

dep 7/2 L

Ministerie van **Binnenlandse Zaken en Koninkrijksrelaties**



Datum
7 februari 2000

Ons kenmerk
CW2000/U55098

Onderdeel
directie Constitutionele
Zaken en Wetgeving

Inlichtingen
mr. G.J. Boon
T (070) 426 7508
F (070) 426 7634

Uw kenmerk

Blad
1 van 2

Aantal bijlagen
2

Bezoekadres
Schedeldoekshaven 200
2511 EZ Den Haag

Postadres
Postbus 20011
2500 EA Den Haag

Ministerie van Binnenlandse Zaken
Algemene Directie van de Wetgeving en van de
Nationale Instellingen
t.a.v. de heer L. Vanneste, directeur-generaal
Koningsstraat 661000 Brussel
BELGIË

Onderwerp
uitnodiging

Geachte heer Vanneste,

Tijdens enkele telefonische gesprekken tussen u en een van mijn medewerkers hebt u aangegeven, dat u belangstelling hebt voor de wijzen waarop in Nederland elektronisch wordt gestemd bij verkiezingen. Ik ben uiteraard gaarne bereid u over dit onderwerp nader te informeren. Daarom nodig ik u bij deze van harte uit voor een bezoek aan Den Haag op woensdag 9 februari aanstaande. Bijgevoegd vindt u een routebeschrijving en een programma. Ik heb vernomen, dat u bij uw bezoek wordt vergezeld door twee medewerkers.

Na de lunch wordt u tijdens een bezoek aan het stadhuis van Den Haag, dat naast het ministerie is gelegen, ingelicht over enige praktische aspecten van het gebruik van een zeer gangbaar type stemmachine.

De gemeente Tilburg, een gemeente die gebruik maakt van een ander type stemmachines (zogenoemde stem-pc's) verzocht mij u over te willen brengen dat zij u gaarne tijdens een bezoek aan Tilburg nader wil informeren over haar ervaringen met het gebruik van stem-pc's. Desgewenst kunt u daarover contact opnemen met:

Gemeente Tilburg
Dienst Publiekszaken
de heer U. Pekdemir, hoofd sector Burgerzaken
Postbus 90118
5000 LA Tilburg
tel. **31-135429310

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Datum
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Ons kenmerk
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Helaas ben ik niet in de gelegenheid, woensdag het gehele programma bij te wonen.
Ik hoop u tijdens de lunch te ontmoeten.

Hoogachtend,
DE DIRECTEUR-GENERAAL CONSTITUTIONELE ZAKEN EN
KONINKRIJKSRELATIES,



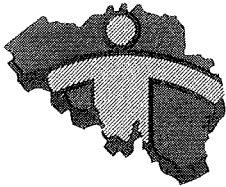
J.P. Dirkse



Programma woensdag 9 februari 2000

- 10.30 uur: ontvangst door de heer mr. P.J. Stolk, juridisch
adviseur bij de directie Constitutionele Zaken en
Wetgeving
plaats: Van Limburg Stirumzaal, 2^e etage hoogbouw,
Ministerie van Binnenlandse Zaken, Schedeldoekshaven
200, Den Haag
- 10.45 uur: Algemene inleiding over het gebruik van stemmachines en
stem-pc's bij Nederlandse verkiezingen, door mr. P.J.
Stolk
- 12.00 uur: lunch
- 14.00 uur -
ca. 16.00 uur: bezoek aan het stadhuis van Den Haag, waar nadere
informatie zal worden verschaft over het gebruik van
stemmachines in de praktijk.

