

DIRECTORATE GENERAL OF DEMOCRACY AND  
POLITICAL AFFAIRS

DIRECTORATE OF DEMOCRATIC INSTITUTIONS

*Project “Good Governance in the Information Society”*



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE

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Strasbourg, 21 December 2010

**Third meeting to review developments in the field of e-voting  
since the adoption of Recommendation Rec(2004)11  
on legal, operational and technical standards for e-voting**

Palais de l'Europe, Strasbourg

16-17 November 2010

**MEETING REPORT**

prepared by the Secretariat

1. The Committee of Ministers' Recommendation Rec(2004)11 to member states on legal, operational and technical standards for e-voting was adopted by the Ministers' Deputies in September 2004. The Recommendation invites member states to keep under review their policy on, and experience of, e-voting. With its biennial meetings on developments in the field of e-voting, the Council of Europe provides a platform for considering these developments at a European level. Consequently, the Council of Europe convened the third such meeting on 16 and 17 November 2010 in Strasbourg to review developments in the field of e-voting since the last such meeting in Madrid in October 2008. The agenda and list of participants can be found in the appendices to this report.

2. With representatives from 17 Council of Europe member states and a representative of Brazil present, the meeting provided a platform to share experiences as well as to discuss two sets of guidelines, one on transparency and the other on the certification of e-voting systems. A specific objective of this meeting was to consider a possible way forward with regard to activities in the field of e-voting after the end of the Council of Europe's five-year project on Good Governance in the Information Society (GGIS).

3. Written progress reports were submitted by Belgium, Bulgaria, the Czech Republic, Finland, Norway, Romania, the Russian Federation, Spain, Switzerland and Brazil as well as by OSCE/ODIHR and the OASIS e-Voting Technical Committee (document GGIS(2010)13). Governmental representatives of Belgium, Bulgaria, Norway, Switzerland and Brazil gave presentations on the progress made and different developments in their countries, and academic experts reported on developments in Austria and Estonia. All progress reports and presentations given at the meeting can be found on the GGIS website:  
<http://www.coe.int/t/dgap/democracy/Activities/GGIS/E-voting/>

4. In respect of Estonia, Kristjan Vassil from the European University Institute (Florence) drew lessons from the comparative analysis of four elections in Estonia since 2005 and concluded that whilst age was becoming a weaker predictor of e-voting, with an e-voting system that has been gaining increasingly broad support, linguistic cleavages continued to be a challenge.

5. With nation-wide e-voting remaining impossible without a constitutional amendment, Austria did not submit a new progress report. In his presentation on the Austrian federation of students' elections in 2009, Andreas Ehringfeld (Vienna Technical University) gave an insight into the reasons for the popular resistance to e-voting evolving in Austria. He also reported on experiences in confronting cyber attacks like denial of service attacks and fake websites. In order to counter phishing attacks, he suggested promoting the website of the e-voting system by multiple channels like posters, flyers and links from other trustworthy websites. From an operational point of view, internet monitoring mechanisms for search engine results should be introduced for detecting possible phishing attacks. So as to enhance trust and to raise awareness among users, official websites and internet voting systems related to legally binding elections should generally be hosted within the government domain space.

6. Reporting on the progress in the current pilot project in Norway, the representative of Norway stated that a system to allow verification by the voter of the correct transmission of votes had been introduced in order to reassure voters and to guarantee both maximum security and transparency. It was suggested that Norway had largely adopted the Estonian process and added the verification mechanism in order to address the critical issue of processing the data prior to encryption.

7. Speaking about the Brazilian experience, Susan Kleebank highlighted that remote and non remote e-voting in Brazil has gained the public's trust, as reflected in growing numbers of e-votes.

8. The representative of Switzerland shared her country's experiences of the recent co-operation between cantons which had developed and tested internet voting systems and those which had expressed the wish to set up similar systems. Switzerland is also providing voting via the internet for Swiss citizens living abroad. Ninety percent of those who are registered to vote live in the 'Wassenaar' (i.e. the group of countries participating in the 'Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies'<sup>1</sup> or in EU countries. The Swiss electoral authorities focus on these countries because exchange of encrypted data, which is used with voting via the internet, is allowed in these countries.

