

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

SERBIA

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Based on 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 of voter lists. Spanning November 2024 to July 2025, ODIHR issued three Opinions and two sets of informal comments on several versions of the Draft Law on Amendments to the Law on the Unified Voter Register (LUVR), including assessments of to what extent the drafts addressed ODIHR recommendations put forward in its earlier informal comments and Opinions.

ODIHR's previous Opinions noted a gradual improvement in the proposed amendments, but identified a number of remaining issues to be addressed to bring the Draft Law further in line with international standards, OSCE Commitments, and good practice. Its July 2025 Opinion reiterated recommendations related to, among others, composition and powers of the proposed auditing commission, revising the proposed nomination procedure for members of the auditing commission, expanding personal data protection provisions in connection with the access to and scrutiny of voter registration data and enhancing transparency of the auditing process for accredited observers. The updated provisions also raised new concerns that prompted a range of other recommendations. Lastly, ODIHR reiterated its previous recommendation to subject the proposed amendments to the LUVR to inclusive, extensive, and effective consultations, including with civil society.

On 28 July 2025, the Chairperson of the Constitutional and Legislative Issues Committee of the National Assembly requested a new review of another updated version of the Draft Law. While members of the ruling party referred to comprehensive consultations on the Draft Law, other stakeholders criticized the process for lacking transparency and inclusiveness. ODIHR notes that the process undertaken for updating the Draft Law has not addressed the law-making procedural deficiencies identified in its earlier Opinions and lacked inclusive efforts to build a broad political consensus as it previously recommended. Further, the original parliamentary working group was not re-established to continue its work. The current Draft Law fully or partially addresses some of ODIHR's previous recommendations, leaves others issues pending, and has prompted several new recommendations based on the updated text.

Positive updates included in the current Draft Law in line with previous ODIHR recommendations include, among others, enhanced transparency of the voter register; introduction of a revised deadlock mechanism for nominating civil society representatives to the proposed auditing body; precluding voter register audits within six months of a scheduled election date; clarification of the responsibility for addressing irregularities in the voter register identified by the proposed auditing body; granting the proposed auditing body the power to make final and implementable recommendations with sole responsibility for monitoring; requiring the proposed auditing body to establish and utilize a website to ensure transparency of its operations; as well as adjustments to various deadlines and timelines in the auditing process. From a technical perspective, the inclusion of titles of the proposed provisions in the current Draft Law enhances its clarity and coherence.

At the same time, ODIHR notes that various recommendations put forward or reiterated in its July 2025 Opinion have been left unaddressed or only partially addressed. These include, among others, on the composition of the proposed auditing commission, on harmonizing and expanding provisions for nomination of parliamentary group representatives to the auditing body, expanding

personal data protection provisions in connection with the access to and scrutiny of voter registration data, and on enhancing the transparency of the auditing process for accredited observers. In addition, some of the latest changes to the draft have raised new concerns prompting additional recommendations. A number of recommendations call for clarifications to the proposed text. 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.

Lastly, ODIHR reiterates its previous recommendations to subject the proposed amendments to the LUVR to inclusive, extensive, and effective consultations between the government, opposition, and civil society, including prior to reaching agreement on the final composition of the Audit Commission to be proposed in the Draft Law.

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 consider reducing the *de facto* six-month residency requirement for voting in a new electoral district in national elections [par. 12];
- B. To require the Ministry in charge of public administration to report to the Audit Commission on its rectification of the informed irregularities [par. 21];
- C. To oblige the Audit Commission to specifically address each of its final recommendations to the relevant authority and/or organization [par. 23];
- D. To establish a deadline for the Audit Commission to hold the session at which the reports on the implementation of the recommendations will be considered [par. 24];
- E. To oblige the Audit Commission to submit a final report to the National Assembly after completion of the monitoring of the implementation of recommendations following each audit process [par. 25];
- F. Reiterating the recommendation on having a more balanced composition of the audit commission to ensure the Audit Commission is able to function it is recommended to lower the proposed 80 per cent majority threshold for adopting decisions of the Audit Commission [par. 26];

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. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) issued three previous Opinions and two sets of informal comments on several versions of the Draft Law on Amendments to the Law on the Unified Voter Register (LUVR), spanning from November 2024 to July 2025, including assessments of how the drafts addressed ODIHR recommendations put forward in its earlier informal comments and Opinions.¹ 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 of the voter lists. The proposed changes to the LUVR introduced through the various drafts reviewed by ODIHR in 2024 and 2025 relate to the public display of and access to the UVR and publication of information concerning the UVR, introduce new articles on personal data protection, and establish a process for auditing of the UVR.
2. Shortly after submission of ODIHR's July 2025 Opinion², the Committee on Constitutional and Legislative Issues of the National Assembly held a public hearing on a new version of the Draft Law submitted on 14 July by a Member of Parliament Mr. Uglješa Mrdić and offered an opportunity to submit written comments from 19 to 25 July. While members of the ruling party stated a comprehensive consultation process on the Draft Law has been provided for, some other stakeholders have criticized the process as lacking transparency and inclusiveness and noted that the current Draft Law of 28 July has not been made available to the public. ODIHR notes that the process undertaken for updating the Draft Law has not addressed the law-making procedural deficiencies identified in its earlier Opinions and lacked inclusive efforts to build a broad political consensus as it previously recommended.³ Further, the original parliamentary working group was not re-established to continue its work.
3. Mr. Mrdić submitted a new further updated Draft Law to the Committee on Constitutional and Legislative Issues of the National Assembly which ODIHR was informed was based on stakeholders' submitted comments on the version of the Draft Law reviewed in July, as well as comments presented in ODIHR's July Opinion.⁴ On 28 July 2025, the Chairperson of the Committee sent to ODIHR another request for a legal review of the new further updated Draft Law on Amendments to the LUVR ("current Draft Law"). In turn, this Opinion assesses the extent to which the current Draft Law addresses the recommendations put forward in ODIHR's July 2025 Opinion (some of which are reiterated from its earlier Opinions), reiterates those recommendations which remain unaddressed, and puts forward some new recommendations related to the latest proposed changes. From a technical perspective, it is noted that the clarity and coherence of the Draft Law has been enhanced by the inclusion of titles to the proposed provisions.
4. ODIHR's Opinions on earlier versions of the Draft Law noted a gradual improvement in the proposed amendments bringing the draft further in line with the aim of previous ODIHR recommendations presented in its election observation reports with regard to the transparency and accuracy of the UVR. However, ODIHR identified a number of remaining issues to be

¹ The Opinions were issued on 28 March 2025, 2 June 2025, and 10 July 2025.