31072006



BINNENLANDSE ZAKEN
EN KONINKRIJKSRELATIES
INGEKOMEN

23 FEB 2000

Agenda : CW 2000/57592

Ministerie van Binnenlandse Zaken
Algemene Directie van de Wetgeving
en van de Nationale Instellingen

Kopie naar Gerard Boon
Brussel,

14-02-2000

23-2 CIV

Ministerie van Binnenlandse Zaken
Directoraat-generaal
Constitutionele Zaken en Koninkrijks-
relaties

T.a.v. de Heer J.P. DIRKSE,
Directeur-generaal
Schedeldoekshaven, 200
Postbus 20011
2500 EA DEN HAAG

Handwritten notes: JHG, 2) CZW, TEL. 153.133.133.1

→ 8 tolle.

dep. 25/3/00

Rijksregister

Behandelend ambtenaar:
Jean DEHERTOGH
(02) 210.21.69

Uw brief van **Uw referenties** **Onze referenties** **Bijlagen**
III33/01390/2000

BETREFT : Gebruik van geautomatiseerde stemsystemen; bezoek van 9 februari 2000 in het Ministerie van Binnenlandse Zaken in Den Haag.

Geachte Heer Dirkse,

Ik dank U voor de goede ontvangst naar aanleiding van het bezoek op 9 februari 2000 met betrekking tot het gebruik van geautomatiseerde stemsystemen dat voor mij en mijn medewerkers zeer leerrijk was.

Zoals besproken tijdens onze bijeenkomst zou het voor de toekomstige ontwikkeling van de geautomatiseerde stemsystemen in Nederland en België, op Benelux-niveau zeer efficiënt zijn mochten dezelfde technische normen gehanteerd worden.

Ik zou het zeer op prijs stellen mocht U mij kunnen informeren aangaande de normen, vastgelegd in de I.D.E.A. voorschriften, die thans voor de stemmachines in Nederland toegepast worden.

Met de meeste hoogachting,

De Directeur-generaal

L. VANNESTE.

15-02-2000

31072006

International Institute for Democracy and Electoral Assistance
(International IDEA)

Code of Conduct
for the
Ethical and Professional Administration of Elections

Code of Conduct

INTERNATIONAL
IDEA

International IDEA
Strömsborg
S-103 34 Stockholm
Sweden
tel.: +68 698 37 33
fax: +68 20 24 22
e-mail: info@int-idea.se
<http://www.int-idea.se>

Ethical
and Professional
Administration
of Elections

International IDEA – Institute for Democracy and Electoral Assistance

INTERNATIONAL
IDEA
INSTITUTE FOR
DEMOCRACY AND
ELECTORAL
ASSISTANCE

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CODE OF CONDUCT FOR THE ETHICAL AND PROFESSIONAL DISCHARGE OF ELECTION ADMINISTRATION ACTIVITIES

Introduction

At its Fifth Meeting, held from 29 February to 2 March 1996, the Board of Directors of the International Institute for Democracy and Electoral Assistance (International IDEA) endorsed the proposed development of a Code of Conduct for election administrators. The actual and perceived integrity with which an election process is administered has long been recognised as one of the most vital of the factors which determine its overall legitimacy and acceptability. The way in which the election administration performs its tasks is for that reason invariably given close attention by candidates, political parties and election observers.

2. A draft Code of Conduct, prepared by the Secretariat of International IDEA, is set out at paragraphs 7 to 14 of this paper. The purpose of paragraphs 3 to 6 is to provide background to the content of the draft Code of Conduct. The paper consists of the following elements:

- (i) a reiteration of the goals and objectives of election administration;
- (ii) Part One of the Code of Conduct - a listing of ethical principles which form the basis of election administration; and
- (iii) Part Two of the Code of Conduct - a listing of specific guidelines which give effect to the fundamental ethical principles underlying election administration.

3. It should be emphasized that the Code of Conduct should be seen not as a set of immutable rules, but as a set of guidelines to assist election administrators in the pursuit of their tasks. The diversity of situations which may be encountered in the course of election administration is such that no Code of Conduct could anticipate and prescribe responses to all of them. In all cases, election administrators should be guided not only by the Code of Conduct, but by good common sense.

Goals and objectives of election administration

4. A source in international law for the goals of election administration is article 21, paragraph 3 of the *Universal Declaration of Human Rights*¹:

"The will of the people shall be the basis for the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal suffrage and shall be held by secret vote or by equivalent free voting procedures."

