



Spain

By Rafael López-Pintor

Acknowledgements

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I. Structure of the EMB

A detailed description of the structure and functioning of election authorities in Spain is available in a UNDP publication prepared by the author in 2000 (López-Pintor, 2000). In brief, the current structure was established provisionally by an interim decree in 1977 and then consolidated as a formal electoral law in 1985. Following the so-called French model, elections in Spain are managed primarily by the Ministry of the Interior and its 17 regional and 52 provincial delegates under the oversight of collective semi-judicial bodies: a national electoral commission, 52 provincial-level agencies, and 303 area-level agencies. (Note: Electoral commissions and agencies at all levels are known in Spanish as *juntas*, which is how they will be referred to in the remainder of the Spain case study.) There are also autonomous community *juntas* in each of the 17 autonomous regional governments of Spain with the same responsibilities as those of the central *juntas*, but their responsibilities are restricted to elections for regional authorities. Non-judicial members of the *juntas* are recruited from among academics and the legal professions after a list of candidates has been submitted by consensus between political parties (non-partisan but party-supported recruitment). Tens of thousands of postal employees and police officers also contribute to the electoral process.

Lists of voters are the responsibility of the Office of the Voter Registry within the National Institute of Statistics, an autonomous agency under the orbit of the Ministry of Finance. The Office oversees and updates voter lists from information provided by municipal authorities based on records from civil registries and lists of residents. It has national headquarters and provincial offices with a permanent staff of approximately 700. Municipal authorities also arrange for the polling stations and appoint polling officers who are selected by lot among registered voters from each polling area. Finally, regular courts of justice at the national and provincial levels can hear appeals of decisions by the different electoral *juntas*. There are three polling officials and their substitutes per polling station, one delegate of the Ministry of Interior, and at least one security agent for each of 56,920 polling stations.

The Ministry of Interior has the following elections-related responsibilities: a) election strategic and operational planning; b) preparation of the electoral budget; c) provision of all electoral materials; d) publication of polling station manuals; e) electoral coordination with regional and provincial delegates of the national government as well as with the other public agencies in charge of some electoral responsibility (Ministry of Foreign Affairs, Office of the Voter Registry, Post Office, Police, State Radio and Television); f) management of all public funding to political parties, both

for current operations and for electoral and campaign expenses; g) maintaining the Public Registry of Political Parties; h) international electoral cooperation; and i) reporting on election management to the national electoral commission.

II. Legal framework

The 1978 Constitution contains the main provisions regarding the electoral system, including the issues related to voting from abroad and the state responsibility for facilitating external voting (article 68.5) and the necessity for electoral legislation to be approved by organic law with a special majority (article 81.1). No specific provisions are made on management and funding of elections.

The Election Law of 1985 regulates electoral administration (articles 8-24) and all other relevant aspects of elections; it does not, however, regulate funding and expense management, both of which are regulated by the general budget legislation. The electoral budget is a part of the consolidated budget of the nation in a section of the budget devoted to 'elections and political parties.' It includes all costs of the electoral operation, except some minor costs like the regular operation of the central junta, which is supported by the budget of the Chamber of Deputies where the junta is located.

The electoral budget is prepared by the Ministry of Interior and incorporated in the national budget for approval in Parliament following ordinary procedures. Election cost assessment and budgeting is the responsibility of the Ministry (through its Under-Director General of Electoral Processes), in coordination with other agencies involved in the management of elections (i.e. government delegates at sub-national levels, the Office of the Voter Registry, the Post Office and Ministry of Foreign Affairs). The budget is brought to the Parliamentary Committee through the Ministry of Finance in September, and must be approved by both houses of Parliament by the end of December of the year prior to the year in which the budget will apply.

Management of the electoral budget is regulated by the General Budgetary Law and implementing decrees (more importantly Royal Decrees 562/1993, 332/1999 and 605/1999). Additionally, detailed management instructions are issued by the Ministry of Interior before every election. The main organizing principle is that all election-related activities are included under a budget line of the Ministry of Interior no matter which public agency is involved (i.e. governmental delegates, other ministries and autonomous agencies). For the preparation of the budget, each agency submits estimates to the Ministry, which takes them into consideration. Decrees in 1991 and 1992 on the procedures and management of electoral activities introduced reforms by requesting that all agencies involved provide budget estimates prior to the election, with the corresponding credit assigned to them only afterwards. The estimates are sent to the Accounting Court for public audit purposes. This has led to better planning, as all the agencies involved are forced to anticipate how they will organize—which in itself tends to increase the confidence of the different agencies involved in the electoral process.

