

OPINION ON UPDATED DRAFT LAW ON AMENDMENTS TO THE LAW ON THE UNIFIED VOTER REGISTER

SERBIA

This Opinion has benefited from contributions made by Ms. Marla Morry, International Lawyer and Electoral Expert.

Based on an an English translation of the Draft Law provided by the National Assembly of the Republic of Serbia.



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EXECUTIVE SUMMARY AND KEY RECOMMENDATIONS

The Unified Voter Register (UVR) of the Republic of Serbia has been the subject of a number of long-standing recommendations put forward in the election observation reports of the OSCE Office for Democratic Institutions and Human Rights (ODIHR) that pertain to improving the accuracy and transparency in the voter lists. On 28 March 2025, ODIHR published an Opinion on the Draft Law on Amendments to the Law on the Unified Voter Register (LUVR), which had been requested by the relevant parliamentary committee of the National Assembly of the Republic of Serbia. Based on the comments and recommendations presented in ODIHR's March 2025 Opinion, on 29 April 2025, the Chairperson of the Committee on Constitutional and Legislative Issues of the National Assembly of the Republic of Serbia sent to ODIHR a further request for a legal review of an updated version of the Draft Law on Amendments to the LUVR ("updated Draft Law").

ODIHR welcomes that the updated Draft Law addresses some of the key recommendations put forward in its March 2025 Opinion that assessed a previous version of the draft, including by expanding provisions on public scrutiny of the UVR and introducing long-term measures for auditing of the UVR. However, the further development of the draft law did not address the law-making procedural deficiencies identified and noted in the Opinion on the previous Draft and there were no efforts made to reengage the original working group in its revision. The Draft Law's new proposal grants responsibility for conducting periodic audits of the UVR to the Republic Electoral Commission (REC). However, previous ODIHR reports noted that the REC has limited human and financial resources, which hinders its ability to sustainably improve its work between electoral periods. In this respect, ODIHR recommends that the Serbian authorities consider granting another independent body, such as the Draft Law's proposed temporary commission for conducting the first audit, with permanent or ad hoc powers to periodically audit the UVR to ensure its quality and, in turn, enhance public trust. If the decision to mandate the REC with this task remains, ODIHR recommends to ensure sufficient human, technical and financial resources, and additional guarantees of the impartiality of the audit.

Further, ODIHR notes that some of the recommendations put forward in its March 2025 Opinion have been left unaddressed or partially addressed, such as on expanding personal data protection provisions in connection with the access to and scrutinizing of voter registration data, on the composition and powers of the proposed auditing commission, on establishing the frequency of the long-term auditing measures, and on enhancing the transparency of the auditing process for accredited observers. In this respect, ODIHR encourages the Serbian authorities to further consider the remaining recommendations in order to bring the Draft Law in line with international standards, OSCE commitments and good practice. Further, some of the changes in the current Draft Law have raised new concerns that prompted several additional recommendations aimed at improving the Draft.

Lastly, ODIHR reiterates its previous recommendation to subject the proposed amendments to the LUVR to inclusive, extensive and effective consultations, including with civil society.

More specifically, and in addition to what is stated above, ODIHR makes the following recommendations to further enhance the proposed amendments to the LUVR:

- A. To set a deadline for the Audit Commission to consider complaints about the UVR's accuracy; [par. 13]
- B. To reconsider the Draft Law's proposal to grant the REC responsibility to audit the UVR and to consider mandating a permanent or ad hoc independent body, such as the Audit Commission, with regular or periodic auditing of the UVR; [par. 18]
- C. To establish the frequency of the audits by law to ensure legal certainty and stability of the long-term auditing process; [par. 20]
- D. To finalize the [first] audit well ahead of the next elections; [par. 21]
- E. To harmonize or more clearly differentiate the descriptions of the mandates and nature of the draft recommendations of the Audit Commission and REC; [par. 22]
- F. To engage a combination of professionals necessary to effectively conduct the (periodic) audit; [par. 29]
- G. To elaborate the decision-making process of the body granted responsibility for conducting the audits to ensure input from both the ruling majority and opposition, as well as civil society, in the decisions related to the auditing process; [par. 32]
- H. To grant the body responsible for conducting the audits the same rights as the Audit Commission in connection with the committees' consideration of its audit reports. [par. 34]

These and additional Recommendations, are included throughout the text of this Opinion, highlighted in bold.

As part of its mandate to assist OSCE participating States in implementing their OSCE human dimension commitments, ODIHR reviews, upon request, draft and existing laws to assess their compliance with international human rights standards and OSCE commitments and provides concrete recommendations for improvement.

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I. INTRODUCTION

1. On 28 March 2025, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) published an Opinion on the Draft Law on Amendments to the Law on the Unified Voter Register (LUVR), which had been requested by the relevant parliamentary committee of the National Assembly of the Republic of Serbia.¹
2. The LUVR was adopted in 2009, and it regulates a single register of Serbian citizens who have the right to vote. The Unified Voter Register (UVR) has been the subject of a number of long-standing recommendations put forward in ODIHR's election observation reports that pertain to improving the accuracy and transparency in the voter lists. The draft amendments to the LUVR reviewed by ODIHR in March 2025 were prepared by the Serbian Progressive Party (SNS) and relate to the public display of, access to, and publication of information concerning the UVR, and introduce new articles on personal data protection and auditing of the UVR.²
3. In the March 2025 Opinion on the Draft Law, ODIHR stated that the draft amendments were overall in line with the aim of previous ODIHR recommendations in its election observation reports, presented an effort to partially address two of the key ODIHR recommendations, and, if implemented, provide a solid basis for this. It further noted, however, that while the Draft Law addressed some recommendations offered in ODIHR's Informal Comments of 28 November 2024, to the respective parliamentary Working Group on an earlier version of the Draft Law, it left several recommendations unaddressed and included a problematic redraft of a provision on the decision-making process of a proposed commission for auditing of the UVR that had been previously positively evaluated by ODIHR. Based on its analysis, ODIHR offered a set of recommendations to further strengthen the draft amendments in line with international standards and good practice. In addition, the Opinion called for the Draft Law to be subjected to inclusive, extensive and effective consultations, including with civil society, on a timely basis and in line with established rules.
4. On 29 April 2025, the Chairperson of the Committee on Constitutional and Legislative Issues of the National Assembly of the Republic of Serbia sent to ODIHR a further request for a legal review of an updated version of the Draft Law on Amendments to the LUVR ("updated Draft Law"). Based on the comments and recommendations presented in ODIHR's March 2025 Opinion, the updated Draft Law was submitted to the respective parliamentary committee by a Member of Parliament Mr. Uglješa Mrdić. In turn, this Opinion assesses the extent to which the updated Draft Law addresses the recommendations put forward in the March 2025 Opinion, reiterates those recommendations which remain to be addressed, and puts forward several new recommendations related to the changes. It is noted that the updates to the Draft Law only concern changes related to ODIHR's March 2025 recommendations.

¹ See ODIHR [Opinion](#) on the Draft Law on Amendments to the Law on the Unified Voter Register. The March 2025 Opinion followed from a 10 February 2025 request of the Chairperson of the Committee of Constitutional and Legislative Issues of the National Assembly of the Republic of Serbia to review the Draft Law submitted to the Parliament by a Member of Parliament Mr. Uglješa Mrdić on 23 January 2025.