¹ The concepts expounded in the *Universal Declaration* were subsequently incorporated in other international instruments, notably the *International Covenant on Civil and Political Rights*, the *African Charter on Human and People's Rights*, the *American Convention on Human Rights*, and the *European Convention on Human Rights*. See Guy S. Goodwin-Gill, *Free and Fair Elections: International Law and Practice*, Inter-Parliamentary Union, Geneva, 1994, pp 12-14.

5. In his study of international law and practice in relation to free and fair elections, Goodwin-Gill has argued that:

“Experience and recent State practice confirm the necessity for oversight of the electoral process ... [and] for institutionalized responsibility for implementation by impartial election officials An oversight mechanism that enjoys the confidence of parties and electorate is especially pressing in situations of transition, for example from single- to multi-party systems, or wherever the impartiality of the administrative authorities is in doubt. The effective *institutionalization* of basic electoral and political rights obliges States not only to establish an appropriate electoral system and to implement international obligations in regard to the individual rights, but also ... to establish an effective impartial and/or balanced mechanism for the management of legislative elections”².

6. In the establishment of an impartial and/or balanced mechanism for the management of legislative elections, there will usually be specific functions conferred on the bodies created, which could typically include:
- (i) conducting elections and referendums;
 - (ii) compiling and/or maintaining an electoral register;
 - (iii) promoting public awareness of electoral matters through the conduct of information and civic education programmes, with particular attention being directed to women and disadvantaged minorities;
 - (iv) providing information regarding the electoral process to candidates, political parties and other affected persons;
 - (v) ensuring the proper participation of women and minorities in the electoral process;
 - (vi) making regulations relating to the election process;
 - (vii) enforcing the electoral law;
 - (viii) researching electoral policy and related matters;
 - (ix) providing information and advice on electoral matters to the government, the legislature, and organs of the executive; and
 - (x) engaging in international co-operation and assistance.

² *ibid.*, p 87.

Code of Conduct - Part One - ethical principles which form the basis of election administration

7. Election administration should be undertaken on the basis of the following fundamental ethical principles.
- (i) **Respect for law** - The success of every election depends significantly on whether participants in the political process accept that the election was legitimate, and therefore binding on them. Every participant in the process has some expectation of how the election will be administered, and they have based those expectations on a common understanding of the electoral law, which they accept as a binding legal form of past policy decisions.
 - (ii) **Independence and Neutrality** - While in some cases it is deemed appropriate to appoint representatives of political parties or tendencies to election management positions, the credibility of the election process will be irretrievably compromised if those managing it are perceived as having a commitment to any particular electoral outcome. Election administrators, regardless of the basis of their appointment, must undertake all their tasks in a manner that is strictly independent and politically neutral.
 - (iii) **Transparency** - In the field of election administration, success is measured among other things by the extent to which the decisions of the election management are accepted by participants in the election process. A major source of such acceptance is the capacity of the participants in the process to satisfy themselves that the decisions have been made in an appropriate way. Election administrators must be prepared to justify their decisions, and to make the information which formed the basis of such decisions freely available.
 - (iv) **Accuracy** - Election administrators must undertake all their tasks on the basis of the highest standards of accuracy of information, and objectivity of analysis.
 - (v) **Service orientation** - Election administrations exist for the purpose of providing a service to the voters. In some countries, for example Chile, this fact is reflected in the name of the election management body. Subject to the legal framework within which they operate, and to the availability of resources, election administrations and administrators should strive to ensure that all voters are provided with service of the highest possible quality in all the circumstances, which enables them to exercise their rights with the minimum possible inconvenience.

Code of Conduct - Part Two - specific guidelines which give effect to the fundamental ethical principles underlying election administration

Respect for law

8. Under the general heading of respect for law, the following specific obligations can be identified. Election administrations and administrators should:

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- (i) act at all times in compliance with the laws of the country; and
- (ii) within the legal framework established in the country, ensure that:
 - (a) the laws relating to elections are fully and impartially implemented; and
 - (b) parties, candidates, voters and other participants in the election process are treated in a way which is fair and just in all the circumstances.