9. Prof. Mihail Konstantinov reported that in Bulgaria e-voting had been successfully tested in nine polling stations in Sofia during the 2009 Parliamentary elections. However, the project was suspended in view of the high costs for introducing e-voting machines in all 12 000 polling stations in the country and the negative feedback on e-voting from countries such as Germany and the Netherlands. He reported that the current National Assembly was reconsidering e-voting and had introduced an Ad hoc inter-parliamentary group which has drafted a new Electoral Code that was currently under discussion in the Parliament.

10. In his report on developments in Belgium, Stéphan De Mul noted that there has been a process of intense reflection about an updated e-voting system since 2006. Pending decisions by the Government, it is envisaged to receive a prototype of the new electronic voting system in Spring 2011 and to organise some trial runs in the summer. If these steps prove satisfactory, the new electronic voting system could be made available to municipalities for the municipal and provincial elections of 14 October 2012. He added that Belgium had initiated a project on internet voting for Belgians abroad in 2009 which might be relaunched for the 2011 Parliamentary elections.

11. The representative of OSCE/ODIHR pointed out that e-voting continued to be of great interest to OSCE participating States and to the current Kazakh Chairmanship-in-office. However, only a limited number of OSCE participating States are currently using e-voting whilst some states have even stopped using it following problematic experiences. He pointed out that the Council of Europe was considered a central player in the field of e-voting, with CM Rec(2004)11 being the only agreed international document to date. Recalling that ODIHR took a broader approach to new voting technologies than the Council of Europe guidelines, he called upon states to assess technological, legal and security-related questions alike in order to secure their respective e-voting systems. He pointed out that ODIHR looked forward to continuing its co-operation with the Council of Europe and with other institutions and underlined the need to continue to organise review meetings in a biennial rhythm.

12. The representative of ACEEEO also made a statement, noting that on 15-18 June 2011, ACEEEO would hold a conference on the occasion of the organisation's 20<sup>th</sup> anniversary. A written progress report about the work of the OASIS e-Voting Technical Committee has been made available to the participants.

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<sup>1</sup> For more information please refer to: <http://www.wassenaar.org/faq/index.html>

13. Two sets of guidelines, one on the transparency of e-enabled elections and the other on the certification of e-voting systems, were prepared by the Secretariat with input from representatives of interested member states and academic experts. These texts were met with great interest and were endorsed by the participants, who recognised that the guidelines provide a common reference. The Secretariat recalled that the focus was on developing a politically feasible and economically viable approach rather than a theoretical or ideal type model.

14. The representative of Switzerland stressed that the guidelines needed to be viewed as work in progress since the practical experiences in the field of e-voting were in constant evolution. Their format called for and allowed ongoing revision and extension. The other participants in the meeting agreed with this point of view. A number of detailed comments on different parts of the two sets of guidelines were made and the Secretariat was asked to take them into account in the next revision of the two texts.

15. With regard to the guidelines on the transparency of e-enabled elections, the question was asked how the guidelines could best be implemented in a multi-lingual country, with the representatives of Belgium and Switzerland stressing that existing legislation needed to be taken into account. Another question was asked about how 'public trust in the current electoral system' (guideline No. 1) may be measured. On the issue of access to documentation and reports by election observers and by the media (guideline No.6), Switzerland requested that a distinction should be made between official election observers and the media, as the latter might not always be balanced and neutral in their coverage of elections. Concerning guideline No.13 on the use of a second medium to store the electronic votes, Norway requested that the concept of 'end-to-end verifiability' be included in the text of that guideline.

16. Regarding the guidelines on the certification of e-voting systems, Belgium drew attention to the principle of public procurement for e-voting systems, reminding participants that not only financial but also technical criteria should be taken into account in the decision-making process. He added that in view of the current economic context, the guidelines should attach more importance to efficiency considerations in order not to hinder states from introducing e-voting systems due to financial constraints. Germany requested that the explanations to guideline No.9, on existing international standards that might be relevant for certification of e-voting systems, should be made more comprehensive and that the glossary of terms in the Appendix should be brought more into line with the terminology of existing standards.

17. Following the exchange of views on the transparency and certification guidelines, the meeting featured the launch of the Council of Europe 'E-voting Handbook – Key Steps in the Implementation of e-enabled Elections', prepared by Susanne Caarls of the Secretariat. This Handbook is written for governments and organisations considering whether or not to conduct e-voting pilots or trials or to make e-voting a feature of their electoral system.