² See ODIHR [Opinion](#) on the Further Updated Draft Law on the Amendments to the Law on the Unified Voter Register.

³ Public hearings, initiated by the parliament as of 27 January 2025, faced procedural criticisms and led to the withdrawal of opposition parties and civil society representatives from the Working Group.

⁴ The following entities submitted comments: Commissioner for Information of Public Importance and Personal Data Protection, an individual Member of Parliament/member of the Working Group, two members of the Republic Electoral Commission, and the non-governmental organization CeSID.

addressed, and offered recommendations to bring the draft provisions further in line with international standards, OSCE Commitments, and good practice. In its July 2025 Opinion, ODIHR welcomed that the Draft Law reviewed at that time addressed its recommendation put forward in its earlier Opinions to grant responsibility for conducting periodic audits of the UVR every two years to a proposed independent audit commission whose members will serve five-year terms with the first audit to be conducted and finalized within nine months of the appointment of its members. Several other recommendations presented or reiterated in ODIHR's earlier Opinions were also addressed in that draft and, from a technical perspective, it offered improved clarity and coherence over earlier drafts.

5. At the same time, ODIHR noted in its July 2025 Opinion that various recommendations put forward or reiterated in its June 2025 Opinion had been left unaddressed or only partially addressed. These included, among others, on the composition and powers of the proposed auditing commission, on revising the proposed nomination procedure for members of the auditing commission, expanding personal data protection provisions in connection with the access to and scrutiny of voter registration data, and on enhancing the transparency of the auditing process for accredited observers. In addition, some of the changes proposed in that version of the Draft Law raised new concerns that prompted a range of other recommendations aimed at improving the Draft. In all its Opinion, ODIHR encouraged 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. Lastly, ODIHR reiterated its previous recommendation to subject the proposed amendments to the LUVR to inclusive, extensive, and effective consultations, including with civil society.
6. ODIHR conducted this assessment of the current 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.⁵

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 issued in previous ODIHR election observation reports and legal opinions and informal legal comments. In this connection, it must be stressed that the pending ODIHR recommendations remain valid.⁶
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 current 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. Moreover, in accordance with the Convention on the Elimination of All Forms of Discrimination against

⁵ In paragraph 25 of the 1999 Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations".

⁶ See all previous ODIHR election-related [reports](#) on Serbia.

Women⁷ (hereinafter “CEDAW”) and the 2004 OSCE Action Plan for the Promotion of Gender Equality⁸ 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.

III. UNADDRESSED JULY 2025 RECOMMENDATIONS

11. **The following is a list of recommendations put forward in ODIHR’s July 2025 Opinion, some reiterated from its earlier March and June 2025 Opinions, which have not been addressed in any way by the current Draft Law (in the order in which they appear in the Opinion):**

- ❖ To clarify that accredited observers in all three types of elections are entitled to access all voter data in the voter register and to provide accredited observers in all three types of elections with the right to attend all sessions of the Audit Commission at any time (paras. 14 and 43 of the Opinion);
- ❖ To expand 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 to enable a greater understanding of the rights and obligations of different actors accessing and scrutinizing voter registration data (para. 15 of the Opinion);
- ❖ To include in the provision establishing the scope of the voter register audits, the auditing of public communication and voter education around the voter registration process (para. 20 of the Opinion);
- ❖ To explicitly limit the data accessible to the Audit Commission, as provided to it by the public authorities, to that relevant to the conduct of the audit and to fulfilling its mandate (para. 21 of the Opinion);
- ❖ To establish the authority of each newly-composed Audit Commission to amend the existing regulations that govern the auditing process (para. 22 of the Opinion);
- ❖ To engage in inclusive consultations between the government, opposition, and civil society prior to reaching agreement on the final composition of the Audit Commission to be proposed in the Draft Law, taking into account that greater impartiality and balance would be ensured if the composition had a similar number of experts nominated by the

⁷ 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.

⁸ See [OSCE Action Plan for the Promotion of Gender Equality](#), adopted by Decision No. 14/04, MC.DEC/14/04 (2004), par 32.

government and opposition and that an increased number of civil society nominees would enhance public trust in the work of the commission and the actual and perceived independence of the audits (para. 24 of the Opinion);

- ❖ To harmonize the rules applicable to nominations to the Audit Commission by the parliamentary majority and opposition groups and provide for mutual agreements and appropriate deadlock mechanisms, if applicable, and otherwise ensure that the process for their nominations is fully regulated taking into account all possible scenarios (para. 26 of the Opinion);
- ❖ To revise the manner in which civil society organizations eligible to nominate a member to the Audit Commission are notified of the opening of the nomination process (para. 29 of the Opinion);
- ❖ To oblige the Audit Commission to engage a combination of professionals necessary to effectively conduct the periodic audits (para. 30 of the Opinion);
- ❖ To establish expedited deadlines for the parliamentary vote on the first composition of the Audit Commission and for the vote on any nominees replacing terminated or dismissed members (para. 33 of the Opinion);
- ❖ To grant members of the Audit Commission the right to access the voter data in the voter register during its monitoring of the implementation of its recommendations and until all of the recommendations have been fully addressed (para. 40 of the Opinion);
- ❖ To stipulate clearly the funding mechanism for the Audit Commission and ensure that sufficient funds are available on time to complete its work in accordance with the law (para. 42 of the Opinion);
- ❖ To shorten the six-month deadline from the date of entry into force of the Law for the Ministry in charge of internal affairs to submit to the Ministry in charge of public administration affairs the data necessary for carrying out the tasks in Article 2 of the Draft Law and to shorten the one-year gap for the start of the applicability of Article 2 (para. 44 of the Opinion.);
- ❖ To shorten the six-month deadline following the date of entry into force of the Law for the Minister in charge of internal affairs to align the regulations for implementation of the LUVR with the provisions of the Law (para. 44 of the Opinion).