Independence and Neutrality

9. Under the general heading of independence and neutrality, the following specific obligations can be identified. Election administrations and/or administrators should:

- (i) act in a strictly neutral and unbiased manner in relation to political parties, candidates, the voters, and the press and media;
- (ii) reject any improper influences, and, except as provided by law, refrain from accepting directions relating to the performance of their tasks³;
- (iii) refrain from any action which indicates, or is capable of being seen as indicating, partisan support for any candidate, political party, political actor or tendency;
- (iv) disclose any relationship with any relevant actors which may lead to a conflict of interest with their election administration duties;
- (v) refrain from accepting any gifts from parties or persons involved in the election process;
- (vi) refrain from any unauthorised activities, including any private activities, which could give rise to an actual or perceived conflict of interest in respect of their role as election administrators;
- (vii) conduct themselves in an irreproachable manner, and exercise very sound judgement, and the highest levels of personal discretion, at all times;
- (viii) refrain from expressing views on subjects which are likely to be issues at the election, and in particular refrain from communicating with voters on matters of partisan significance;
- (ix) refrain from taking part in functions or activities which could lead to a perceptions of sympathy for a particular candidate, political party, political actor or tendency; and
- (x) in the case of individuals, refrain from wearing party symbols or colours.

³ This prescription expresses the need for independent election administration. In some cases this may be achieved by provision for institutional independence, while in others, it may be achieved through cultural norms and conventions.

Transparency

10. The preliminary point should be made that elections tend to give rise to large amounts of data, extensive databases, and many documents. It will not in general be feasible to make arrangements for any person to examine or copy any document. Electoral or "freedom of information" laws should however prescribe, and election administrators should be prepared to implement, arrangements for ensuring access to documents and information which are effective and reasonable in all the circumstances.

11. It should also be noted that in many cases the holding of consultations with participants in the political process, either on a regular basis or in relation to specific decisions, has been found to be an effective way of reinforcing transparency in administration.

12. Under the general heading of transparency, the following specific obligations can be identified. Election administrations and administrators should:

- (i) implement systems to make available to interested parties in a timely manner all critical information, documents and databases used in the election process, and more generally in the normal operations of the election administration;
- (ii) where it is appropriate in the circumstances, be prepared to consult with participants in the election process, either on a regular basis, or in relation to specific decisions;
- (iii) ensure that any legal rights conferred on the agents of political parties or candidates can be fully and effectively utilised;
- (iv) be prepared to provide (on request) justifications for and explanations of decisions they have made as part of the election process or their general operations in response to reasonable requests; and
- (v) disclose at their own initiative any deficiencies in the administration of an election of which they are aware.

Accuracy

13. Under the general heading of accuracy, the following specific obligations can be identified. Election administrations and administrators should:

- (i) in accordance with the legal framework within which they are working, take all necessary steps to ensure that all information compiled, used or published by them has a sound factual basis; and
- (ii) endeavour to ensure that information is collected, compiled and published in a way that is systematic, clear and unambiguous.

Service orientation

14. Under the general heading of service orientation, the following specific obligations can be identified. Election administrations and administrators should:

- (i) seek to implement systems which will minimise any inconvenience voters will face in participating in the election process;
- (ii) seek to take steps to ensure that the election process is adequately understood by the voters; and
- (iii) ensure as far as possible that adequate provision is made for voting by persons who might face particular difficulty in voting, such as blind, physically handicapped or illiterate voters, or voters living in remote areas.

Introduisez la carte dans la fente
noire pour démarrer le vote.

31072006

Gelieve de kaart in het toestel te
steken om de stemming te starten.

Input: introduire une carte de vote formatée par l'URN.

Attente: dès qu'une carte formatée est introduite, celle-ci est lue et son contenu est comparé à la valeur d'un vote blanc. Si le test est positif, la procédure de vote continue.