² Prior to its March Opinion, ODIHR provided Informal Comments on 28 November 2024 in response to a request from the Working Group for Improvement of the Election Process. These comments addressed competing draft amendments to the LUVR submitted by the SNS and the Centre for Research, Transparency, and Accountability (CRTA). Both proposals were subsequently revised in January 2025; however, the Working Group was unable to reach consensus or adopt a unified draft. ODIHR submitted updated informal comments on the revised drafts on 31 January and 4 February 2025, emphasizing the need for harmonization through an inclusive and transparent consultation process. Public hearings, initiated on 27 January 2025, faced procedural criticisms and led to the withdrawal of opposition parties and civil society representatives.

5. This Opinion is based on an unofficial English translation of the Draft Law provided by National Assembly of the Republic of Serbia, which is attached to this document as an Annex. Errors from translation may result. Should the Opinion be translated in another language, the English version shall prevail.
6. ODIHR conducted this assessment of the Draft Law within its mandate to assist the OSCE participating States in the implementation of their OSCE commitments, in particular, related to the electoral process. ODIHR welcomes the readiness of the Serbian authorities to follow up on the electoral recommendations provided herein and stands ready to assist the authorities of Serbia to further improve the electoral process.³

II. SCOPE OF THE OPINION

7. The Opinion does not constitute a full and comprehensive review of the entire legal and institutional framework regulating elections in Serbia. It focuses on the conformity of the Draft Law with international standards and good practice in electoral matters and highlights proposed changes that might address previous ODIHR election-related recommendations. As such, this Opinion should be read in conjunction with the recommendations made by previous ODIHR election observation activities, and in this connection, it must be stressed that the pending ODIHR recommendations remain valid.⁴
8. The Opinion raises key issues and provides indications of areas of concern. In the interest of conciseness, it focuses more on those provisions that require amendments or improvements than on the positive aspects of the Draft Law. The ensuing legal analysis is based on international and regional human rights and rule of law standards, norms and recommendations, as well as relevant OSCE human dimension commitments. The Opinion also highlights, as appropriate, good practices from other OSCE participating States in this field. Moreover, in accordance with the *Convention on the Elimination of All Forms of Discrimination against Women*⁵ (hereinafter “CEDAW”) and the *2004 OSCE Action Plan for the Promotion of Gender Equality*⁶ and commitments to mainstream gender into OSCE activities, programmes and projects, the Opinion integrates, as appropriate, a gender and diversity perspective.
9. This Opinion is based on an unofficial English translation of the Draft Law provided by National Assembly of the Republic of Serbia, which is attached to this document as an Annex. Errors from translation may result. Should the Opinion be translated in another language, the English version shall prevail.
10. In view of the above, ODIHR would like to stress that this Opinion does not prevent ODIHR from formulating additional written or oral recommendations or comments on respective subject matters in Serbia in the future.

³ In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE Participating States committed themselves “to follow up promptly the ODIHR’s election assessment and recommendations”.

⁴ See all previous ODIHR election-related reports on Serbia.

⁵ *UN Convention on the Elimination of All Forms of Discrimination against Women* (hereinafter “CEDAW”), adopted by General Assembly resolution 34/180 on 18 December 1979. Ukraine deposited its instrument of ratification of this Convention on 12 March 1981.

⁶ See [OSCE Action Plan for the Promotion of Gender Equality](#), adopted by Decision No. 14/04, MC.DEC/14/04 (2004), par 32.

III. LEGAL ANALYSIS AND RECOMMENDATIONS

1. PROPOSED AMENDMENTS TO CHAPTER II PROCEDURE FOR KEEPING THE ELECTORAL ROLL, SECTION 4- PUBLICIZING PARTS OF THE ELECTORAL ROLL AND ELECTORAL ROLL CLOSURE

11. Regarding the proposed amendments to Chapter II of the LUVR on the Procedure for Keeping the Electoral Roll, under Section 4 – Publicizing parts of the Electoral Roll and Electoral Roll Closure, ODIHR’s March 2025 Opinion had recommended: *“To further increase transparency of voter registration and confidence in the voter list, consideration could be given to including in the draft proposal periodic publication of the number of voters registered per municipality. Further, access to the UVR should be permitted both during the regular maintenance of the civil and voter register and during the pre-electoral period, not only at the time of closure of the voter register as proposed in the Draft Law.”* **Positively, the updated Draft Law satisfactorily addresses both aspects of the above-noted recommendation.**
12. Specifically, the updated draft amendment to Article 14 of the LUVR (Article 1 of the updated Draft Law) newly incorporates a requirement that every seven days, until the closure of the voter register, the Ministry of Public Administration and Local Self-Government (MPALSG) will publish on its website the number of voters disaggregated by local self-government units. Further, the updated draft amendment to Article 17 of the LUVR (Article 2 of the updated Draft Law) removes the restricted time period for public scrutiny of the UVR that appeared in the previous version of the Draft Law, that is, after closure of the voter register. As such, under the updated Draft Law, public access to the UVR would be possible at any time, including during the regular maintenance of the civil and voter register and during the pre-electoral period. Under the updated Draft Law, the specific data in the UVR that will be available for public scrutiny only upon closure of the UVR is whether the voter will vote in the upcoming elections on the basis of their permanent residence, temporary residence, or the place of residence abroad (the latter category added in the updated Draft Law).

2. PROPOSED AMENDMENT TO CHAPTER IV: SPECIAL RIGHTS OF PARTICIPANTS IN ELECTIONS – RIGHT TO PERUSAL AND TO FILING REQUEST FOR CHANGE IN THE ELECTORAL ROLL AND NEW CHAPTER VIA ON PERSONAL DATA PROTECTION

13. Regarding the proposed amendment to Chapter IV of the LUVR on special rights of participants in elections, specifically the right to perusal and to filing request for change in the electoral roll, as well as a proposed new chapter VIa on personal data protection, ODIHR’s March 2025 Opinion put forward several recommendations. First, it provides that *“for legal certainty, it is recommended to establish which possible actions the Republic Electoral Commission can or should take if it identifies irregularities when accessing the UVR and voter data.”* **Positively, the updated Draft Law satisfactorily addresses this recommendation.** In this regard, the updated draft amendment to Article 21 of the LUVR (Article 3 of both versions of the Draft Law) incorporates a new second paragraph granting authority to Republic Electoral Commission (REC) in its permanent and extended composition, through the Secretary of the REC, to send complaints to MPALSG, about the accuracy and the currency of the data in the voter register.⁷ It also requires the MPALSG to send its explanation

⁷ The right to access the voter register and all the voter data was also extended to the category of “substitute members” in the updated Draft Law (Article 3) which ensures that substitute members possess the necessary authority in case they are called upon to replace a full member of the REC.

on it to the REC within 15 days following the date of receiving the complaint. Further, Article 23 of the updated Draft Law (previously Article 22 of the earlier version of the Draft Law) includes two new paragraphs that provide that the members and substitute members of the REC have the right to submit complaints to the Audit Commission about the UVR's accuracy and whether it is up-to-date and to be invited to the sitting of the Audit Commission when it considers their complaints.

RECOMMENDATION A

It is recommended that Article 23 of the updated Draft Law sets a deadline for the Audit Commission to consider complaints about the UVR's accuracy. Further, to ensure timely handling of such complaints, consideration should be given to introducing separate expedited deadlines in Articles 21 and 23 of the updated Draft Law for the MPALSG and Audit Commission to address complaints during an electoral period.

