

INTERNET SOLUTIONS FOR ABSENTEE BALLOTS

**A Policy White Paper by Richard W. Soudriette
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June 26, 2012**

Introduction

Over the past three decades, the concept of absentee voting has gained increasing acceptance. Absentee voting began more than 150 years ago in the United States. The purpose was to enable soldiers who were fighting in the American Civil War to vote while away from home doing military service. The practice has evolved into the current framework by which some 115 countries offer their citizens the possibility of voting while they are out-of-country.¹

Absentee voting also now typically refers to citizens who are away from their homes on Election Day but within the boundaries of their own country or who otherwise are physically unable to go to their polling place to cast their ballot. As countries consider instituting absentee voting, it is recommended that election administrators give serious consideration to voting via the internet as a secure, economical, and viable option to enable their citizens to vote while abroad.

Conditions that make absentee voting necessary

In 1986, the US Congress passed the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), which guaranteed the right to federal ballot access to members of the US military as well as all US citizens living and working abroad. However, because of the decentralized nature of election administration in the US, there was a great disparity in the way state and local election officials implemented this law. Over the past decade military and overseas voters regularly have had their completed ballots discarded because they arrived too late in the mail to be counted.²

To guarantee full enfranchisement, in 2009 the US Congress passed the Military and Overseas Voter Empowerment (MOVE) Act. This new law requires state and local election officials to streamline registration and voting procedures for members of the armed forces and citizens living abroad. The MOVE Act also encouraged election officials to extend their deadline for accepting postal ballots. This legislation further gives voters the option to request and receive their ballots electronically. The Department of Defense is encouraging the use of new voting technologies, such as electronic ballot delivery, and has provided millions of dollars of funding to implement electronic platforms to assist military and overseas voters.

Methods and related cost of absentee voting

Postal voting

The option of postal voting has long been used by countries such as Canada, the UK, and the US.

¹ See “*Voting from Abroad—The International IDEA Handbook*.” Stockholm 2007.

² See article by R. Michael Alvarez, Thad Hall, and Brian Roberts, *Military Voting and the Law: Procedural and Technological solutions to the Ballot Transit Problem*, Volume, 34, Issue 3, Page 935, Fordham Urban Law Journal, New York 2006.

Experience shows that postal voting can be problematic for voters living abroad. The greatest challenge is to ensure that the voters' completed ballots arrive in sufficient time to be counted. Studies in the US have shown that, prior to the MOVE Act requiring that states offer electronic ballots to overseas voters, up to 70% of those that tried to vote from abroad were unable to have their ballots returned in time to be counted. Of the ballots that arrived in the mail in time to be counted some 30% were disqualified due to voter error in marking the ballot.

To make matters worse going forward, postal services around the world all face diminishing budgets which impact delivery times. Moreover, postal services are vulnerable to the threat of terrorist attack. The anthrax scare in 2001 shut down the delivery of mail in the US for weeks. Because of the array of potential issues associated with total reliance upon postal voting, election administrators are looking to new options such as internet voting to facilitate absentee voting.

Internet voting

The best option to provide secure, efficient, and cost effective absentee voting is via the internet. Significant advances involving encryption and cryptographic techniques help to safeguard the integrity of the internet voting process. These advancements in election technology are motivating election administrators in many countries to consider internet voting systems as a viable tool for conducting absentee elections.

In 2011, 88% of eligible voters in rural areas of New South Wales (NSW), Australia successfully voted via the internet in a general election. The success of the NSW election prompted the same internet voting system to be used later in 2011 for a parliamentary by-election, where turnout among eligible voters more than doubled. Both of these successful elections demonstrated that internet voting solutions can be cost-effective and voter friendly.

Countries that have implemented some form of internet solution for voting include Norway, the UK, France, Switzerland, and Canada. Bosnia-Herzegovina is considering an internet voting solution for local elections in October 2012, with the potential to be used nationwide for the 2014 parliamentary elections.

Advantages offered by internet voting to facilitate absentee voting

In the face of ever shrinking budgets, a huge challenge faced by election administrators is how to facilitate absentee voting for citizens living abroad. One of the most secure, economical, and efficient means of accomplishing this is to organize absentee voting via the internet. This can be done by enabling voters to cast their ballots from the privacy of their homes using their own personal computers. Also, people can vote via internet at polling stations if they do not have secure access to a computer.

The use of internet systems for absentee voting can result in increased security, faster transmission of results and operational savings. Internet voting offers a secure and faster means of organizing absentee voting because voters do not run the risk of their ballots being lost in the mail. Election administrators can achieve savings by greatly reducing costs associated with printing and transporting conventional paper ballots. Given that out-of-country turnout rates for

in-person and mail voting generally run between 5% and 10% of eligible voters, it is not cost effective to invest public resources that will largely be wasted. With internet voting, citizens who are abroad will be guaranteed their right to vote securely and in a manner that is cost effective. The success of projects such as New South Wales' iVote demonstrate that absentee voters want to participate when given a secure, cost effective and accessible way to vote.

The advantage of internet voting systems is that they do not require a huge capital investment for equipment. For example some systems are hardware neutral and can be accessed by voters using virtually any type of communications device, such as personal computers, tablet devices, smartphones, or even landline telephones. These systems can run on virtually any technology platform or operating system. Last year, through an initiative championed by Secretary of State Kate Brown, Oregon conducted the world's first election using iPads as designated polling stations for people with disabilities. Subsequently, those iPads were given to various state agencies for other work.

On April 30, 2012, Colorado Secretary of State Scott Gessler announced plans for a pilot project in Denver to provide voting using iPad technology as in Oregon. The goal of the pilot is to make voting more accessible to persons with disabilities. The project will be in place for the upcoming Colorado primary and general elections in 2012.³

To avoid unnecessary objections and concerns about internet voting systems, it is vital that election management bodies introduce these voting systems with sufficient advanced planning. Also, to avoid suspicion of all voting systems, including those that are internet-based, they must be implemented in an atmosphere of complete transparency that keeps all election stakeholders fully informed. Independent auditing and testing must also be an integral part of any program to offer absentee voting via the internet to ensure the sanctity of the electoral process.

Conclusion

Internet voting technology has matured immensely over the past decade and offers election administrators a secure, efficient, and cost effective means to facilitate absentee voting for citizens who are living abroad. It can also help safeguard voting rights for refugees, migrant workers, soldiers, and citizens who are living abroad.

We live in an increasingly interconnected and convenience-focused world. Countries are faced with the challenge of safeguarding the basic human right to vote even for their citizens who are out-of-country. In the 21st century it is vital for election administrators to use all tools, including the internet and secure and accessible software, to enable their citizens to have a say in how they are governed and to freely elect their leaders.

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³ See press release, Gessler Announces Grant for Denver iPad Voting Pilot Project, April 30, 2012.
<http://www.sos.state.co.us/pubs/newsRoom/pressReleases/2012/PR20120430iPadProject.html>