IV. LEGAL ANALYSIS AND RECOMMENDATIONS

1. DRAFT PROVISIONS RELATED TO KEEPING AND PUBLICIZING UVR

12. Article 1 of the current Draft Law includes a newly-proposed second paragraph in Article 4 of the LUVR, as follows: “*After the decision to call elections has been made, a voter already registered in the voter register who registers permanent residence in another local self-government unit or in another city municipality, shall be entered by the municipal or city administration competent for the area of the new place of residence into the part of the voter register corresponding to the new place of residence, provided that by election day, at the latest, a period of no less than six months has elapsed since the date of registration of the*

permanent residence in that local self-government unit or city municipality.” Although not framed as a voter eligibility requirement, this provision essentially requires a minimum six-month residence in a local self-government unit or municipality for a person to vote in elections for the respective electoral district. For local and regional elections, this requirement is consistent with international good practice which allows for a length of residence requirement to be imposed provided that the requisite period of residence does not exceed six months. This requirement can prevent changes in registration for the sole purpose of voting in a specific ‘electoral district’, so-called ‘voter tourism’ and in the Serbian context would increase public trust in the integrity of the voter register.⁹ However, for national elections, a six-month residency period in a new electoral district may be considered overly restrictive considering voters may have a genuine interest in voting in their new place of residence and taking into account that international good practice does not provide for any length of residence requirement for citizens to vote in national elections.¹⁰

RECOMMENDATION A

It is recommended to consider reducing the de facto six-month residency requirement for voting in a new electoral district in national elections.

13. Article 2 of the current Draft Law includes a newly-proposed fourth paragraph in Article 14 of the LUVR, as follows: *“The day following the calling of elections, the municipal or city administration in charge of updating the voter register within the territory of the local self-government unit shall display the relevant part of the Voter Register for that territory for public scrutiny. The display shall be announced through public media outlets and, if necessary, by other appropriate means. The citizens shall be informed that they may, until the closure of the voter register, request from the municipal or city administration the issuance of decisions that serve as the basis for changes made to the voter register.”*¹¹ Complementing an already-existing draft provision that proposes web-based access to the voter register, the above-noted provision further enhances transparency of the voter register by providing for physical display of the voter lists. This is in line with previous ODIHR recommendations to enable access to voter registration data in order to address concerns over the accuracy of voter lists and increase public confidence.¹² From a technical perspective, the order of the paragraphs in this Article can be improved.¹³
14. Addressing a July 2025 recommendation related to gender neutrality, references in Article 2 of the Draft Law (Article 14 of the LUVR) and Article 4 of the Draft Law (Article 22k of the LUVR) to the “name of the father” of the voter being included in the voter register were changed to “name of one parent” and “name of the parent”, respectively.

⁹ See sections I.1.c(iii) and (iv) of the Venice Commission [Code of Good Practice in Electoral Matters](#), which also provides that a period of longer than six months may be required to protect national minorities.

¹⁰ See section I.1.c(iii) of the Venice Commission [Code of Good Practice in Electoral Matters](#).

¹¹ The provision further provides in a proposed fifth paragraph that *“the manner in which the part of the voter register maintained for the territory of a local self-government unit is displayed for public scrutiny shall be more closely regulated by the minister in charge of public administration affairs.”*

¹² For instance, see ODIHR’s election observation reports from the [2023 early parliamentary elections](#) and [2024 local elections](#).

¹³ It is noted that a proposed provision was moved from Article 1 of the previous version of the Draft Law to Article 2 of the current Draft Law, placed at the end of the new paragraph 4. Due to that provision’s distinct subject matter, it is recommended it be a stand-alone last paragraph.

2. DRAFT PROVISIONS RELATED TO AUDITING OF UVR

15. Article 4 of the current Draft Law, in proposed Article 22b of the LUVR on the composition of the Audit Commission, includes a new reference to the Commission being “an autonomous and independent body.” This is a welcome addition to the provision, explicitly guaranteeing the independent nature of the auditing body.
16. ODIHR’s July 2025 Opinion recommended to revisit the proposed deadlock mechanism for the nomination of the two civil society members to the Audit Commission. The current Draft Law changes the deadlock mechanism under Article 4, introduced into Articles 22c (third paragraph) and 22f (fourth and fifth paragraphs) of the LUVR, which regulate the nomination of the two civil society members of the Audit Commission. Consistent with ODIHR’s suggestion, each eligible and interested association may submit a nomination of one member, rather than two nominations. Under Article 22f (fourth paragraph), if only one association submits a nominee, that association will be invited by the competent parliamentary committee to nominate one additional nominee. Having one association nominate both members is not ideal as it potentially limits the diversity of the Commission’s composition. ***It is thus recommended to draft an alternate solution or additional measures that will reduce the risk that the two civil society members are nominated by the same association.*** For instance, if only one association submits a nominee, the competent parliamentary committee could be obliged to take certain defined measures to encourage other eligible associations to put forward nominees before resorting to having the one organization nominate a second person.
17. Further, Article 22f (fifth paragraph) provides that if more than two associations submit timely nominations, the final two nominees will be determined by a vote of those associations, at a meeting organized by the secretariat of the competent parliamentary committee. This proposed deadlock mechanism is consistent with a July 2025 ODIHR suggestion that the final selection of the two nominees in these circumstances could be put to a consolidated vote of the members of all nominating organizations. The paragraph could introduce additional clarity by explicitly saying that each organization would have one vote in such cases. Further, the provision does not establish the voting system, e.g. voters each cast two votes for two nominees by secret ballot or define the voting threshold for the final two nominees, e.g. the two candidates who receive the most votes, nor does it include a tie-breaker rule. ***It is thus recommended to revise the deadlock mechanism in line with the above-noted concerns and to require the competent parliamentary committee to adopt a regulation governing such vote.***
18. The last paragraph of the proposed Article 22c of the LUVR on the competence for nominating members of the Audit Commission was clarified in line with a July 2025 recommendation to explicitly provide that the second largest opposition parliamentary group will nominate one nominee to the Audit Commission in case that there are only two opposition parliamentary groups at the time of the nomination process.
19. Revisions to the last paragraph of the proposed Article 22d of the LUVR on the requirements for appointment to the Audit Commission expand on who is not eligible to be a member of the Audit Commission. Specifically, the changes propose to disqualify members and substitute members of the Republic Electoral Commission, employees and officials of a municipal or city administrative body, and persons who have been convicted by a final judgement of a criminal offence and sentenced to a term of imprisonment of at least six months. The latter disqualification brings the paragraph in line with the earlier proposed Article 22i which provides that the National Assembly shall *ex officio* terminate a member’s term of office if, among others, they have been sentenced to a period of incarceration of at least six months, by a final court decision. The other newly proposed disqualifications noted