14. The March 2025 Opinion provides that *“In line with international good practice, it is recommended to widen the scope of verification [of the UVR] to include civil society organizations and citizens observer groups. In case this is regulated, the law should specify any criteria such organizations need to comply with.”* **The updated Draft Law partially addresses this recommendation.** Specifically, the updated draft amendment to Article 21 of the LUVR (Article 3 of both versions of the Draft Law) includes a new third paragraph which grants domestic associations authorized by the REC to observe the elections with the right to access all of the data on voters in the voter register (except for the unique master citizen number) via a special module on the website of the ministry in charge of public administration affairs. Essentially, observer organizations are granted the same right to access the UVR that nominators of electoral lists were granted under the previous (and updated) version of the Draft Law, including an obligation to sign a written data confidentiality protection statement certifying that the person accessing the data will act in accordance with data protection law and use the data solely for the purpose of exercising its rights under the LUVR. The criteria for these organizations to be able to access the voter data is that they be accredited by the REC to observe the upcoming election (which requires fulfilment of certain objective criteria set out in the law governing elections). *It is recommended to specify whether civil society organizations that are not directly involved in election activities between electoral cycles but seek authorization from the REC to observe elections are entitled to access data on the voter register.*
15. Further, the March 2025 Opinion provides that *“To further strengthen personal data protection and prevent unauthorized use of the [voter] data, consideration could be given to expanding the proposed new chapter on personal data protection by adding explicit provisions that would eliminate ambiguities about compliance of the Draft Law with personal data protection laws and thereby enable a greater understanding of the rights and obligations carried out by different actors accessing and scrutinizing voter registration data.”* **This recommendation has not been addressed by the updated Draft Law which does not include any additional provisions regarding personal data protection beyond what was included in the previous version of the draft amendments.**

3. PROPOSED NEW CHAPTER/ARTICLES TO LAW ON THE UNIFIED VOTER REGISTER REGARDING AUDIT AND MAINTENANCE

16. Regarding the proposed new chapter/articles to the LUVR on audit and maintenance of the UVR, the March 2025 Opinion put forward several recommendations. First, for clarity, it recommended to *“either propose a new Chapter on auditing in the LUVR or indicate where to insert the proposed articles and that the order and number of the proposed Articles on the auditing process be reviewed and restructured as needed.”* This recommendation flows from the fact that that it was unclear to which part of the LUVR the text in Articles 5-24 of the previous version of the Draft Law regarding the audit, maintenance, management and accuracy of the UVR would be inserted. **The updated Draft Law does not address this recommendation, as it still remains unclear to which part of the LUVR the Articles regarding the audit, maintenance, management and accuracy of the UVR are to be inserted (now Articles 6-25 under the updated Draft Law).**
17. Further, the March 2025 Opinion put forward as a key recommendation that *“Consideration should be given to establishing long-term UVR accuracy measures, which are critical to sustaining public trust. In this respect, consideration may be given to either establishing a permanent mechanism for the periodic audit of the UVR or mandating the Audit Commission to conduct periodic audits, with the frequency and scope clearly defined in the law and regulations.”* This recommendation follows from the fact that the previous version of the Draft Law proposed only a one-time audit of the UVR to be conducted by an *ad hoc* temporary commission (Audit Commission).⁸ **Article 4 of the updated Draft Law introduces long-term UVR accuracy measures by mandating the REC with auditing of the UVR after the first audit is conducted by the Audit Commission under Article 6.**⁹ However, while the above-noted recommendation called for the introduction of long-term UVR accuracy measures in the form of either a permanent or *ad hoc* mechanism, it was intended to encourage the use of a newly-established independent mechanism for that purpose.¹⁰
18. Previous ODIHR reports noted that REC has limited human and financial resources, which hinders its ability to sustainably improve its work between electoral periods.

RECOMMENDATION B

*With the aim of addressing the concerns over the accuracy of voter lists and increasing public confidence, it is therefore advisable to reconsider the Draft Law’s proposal to grant the REC responsibility to audit the UVR and to consider mandating a permanent or ad hoc independent body, such as the Audit Commission, with regular or periodic auditing of the UVR.*¹¹ *If the decision to mandate the REC with this task remains, it is*

⁸ In the Serbian language, the Draft Law consistently uses the term “revizija” which in English is either “review” or “audit” (the English translation provided to ODIHR by the Serbian authorities interchangeably uses the words “revision” and “audit”.) For the purposes of this Opinion, the word “audit” is consistently used.

⁹ Article 6 of the updated Draft Law (Article 5 under the previous version of the Draft Law) which establishes the mandate of the Audit Commission, includes the new phrase “first audit” in line with the fact that the REC is to be mandated under the updated Draft Law to conduct (periodic) audits after the first audit is conducted.

¹⁰ In its March 2025 Opinion, ODIHR positively assessed provisions in another Draft Law put forward by the CRTA which proposed establishment of a permanent audit commission to increase sustainability of the UVR maintenance process and maintain public trust beyond a one-off independent audit.

¹¹ Recommendation 9 of the 2023 ODIHR [Final Report](#) on its election observation mission in the Republic of Serbia states that: “To achieve sustainable progress in its activities, such as developing instructions, training election officials, improving voter education campaigns, and enhance the accessibility of the electoral process, the Republic Electoral Commission should be granted sufficient administrative and technical capacity, including its own permanent secretariat.”

recommended to ensure sufficient human and financial resources, and additional guarantees of the impartiality of the audit.

19. **Taking into account the above-noted recommendation, the remainder of this Opinion should not be construed in any way as an endorsement of the Draft Law’s proposal for the REC to be responsible to conduct audits of the UVR.**
20. It is noted that while Article 4 of the updated Draft Law defines the scope of the audits to be conducted by the REC, it does not establish the frequency of the audits, which should not be left simply to the regulatory level.¹²

RECOMMENDATION C

To ensure legal certainty and stability of the long-term auditing process, ODIHR reiterates that the frequency of the audits should be established by law.

21. The mandate of the Audit Commission set out in the previous version of the Draft Law to conduct a one-time audit of the UVR to “review, verify, and control the accuracy and updating of the Voter Register” remains the same in the updated Draft Law, as does its responsibility to draft proposed recommendations “for improving the accuracy and the process for updating the Voter Register” (Articles 6-7 of the updated Draft Law, previously Articles 5-6). The timeframe for the Audit Commission’s work also remains the same in the updated Draft Law (Article 7 of the Draft Law, previously Article 6). In this respect, ODIHR reiterates that **it is important that the [first] audit be finalized well ahead of the next elections, to provide sufficient time to address the findings while ensuring that the trust in the UVR is improved.** It is noted that the provision in Article 10 of the previous version of the Draft Law that had provided that the Parliament can establish a new commission to reaudit the voter register does not appear in the updated Draft Law, presumably because the updated version grants the REC the responsibility to (periodically) audit the register.

RECOMMENDATION D

It is recommended to conduct the [first] audit be finalized well ahead of the next elections, to provide sufficient time to address the findings while ensuring that the trust in the UVR is improved.

22. Regarding the newly-proposed mandate of the REC to conduct audits of the UVR, the updated Draft Law in Article 4 introduces a new Chapter Va on revision of the voter register (new Articles 22a – 22c of the LUVR). In this regard, the REC’s mandate is described as an “analysis and assessment of the quality, accuracy, reliability and efficiency of keeping and updating the Voter Register”, a somewhat different mandate than the Audit Commission as noted above. In addition, the updated Draft Law provides that the REC’s draft recommendations are for “improving the manner of keeping and updating the Voter Register”,

¹² Article 4 of the updated Draft Law provides only that the audits will be done by the REC without any reference to their frequency.

again somewhat different than the description of the recommendations to be proposed by the Audit Commission as noted above. In this respect, it is unclear if the different phrasing used to describe the Audit Commission's versus the REC's mandate and draft recommendations are intended to be substantive differences and if so, how are they substantively different, or whether the different phrasing is merely cosmetic.