Regarding expense management, general procedures of the state administration are applied with some modifications: a given expense requires financial clearance by the

general expense-controlling agency within the executive branch of government. This is to ensure that expenses are according to budgetary and public contractual provisions. Until the mid-1980s, electoral expenses followed standard clearance procedures, which made management burdensome and dysfunctional due to the short timeline typical of the electoral process. (Making funds available for an after-expense justification was the procedure actually followed to make elections possible). Further legal reform introduced the modality of **permanent financial control**; in this system, prior clearance for every expense is not necessary, yet the controlling authority retains the right to examine electoral expenses at any given time in the process. Moreover, the Ministry of Interior must submit a detailed report on expenses to Parliament after the election. As for expense management by the different agencies involved in the process, each agency may spend the anticipated allowance in the budget from its own funds, with the understanding that it will be reimbursed by the Ministry of Interior. Such expenditures might cover voter registration expenses other than the current maintenance of the voter list to external voting—and certainly polling operations at lower levels, which are managed by local authorities.

No **cash transactions** are established in the handling of the budget. Small allowances such as *per diem* for poll workers are paid with checks and bank transfers, although there have been cases when cash payment has been facilitated by local authorities. Special allowances for security services provided by the National Police are included with salaries in the corresponding monthly payroll. (Per diem assigned to polling and security officers was most recently established at rates of about \$60 and \$98, respectively). Moreover, all polling officers are covered by special insurance on Election Day. Those polling station officers earning wages and salaries are also allowed up to five hours leave on the day following the elections.

After elections, an **inventory of both used and unused supplies** is made. Local municipal authorities are in charge of making an inventory and storing electoral materials. They pass on this information to the national government's provincial and regional delegates who, in turn, consolidate the inventories at the provincial level and report to the Ministry of Interior. No special or unanticipated costs are incurred in this activity other than current operational costs of the different administrations involved. Supplies that can be reused are stored on municipal premises. Unused supplies, mostly paper products, are discarded or recycled at the local level.

All electoral expenses are audited by the national audit agency on a yearly basis. This agency also audits the finances and expenses of political parties. (More detailed information on these audit activities can be found on the Web site of the agency, which is known in Spanish as *Tribunal de Cuentas*.)

Political party finance: Political parties in Spain receive public funding for current and electoral operations. Public funding for political party campaigning is not directly a part of the electoral budget, although it is handled by the Ministry of Interior. Parties can also receive funds from private sources as regulated by the law (Holgado, 2003). The Electoral Law contains some general provisions on the public funding of campaign activities and related expenses by political parties for different types of

elections—articles 121-134 on general elections, 192-193 for local elections, and 226-227 for elections to the European Parliament. The Law on Political Party Finance (1987) regulates public funding to political parties, both for ordinary operations and for electoral campaigns and other election-related expenses (which might include the mailing of specimen ballot papers by political parties, for which the cost can be reimbursed after certifying the expense). Campaign subsidies are calculated in proportion to the number of votes and seats obtained. More recent legislation on political parties (Organic Law of Political Parties, from 2002) did not alter earlier provisions on party finance. In the 2004 general elections, the total amount of public funds allowed for campaign expenses was 90 million euros (\$109 million), none of which was included in the electoral budget of 119.7 million euros.

Parties also receive public subsidies for current operations. Article 2 of the Law on Political Party Finance establishes that parties may receive funds from their membership, private donors and their own investment revenues. In practice, most of the funding of parties originates from public subsidies and the parties' own loans. In a non-election year, public subsidies for current operations may amount to 57 million euros.

Access to state radio and television is free of charge, according to law, and is managed by a special commission under the supervision of the different electoral committees.

III. Electoral costs

The overall cost of elections in Spain, as in many other countries following the French model of electoral administration, is the aggregate of the electoral budget proper and other election-related costs assigned to ordinary activities by different state apparatuses: the Office of the Voter Registry, public subsidies to political parties for campaign financing, state-owned radio and TV, the national electoral commission, the Under-General Direction of Electoral Processes at the Ministry of Interior, the National Police, Civil Registry, judiciaries, regional and provincial delegations of the national government, and local governments.