above essentially round out the list of those who may be considered to have a conflict of interest. These additions are consistent with the aim of a July 2025 recommendation advising to incorporate a reference to any applicable conflict of interest laws with regard to eligibility to be appointed to, or remain a member of, the Audit Commission. ***However, it remains advisable to make explicit reference to the applicability of conflict-of-interest laws in the appointment process.***

20. ODIHR's July 2025 Opinion recommended to consider providing in the Draft Law that if the two-year mark for completing an audit of the voter register falls within a scheduled election year, the audit should be finalized at least six months before the election date. Proposed Article 22l of the LUVR, in the first paragraph, addresses this recommendation as concerns regular parliamentary elections, providing that "the Commission shall conduct an audit of the voter register every two years and no later than six months before the deadline for calling regular elections for Members of Parliament." The above-noted recommendation did not differentiate between the different types of elections.¹⁴
21. ODIHR's July 2025 Opinion recommended to clarify how corrections and updates are to be made following the Audit Commission's findings, in order to avoid confusion over roles and division of responsibilities. It also recommended to define the responsibility for on-the-ground investigations of suspected technical irregularities in the voter register identified during the auditing process. In proposed Article 22k of the LUVR on the Audit Commission's powers, the current Draft Law clarifies (point 9) that the Commission is to "initiate with the ministry in charge of public administration the rectification of irregularities identified in the voter register." This clarification partially addresses the above-noted recommendation by identifying the responsible body for carrying out the rectifications, but does not elaborate on the rectification process or define the responsibility for on-the-ground investigations of suspected technical irregularities. ***These recommendations are reiterated.***

RECOMMENDATION B

It is recommended to require the Ministry in charge of public administration to report to the Audit Commission on its rectification of the informed irregularities.

22. This can serve to bolster public trust in the voter register, especially as civil society organizations have objected to the ministry having such responsibility. This type of reporting obligation can be similar to the Draft Law's requirement for the relevant authorities and organizations to report to the Audit Commission within 120 days on their implementation of the Commission's recommendations.
23. The July 2025 Opinion recommended that the Audit Commission's reports include final and implementable recommendations, rather than having a parliamentary committee define the final recommendations as previously proposed under the Draft Law. It further recommended that the Commission be granted sole responsibility for monitoring the implementation of its recommendations and to include a reporting obligation to the Parliament, instead of overlapping monitoring with the legislative body as had been proposed. Positively, the current Draft Law largely addresses these recommendations. Specifically, draft Articles 22l and 22m

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Corrections to the voter register by the Ministry in charge of public administration based on irregularities identified by the Audit Commission and notified to the Ministry under the proposed Article 22k point 9 could be addressed during an electoral period.

provide that the Commission “shall make reports containing recommendations for the improvement of the manner in which the voter register is maintained and updated” and “shall submit the Audit Report to the competent authorities and organizations to which the recommendations for improving the maintenance and updating of the voter register pertain, as well as to the National Assembly for the purpose of information.” Further, “the competent authorities and organizations shall act upon the recommendations contained in the Audit Reports within 120 days following the date of receipt of the Audit Report and to submit a report thereon to the Commission.”

RECOMMENDATION C

It is recommended to oblige the Audit Commission to specifically address each of its final recommendations to the relevant authority and/or organization.

24. The above-noted proposed provisions further provide that “the Commission shall monitor the implementation of the recommendations and shall consider the reports on the actions taken pursuant to the recommendations, submitted to it by the competent authorities and organizations. A representative of the competent authority or organization to which the recommendations pertain shall attend the sitting of the Commission at which the implementation of the recommendations is considered.”

RECOMMENDATION D

It is recommended to establish a deadline for the Audit Commission to hold the session at which the reports on the implementation of the recommendations will be considered.

25. The above-noted proposed provisions provide that “the Commission may submit special reports to the National Assembly concerning the implementation of the recommendations” [emphasis added]. As noted above, ODIHR had recommended that the Audit Commission should be obliged to report to the National Assembly on the implementation of the Commission’s recommendations, similar to other independent institutions who submit final or annual reports to national parliaments on their activities, such as national election commissions that report to parliament on the implementation of an election. This type of final report can serve to inform the parliament about any authorities or organizations that have failed to implement the Commission’s recommendations, which may prompt parliamentary action in this respect. Such report can also serve as a platform for the Audit Commission to recommend improvements in the legislation governing the auditing process or on funding issues. ***The above-noted recommendation to provide for the Audit Commission to submit a final report to the National Assembly is thus reiterated.***

RECOMMENDATION E

It is recommended to oblige the Audit Commission to submit a final report to the National Assembly after completion of the monitoring of the implementation of recommendations following each audit process.

26. Proposed Article 22n regulates the decision-making of the Audit Commission. The previous version of the Draft Law established a two-thirds majority vote of all members of the Commission for a decision to be adopted, provided that at least one member nominated by the parliamentary majority groups, one nominated by the opposition parliamentary groups, and one nominated by the civil society organizations votes in favour of the decision. Although ODIHR had not recommended an increase in the overall voting threshold, the current Draft Law increased the proposed two-thirds majority to eight (out of ten) members, or 80 percent. While this may be intended to strengthen the value of the votes of the members from each nominating group, ODIHR reiterates that greater balance in the membership would ensure the Commission's impartiality and independence. Further, it is noted that such an increase may make it difficult for the Commission to pass any decisions, which would stifle its ability to fulfil its mandate. It is important that a balance be achieved by the established voting threshold, between ensuring that a sufficient number of members support the decision versus impeding the work of the body. It is also noted that the above-mentioned condition that at least one member from each of the three nominating groups support the decision, ensures that the decision is supported to some extent by all such groups. ***It is thus recommended to revert to the two-thirds voting threshold.***

RECOMMENDATION F

Reiterating the recommendation on having a more balanced composition of the audit commission to ensure the Audit Commission is able to function it is recommended to lower the proposed 80 per cent majority threshold for adopting decisions of the Audit Commission.