RECOMMENDATION E

It is recommended that the descriptions of the mandates and nature of the draft recommendations of the Audit Commission and REC (or any other independent body granted responsibility for conducting the audits) either be harmonized or more clearly differentiated depending on the drafter's intention.

23. The scope of the audits to be conducted by the REC, as established under draft Article 22b of the LUVR, is the same as the scope for the Audit Commission's one-time audit under the Draft Law. Essentially, the description of the scope of the Audit Commission's audit laid down in Article 7 of the previous version of the Draft Law was transferred to Article 4 of the updated Draft Law which describes the scope of the REC's audits, while Article 8 of the updated Draft Law states that when performing the one-time audit, the Audit Commission is subject to the same scope as established for the REC's audits. With respect to the scope of the audit, March 2025 Opinion recommended as follows: *"Although the Draft Law offers provisions for an extensive audit, consideration should be given to include additional areas, for instance, auditing of the existing legal and regulatory framework on the UVR to ensure its comprehensiveness, legal certainty, and compliance with international standards and good practices and auditing of public communication and voter education around the voter registration process to assess its adequacy, timeliness and sufficiency as critical for ensuring transparency and trust in the voter roll. Explicitly including all areas for auditing will ensure that the Audit Commission is given access to the relevant data and information."* In this respect, the scope of the audits to be conducted by both the REC and Audit Commission was expanded in the updated Draft Law to include an analysis of the legal framework governing the manner of keeping the voter register. **As such, the above-noted recommendation is considered to be mostly addressed as auditing of public communication and voter education around the voter registration process as recommended was not included.**¹³
24. The previous version of the Draft Law (Article 7) had explicitly required the relevant state and other authorities to provide all data and information to the Audit Commission, which ODIHR assessed as sufficient to ensure adequate access to the records and information, including to ICT applications, necessary to fulfil the Commission's mandate. This same provision still appears in the updated Draft Law and has now been duplicated under the provision regulating the REC's auditing of the voter register (Article 4 of updated Draft Law/new Article 22b of the LUVR). In this regard, ODIHR's March 2025 Opinion had recommended that *"As a private data protection safeguard, consideration be given to explicitly limiting the data accessible to the Audit Commission to that relevant to the conduct of the audit and to fulfilling its mandate."* **However, this recommendation has not been addressed in the updated Draft Law in connection with the provision of information to the REC and Audit Commission by the public authorities.**

¹³ The proposed Article 22b (13) provides that the REC/Audit Commission are to initiate a voter education campaign on updating the voter register but it does not include voter education on the voter registration process as a subject matter to be audited.

25. The March 2025 Opinion provided that *“For legal certainty and to enhance transparency of the Audit Commission’s work, it is recommended that the Commission be obliged to adopt a regulatory and procedural framework after it is fully composed and within an established deadline and to promptly publish it. Consideration can also be given to establishing an independent website of the Audit Commission, rather than to have it rely on the National Assembly to publish its decisions, reports and the other relevant information, as provided by the Draft Law.”* In this respect, the updated Draft Law (Article 4/last paragraph of new Article 22b of the LUVR) grants the REC the power to regulate in detail by an act the audit procedure for the voter register. **This provision satisfies the above-noted recommendation concerning the periodic auditing process, but there is not a clear corresponding provision for the Audit Commission to adopt timely regulations for its conduct of the one-time first audit.** Specifically, it is unclear whether the REC’s power to adopt regulations on the auditing process also applies to the Audit Commission, that is, whether Article 8 of the updated Draft Law which provides the Audit Commission with the same authorities as the REC in performing the audit also applies to adopting regulations on conducting the audit. ***It is therefore recommended that the Draft Law clarify that the Audit Commission is to adopt a regulatory and procedural framework on conducting its one-time audit.***
26. The updated Draft Law provides that the REC’s new mandate to conduct audits of the UVR will enter into force upon “termination of the Commission’s term of office” (Article 28 of the updated Draft Law). This appears to mean that once the Audit Commission’s mandate to conduct the one-time audit of the UVR has ended under Article 11 of the updated Draft Law, that the mandate of the REC to conduct the (periodic) audits begins. However, as both bodies are commissions, the wording of the provision is not entirely clear. In this respect, ***it is recommended to clarify in Article 28 of the updated Draft Law that the reference to the “Commission’s term of office” is with respect to the ad hoc temporary commission established to conduct the one-time audit under Article 6 of the updated Draft Law and is not meant to refer to the term of office of the Republic Electoral Commission.***
27. On the composition of the Audit Commission, March 2025 Opinion provided that *“In order to ensure the actual and perceived independence of the Audit Commission and gain public confidence in its work, it is recommended that prior to reaching agreement on the final composition to be proposed in the draft, the topic should be the subject of inclusive consultations between the government, opposition, and civil society.”* This recommendation flowed, in part, from the fact that a separate Draft Law earlier proposed by CRTA suggested a different composition for the Audit Commission from that put forward in the SNS’s previous version of the Draft Law. Specifically, the CRTA draft had proposed nine members, with three nominated by each of the ruling party, opposition and civil society organizations, while the SNS draft had proposed ten members, out of which five would be nominated by the parliamentary majority, three from the opposition, and two by citizens groups. ODIHR’s March 2025 Opinion noted that greater impartiality and balance would be ensured if the composition had a similar number of experts nominated by the government and opposition – as had been proposed by the CRTA – and that an increased number of civil society nominees would enhance public trust in the work of the Audit Commission and the actual and perceived independence of the audit.
28. With respect to the above-noted recommendation, ODIHR does not have any information regarding whether the updated Draft Law has undergone inclusive consultations between the government, opposition, and civil society, particularly with regard to the composition of the Audit Commission. It is noted, however, that the updated Draft Law does not include any changes to the proposed composition of the Audit Commission - neither in the balance of political representatives from the two sides nor in the level of inclusion of civil society nominees - which still proposes ten members, out of which five would be nominated by the

parliamentary majority, three from the opposition, and two by citizens groups. **As such, it is considered that the above-noted recommendation has not been addressed in the updated Draft Law.**

29. The March 2025 Opinion “*recommended to mandate that the audit team as a whole includes a combination of all required skills to assess all audit metrics (technological, methodological, communication, Information and Communications Technology (ICT, database and legal).*” This recommendation flowed from the fact that the earlier version of the Draft Law (Article 12) established criteria for the professional background of the members of the Audit Commission but did not ensure that the overall composition had a combination of all necessary skills for such a commission. **The updated Draft Law does not address this recommendation in connection with the professional composition of the Audit Commission.** In addition, the second last paragraph of Article 4 of the updated Draft Law (new Article 22b of the LUVR) provides that “for the purpose of conducting the audit of the voter register, the REC may engage professionals that have acquired higher education in mathematical, demographic, information or economic sciences or social and statistical and other related scientific field”, which neither obliges the REC to engage any professionals in the conduct of the audits nor obliges it to ensure that it involves professionals with a combination of all necessary skills for conducting such an audit.

RECOMMENDATION F

It is therefore recommended that the REC or any other independent body granted responsibility for conducting the audits be obliged to engage a combination of professionals necessary to effectively conduct the (periodic) audits.