The cost of the **ordinary operation** of the office in charge of elections at the Ministry of Interior during non-election times is generally a part of current expenses of the Ministry. A yearly amount of 3 million euros (\$3.6 million) is estimated, not including salaries for a staff of 300. The same rule of 'diffused costs under current operations' would apply at provincial and local levels, where hundreds of civil servants may be doing some election-related activity during non-election times. However, the ordinary operation of the Office of the Voter Registry at the National Institute of Statistics is not included in the current budget of the Ministry of Interior. The Office's ordinary operation refers to all expenses related to a specific election at the time of that vote (i.e., costs of voter information and the management of external voting both from within the country and abroad). The ordinary budget of the Office of the Voter Registry is an unspecified amount of the total budget of the National Institute of Statistics (200 million euros in 2004), but is probably a sizable part of that agency's budget because of costs pertaining to the nationwide computer network (in 8,000 municipalities), which is necessary for the monthly update of voter lists. Finally, there

are also the cost of ordinary operations of the national electoral commission within the Congress of Deputies, which amounted to 500,000 euros in 2004, and some activities of the Civil Registry offices.

Regarding the **electoral budget proper**, following is a summary of the costs incurred related to the 2004 general elections (which cost a total of 119.7 million euros):

Case Study 3 - Table 1. Election-related costs as a percentage of total election budget	
Type of cost	% of total costs
Electoral operation (printing, supplies, transport)	56.6%
Mail services	21.20%
Voter registration (list update, reproduction and distribution)	13%
Use of IT for quick transmission of preliminary results	8.40%
Voter information campaign design (media transmission is free)	0.53%
Polling station manual publication	0.27%

Some of the main issues and trends regarding election cost structures are detailed below.

a) Election management changes

A dramatic growth of the overall electoral budget has taken place in the last eight years, with a 20.4 percent increase in the last five years alone. The cost per registered voter rose from \$2.1 in 1996 to \$4.1 in 2004. While reporting and accounting factors may explain a large part of the growth, there is still considerable room for actual cost increases, which can be explained due to some significant changes in the management of the electoral process. In any case, cost increases by percent have been much larger than the 10 percent increase in the number of eligible voters from 31.4 million in 1996 to 34.5 million in 2004.

Some of the discrepancy is related to the change in Spain's currency from the peseta to the euro as well as the fall in the US dollar's value against the euro over the past couple of years. These external factors are responsible for the estimate that at least 25 percent of the current cost per registered voter should be considered 'inflated' by mere accounting factors; taking this into consideration, the actual 2004 cost is \$3 per registered voter.

Independent of reporting and accounting factors, the most significant changes in the management of elections include a dramatic increase in the number of registered voters abroad for whom electoral material was mailed and processed (1.1 million people), plus other mail services to normal voters. Moreover, information facilities to voters in

and outside the country were improved (i.e., by providing online information). This explains why the largest single line item in the most recent election budget was postal and telecommunications expenses, which accounted for over 21 percent of the entire budget. The increasing volume of printing and mailing by the Office of the Voter Registry accounted for approximately 13 percent of the electoral budget, the largest growth item in the budget. This increase resulted from higher levels of external voting. Finally, rapid transmission of preliminary results on election night has been improving technologically over time and now accounts for almost 19 percent of the entire budget.

b) Cost-reduction factors

With regard to costs that have not changed or diminished, the voter information sector has remained unchanged over time. No significant cost reduction was noted from one election to the next—although in the longer term a number of cost-reducing measures have been singled out. Spain's electoral authorities have gained experience over the past 20 years with a number of cost-effective measures:

- Considerable savings have come from the decentralized printing of ballot papers since the late 1980s (party lists are different in each of the 52 provinces), and by widening the bidding to a larger number of firms. Savings of 50 percent or more have been reported, moving the cost from 1.6 pesetas to 0.60 per ballot, a savings of around \$2 million per election;
- The cost of voter-information campaigns was reduced enormously in the early 1990s by limiting campaigning to the state-owned media where airtime is free. Expenditures were reduced from approximately \$13 million to around \$1 million;
- As indicated above, decentralizing the procedures for the preparation and application of the budget, and making each agency formally accountable for its own budget and accounting, appears to have been cost-effective; and
- The electoral authorities conducted a study on the feasibility of substituting disposable ballot boxes for the currently used hard plastic boxes. Savings on storage costs, as well as on some production costs, are expected as a result; currently, about 30 percent of all boxes are unrecoverable after an election regardless. This type of cost-effective measure has already been introduced in other countries like Australia.