27. ODIHR's July 2025 Opinion recommended to lengthen the proposed three-month period for alternating Presidents of the Audit Commission among the representatives of the three nominating groups, and to maintain the three-month rotation period only for the first-composed Commission while it conducts the initial nine-month audit. The current Draft Law fully addresses this recommendation in proposed Article 22o, second paragraph, which proposes that the President (also referred to as Chairperson) of the Commission alternate annually, with the exception of Article 8 of the current Draft Law, which provides for a three-month rotation period for the first-composed Commission until the first nine-month audit is finalized. **However, ODIHR's further previous recommendation to provide that the alternating pattern carryover each time the Audit Commission is recomposed is reiterated.** This approach will ensure equal time for each of the three nominating groups to chair the Audit Commission over the long-term, despite that its membership will change every five years.
28. ODIHR's July 2025 Opinion reiterated an earlier recommendation to include a requirement for the Audit Commission to establish and maintain a website to publicize its work, instead of using the National Assembly's website as had been proposed in the earlier draft. This recommendation has been addressed in the current Draft Law, wherein proposed Article 22r, first paragraph, now provides for such a website. However, ODIHR's further recommendation that a reasonable deadline for the first-composed Audit Commission to set up the website, of up to 30 days, can be included in the transitional provisions of the Draft Law has not been addressed in the current Draft. ***This latter recommendation is reiterated.*** In line with another July 2025 recommendation, Article 22r has been expanded in the current Draft Law to explicitly require the publication of general acts adopted by the Audit Commission. However, the proposed provision does not oblige the Commission to promptly publish these instruments, and ***this aspect of the recommendation is reiterated.***

29. Changes in the current Draft Law adjust various deadlines in the process for nominating and appointing members of the Audit Commission and in the work of the Commission, which address many technical recommendations in the July 2025 Opinion. These are as follows:

- ❖ Deadline for submitting candidate nominations for members and substitute members of the Audit Commission to the competent parliamentary committee has been extended from 7 to 15 days (Article 22e, third paragraph)¹⁵;
- ❖ Deadline for the competent parliamentary committee to consider and examine the nominations for members of the Audit Commission has been extended from 7 to 15 days (Article 22f, first paragraph);
- ❖ Deadline for an opposition parliamentary group to nominate a candidate for member of the Audit Commission if the larger opposition group failed to submit a nomination has been extended from 7 to 15 days (Article 22f, third paragraph);
- ❖ Deadline for submission of a new candidate for member of the Audit Commission in case requirements were not fulfilled by the candidate first submitted has been extended from 7 to 15 days (Article 22f, sixth paragraph);
- ❖ Deadline for the National Assembly to vote on the List of Candidates to the Audit Commission has been shortened from 6 to 4 months following the date of submission of the List of Candidates (Article 22g, second paragraph);
- ❖ Length of time that a member of the Audit Commission can fail to attend the Commission's sessions before early termination of office is triggered was shortened from one year to 6 months (Article 22i, fourth paragraph);
- ❖ Length of time that a member of the first-composed Audit Commission can fail to attend the Commission's sessions before early termination of office is triggered was shortened from one year to 3 months (Article 9 of the Draft Law);
- ❖ Deadline for the first-composed Audit Commission to adopt regulations governing the audit procedure has been reduced from 60 to 30 days (Article 13 of the Draft Law).

30. The above-noted changes harmonize the deadlines in the current Draft Law and establish more reasonable timelines for composing the Audit Commission and implementing the auditing process. ***For clarity, it is further recommended that Article 7 of the current Draft Law - which requires the first-composed Audit Commission to carry out the first audit within nine months from the date of appointment of the Commission's members – be clarified regarding whether or not the nine months includes the 120-day period for the competent authorities and organizations to implement the recommendations.*** Further, technical changes to the wording of several provisions of the current Draft Law, such as transitional Article 6, have addressed ODIHR's recommendations related to clearly differentiating between the processes for composing the first Audit Commission versus the subsequent Audit Commissions and to clarify the applicability of provisions establishing various deadlines and timelines for the auditing process conducted by the first versus subsequent Commissions.

31. The current Draft Law includes several new provisions that do not raise any additional concerns, as follows:

- ❖ The name, surname and signature of the authorized person submitting the candidate's nomination for member of the Audit Commission must be included with the nomination (Article 22e, paragraph, fourth paragraph);

¹⁵

In addition, Article 22e now makes clear that it is the parliamentary committee responsible for administration that will conduct the nomination procedure.

- ❖ Information and proof of a candidate's higher education qualifications and professional work experience need not be submitted for any candidate who has previously been appointed to the Audit Commission (Article 22e, fifth paragraph);
- ❖ The same person may not be appointed to the Audit Commission more than twice (Article 22i, second paragraph);
- ❖ The five-year term appointment of members of the Audit Commission begins not before the expiry of five years from the appointment of the previous composition of the Commission (Article 22i, third paragraph).

32. To bring the Draft Law further in line with international standards, OSCE Commitments, and good practice, ODIHR encourages the Serbian authorities to further consider addressing the above-noted remaining recommendations, as well as those recommendations that have only been partially addressed as assessed above.

[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 4, after paragraph 1, a new paragraph 2 shall be added, worded as follows:

“After the decision to call elections has been made, a voter already registered in the voter register who registers permanent residence in another local self-government unit or in another city municipality, shall be entered by the municipal or city administration competent for the area of the new place of residence into the part of the voter register corresponding to the new place of residence, provided that by election day, at the latest, a period of no less than six months has elapsed since the date of registration of the permanent residence in that local self-government unit or city municipality.”