30. The March 2025 Opinion recommended that “*It is important to stipulate clearly the funding mechanism and ensure that sufficient funds are available on time for the Audit Commission to complete its work in accordance with the law.*” This recommendation is in reference to Article 24 of the previous version of the Draft Law (now Article 25 of the updated Draft Law), which had generally provided that the work of the Audit Commission will be funded from the national budget. In this regard, the updated Draft Law also does not stipulate clearly the funding mechanism to ensure that sufficient funds are available on time for the Audit Commission to complete its work. **As such, the above-noted recommendation has been left unaddressed. In addition, it should be stated that as the updated Draft Law introduces a new measure for long-term auditing of the voter register, timely and sufficient funding for this periodic auditing process should be guaranteed for the relevant body to ensure effective audits can be carried out.**
31. The March 2025 Opinion recommended that “*consideration can be given to increasing the compensation [of the Audit Commission members] to bring it in line with the specialized and sensitive nature of the work*”. In particular, the previous version of Article 24 had provided that the members of the Audit Commission are entitled to remuneration for their work in the commission in the amount of the average salary in Serbia, which ODIHR noted may hinder finding qualified and well-trained independent experts to fulfil the Audit Commission’s mandate. **Positively, the updated Draft Law addresses this recommendation, by increasing the salary for the Audit Commission’s members to one and a half times the average wage (now Article 25 in updated Draft Law).** It is noted, however, that a similar provision is not included in Article 4 (new Article 22b of the LUVR) with respect to the REC engaging higher-educated professionals to undertake the (periodic) audits of the voter register.
32. One of ODIHR’s key recommendations following its review of the previous version of the Draft Law concerned the decision-making process of the Audit Commission. It recommended

as follows: “*To prevent blockage in the decision-making process, consideration should be given to re-introducing a decision-making mechanism that would require at least one vote (not at least two votes) from each member group (government, opposition and civil society.)*” This recommendation flowed from Article 19 of the previous version of the Draft Law that had required that the decisions of the Audit Commission be adopted by a two-thirds majority vote of all its members, provided that at least two of the five members nominated by the parliamentary majority, at least two of the three members nominated by the opposition, and at least one of the two members nominated by associations, vote in favour. **Positively, the above-noted recommendation has been addressed as the updated Draft Law (Article 20) reintroduces that at least one member from each of the three groups must vote in favour in order for a decision of the Audit Commission to be adopted.** However, in case the REC remains the designated body, the REC’s ordinary decision-making process has not been adapted in the Draft Law as concerns its conduct of the long-term auditing process in order to align it with the decision-making process of the Audit Commission.

RECOMMENDATION G

It is recommended that the decision-making process of the REC or any other independent body granted responsibility for conducting the audits be elaborated to ensure input from both the ruling majority and opposition, as well as civil society, in the decisions related to the auditing process.

33. In the updated Draft Law, the process and timing for the respective parliamentary committees to consider the Audit Commission’s audit report, as well as the steps for ensuring that the recommendations approved by the committees are addressed by the relevant institutions remain the same as in the previous version of the Draft Law (Articles 9-10 of the updated Draft Law, previously Articles 8-9). Further, largely the same process, timing, and follow-up steps were incorporated into the updated Draft Law with respect to the newly introduced audit reports prepared by the REC (Article 4 of the updated Draft Law, new Article 22c of LUVR), starting with submission to the National Assembly of its audit reports and proposed recommendations. However, unlike with the Audit Commission, the REC is not granted “control” over the implementation of the recommendations approved by the relevant parliamentary committees (Article 10, previously Article 9 of the Draft Law). Specifically, the Audit Commission is to submit periodic reports to the National Assembly on implementation of the respective committees’ approved recommendations by the competent institutions, until the time that the respective committees report that all of the recommendations have been implemented. In contrast, when the REC conducts its audits, the relevant parliamentary committees submit a report on the implementation of their approved recommendations by the competent institutions to the REC and National Assembly, but the REC is not responsible to submit periodic reports to the National Assembly on the implementation by the competent institutions. ***Consideration should be given to harmonizing the follow-up processes for implementation of the parliamentary committees’ recommendations in the first and periodic audits of the UVR.***
34. In connection with the respective parliamentary committees’ consideration of the Audit Commission’s draft recommendations, March 2025 Opinion included the following recommendation: “*To provide an opportunity for interpreting the technical aspects of the Audit Commission’s recommendations on improving the accuracy and updating of the UVR put forward in its UVR Audit Report, it is recommended that the representatives of the Commission be invited to the proceedings of the relevant parliamentary committees when the Report is discussed, and the recommendations are defined and approved.*” **This recommendation has been addressed in Article 9 of the updated Draft Law.** In particular,

a new paragraph grants the Audit Commission the right to attend the relevant parliamentary committee's sessions and to participate in its work when the audit report is considered. However, the same provision has not been incorporated to grant the REC the same rights in connection with the consideration of its audit reports.

RECOMMENDATION H

In line with ODIHR's recommendation, it is recommended to grant the REC or any other independent body responsible for conducting the audits the same rights as the Audit Commission in connection with the committees' consideration of its audit reports.

35. The updated Draft Law requires the Audit Commission to submit its one-time audit report to the National Assembly within 30 days of completing the audit (Article 7, the same deadline as had been provided in the previous version of the Draft Law in Article 6). However, it is noted that Article 4 of the updated Draft Law, specifically the newly proposed Article 22c of the LUVR, does not establish any deadline for the REC to submit its audit reports to the National Assembly upon completion of each audit of the voter register. ***For legal certainty, it is recommended that a deadline for the REC to submit its audit reports to the National Assembly should be established in the updated Draft Law.***
36. The March 2025 Opinion recommended *"To further enhance transparency, the Draft Law could provide for the participation of observers in the auditing and updating process. It could also provide for plenary presentations, where details of the work of the Audit Commission are regularly discussed with the wider group of stakeholders and the public as a way to support the full involvement of relevant stakeholders in the audit process, increase transparency, and build public trust in its results."* **The updated Draft Law does not address this recommendation as concerns the work of both the Audit Commission and REC in the auditing of the UVR.** It is noted, however, that the rights of accredited observers in the electoral process as provided for in the law regulating the elections would, arguably, include observation of the implementation of the REC's new mandate to (periodically) audit the UVR. ***For legal certainty, it is recommended that the updated Draft Law explicitly provides that accredited observers have the right to observe the implementation of both the Audit Commission's mandate and the REC's mandate to (periodically) audit the UVR, or to observe the work of any other body granted responsibility to conduct periodic audits of the UVR.***
37. Further with regard to transparency, March 2025 Opinion recommended that *"For legal certainty, Article 23 [of the previous version of the Draft Law] should stipulate which law it is referring to with respect to the reasons for holding closed sessions [of the Audit Commission] and could explicitly state such reasons."* This recommendation concerns a provision that stated that the Audit Commission may exclude the public (presumably from its sessions) for "reasons provided for by law", a vague phrase. In this respect, the updated Draft Law does not include the same provision and, as such, this recommendation is moot. The remaining provision (now Article 24) still provides that the work of the Audit Commission is public and that publicity of the Commission's work shall be ensured by the publication of specified documents on the website of the National Assembly. ***In this respect, it is recommended that the Draft Law explicitly provide that the work of the REC or any other independent body granted responsibility for conducting the audits is public and that publicity of the audit work is further ensured by the publication of relevant documents.***
38. Lastly, ODIHR takes this opportunity to reiterate its overarching recommendation from its March 2025 Opinion: *"The public authorities are encouraged to ensure that the Draft Law(s) is subjected to inclusive, extensive and effective consultations, including with civil society."*

According to the principles stated above, such consultations should take place in a timely manner, at all stages of the law-making process, and strictly adhere to established rules. Consideration should be given to undertaking measures to encourage opposition parties and civil society actors to reengage in the consultation process. As an important element of good law-making, a consistent monitoring and evaluation system of the implementation of the Draft Law and its impact should also be put in place that would effectively evaluate the operation and effectiveness of the Draft Law, once adopted.”

