the draft memorandum on Senate electoral colleges (9 December 2014)

At the request of the Senate, the Minister of the Interior by way of a memorandum inventoried the possibilities to establish electoral colleges for two specific groups of Dutch citizens, the sole task of which colleges will be the election of the members of the Senate. The groups concerned are Dutch citizens of the Caribbean part of the Netherlands eligible to vote and Dutch citizens abroad eligible to vote. The Electoral Council believes this memorandum to be a proper basis for further political decision-making. Commenting on the substance of the memorandum, the Electoral Council believes it unwise to allow any combination or merger of the two electoral colleges. The two groups of Dutch citizens eligible to vote referred to are too different in this respect, including as concerns their residency (within or outside of the Kingdom) and the method of calculating the value of their vote.

Follow-up to the recommendation

The Electoral Council's recommendation was part of a memorandum issued by the Minister of the Interior to both Houses of Parliament.



LIJST 4



UW BELANG, BOSCH BELANG
PAUL VAN DER KRABBEN

CDA

EILIGE
STAD
voor onze
ANDEREN

ga stemmen
op 19 november!

BOSSCHE
VALKSPARTIJ



HET IS NU TIJD

SP

LIJST 10



D66

BIED EN NIET
VOOR 100 MILJOEN?
NIET DOEN!!

UW BELANG
BOSCH BELANG
4

DEN BOSCH

Gedaan

- Museumkwartier
- Behoud theater binnenstad

Nog te doen

- Megabioscoop
- Theater op GZC

Stem daarom



DE BOSSCHE
GROENEN

DE BOSSCHE
GROENEN

D66

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5. Appellations and appointments

The Electoral Council registers the appellations of political parties that want to participate in the elections to the House of Representatives, the Senate and the European Parliament.

Applications for registration

In 2014, the Electoral Council registered 22 appellations in the registers for the elections to the House of Representatives and the European Parliament. Once the Temporary (Ballot Papers and Central Counting) Experiments Act entered into force in 2013, the Electoral Council also started registering the logos of the political parties in those registers. The new ballot paper issued to voters outside of the Netherlands by way of experiment features these logos.

Register for the House of Representatives

Seven appellations were added to the register for the elections to the House of Representatives in 2014: Kleptocraten, Daadkrachtig Nederland (DN), Nederland Transparant, Vrede en Recht, VNL (VoorNederland), Vrijzinnige Partij and Partij 18PLUS. In addition, the Electoral Council agreed to three requests to alter a registered appellation. The appellation TROTS was changed into TROTS (Trots op Nederland), and subsequently into Trots op Nederland (TROTS). The appellation Groen Rechts was changed into Nederland Duurzaam. The appellations registered for the elections to the House of Representatives are in principle also registered for the elections to the Senate, Provincial Councils, Island Councils and Municipal Councils. Appellations therefore do not need to be re-registered for participation in those elections.

Five political parties requested the Electoral Council to register their logo with their appellation: P.v.d.A./Europese Sociaaldemocraten, SP (Socialistische Partij), GROENLINKS, De Groenen and Liberaal Democratische Partij.

Register for the European Parliament

Fifteen appellations were registered in the register for the elections of the Dutch members of the European Parliament in 2014: Aanklacht, 50PLUS, Vrouwen Partij, ikkiesvooreerlijk.eu, JEZUS LEEFT, Anti EU(ro) Partij, Nieuwe Communistische Partij – NCPN, EU-XL, Vooruitgangspartij, Piratenpartij, Ware Volks Partij, IQ, de Rechten-Plichten-Partij, Red Het Noorden, Monsterlijst and Aandacht en Eenvoud. Two registered appellations were changed. The appellation VVD – Europese Liberaal-Democraten was changed into VVD and the appellation Democraten 66 (D66) into Democraten 66 (D66) – ALDE.

In addition, the Electoral Council registered eighteen logos and disregarded two applications for the registration of a logo.

Deletion from the register

Following the European Parliament elections of 22 May 2014, fourteen appellations were deleted from the register for the elections to the European Parliament, as the political parties concerned failed to submit a list of candidates for these elections. The Electoral Council also deleted four logos, registered in association with these appellations. No appellations or logos were deleted from the register for the House of Representatives.