Article 2

In Chapter II. PROCEDURE FOR MAINTAINING THE VOTER REGISTER the title of Section 4 and Article 14 shall be amended to read as follows:

"4. "Display of the Voter Register for Public Scrutiny

Article 14

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 a local self-government unit, as well as to the 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 affairs shall also, in addition to the data referred to in paragraph 1 of this Article, publish on its website the information indicating whether the voter will vote in the upcoming elections according to their place of permanent residence or temporary residence in the country, or their place of residence abroad.

Access to the data referred to in paragraphs 1 and 2 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 person who is accessing the data on the website of the ministry in charge of public administration affairs.

The day following the calling of elections, the municipal or city administration in charge of updating the voter register within the territory of the local self-government unit shall display the relevant part of the Voter Register for that territory for public scrutiny. The display shall be announced through public media outlets and, if necessary, by other appropriate means. The citizens shall be informed that they may, until the closure of the voter register, request from the municipal or city administration the issuance of decisions that serve as the basis for changes made to the voter register. Until the voter register's closure, every seven days, the ministry in charge of public administration affairs 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 for those changes for the past seven days.

The manner in which the part of the voter register maintained for the territory of a local self-government unit is displayed for public scrutiny shall be more closely regulated by the minister 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 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.

Members and/or substitute members of the Republic Electoral Commission, through the Secretary of the Republic Electoral Commission, shall be entitled to submit complaints regarding the accuracy and up-to-dateness of the voter register to the ministry in charge of public administration affairs, which shall provide its response to the Republic Electoral Commission within 15 days following the date of receiving the complaint.

By way of derogation from paragraph 2 of this Article, during the election period, the deadline for the response of the ministry in charge of public administration affairs to the complaint submitted by a member or substitute member of the Republic Electoral Commission, as referred to in paragraph 2 of this Article, shall be five days following the date of receiving the complaint.

Following the call for elections, the right to access all voter data contained in the voter register, except for the unique master citizen number, shall also be granted to an association authorised by the Republic Electoral Commission, in compliance with the law regulating the election of Members of Parliament, to observe the elections (domestic observers), through a person it has authorised for this purpose. The access shall be provided 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 right referred to in paragraph 4 of this Article shall be also granted to the nominator of the proclaimed electoral list, in the manner in which that right is exercised by domestic observers.

The nominator of the proclaimed electoral list shall also have the right to submit a request to the competent authority for a change to the voter register, which must be accompanied by the authorisation of the voter to whom the request pertains, as well as the relevant supporting evidence.

The right referred to in paragraphs 1, 4 and 5 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 and solely for the purpose of exercising the powers entrusted to them by this Law.

The form of the statement referred to in paragraph 7 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 22s shall be added, worded as follows:

“Va VOTER REGISTER AUDIT

Definition and competences

Article 22a

Voter register audit shall be a procedure for analysing and assessing the quality, accuracy, reliability and efficiency of maintaining and updating of the voter register.

Voter register audit shall be carried out by the Commission for Auditing, Verifying and Controlling the Accuracy and Updating of the Voter Register (hereinafter: the Commission).

Composition of the Commission

Article 22b

The Commission shall be an autonomous and independent body composed of 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, in compliance with the Law regulating the election of Members of Parliament, 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.

Competence for Nominating Members and Substitute Members of the Commission

Article 22c

Parliamentary groups in the National Assembly that are part of the parliamentary majority shall nominate five members and five substitute members of 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 of the Commission.

An interested association that meets the requirement set out in Article 22b of this Law (hereinafter: the association) shall submit a nomination of one member and one substitute member of the Commission.

A parliamentary group that is part of the parliamentary majority shall be deemed to be a parliamentary group whose members of parliament support the work of the Government.

If, at the time of nominating members of the Commission, only two opposition parliamentary groups exist in the National Assembly, the larger opposition parliamentary group shall have the right to nominate two members and two substitute members of the Commission, while the smaller parliamentary group shall have the right to nominate one member and one substitute member of the Commission.

Requirements for Appointment to the Commission

Article 22d

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 holds a higher education degree in legal, mathematical, demographic, information or economic sciences or social and statistical and other related scientific fields and has at least five years of professional experience in the relevant field.

A person who is a Member of Parliament, a member or substitute member of the Republic Electoral Commission, or who is employed, elected, appointed, or assigned to the ministry in charge of public administration, the ministry in charge of internal affairs, or a municipal or city administrative body, as well as a person who has been convicted by a final judgment of a criminal offense and sentenced to a term of imprisonment of at least six months, may not be nominated or appointed as a member or substitute member of the Commission.

Nomination of Candidates for Members and Substitute Members of the Commission

Article 22e

The procedure for nominating candidates for members and substitute members of the Commission shall be conducted by the National Assembly committee competent for administration (hereinafter: the competent committee).

The procedure for nominating candidates for members and substitute members of the new composition of the Commission shall be initiated no later than six months before the expiry of the term of office of the appointed members and substitute members of the Commission, by the Chairperson of the competent committee sending a letter to the parliamentary groups, while a public call shall be published on the website of the National Assembly to interested associations, for the submission of candidate nominations for members and substitute members of the Commission.

Nominations for candidates for members and substitute members of the Commission shall be submitted to the competent committee within 15 days following the date of receipt of the letter from the Chairperson of the competent committee referred to in paragraph 2 of this Article, or following the date of publication of the public call.

The nominations for candidates 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;
- 6) name and surname and signature of the authorized person submitting the candidate's nomination.

The candidate's nomination shall be accompanied by:

- 1) candidate's written consent to accept the nomination for member of the Commission, containing their name, surname and the unique master citizen number;
- 2) candidate's statement that there are no obstacles for the appointment to the Commission referred to in Article 22d, paragraph 2 of this Law;
- 3) a document on a read ID card with a microcontroller (chip), or a photocopy of the candidate's ID card without a microcontroller;
- 4) proof of candidate's higher education qualifications;
- 5) proof of candidate's professional work experience.

If a candidate who has previously been appointed to the Commission is being nominated, information and proof of the candidate's higher education qualifications and professional work experience do not need to be submitted along with the nomination.