[END OF TEXT]

DRAFT LAW
AMENDING
THE LAW ON THE UNIFIED VOTER REGISTER

Article 1

In the Law on the Unified Voter Register (Official Gazette of RS, nos. 104/09, 99/11 and 44/24), in Article 14, after paragraph 2, a new paragraph 3 shall be added, worded as follows:

“Until the Voter Register’s closure, every seven days, the ministry in charge of public administration shall publish on its website the number of voters disaggregated by local self-government units and the data on the number of changes to the parts of the Voter Register referring to each local self-government unit, as well as the legal grounds of those changes for the past seven days.”

Article 2

In Article 17, after paragraph 2, new paragraphs 3 - 5 shall be added, worded as follows:

“In order to display the Voter Register for public scrutiny, the ministry in charge of public administration affairs shall provide access to voter data on its website (name, name of one parent and surname), disaggregated by polling stations in the territory of the local self-government unit, as well as data on the number of voters per household, i.e. address and apartment number.

Upon the Voter Register’s closure, the ministry in charge of public administration shall also, in addition to the data referred to in paragraph 3 of this Article, on its website, publish data on whether the voter will vote in the upcoming elections on the grounds of one’s permanent residence or temporary residence in the country, or the place of residence abroad.

Access to the data referred to in paragraphs 3 and 4 of this Article shall be made possible by previously entering the data on the unique master citizen number and the identity card number of the interested party who is accessing the data on the website of the ministry in charge of public administration affairs.”

Article 3

Article 21 shall be amended to read as follows:

“Article 21

Members and substitute members of the Republic Electoral Commission shall have the right to access the Voter Register and all the voter data in the VR, except for the unique master citizen number, via a special module on the website of the ministry in charge of public administration affairs, which is accessed by logging in using a two-factor authentication.

Members and/or substitute members of the Republic Electoral Commission, through the Secretary of the Republic Electoral Commission, shall be entitled to send complaints to the ministry in charge of public administration affairs, about the accuracy of the data in the Voter Register and about whether the data are up-to-date, and the ministry shall send its explanation on it to the Republic Electoral Commission within 15 days following the date of receiving the complaint.

Following the call for elections, associations authorised by the Republic Electoral Commission to observe the elections in accordance with the law governing the election of members of parliament (domestic observers) shall also have the right to access all the data on voters contained in the Voter Register, except for the unique master citizen number, through an authorised person, via a special module on the website of the ministry in charge of public administration affairs, which is to be accessed by logging in using a two-factor authentication.

Once a proclaimed electoral list becomes legally valid, the nominator of the proclaimed electoral list shall also have the right referred to in paragraph 3 of this Article, in the same manner as the domestic observer.

The nominator of the proclaimed electoral list shall also have the right to submit to the competent authority a request for a change to the Voter Register, which must be accompanied by an authorisation from the voter to whom the request refers and appropriate evidence.

The right referred to in paragraphs 1, 3 and 4 of this Article may only be exercised upon signing a written data confidentiality protection statement certifying that the person accessing the data is familiar with the obligation that when accessing Voter Register data they must act in accordance with the law governing personal data protection and solely for the purpose of exercising the powers entrusted to them by this Law.

The form of the statement referred to in paragraph 6 of this Article shall be prescribed by the Minister in charge of public administration affairs and shall be an integral part of regulations envisaged for the enforcement of this Law.”

Article 4

After Chapter V, a new Chapter Va and Articles 22a to 22c shall be added, worded as follows:

“Va REVISION OF THE VOTER REGISTER

Article 22a

Revision of the Voter Register shall be a procedure for analysing and assessing the quality, accuracy, reliability and efficiency of keeping and updating of the Voter Register.

Revision of the Voter Register shall be done by the Republic Electoral Commission.

Article 22b

For the purpose of revising the Voter Register, the Republic Electoral Commission shall be authorised to do the following:

1) analyse data in the Voter Register, as well as civil registers and records of permanent and temporary residence of citizens (hereinafter: other records relevant to keeping the Voter Register) at the level of personal data (name, name of father, surname, place and address of permanent residence);

2) analyse the legal validity of decisions on the grounds of which changes have been made to the Voter Register;

3) analyse/monitor statistical parameters of Voter Register variation;

- 4) analyse the process of updating and authorising changes to the Voter Register;
- 5) analyse data on the conducted supervisory inspections and on the measures proposed or ordered within the supervisory inspection procedure over the implementation of the regulations governing the Unified Voter Register;
- 6) analyse data from the report of the ministry in charge of internal affairs on the movement of the population and alignment with the data in the Voter Register;
- 7) analyse the actions of the Ministry of Internal Affairs' staff in charge of citizens' affairs (approval of permanent residence and temporary residence of citizens);
- 8) initiate field control of voters carried out by the ministry in charge of internal affairs, based on the analysis of the Voter Register;
- 9) initiate the rectification of irregularities identified in the Voter Register;
- 10) initiate the proceedings to determine responsibility if, in the process of establishing facts about the management and accuracy of the Voter Register, it finds grounds to suspect that a violation of the law has occurred, by reporting the violation of the law to competent authorities;
- 11) gather data from competent authorities on statistical trends in the Voter Register, permanent residence, temporary residence, passivation and other relevant data related to the Voter Register;
- 12) prepare periodic reports on the status of the Voter Register;
- 13) initiate a voter education campaign on updating the Voter Register in cooperation with public media services and the ministry in charge of public administration affairs;
- 14) initiate the cooperation of relevant institutions for the purpose of efficiently implementing measures to improve the integrity of the Voter Register;
- 15) conduct other analyses necessary to establish the degree of integrity of the Voter Register updating process;
- 16) analyse and compare other records relevant to keeping the Voter Register;
- 17) analyse the actions and powers of the staff keeping the Voter Register, as well as the training they undergo;
- 18) analyse the equipment (software and hardware) at the level of specifications and the security of the equipment used by the staff to keep other records relevant to keeping the Voter Register;
- 19) analyse the security of databases based on technical descriptions (premises, servers) and other records relevant to keeping the Voter Register;
- 20) analyse the legal framework governing the manner of keeping the Voter Register and other records relevant to keeping the Voter Register;
- 21) analyse data kept by the state authority in charge of statistics and by other public authorities in charge of statistics and compare them to the data in other records relevant to keeping the Voter Register, as well as to the data in the Voter Register.

All state authorities, authorities of territorial autonomy and local self-government units shall provide to the Republic Electoral Commission, upon its request, all data and information relevant to keeping the Voter Register and making changes to the Voter Register, which are related to determining the accuracy of entries or changes made to the Voter Register.

For the purpose of conducting the revision of the Voter Register, the Republic Electoral Commission may engage professionals that have acquired higher education in mathematical, demographic, information or economic sciences or social and statistical and other related scientific fields.

The revision procedure for the Voter Register shall be regulated in detail by an act that shall be passed by the Republic Electoral Commission.