Crayon: inactif.

Lecteur: débloqué dès qu'une carte formatée lui est présentée, la carte est avalée par l'appareil.

Erreur: Une carte non formatée ne peut être introduite dans l'appareil.

Genieve UW kaart
terug te nemen
en dit aan de
voorzitter
te melden.

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Input: retirer la carte magnétique de l'appareil.

Attente: dès que la carte magnétique aura été retirée, on reviendra, après une pause d'attente, à l'état initial d'attente de carte magnétique pour commencer une nouvelle procédure de vote.

Crayon: inactif

Lecteur: éjecte la carte et se bloque dès que la carte est retirée.

Erreur: consulter le président au sujet de l'erreur.

- 2. Choix de la langue de vote:** dans le cas d'un bureau bilingue, l'électeur sera amené à choisir la langue dans laquelle il désire voter. Cet écran ne sera donc pas affiché dans le cas d'un bureau unilingue, puisque la langue de vote a déjà été codée dans le fichier de données.

Druk met de lichtpen op de gewenste taal.

Nederlands

Français

Appuyez avec la stylo lumineuse sur la langue désirée.

Sénat

31072006

Senaat

Chambre des Représentants

31072006

Kamer van volksvertegenwoordigers

- un bouton de "vote blanc" complète la liste des partis.
- un message de rappel de l'action attendue dans la langue utilisée pour le vote est affiché.

Elections Provinciales		Appuyez sur un parti ou sur vote blanc.	
1 Partij Een	2 Partij Twee	3 Partij drie	
4 Partij vier	5 Partij vijf	6 Partij zes	
7 Partij zeven	Vote blanc		

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Sénat		Appuyez sur un parti ou sur vote blanc.	
1 Parti 1	2 Parti 2	3 Parti 3	
4 Parti 4	5 Parti 5	6 Parti 6	
7 Parti 7	8 Parti 8	9 Parti 9	
10 Parti 10	11 Parti 11	12 Parti 12	
13 Parti 13	14 Parti 14	15 Parti 15	
16 Parti 16	Vote blanc		

permet d'annuler le vote blanc; le second permet de le confirmer.

- a. Si on annule le vote blanc, on revient à l'écran initial présentant les partis en présence et la possibilité de vote blanc.
- b. Si on confirme son vote blanc, on passe à l'élection suivante (s'il en reste une).

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Elections Provinciales		Appuyez sur un parti ou sur vote blanc.	
1 Partij Een	2 Partij Twee	3 Partij drie	
4 Partij vier	5 Partij vijf	6 Partij zes	
7 Partij zeven	Vote blanc		
<input type="button" value="Annuler le vote blanc"/>		<input type="button" value="Confirmez le vote blanc"/>	

Sénat		Appuyez sur un parti ou sur vote blanc.	
1 Parti 1	2 Parti 2	3 Parti 3	
4 Parti 4	5 Parti 5	6 Parti 6	
7 Parti 7	8 Parti 8	9 Parti 9	
10 Parti 10	11 Parti 11	12 Parti 12	
13 Parti 13	14 Parti 14	15 Parti 15	
16 Parti 16	Vote blanc		
<input type="button" value="Annuler le vote blanc"/>		<input type="button" value="Confirmez le vote blanc"/>	

Jean-Louis Verheyden	Jean-Louis Pernod	Loulou de Rigalle
Françoise Toppers	Viviane Bresson	Gaston Lagaffe
Gaston Vandam	Vincent de Pierre	
Pierrette Moens	Diane Moureau	Jean-Paul Merou
Jacques Meloson	René Stotts	Van den Bolle
Jan Perrenans	Roland Delpierre	Gaston Pierre
Jean-Pierre Carton	Johan Vanderzande	Pierrot Landers
Philippe Palistère	André Krosthaus	
Dominique Dumont	Mireille Petit	