c) Voter registration costs

The generation of voter lists is an automatic process in Spain. They are substantially produced and updated on information provided at the municipal level based on civil registries and lists of residents. As stated above, voter lists are handed out to the provincial office of the Office of the Voter Registry and then compiled at the national level. Lists were updated on a yearly basis until 1998, when monthly updates were established. Lists of voters are distributed to the municipalities for a five-day revision period before every election. Following revision, the Office of the Voter Registry distributes voter lists organized by booth to each polling station. Voter lists are also

provided to political parties, but not to the Ministry, which receives only aggregate figures of voters at different levels.

Costs related to the routine production and monthly update of voter lists are part of the ordinary budget of the National Institute of Statistics, which totaled 200 million euros in 2004. The costs are not officially quantified separately in the organization of the Institute's budget, but could be more than 15 percent. In its turn, the Ministry of Interior includes all costs related to the use of voter lists at election times (13 million euros in 2004). These costs cover reproducing the lists to be handed out to political parties; postal communication to voters informing them of the reviewing period before every election and of their specific polling locations; and the management of external voting. This extensive outreach effort explains why voter registration-related expenses have shown the largest actual growth over the last five years. The Ministry must reimburse the Office of the Voter Registry for these costs.

Spain allows external voting by mail, both within the national territory and abroad (the 2004 voter list consisted of 34,557,370 individuals, of whom 1.1 million were voters living abroad). Voters from abroad are included in a separate list of absentee voters that is produced by the Office of the Voter Registry with information provided by Spanish consular offices. At election time, consular offices share management of the ballot abroad with the Office of the Voter Registry. Voters first apply for external voting at the consular office; then most of the ballots are mailed directly to the corresponding local electoral commission, and a smaller amount is handled directly by the consular office for remittance in Spain. All external ballots—including those from within the country—are supposed to be deposited at local electoral commissions within three days following Election Day since the official vote counting must take place on the third day. External voting operations have recently involved more than 600,000 people living in the country and 295,000 from abroad, amounting to 1.8 percent and 0.8 percent of the entire electorate, respectively. Voting abroad has continued to increase over time, while in-country mail voting tends to remain unchanged (Ramos Vadillo, 2003; Brugarolas Masllorens, 2003).

d) Boundary delimitation

There are no constituency boundary delimitation costs since electoral districts for general and municipal elections are established in the Constitution (provinces and municipalities), and these boundaries can only be modified by special law (article 141.1 of Constitution). Regarding regional elections, districts can be modified by ordinary law in the regional legislative assemblies, as contemporary Spain is a quasi-federal state. Until now, no significant issues on boundaries have been raised. In contrast, boundaries of the smallest territorial administrative units for elections (34,711 of them) can be modified by the Office of the Voter Registry after consulting with municipal authorities before elections. This is for the purpose of organizing the polling operation in such a way that the number of votes does not exceed a given number for each polling center and polling station. This has nothing to do with gerrymandering because the result of the election can never be affected given that the

results are aggregated to the entire constituency. These sections are the same as sections for the conduct of population censuses. Each electoral section comprises a few blocks in cities and a number of streets in towns and villages.

e) New election technologies

The use of electronic voting is being tried on a pilot scale. At the national level, a branch of the National Police—a civil guard composed of 70,000 individuals—voted by Internet for its Staff Advisory Committee in 2002 and 2004. On a much smaller scale, a rehearsal with Internet and cellular telephone voting took place in four small municipalities during general elections in May 2004. Prime Minister Zapatero announced in August 2004 that electronic voting might be used in the referendum on the European Constitution early in 2005. Apparently, electronic voting is seen more as a way to encourage voter turnout than to reduce costs.

IV. Overall assessment

An assessment of current and most recent practices of election budgeting and cost and expense management indicates that overall, electoral costs have been consistently increasing and are not likely to decrease in the near future. Within the overall increase, decreases may be expected on specific items (i.e. ballot papers and other polling materials), as new practices are established (external voting) and new technologies (electronic voting) become more common.