Article 22c

The Republic Electoral Commission shall submit a report on the revision of the Voter Register to the National Assembly.

The revision report may also contain draft recommendations for the improvement of the manner in which the Voter Register is kept and updated.

The revision report shall be considered by competent National Assembly's committees, within 30 days following the day of its submission to the National Assembly.

Upon considering the Voter Register Revision Report, the competent committees of the National Assembly shall set out, in line with draft recommendations of the Republic Electoral Commission, recommendations for improving the manner of keeping and updating of the Voter Register and submit them to competent authorities and organisations, as well as to the Republic Electoral Commission.

Competent authorities and organisations shall act upon the recommendations referred to in paragraph 4 of this Article within 120 days following the date of receipt and shall submit a report thereon to the competent committee and to the Republic Electoral Commission.

Competent committees shall monitor the implementation of their recommendations referred to in paragraph 4 of this Article and submit a report on their implementation to the National Assembly and to the Republic Electoral Commission.”.

Article 5

After Chapter VI, Chapter VIa and Article 24a shall be added, worded as follows:

VIa PERSONAL DATA PROTECTION

Article 24a

All persons who are entitled to access personal data in the Voter Register on any grounds provided for in this Law shall handle that data in accordance with the law regulating the protection of personal data and solely for the purpose of exercising the powers entrusted to them by this Law.

Personal voter data accessed in the Voter Register must not be used for political purposes, to conduct election campaigns or otherwise misused.”.

Article 6

For the purpose of conducting the first revision and determining the factual situation regarding the management, keeping and accuracy of the Voter Register, controlling the accuracy and

the process of updating the Voter Register and contributing to increasing the transparency and trust of citizens in the Voter Register, a temporary Commission for revising, verifying and controlling the accuracy and updating of the Voter Register (hereinafter: the Commission) shall be established.

Article 7

The Commission's task shall be to revise the Voter Register within nine months following the appointment of Commission members, and to submit, within 30 days following the completion of the revision, a Voter Register Revision Report to the National Assembly.

The Voter Register Revision Report shall contain draft recommendations for improving the accuracy and the process of updating of the Voter Register.

Article 8

When performing the tasks referred to in Article 7 of this Law, the Commission shall exercise the powers of the Republic Electoral Commission laid down in this Law for the purpose of revising the Voter Register.

All state authorities, authorities of territorial autonomy and local self-government units shall provide to the Commission, upon its request, all data and information relevant to keeping the Voter Register and making changes to the Voter Register, which is related to determining the accuracy of entries or changes made to the Voter Register.

Article 9

The Commission's Voter Register Revision Report containing draft recommendations shall be considered by the competent committees of the National Assembly within 30 days following the day of its submission to the National Assembly.

The Commission shall be invited to the sitting of the competent committee where the Voter Register Revision Report is considered and the Commission's members shall have the right to participate in the work of the Committee when considering this Report.

Upon considering the Voter Register Revision Report, the competent committees of the National Assembly shall, in line with the Commission's draft recommendations, set out recommendations for improving the accuracy and updating of the Voter Register and submit them to the competent authorities and organisations, as well as to the Commission.

Competent authorities and organisations shall act upon the recommendations referred to in paragraph 3 of this Article within 120 days following the date of receipt and shall submit a report thereon to the competent committee and to the Commission.

Competent committees shall monitor the implementation of their recommendations referred to in paragraph 3 of this Article and submit a report on their implementation to the National Assembly.

Article 10

Following the submission of the Voter Register Revision Report, the Commission shall control the accuracy and updating of the Voter Register and the implementation of recommendations

made by National Assembly's competent committees, and submit periodic reports thereon to the National Assembly.

The Commission shall carry out the control referred to in paragraph 1 of this Article until the submission of National Assembly's competent committees' reports noting that all recommendations referred to in Article 9, paragraph 3 of this Law have been implemented, and the National Assembly's competent committees shall notify the Commission thereof without delay.

In carrying out the control referred to in paragraph 1 of this Article, members of the Commission shall have the right to access all the voter data in the Voter Register, except for the unique master citizen number, via a special module on the website of the ministry in charge of public administration affairs, which is accessed by logging in using a two-factor authentication.

Article 11

The Commission's term of office shall cease upon receipt of notification from the competent committees of the National Assembly that the reports referred to in Article 10, paragraph 2 of this Law have been submitted.

Article 12

The Commission shall comprise ten members and their substitutes appointed by the National Assembly.

Eight members of the Commission and their substitutes shall be nominated by parliamentary groups in the National Assembly, while two members of the Commission and their substitutes shall be nominated by associations that have been authorised by the Republic Electoral Commission to observe at least three election procedures and that have published at least three reports on the election observation findings.

Once appointed, members and substitute members of the Commission shall sign a written data confidentiality protection statement certifying that they are familiar with the obligation that when accessing personal data in carrying out the Commission's tasks they must act in accordance with the law governing personal data protection and solely for the purpose of exercising the powers entrusted to them by this Law.

The form of the statement referred to in paragraph 3 of this Article shall be prescribed by the Secretary General of the National Assembly.

Article 13

A person may be nominated as a member or a substitute member of the Commission only if:

1) He/she is a citizen of the Republic of Serbia and has permanent residence in the territory of the Republic of Serbia;

2) He/she has acquired higher education in legal, mathematical, demographic, information or economic sciences or social and statistical and other related scientific fields and has at least five years of work experience in the profession.

A person who is a Member of Parliament or who is employed, elected, appointed or assigned by the ministry in charge of public administration or the ministry in charge of internal affairs may not be nominated or appointed as a member or substitute member of the Commission.

Article 14

Five largest parliamentary groups in the National Assembly that are part of the parliamentary majority shall each nominate one member and one substitute member to the Commission.

Three largest opposition parliamentary groups in the National Assembly (parliamentary groups that are not part of the parliamentary majority) shall each nominate one member and one substitute member to the Commission.

Associations, by mutual agreement, shall nominate two members and two substitute members to the Commission.

Article 15

Nominations of candidates for members and substitute members to the Commission shall be submitted to the National Assembly's committee in charge of public administration (hereinafter: the competent committee) within 15 days following the date of entry into force of this Law.

The candidate's nomination shall contain:

- 1) candidate's name and surname;
- 2) candidate's date and place of birth;
- 3) candidate's residential address, telephone number and e-mail address;
- 4) candidate's data on educational background;
- 5) candidate's data on work experience.

The candidate's nomination shall be accompanied by:

1) candidate's written consent to accept the nomination for a member of the Commission, which shall contain his/her name, surname and the unique master citizen number and a candidate's statement that there are no obstacles for the appointment to the Commission referred to in Article 13, paragraph 2 of this Law;

- 2) a document on a read ID card with a microcontroller (chip), or a photocopy of the candidate's ID card without a microcontroller;
- 3) proof of higher education qualifications;
- 4) proof of work experience in the profession.

Along with the candidate's nomination, the associations shall also submit proof of fulfilment of the requirements referred to in Article 12, paragraph 2 of this Law.

Article 16

The competent committee shall, within seven days following the expiry of the deadline for nominating members and substitute members to the Commission, consider the submitted nominations and examine whether the nominations have been submitted by authorized nominators

and whether the candidates for members and substitute members of the Commission meet the conditions for the appointment to the Commission.

The competent committee shall not take into consideration the nominations that have not been submitted by authorized nominators within the meaning of Articles 12 and 14 of this Law, and it shall inform the concerned nominators thereon in writing.