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I Parti 1

Elections Européennes

Gan Pimppeel	Léon Philippe	Férocé Guy	Johan Patat
Louise Volonda	Ledure Paul	Rensé Frans	André Tumeur
Françoise Steiner...	Lanrau Bernard	Mauricette	Dominique Mistral
Gaston Sagn	Masset Sakia	Chicano Pierre	Jeanne Devant
Pierre Laporta	Maes Romain	Rika Guido	Jean-Louis Capozzi
Jacqueline Levief	Marçal Pierre	Glikberg Bernard	Marc Pistache
Jan Demuthine	Johannes Paulus	Pelochon Pierre	Sonja Devoard
Jean-Pierre	Joséphine	Coffinet Josée	Joséphine
Jean Massicot	Pestrons Guido	Blondeau Guy	René Polisson
Paul Bernard	Mary René	Rostanz Marie	Roland Etula
Jeanne Levoocq	Noilet Pierre	Rousseau Carl	Johan Dehors
Jean-Louis	Melissen Faulette	Martine Van Damme	André Carlsten
Marie-Paule Harrin	Pistvoet Ivo	Maris Contry	Dominique Uilgo
Eonja Nollet	Deland Henri	Reatine Coppens	Jean-Luc Patrijx
Josef Thefirst	Olivier Meulenmans	Segers Louise	Jeanne Emdanoy
René Pentetre	Patrija Luc	Mouveau Frans	Marc Van de Beur
Roland Delcourt	Plumand Jacques	Stenokx Louise	Mari Zijmind
Johan Caroline	Fondant Michel	Jean-Louis Ponz	Josef Mertens
André	Callobaut Louise	Marc Bouchon	Rensé Carlon
Mirille Rooster	Uerhaeren Guy	Sonja Frimout	
Stéphane Mentens	Reynier Charly	Josef Carton	Françoise Lekeux
Caroline Pieter	Renardeau Antoine	Rensé Delrue	Louie De Dulle
Peeters René	Romain Delpierre	Roland Delcourt	Karel Mainstream

La Couronne

Gaston Demario	André Carcoels
Pierrette Perrozzi	Mircille Vignon
Jacques Ventura	Stéphane Nicholet
Joanne Cardoens	Véronique Voisin
Jean-Pierre Larue	Franz Delcroquette
Philippe Castrezzi	Popelcke Meuss
Dominique Briand	Philippe Mocranov
Marie Lacour	Pointcarré Louis
Jean-Louis Pasture	Haricover Joanne
Marc Mintjens	Tritone Pierre
Sonja Prouost	Van Damme Christian
Joséphine Baltjens	Mathuzalen Josée

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• Sélection effectuée sur un candidat ou en tête de liste

Lorsqu'on sélectionne un candidat ou la tête de liste pour la première fois, deux boutons viennent s'afficher à la place du bouton RETOUR et l'oeil de la zone sélectionnée est marqué. Le premier bouton permet d'annuler son vote et de revenir à l'état initial de la liste des candidats (aucune sélection effectuée et un bouton permettant de revenir à la sélection des partis); le deuxième permet de confirmer son vote et de passer à l'élection suivante (s'il en reste une). Les autres zones, mis à part le bouton de retour restent présentes à l'écran et peuvent encore être sélectionnées.

1 Parti 1

Chambre des Représentants

Myriam Léonard	Louise Goddard	Stéphane Toutpetit
Jean-Louis Verheyden	Jean-Louis Pernod	Loulou de Pigalle
Françoise Toppers	Viviane Bresson	Gaston Lagaffe
Gaston Vandam	Vincent de Pierre	
Pierrette Moens	Diane Moureau	Jean-Paul Merou
Jacques Meloson	René Stotts	Van den Bolle
Jan Perrenans	Roland Delpierre	Gaston Pierre
Jean-Pierre Carton	Johan Vanderzande	Pierrot Landers
Philippe Palistère	André Krosthaus	
Dominique Dumont	Mircille Petit	

Votre vote est enregistré.

Reprenez votre carte et
donnez-la au président.

31072006

Uw stem is geregistreerd.