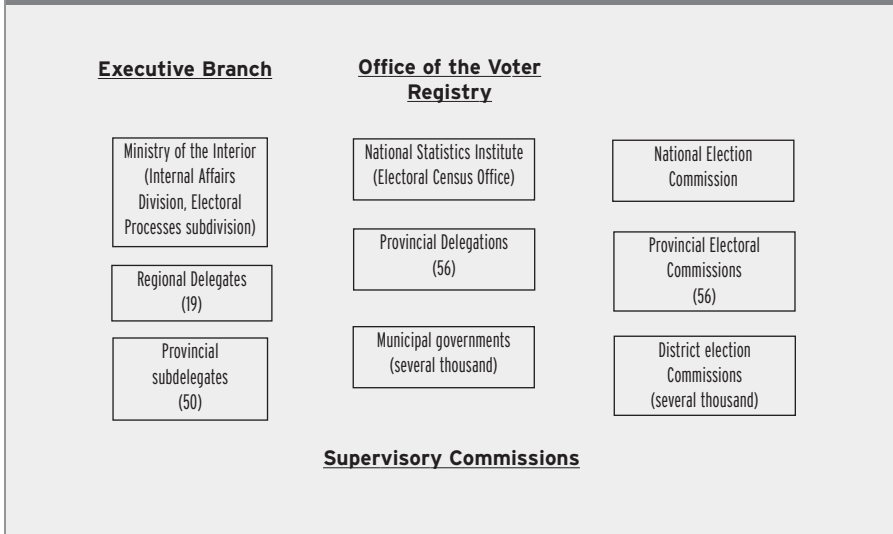
More specifically on cost and expense management, and in spite of the organizational complexities of the Spanish electoral administration, the overall impression is that legal provisions on the funding of elections actually apply without any major political, financial or administrative obstacles. No significant complications regarding approval and disbursement of funds have been identified. Additionally, whenever administrative or technical difficulties in the proper management of the electoral budget are encountered, they seem to be handled properly by public officials at various levels. No official complaints about election-related budgetary issues have been brought before an adjudication agency since the restoration of democracy in the 1970s.

The successful functioning of the system can be attributed to a combination of the following factors: the tradition of a professional civil service at all levels of government; the supervisory role played by commissions made up of judges and academics or legal professionals who are acceptable to political parties (party consensus is needed before appointment); and the continuing presence of political party representatives at all levels throughout the process. Last but not least, the participation of common citizens, randomly selected, in the management of polling stations has given solid legitimacy to the overall management of the voting system.

Case Study 3 - Attachment I.**Case Study 3 - Table 1. Template of the electoral budget of the 2004 general elections***

Chapter I	37.97 million euros
Personnel: extraordinary services	
Representatives of the state administration	
Security forces	
Electoral commissions (<i>juntas</i>)	
Polling station officers	
Arrangement of electoral premises	
Local municipal governments	
Chapter II	32.67 million euros
Forms, ballot papers and envelopes	
Packing and distribution of forms, ballot papers and envelopes	
Purchase of screens and ballot boxes	
Setting, dismantling and transport of screens and ballot boxes	
Storage of electoral materials	
Paddle, pens and other writing materials for polling stations	
Transport for voters	
Transport for polling station officers to courts of justice	
Office materials	
Telephone lines	
Office support to electoral commissions (<i>juntas</i>) as per Art.13 of Electoral Law	
Information on Election Day	
Preliminary counting and transmission of results	
Institutional voter information campaign	
Expenses for setting up the Center for Information Collection	
Coordination meeting with other public administration agencies	
Center for National Information	
Incidentals	
Chapter III	49.10 million euros
National Institute of Statistics INE (Office of Voter Registries)	
Post Office and Telegraph Organization	
State Secretariat for Security (Police)	
Total expenses	119.74 million euros (\$144 million)
*Euro and dollar figures are rounded.	

Case Study 3 - Attachment II. Organization chart of Spain's electoral administration



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About the author

Rafael López-Pintor is a former tenured professor of sociology and political science at the Universidad Autónoma of Madrid and an international electoral consultant. He has a Ph.D. from the University of North Carolina at Chapel Hill and a doctor in law degree from the Universidad Complutense of Madrid. He has worked as an international electoral consultant or as an electoral officer for the UN, EU, OSCE, IDEA, USAID, IFES and NDI in over 25 countries. His recent publications include *Voter Turnout Since 1945: A Global Report*. Stockholm: International idea, 2002, and *Electoral Management Bodies as Institutions of Governance*. New York: undp, 2000.