Along with the candidate's nomination, the associations shall also submit proof of fulfilment of the requirements referred to in Article 22b, paragraph 2 of this Law.

Consideration of Nominations for Members and Substitute Members of the Commission

Article 22f

The competent committee shall, within 15 days following the expiry of the deadline for nominating candidates for members and substitute members of 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 requirements for the appointment to the Commission.

The competent committee shall not consider the nomination that was not submitted by an authorized nominator within the meaning of Articles 22b and 22c of this Law, and it shall inform the concerned nominator thereon in writing.

If an opposition parliamentary group authorized to nominate candidates fails to submit a nomination of candidates for a member and a substitute member of the Commission, the competent committee shall address in writing the next opposition parliamentary group that, according to its size, is entitled to nominate a candidate to the Commission, requesting that this parliamentary group submit nominations for one candidate for a member and one candidate for a substitute member of the Commission within 15 days following the date of receiving the request.

If a nomination is received in a timely manner from only one association, the competent committee shall address that association in writing, requesting it to submit a nomination for one additional candidate for member and one candidate for substitute member of the Commission within 15 days following the date of receiving the request.

If timely nominations are submitted by more than two associations, the final nominations of two candidates for members and two for substitute members of the Commission shall be determined by a vote of those associations, at a meeting organized by the secretariat of the competent committee.

If the competent committee establishes that any of the nominated candidates for member or substitute member of the Commission does not meet the requirements for appointment to the Commission, it shall send a request to the authorised nominator who nominated that candidate to submit a new candidate's nomination within 15 days following the date of receiving the request.

List of Candidates for Members and Substitute Members of the Commission

Article 22g

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.

The National Assembly shall vote on the List of Candidates at its next sitting within the regular session, and no later than four months following the date of submission of the List of Candidates.

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

If the required majority of Members of Parliament does not vote in favour of approving the List of Candidates, the procedure for nominating candidates for members and substitute members of the Commission shall be repeated within 15 days following the date of the conclusion of the National Assembly session at which the vote on the List of Candidates was held.

Personal Data Protection Statement

Article 22h

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 while 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 1 of this Article shall be prescribed by the Secretary General of the National Assembly.

Term of Office of Members and Substitute Members of the Commission

Article 22i

A member and a substitute member of the Commission shall be appointed for a period of five years.

The same person may not be appointed to the Commission more than twice.

The term of office of members and substitute members of the Commission shall commence on the date of the adoption of the decision on their appointment, but not before the expiry of five years from the appointment of the previous composition of the Commission.

Before the expiry of the term of office, the term of office of a member and a substitute member of the Commission may cease by force of law, and the National Assembly shall *ex officio* terminate one's term of office:

- 1) in case of death;
- 2) if they are disfranchised;
- 3) if they have been sentenced to a period of incarceration of at least 6 months, by a final court decision;
- 4) if they have been deprived of their legal capacity.

The National Assembly shall relieve a member or a substitute member of the Commission of their duties:

- 1) if they submit a resignation;
- 2) if it is established that they do not meet the conditions for membership in the Commission as prescribed by this Law;
- 3) if they fail to attend the Commission's sessions for more than six months.

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.

Filling a Vacant Seat in the Commission

Article 22j

A new member and/or a 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 relieved of duties, within 15 days following the date the National Assembly adopts the decision establishing the termination of the term of office by force of law or relieving the Commission member or substitute member of their duties.

Provisions of Articles 22d - 22g of this Law shall apply to the procedure for appointing a new member and/or substitute member to the Commission, accordingly.

By way of derogation from Article 22i, paragraph 1 of this Law, the term of office of a member or substitute member of the Commission appointed in place of a member or substitute member whose term of

office has ended by force of law or as a result of relief of duties shall last until the expiry of the term of office of the member or substitute member in whose place he or she was appointed.

If less than six months remain from the date the National Assembly adopted the decision establishing the termination of the term of office by force of law or relieving a member or substitute member of the Commission of their duties until the expiry of the term of office of the appointed members and substitute members of the Commission, the process for appointing a new member or substitute member of the Commission shall not commence in accordance with the provisions of this Article.

Commission's Powers

Article 22k

For the purpose of auditing the voter register, the Commission shall be authorised to do the following:

- 1) analyse data in the voter register, as well as civil registers and records of citizens' permanent and temporary residence (hereinafter: other records relevant to maintaining the Voter Register) at the level of personal data (name, name of one parent, 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 voter register;
- 6) analyse data from the report of the ministry in charge of internal affairs, on the movement of the population and their alignment with the data in the voter register;
- 7) analyse the reports on the actions of the Ministry of Interior's staff in charge of citizens' affairs (approval of permanent residence and temporary residence of citizens);
- 8) initiate field control of voters, to be carried out by the ministry in charge of internal affairs, based on the analysis of the voter register;
- 9) initiate with the ministry in charge of public administration affairs 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, the ministry in charge of public administration affairs and the Republic Electoral Commission;
- 14) initiate cooperation between relevant institutions for the purpose of efficiently implementing measures to improve the integrity of the voter register;
- 15) analyse and compare other records relevant to the maintenance of the voter register;
- 16) analyse the actions and powers of the staff maintaining the voter register, as well as the training they undergo;
- 17) analyse the equipment (software and hardware) at the level of specifications and the security of the equipment used by the staff to maintain other records relevant to maintaining the voter register;

18) analyse the security of databases based on technical descriptions (premises, servers) and other records relevant to maintaining the voter register;

19) analyse the legal framework governing the manner of maintaining the voter register and other records relevant to maintaining the voter register;

20) 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 maintaining the voter register, as well as to the data in the voter register;

21) conduct other analyses necessary to establish the degree of integrity of the voter register updating process.

In carrying out the powers referred to in paragraph 1 of this Article, members of the Commission shall have the right to access all 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.

All state administration authorities, authorities of territorial autonomy and local self-government units shall provide the Commission, upon its request, with all data and information relevant to maintaining the voter register and making changes thereto, relating to the verification of the accuracy of entries or changes made to the voter register.

The voter register's audit procedure shall be regulated in detail by an act passed by the Commission.