Gelieve de kaart terug te nemen en
deze aan de voorzitter te geven.

Input: retirer la carte et la donner au président du bureau pour qu'il la mette dans l'urne.

Attente: le programme attend que l'électeur enlève la carte, il n'ira pas plus loin tant que cela n'aura pas été fait. Une fois la carte retirée et après un délai de 3 secondes, on revient à l'écran de début de vote invitant

Sélection erronée

Vous pouvez seulement
sélectionner
1 effectif

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Slechte selectie

U kan slechts
1 kandidaat
kiezen

Sélection erronée

Vous pouvez seulement
sélectionner
1 suppléant

31072006

Slechte selectie


U kan slechts
1 opvolger
kiezen

- Input:** pas obligatoire, on peut utiliser le crayon optique pour abréger la durée d'affichage du message d'erreur.
- Attente:** pause de 7 secondes pour laisser le temps à l'électeur de lire le motif de l'erreur. On peut abréger ce temps par une interaction du crayon optique. Ensuite on revient à l'état initial de la sélection de candidat, c'est-à-dire la liste des candidats et un bouton "RETOUR".
- Crayon:** actif.
- Lecteur:** bloqué avec la carte magnétique à l'intérieur.
- Erreur:** s'il est impossible d'interagir avec le programme il faut contacter le président.

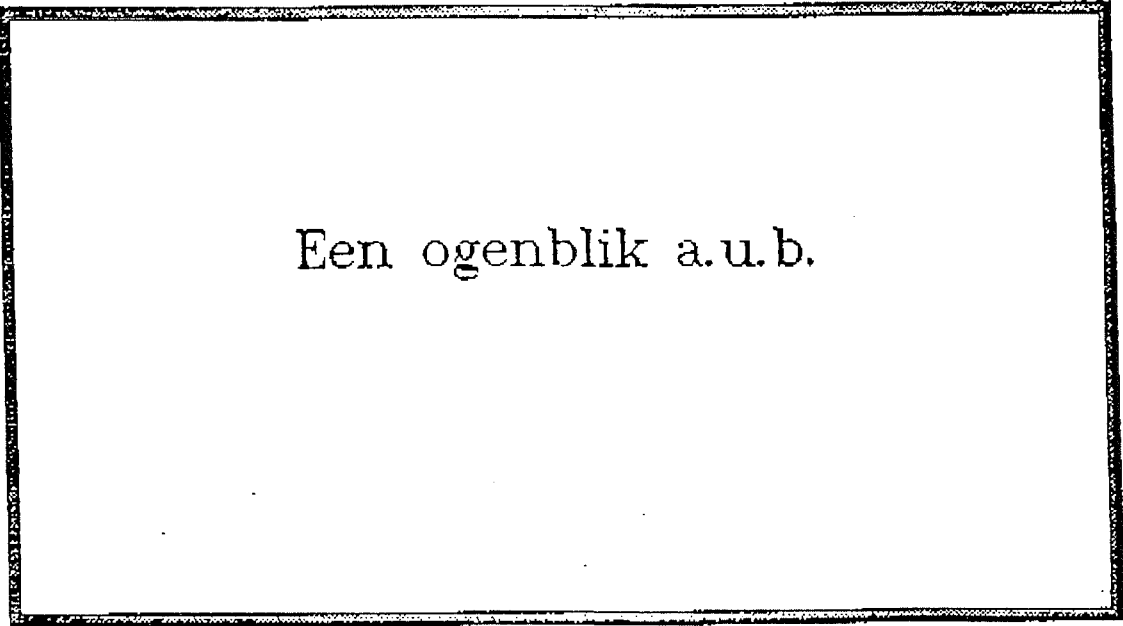
6. Fin de l'élection

Lorsque toutes les élections ont été complétées, le vote est terminé. Un écran demande de patienter durant l'inscription du vote encrypté sur la carte magnétique.

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Un moment s.v.p.



Een ogenblik a.u.b.

Input: aucun