Appointments

The Electoral Council appoints new members to vacancies in the House of Representatives, the Senate and the European Parliament. Nine members were appointed to interim vacancies in the House of Representatives, while three more were appointed to seats temporarily vacant due to sickness or maternity leave. There were three appointments in interim vacancies in the Senate. One seat in the European Parliament became vacant when a member reconsidered his appointment.



6. Lawsuits

In 2014, the Electoral Council, in its capacity as central electoral committee, was involved in four lawsuits as a defendant. In addition, it acted as an expert in seven more, providing information to the Judicial Division of the Council of State (hereinafter: the Division).

Under the heading 'other lawsuits', a lawsuit on the so-called 'stemfie' is discussed. The Electoral Council was not directly involved in this last suit, but the case is of great importance to the electoral system.

The Electoral Council acting as defendant

Alteration of or addition to registered appellation

The Electoral Council dismissed a request made by a citizen of the municipality of Landsmeer to alter the ballot papers for the 19 March 2014 Municipal Council elections in such a way that a local element was added to the appellations of the political parties active on the national level, above the lists of candidates. The Electoral Council considered that the appellant did not qualify as an involved party. In addition, the Electoral Council argued that the Council does not act as the central electoral committee for Municipal Council elections and that the Electoral Act provides no basis for the ex officio alterations of or additions to registered appellations. The appellant appealed and argued that the Electoral Council had unjustly dismissed his request. The Division dismissed the appeal and agreed with the Electoral Council's judgment in its decision.¹³

Partij voor de Dieren

The Electoral Council deleted three candidates from the list of candidates submitted by the Partij voor de Dieren for the European Parliament elections. These candidates had failed to submit a document as referred to in Section 1 of the Compulsory Identification Act, as they were required to do as non-EU citizens. The Partij voor de Dieren appealed against the central electoral committee's decision, as it believed the candidates had complied with their duty of identification by submitting a copy of a valid proof of identification.

The Division judged that residency status of the candidates concerned could not be determined, as the copies of the passports submitted lacked a general residence endorsement sticker, and that therefore no proof of their consent to being nominated as a candidate was submitted, as no copy of a document as referred to in the Compulsory Identification Act was submitted.¹⁴ The Division dismissed the appeal by the Partij voor de Dieren.

Vrouwen Partij

The Electoral Council declared the list of candidates submitted by the Vrouwen Partij for the elections to the European Parliament to be invalid, as no proof of payment of the required deposit was submitted with the list. The Vrouwen Partij appealed against the Council's decision. It argued that the requirement of lodging a deposit is improper, as it prejudices the participation of smaller political parties to the elections.

The Division dismissed this appeal.¹⁵ In its decision, the Division judged that the deposit requirement does not constitute an unreasonable limitation of the right to stand for election, as the deposit is proportional and serves an objective and legitimate goal. The Division believes that the amount of the deposit, when compared to the average annual income in the Netherlands, does not constitute a substantial obstruction for political parties to participate in the elections.

¹³ Judicial Division of the Council of State 17 February 2014, ECLI:NL:RVS:2014:705.

¹⁴ Judicial Division of the Council of State 24 April 2014, ECLI:NL:RVS:2014:1584.

¹⁵ Judicial Division of the Council of State 24 April 2014, ECLI:NL:RVS:2014:1606.

Invalid list of candidates and deletion of list of candidates

A Rijswijk resident appealed against the list of candidates submitted by the PVV (Partij voor de Vrijheid) for the European Parliament elections being declared valid. He believed the Electoral Council had unjustly declared this list to be valid and had unjustly failed to delete the candidates from this list. According to the appellant, the Partij voor de Vrijheid is no association and was therefore not allowed to place an appellation above its list of candidates, meaning the candidates had acted fraudulently. In addition, the appellant argued that there is the suspicion that the party is a criminal organization planning to facilitate criminal activity by being represented in the European Parliament.

The Division dismissed the appeal and agreed with the Electoral Council's judgment in its decision.¹⁶ The Division, basing itself on parliamentary history, argued that the central electoral committee is not charged with assessing the goals of or activities performed by political groups, but is only charged with assessing whether the lists of candidates submitted by voters comply with the formal requirements listed in the Electoral Act.

The Electoral Council acting as expert

Ouderenpartij HOOP

The central electoral committee for the Hague Municipal Council elections dismissed the request by the Ouderenpartij HOOP political party to add the party to the register. The committee believed the appellation to be largely alike to the already registered appellation Ouderen Partij Den Haag (OPDH). The Ouderenpartij HOOP disagreed with this reason and appealed against the decision.