Report on the Voter Register's Audit

Article 22l

The Commission shall conduct an audit of the voter register every two years, and no later than six months before the deadline for calling regular elections for Members of Parliament.

While conducting the audit, the Commission shall make reports containing recommendations for the improvement of the manner in which the voter register is maintained and updated (hereinafter: Audit Report).

The Commission shall submit the Audit Report to the competent authorities and organizations to which the recommendations for improving the maintenance and updating of the voter register pertain, as well as to the National Assembly for the purpose of information.

The competent authorities and organizations shall act upon the recommendations contained in the Audit Reports within 120 days following the date of receipt of the Audit Report and to submit a report thereon to the Commission.

Monitoring the Implementation of Recommendations and Reporting to the National Assembly

Article 22m

The Commission shall monitor the implementation of the recommendations and shall consider the reports on the actions taken pursuant to the recommendations, submitted to it by the competent authorities and organizations.

A representative of the competent authority or organization to which the recommendations pertain shall attend the sitting of the Commission at which the implementation of the recommendations is considered.

The Commission may submit special reports to the National Assembly concerning the implementation of the recommendations.

Decision-Making by the Commission

Article 22n

For a decision of the Commission to be adopted, at least eight members of the Commission must vote in favour, provided that the decision is supported by at least one member nominated by the parliamentary groups in the National Assembly that are part of the parliamentary majority, at least one member nominated by the opposition parliamentary groups in the National Assembly, and at least one member nominated by associations.

A substitute member of the Commission shall replace a Commission member in the event of their absence, termination of office by force of law or relief of duties, until a new Commission member is appointed.

A substitute member of the Commission shall have the right to vote in the absence of the Commission member they are replacing.

A substitute member of the Commission shall have the same rights and duties as the Commission member they are replacing.

The First Session of the Commission

Article 22o

The first session of the Commission shall be convened by the Speaker of the National Assembly within 30 days following the date of appointment of members and substitute members of the Commission.

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 rotate annually in performing the function of the Chairperson of the Commission, with the first Chairperson being 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.

Chairperson of the Commission

Article 22p

The Chairperson of the Commission shall convene 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 the event that the Chairperson of the Commission is absent or otherwise unable to chair a session of the Commission, the session shall be chaired by the substitute member of the Commission who was nominated by the same authorized nominator as the Chairperson.

Participants in the Work of the Commission

Article 22q

The following shall participate in the Commission's work without the right to vote:

- 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.

At the invitation of the Commission, the following may also participate in its work without the right to vote:

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 of work, employed with state administration authorities and the authorities of autonomous provinces and/or authorities of local self-government units, assigned by the head of the authority that employs these persons.

The invited persons referred to in paragraph 3 of this Article shall make available to the Commission all the information necessary for exercising Commission's powers 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 up-to-dateness, in line with their right to access the voter register.

The Commission shall provide the Republic Election Commission with its response to the complaints of members and substitute members of the Republic Election Commission, within 30 days following the date of receipt of the complaints.

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

Transparency of Commission's Work

Article 22r

The work of the Commission shall be public.

The transparency of the Commission's work shall be ensured by publishing the following on the Commission's website: convocations of Commission sessions, general acts of the Commission, reports submitted by the Commission to the National Assembly, the Work Plan, minutes of the Commission's sessions, and other information within the scope of the Commission's work that is of public interest.

During the elections, sessions of the Commission may also be attended by representatives of associations that, in accordance with the law governing the election of Members of Parliament, have been authorised by the Republic Election Commission to observe the elections.

Conditions for the Commission's Work

Article 22s

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

The Commission shall have a Secretary and a Deputy Secretary appointed by the Secretary-General of the National Assembly from among the employees of the National Assembly Service.

Only a person with a higher education degree in the field of legal sciences may be appointed as Secretary or Deputy Secretary of the Commission.

For the purpose of conducting the audit of the voter register, the Commission may engage experts with a higher education degree in mathematical, demographic, information or economic sciences or in social - statistical and other related scientific fields.

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

Members and substitute members of the Commission shall be entitled to a monthly remuneration for their work in the Commission, in the amount of one and a half times the average net salary, excluding taxes and contributions, paid in the Republic of Serbia according to the latest data published by the state authority in charge of statistics.

Members and substitute members of the Commission shall be entitled to reimbursement of expenses incurred in connection with their work in the Commission in accordance with the regulations governing allowances and other remunerations of elected and appointed officials in public authorities.

Experts engaged by the Commission in accordance with paragraph 4 of this Article shall be entitled to monetary compensation, the amount of which shall be determined by the committee of the National Assembly competent for administrative and budgetary affairs.

Article 5

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

“VIa PERSONAL DATA PROTECTION

Obligations Regarding the Protection of Personal Data

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 data of voters accessed in the voter register must not be used for political purposes, for conducting election campaigns or otherwise misused.”.

Article 6

The competent committee shall initiate the procedure for nominating the first composition of the Commission in accordance with the provisions of this Law within 45 days following the date of entry into force of this Law.

Article 7

The first composition of the Commission appointed in accordance with the provisions of this Law shall carry out the first audit of the voter register within nine months from the date of appointment of Commission’s members and substitute members.

Article 8

Three members of the first composition of the Commission who are elected as Chairpersons of the Commission at the first session of the Commission, in accordance with the provisions of this Law, shall rotate in the position of the Commission Chairperson every three months until the expiration of the deadline referred to in Article 7 of this Law.

Article 9

The National Assembly shall relieve of duty a member or a substitute member of the first composition of the Commission who fails to attend Commission sessions for more than three months.

Article 10

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

Article 11

The Minister in charge of public administration 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 prescribe 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 12

The form of the statement referred to in Article 4 of this Law (Article 22h) shall be prescribed by the Secretary-General of the National Assembly within 30 days from the date of entry into force of this Law.

Article 13

The act referred to in Article 4 of this Law (Article 22k) shall be adopted by the Commission within 30 days following the date of appointment of members and substitute members of the Commission in the procedure initiated pursuant to Article 6 of this Law.

Article 14

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 Article 2 that shall apply one year following the date of entry into force of this Law.