If a parliamentary group that is an authorized nominator does not submit a nomination of candidates for member and substitute member of the Commission, the competent committee shall address in writing the next parliamentary group that, according to its size, would have the right to nominate a member to the Commission, with a request for that parliamentary group to submit a nomination of candidates for member and substitute member of the Commission within seven days following the date of receiving the request.

If the competent committee establishes that one of the nominated candidates for member or substitute member of the Commission does not meet the requirements for membership to the Commission, it shall send a request to the authorised nominator who nominated that candidate to submit a new candidate nomination within seven days following the date of receiving the request.

Article 17

The competent committee shall make a list of ten candidates for members and ten candidates for substitute members of the Commission (hereinafter: List of Candidates), and submit it to the National Assembly for consideration and approval.

Speaker of the National Assembly shall include the List of Candidates in the Draft Agenda of the first following session of the National Assembly.

The National Assembly shall vote on the List of Candidates in its entirety.

If the List of Candidates does not receive the required majority of votes, the procedure for nominating members and substitute members to the Commission shall be repeated within 15 days following the end of the National Assembly's session at which the vote on the List of Candidates took place.

Article 18

The term of office of a member and substitute member of the Commission shall end by force of law, and the National Assembly shall *ex officio* end one's term of office:

- 1) in case of death;
- 2) if he/she is disfranchised;
- 3) if he/she has been sentenced to incarceration of at least 6 months, by a final court decision;
- 4) if he/she has been deprived of his/her legal capacity;
- 5) if he/she gets elected as Member of Parliament;

The National Assembly shall dismiss a member or substitute member of the Commission:

- 1) if he/she resigns;
- 2) if it is subsequently established that he/she does not meet the conditions for membership to the Commission prescribed by this Law;

3) if he/she fails or refuses to carry out the duties of a member or substitute member of the Commission for a period of at least one month continuously, without a valid reason.

A member or a substitute member of the Commission shall submit their resignation in writing to the Speaker of the National Assembly, and the resigning person's signature must be certified in accordance with the law regulating the certification of signatures.

Article 19

The new member or substitute member of the Commission shall be nominated by the authorized nominator who nominated the member or substitute member of the Commission whose term of office has ended by force of law, or who has been discharged from duty, within 15 days following the date of termination of their term of office by force of law, or the date of their dismissal from the Commission.

The National Assembly shall appoint a new member or substitute member to the Commission within 45 days following the date of termination of the Commission member's or substitute member's term of office by force of law, or the date of their dismissal from the Commission.

Provisions of Articles 15 - 17 of this Law shall apply to the procedure for appointing a new member or substitute member to the Commission, accordingly.

Article 20

The Commission shall decide by a two-thirds majority vote of all Commission members and a decision shall be deemed adopted if at least one Commission member nominated by parliamentary groups that are part of the parliamentary majority, one Commission member nominated by opposition parliamentary groups, and one member nominated by associations, vote in favour.

A substitute member of the Commission shall replace a Commission member in case of his/her absence, termination of office by force of law or his/her dismissal, until the election of a new Commission member.

A substitute member of the Commission shall have the right to vote in the absence of the Commission member he/she is replacing.

A substitute member of the Commission shall have the same rights and duties as the Commission member he/she is replacing.

Article 21

The first session of the Commission shall be convened by the Speaker of the National Assembly.

At its first session, the Commission shall:

1) elect three Commission members, one of whom has been nominated by the parliamentary groups that are part of the parliamentary majority, one nominated by the opposition parliamentary groups and one nominated by associations, who shall alternate every three months in the position of the Commission President, and the first President shall be the member nominated by associations;

2) adopt the Rules of Procedure regulating the organization and manner of work in more detail;

3) adopt the Commission's Work Plan.

Article 22

The President of the Commission shall convene the Commission's sessions, chair the sessions, ensure order at the sessions as well as the implementation of the Commission's Work Plan, and sign acts passed by the Commission.

In case of absence or inability of the President of the Commission to chair a session of the Commission, the session shall be chaired by the substitute member of the Commission who has been nominated by the same authorized nominator as the President of the Commission.

Article 23

The following shall participate in the work of the Commission, without decision-making rights:

- 1) three representatives of the ministry in charge of public administration affairs;
- 2) one representative of the ministry in charge of internal affairs;
- 3) one representative of the Commissioner for Information of Public Importance and Personal Data Protection.

The authorities referred to in paragraph 1 of this Article shall appoint their representatives within 15 days following the date of receiving the Commission's written request.

The following may also participate in the work of the Commission, without decision-making rights, at the invitation of the Commission:

- 1) representatives of international organizations and experts with the expertise in the field from the Commission's scope of work;
- 2) civil servants with an expertise in the field from the Commission's scope work, employed with public administration authorities and the authorities of autonomous provinces, or authorities of local self-government units, assigned by the head of the authority that employs these persons.

Invited persons referred to in paragraph 3 of this Article shall make available to the Commission all the information necessary for reaching the Commission's goals and carrying out Commission's tasks prescribed by this Law.

Members and substitute members of the Republic Electoral Commission shall have the right to submit complaints to the Commission about the Voter Register's accuracy and whether it is up-to-date, in line with its right to access the Voter Register.

When the Commission considers complaints submitted to it by a member or substitute member of the Republic Electoral Commission in compliance with paragraph 5 of this Article, the member or substitute member of the Republic Electoral Commission who submitted the complaints shall be invited to this sitting of the Commission.

Article 24

The work of the Commission shall be public.

Publicity of the Commission's work shall be ensured by publishing the following on National Assembly's website: convocations of Commission sessions, reports submitted by the Commission to the National Assembly, Work Plan, minutes of Commission sessions and other information from the Commission's scope of work relevant to the public.

Article 25

The conditions for the work of the Commission shall be provided by the National Assembly.

Funds for the work of the Commission shall be provided from the budget of the Republic of Serbia.

Members of the Commission shall be entitled to monthly remuneration for their work in the Commission, in the amount of one and a half average wage paid in the Republic of Serbia net of taxes and contributions, in accordance with the latest data published by the authority in charge of statistics.

Members of the Commission shall be entitled to reimbursement of expenses incurred in connection with their work in the Commission in accordance with the Decree on Cost Reimbursement and Severance Pay for Civil Servants and Support Staff (Official Gazette of the RS, no. 98/07 - consolidated text, 84/14, 84/15, 74/21 and 119/23), and in accordance with the Decree on compensation and other incomes of elected and appointed persons in public authorities (Official Gazette of the RS, no. 44/08 - consolidated text and 78/12).

Administrative and technical tasks for the needs of the Commission shall be carried out by the employees in the National Assembly Service designated by the Secretary General of the National Assembly.

Article 26

The Ministry in charge of internal affairs shall submit to the Ministry in charge of public administration affairs the data necessary for implementing Article 2 of this Law, within six months following the date of entry into force of this Law.

Article 27

The Minister in charge of internal affairs shall align the regulations envisaged for implementation of the Law on the Unified Voter Register with the provisions of this Law within six months following the date of entry into force of this Law.

The Minister in charge of public administration affairs shall lay down the form of the statement referred to in Article 3 of this Law within 30 days following the date of entry into force of this Law.

Article 28

This Law shall enter into force on the eighth day following the date of its publication in the 'Official Gazette of the Republic of Serbia', except for the Articles 1 and 2 that shall apply one

year following the date of entry into force of this Law, and Article 4 that shall apply upon termination of the Commission's term of office.