In its decision, the Division established that only the words 'ouderen' and 'partij' appeared in both appellations and that the most prominent word, HOOP, had no counterpart in the appellation Ouderen Partij Den Haag (OPDH). The Division agreed with the Electoral Council's opinion that both appellations were substantially different, both phonetically and visually.¹⁷ The Division decided that the central electoral committee had unjustly dismissed the registration request and declared the appeal to be valid.

EenHeid Partij (EHP)

The central electoral committee of the municipality of Amsterdam at the request of the EenHeid Partij (EHP) association registered the appellation EenHeid Partij (EHP) for the Amsterdam Municipal Council elections. The Partij van de Eenheid party appealed against this decision, believing the appellation was substantially alike to its registered appellation.

In its decision, the Division established that the words 'eenheid' and 'partij' are the most prominent words in both the appellation EenHeid Partij (EHP) and the appellation Partij van de Eenheid.¹⁸ It judged that both appellations are substantially alike, as these two most prominent words are similar in meaning and are visually mostly alike. The Division agreed with the Electoral Council that the addition of the abbreviation '(EHP)' in the appellation EenHeid Partij (EHP), the different order in which the words 'eenheid' and 'partij' appear, and the use of capital letters and of the prepositions 'van de' in the appellation Partij van de Eenheid did not alter this agreement of prominent words. On the basis of the foregoing, the Division declared the appeal by the Partij van de Eenheid to be valid.

Lokaal Oegstgeest

The central electoral committee for the Oegstgeest Municipal Council elections at the request of the Lokaal Oegstgeest association registered the appellation Lokaal Oegstgeest. The Leefbaar Oegstgeest party appealed against this decision, believing the requested appellation was substantially alike to its registered appellation.

¹⁶ Judicial Division of the Council of State 24 April 2014, ECLI:NL:RVS:2014:1585.

¹⁷ Judicial Division of the Council of State 24 April 2014, ECLI:NL:RVS:2014:165.

¹⁸ Judicial Division of the Council of State 30 January 2014, ECLI:NL:RVS:2014:376.

The Division dismissed this appeal.¹⁹ In its decision, the Division *inter alia* judged that the inclusion of the name of the municipality in both appellations was of a general nature and that this name was of secondary importance in the appellation. The words 'Leefbaar' and 'Lokaal' are both visually and phonetically dissimilar. Both appellations therefore are sufficiently different so as not to be misleading to voters, the Division decided.

Declaring a list of candidates to be invalid

The central electoral committee for the Zoetermeer Municipal Council elections declared the list of candidates of Blanco Lijst (HDW) to be invalid, as the list was submitted after the expiry of the term stipulated by electoral law. A Zoetermeer resident appealed against this decision, as he believed to have submitted the list of candidates within the applicable term. His failure to submit the list on the prescribed form (model H 1) was attributable to the central electoral committee.

In its decision, the Division judged that the person submitting the list of candidates is responsible for ensuring it meets all statutory requirements.²⁰ The Division judged that the appellant failed to make out a convincing case that the required H1 forms were not made available by the municipality. The Division believed that the fact that the USB stick provided by the central electoral committee failed to work properly was insufficient cause to alter its judgment.

Deletion from a list of candidates

The central electoral committee for the Nuenen, Gerwen en Nederwetten Municipal Council elections deleted two candidates from the list of candidates submitted by the Partij van de Arbeid for these elections. The central electoral committee stated that the candidates concerned had submitted a copy of their proof of identification on which they had blocked out their Citizen Service Number. As a consequence, the declarations of consent of these candidates were officially lacking and they were deleted from the list. The candidates appealed against the decision, as they had blocked out their Citizen Service Number in accordance with the recommendation to this effect made by the Minister of the Interior and Kingdom Relations and believed they had submitted a copy of a valid proof of identity.

In its decision, the Division *inter alia* judged that blocking out details from a proof of identity when submitting a statutorily required copy thereof is not up to the candidates.²¹ It therefore dismissed the appeal.

Deletion from a list of candidates

The central electoral committee for the Lelystad Municipal Council elections deleted a candidate from the list of candidates submitted by GROEP HOP for these elections. The central electoral committee argued that the candidate's declaration of consent was lacking as he failed to submit a copy of a valid proof of identity, even after he was provided with the opportunity to rectify his omission. The candidate believed the central electoral committee had unjustly deleted his name from the list and appealed against the decision.

In its decision, the Division judged that a copy of an expired identity card does not meet the requirements set by the Electoral Act. The appellant could have rectified his omission by applying for a new identity document by way of expedited service and as yet submit this proof of identity within the term set for rectifying omissions. As he only submitted a proof of payment of the application for a new identity document, he failed to rectify his omission. The Division therefore dismissed the appeal.

Ouderen Politiek Actief

The central electoral committee for the Alkmaar Municipal Council elections at the request of the Onafhankelijke Partij Alkmaar association registered the appellation Onafhankelijke Partij Alkmaar (OPA). The Ouderen Politiek Actief party appealed against this decision, believing the appellation was substantially alike to its appellation.

¹⁹ Judicial Division of the Council of State 30 January 2014, ECLI:NL:RVS:2014:378.

²⁰ Judicial Division of the Council of State 30 January 2014, ECLI:NL:RVS:2014:707.

²¹ Judicial Division of the Council of State 30 January 2014, ECLI:NL:RVS:2014:704.

The Division disagreed with the Electoral Council's judgment and dismissed the appeal.²² It judged that the words 'Onafhankelijke' and 'Partij' and the place name 'Alkmaar' formed the most prominent elements of the appellation Onafhankelijke Partij Alkmaar (OPA). Though the phrase 'OPA' appears in both appellations, it is an element of secondary importance in the appellation Onafhankelijke Partij Alkmaar (OPA), also in view of the use of parentheses. On this basis, the Division judged that the central electoral committee was correct in deciding that the requested appellation was not substantially alike to the appellation OPA.

Other lawsuits

No ban on stemfies

In the run-up to the European Parliament elections the Foundation for the Protection of Civil Rights and a citizen (hereinafter: the claimants) requested a rectification of the decision by the Minister of the Interior and Kingdom Relations to allow stemfies. The claimants claim that stemfies (photographs voters make of themselves and of their filled-in ballot papers) violate the secrecy of the vote, as voters can use the photograph to show what vote they cast and third parties may influence the vote.

The court judged that the claimants were right to point to the negative effects of the stemfie. The court believed that the objections against stemfies outweighed their benefits, but judged that this does not in itself mean taking stemfies is prohibited. In addition, the claimants argued that the Minister was to take measures to discourage voters from taking stemfies during the upcoming European Parliament elections. As the Government announced it would hang posters in the polling station clearly making voters aware that they are in no way required to make their vote known, the court found no reason for ordering the State to take further measures.

²² Judicial Division of the Council of State 30 January 2014, ECLI:NL:RVS:2014:3535.



www.alkmaar.nl/verkiezingen

STEM

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Partij
Alkmaar

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D66



7. Expertise and communication

From October 2013 to June 2014, the Elections Information Point served as a source of information on the 2014 Municipal Council and European Parliament elections. Over these eight months, the Elections Information Point by telephone and e-mail received and responded to just under 8,000 (specifically, 7,906) questions, 6,536 of which were processed in 2014. That such a record number of questions was asked most likely related to the fact that the Information Point processed questions for two elections at the same time. By far the majority of the questions asked (well over 6,000) concerned the Municipal Council elections. Municipalities were by far the most prolific providers of questions (61.4%), followed by political parties (14.3%). Most questions concerned the submission of lists of candidates, the poll card, and determining and announcing the election results.

The Elections Information Point was re-established in autumn 2014, this time with a view on the November 2014 municipal redivision elections and the 2015 elections to the Provincial Councils, Water Boards, Island Councils and Senate. The Elections Information Point will remain active until June 2015. Thus far, the Information Point processed 522 questions, municipalities once again being the main source (46% on average).

Website

The number of visitors to the Electoral Council website over 2014, too, points to the existence of a great deal of interest in the electoral system. Throughout the year, well over 300,000 people visited the Electoral Council website, over a third of these visits having been made in March, the month of the Municipal Council elections. The 'Electoral Act explained' section of the website has by now been expanded to links to content on all elections. In addition, videos on the Electoral Council and the electoral process were added to the website. Process descriptions of the electoral process for the registration of appellations were developed in the guise of step-by-step descriptions. Furthermore, the website, including its layout, was generally improved. Finally, the option to share content via social media was added.

Election Results Database

The database contains election results starting from the year 1848. In 2014, the database was expanded to include the results of the elections of the Dutch members of the European Parliament, the Municipal Council elections and the municipal redivision elections held that year. The 2010 and 2012 elections to the House of Representatives do not only contain the results per municipality, but also the results per candidate.

Social media

The number of followers of the Electoral Council's Twitter page increased to 677. In the main, these followers are local political parties and municipal officials. The Council itself follows social media like Twitter, Facebook and internet forums when subjects related to electoral law or the Council itself is being discussed. In 2014, the Electoral Council sent more tweets than in previous years. Most of these tweets were sent to have people become aware of news reports. When such tweets lead to responders asking substantive questions, they are referred to the Elections Information Point or receive a direct response to their tweets, usually pointing to content on the website.

Research

In 2014, Mariëtte van der Tol, trainee from Utrecht University, conducted research on the relationship between citizenship and suffrage within the Kingdom. Jos Loeven, trainee from Radboud University Nijmegen, conducted research on the history and background of the dates and days the elections to the House of Representatives have been held since 1848. Both research reports are available from the Electoral Council.

On the instructions of the Electoral Council, Henk van der Kolk of the University of Twente conducted research into the occurrence of voting by proxy in the 2012 elections to the House of Representatives and the 2014 Municipal Council and European Parliament elections. His report is available on the Electoral Council's website.

2014 also witnessed publication of the book *'De Tweede Kamerverkiezingen in vijftig stappen'* (in Dutch only), authored by Niels van Driel and Ron de Jong. The book details the modern process of the elections to the House of Representatives and the development of the electoral process since 1848.

Scientific Advisory Council

Since 2008, the Electoral Council has had a Scientific Advisory Council. This council consists of internal and external experts in the area of elections and suffrage. The duties of the Scientific Advisory Council are to supervise and assess the Electoral Council's research. The members of the Council are:

Chairman:	Prof. Dr. W. Voermans, professor of Constitutional and Administrative Law at Leiden University
Members:	Dr. H. van der Kolk, university lecturer and Political Sciences researcher at the University of Twente Dr. J. van Merriënboer, historian and researcher at the Centre for Parliamentary History
Secretary:	Dr. R. de Jong, Electoral Council researcher

The Scientific Council met once in 2014, in order to discuss all ongoing research.

Government Information (Public Access) Act

The Government Information (Public Access) Act provides for both active and passive disclosure of documents. The Electoral Council performs its duty of active disclosure by providing as much relevant information as possible, by using its website, www.kiesraad.nl, and by way of publications in the Government Gazette.

- The Electoral Council received five requests for disclosure of information under the Act in 2014.
- One citizen requested information on the Council's engagement of consultancy firms, including the duration of, costs associated with and financial gains achieved through such engagement. This request was withdrawn.
 - The Council's evacuation plan was made available to one citizen. Those text sections that may endanger the security of the State or containing data on individual staff members were blocked out.
 - One citizen submitted two requests for information on invoices and lease cars. The Electoral Council processed one request itself and forwarded the other to the Ministry of the Interior.
 - One citizen requested a report of those sessions of the Electoral Council during which the decisions on registering the political parties currently holding one or more seats in the House of Representatives were made. This request was granted.
 - A request on providing the annual amount spent on engaging State Advocates from 2009 to 2013, and their hourly fees, was received in late 2014 and is currently being processed.



8. National and international contacts

The Electoral Council sees it as its duty to be well-informed of developments in the area of electoral law. That is why the Council finds it important to form part of national and international networks of electoral authorities and experts. In 2014, too, attention was paid to building and maintaining these relations.

National

Ministry of the Interior and Kingdom Relations

As in previous years, regular consultations were held in 2014 with representatives from the Ministry of the Interior and Kingdom Relations, on matters concerning policy, legislation and management. These consultations were held with, among others, the Minister of the Interior and Kingdom Relations, the Secretary-General, the Directorate-General for Governance and Kingdom Relations, the Constitutional Affairs and Legislation Department and the Financial-Economic Affairs Department of this ministry.

Senate and House of Representatives

On 23 September 2014, the Parliamentary Standing Committee on Internal Affairs of the House of Representatives and the Electoral Council discussed various matters relating to elections. This discussion was held in preparation of a more general meeting, the agenda of which included the evaluation of the Municipal Council elections and the election of the Dutch members of the European Parliament.

Association of Netherlands Municipalities and Dutch Association for Civil Registrars

Regular consultations are held with the Association of Netherlands Municipalities and the Dutch Association for Civil Registrars. In 2014, too, the Electoral Council and both organizations met to discuss topics related to elections and electoral law.

Political parties, municipalities, provinces and water boards

In preparation for the Provincial Council and Water Board elections, the Electoral Council organized instruction meetings for political parties and municipalities on the use of Supporting Software for Elections (SSE). In cooperation with the Ministry of the Interior and Kingdom Relations, the Council also participated in information meetings for municipalities on electoral law.

(Guest) lectures

In 2014, staff members of the secretariat gave a number of (guest) lectures, for example at autumn conferences of the Dutch Association for Civil Registrars, Radboud University Nijmegen and the University of Groningen.

International

Foreign delegations

The Electoral Council hosted a delegation from Finland (e-voting) and one from the Congress of Local and Regional Authorities of the Council of Europe (Municipal Council elections).

Working visit

A delegation of the Electoral Council's secretariat paid a working visit to the UK's Electoral Commission on 24 and 25 November 2014. During the visit, the delegation and Commission talked about the developments on electronic voting and discussed the use of social media, webcare and contact with the media.

Conferences

Every year, the Venice Commission organizes a conference for European Electoral Management Bodies (EMBs). On 26 and 27 June 2014, the Electoral Council participated in this annual conference.

This 11th conference was held in Helsinki (Finland) and was organized by the Finnish Ministry of Justice, the Finnish Parliament, Finland's National Audit Office and the Council of Europe's Venice Commission. The overarching theme of the conference was: Combating the misuse of administrative resources during electoral processes. Subjects of discussion included the definition of administrative resources, how to prevent the misuse of such resources during election time processes and how to prevent and oppose misuse.

The Electoral Council participated in the annual ACEEEO conference, held in Bucharest (Romania) on 4-6 September. Subjects on the agenda included the participation of women in the electoral process and the planning of elections.

On 28 October, the Electoral Council was a participant in the 5th review meeting on the Council of Europe's CM Recommendation Rec(2004)11 on legal, operational and technical standards for e-voting held in Lochau/Bregenz (Austria). The Electoral Council gave a presentation on the Dutch experience with e-voting. The Council also participated in the EVOTE 2014 conference on the same subject, held at the same location on 29 and 30 October.

Georgian local elections observer mission

The Georgian Central Election Commission invited the Electoral Council's secretary-director to act as observer during the local elections held in the country. The observer mission took place between 13 and 16 June 2014.



9. Finances

The budget of the Electoral Council is included in Chapter VII of the National Budget of the Ministry of the Interior and Kingdom Relations, under Policy Article 1 'Public administration and democracy'.

The Council follows the budget and accountability cycle of the Ministry of the Interior and Kingdom Relations. Since 2012, all overhead expenses of the Ministry of the Interior and Kingdom Relations have been combined in the budget. The Electoral Council's overhead expenses have also been placed here. The Council's programme budget is, however, shown separately in the National Budget.

A Supervision Arrangement has been made with the Ministry of the Interior and Kingdom Relations. The Electoral Council periodically reports to the ministry on operational results, including the exhaustion of its budget.

Spendable budget

In 2014, the Electoral Council's spendable budget was € 2,446,000. Of this amount, € 2,083,332 was spent. € 300,000 was booked as end-of-year margin in the 2014 Autumn Memorandum.

Remuneration for the Electoral Council chairman and members

In 2014, the Electoral Council members received a remuneration for their efforts. The remuneration for the chairman amounted to 0.3 FTE in scale 18 in accordance with the Civil Servants' Pay Decree (BBRA). The Electoral Council members received a remuneration of € 235 per meeting and a travel allowance. The chair and members of the Electoral Council are subject to the reporting obligation under the Senior Officials in the Public and Semi-Public Sector (Standards for Remuneration) Act. This standard also applies to all official staff.

Deposits

In 2014, the Electoral Council received deposits for the registration of appellations of political parties and for the nomination. The deposits are refunded if the parties meet the statutory requirements. If this is not the case, the deposits will be forfeited to the State.