18. In the concluding session, the participants exchanged views on the future prospects and challenges in the field of e-voting. The Secretariat reiterated that despite the end of the GGIS project, electoral matters would continue to be of great importance to the Council of Europe. Moreover, 2011 would be a milestone year with the application of e-voting systems in elections in Estonia, Norway, Switzerland and the Russian Federation.

19. The representative of 'e-voting.cc', Manuel Kripp, suggested that the international 'Evote conferences', held biennially near Bregenz (Austria) since 2004, could be used as a forum to continue the Council of Europe's intergovernmental review meetings. He further

proposed that e-voting.cc, in co-operation with the Technical University of Vienna, could set up a collaborative online platform to maintain the exchange of experience and expertise that the biennial review meetings have facilitated since 2004.

20. There was agreement that this proposal merits serious consideration. However, it was noted that, in order to have the necessary credibility on the part of governments, the Council of Europe would have to be an identifiable stakeholder and would somehow need to be involved in the management of such a new platform. When working with the new tool of a collaborative online platform, some oversight and moderation would be necessary. Participants further agreed that even though online consultations and exchanges of experience via the platform are important to enhance dialogue and mutual learning, face-to-face meetings remain important if the co-operation is to be sustainable. It was agreed to open the new platform to a closed user group, upon invitation only, to foster an informal dialogue among participating member states and experts.

21. Participants also endorsed the idea of continuing the biennial intergovernmental review meeting in an alternative format, possibly by expert workshops to be held as an “intergovernmental track” the day before or after the biennial academic ‘Evote conference’. This would also provide the opportunity to participate in the conference and in academic discussions.

22. At the end of the meeting, the participants asked the Secretariat to bring to the attention of the Committee of Ministers the conclusions of this meeting and, in particular, the suggestion for the collaborative online platform and for the continuation of the biennial review meetings under the umbrella of the Bregenz conferences. In the absence of a dedicated programme on e-governance, the participants expressed their hope that the Council of Europe could identify some limited budgetary and human resources as part of its activities on electoral matters to support the online platform and future biennial review meetings. With regard to the latter, they expressed their hope that the Secretary General would continue to grant his High Patronage to the Bregenz conferences.

## APPENDIX I

### PROGRAMME

#### Tuesday 16 November

##### 9.30 am

*(coffee break  
mid-morning)*

##### Opening session

Introduction of participants  
Background and objectives of the meeting – Introductory statement by the Secretariat

##### Progress reports from

##### *Council of Europe member states*

Switzerland - Ardita Driza-Maurer, document GGIS(2010)16

Estonia - Kristjan Vassil, document GGIS(2010)15

Austria - Andreas Ehringfeld

Norway - Henrik Nore, document GGIS(2010)10

##### *Other countries*

Brazil - Susan Kleebank, Advisor for International Affairs of the Supreme Electoral Court, document GGIS(2010)9

*Progress reports from other Council of Europe member states (documents GGIS(2010) 7, 11, 12, 14, 17) and other countries*

Belgium - Stéphan de Mul, document GGIS(2010)8

Bulgaria - Mihail Konstantinov, document GGIS(2010)18

##### 12.30 - 2.00 pm

##### Lunch break

##### 2.00 pm- 6.00 pm

*(coffee break  
mid-afternoon)*

##### Progress reports continued

##### *International Organisations*

ODIHR - Robert Krimmer, Senior Adviser on New Voting Technologies

ACEEEO - Jenö Szep

##### Transparency

Presentation of the Council of Europe **Guidelines on transparency of e-enabled elections**, document GGIS(2010)5

*General Discussion*

**Wednesday 17 November**

**9.00 am**  
*coffee break*  
*mid-morning)*

Presentation of the **E-voting Handbook: Key steps in the implementation of e-enabled elections**

**Certification**

Presentation of the Council of Europe **Guidelines on the certification of e-voting systems**, document GGIS(2010)3

*General Discussion*

**12 noon**

**Concluding session: Looking ahead - Future prospects and challenges, the role of the Council of Europe and other stakeholders**

- contribution by Manuel Kripp, e-voting.cc, about the international conferences on e-voting in Bregenz, Austria

*General Discussion*

**1.00 pm**

End of the meeting

## APPENDIX II

### **LIST OF PARTICIPANTS/ LISTE DES PARTICIPANTS**

#### **MEMBER STATES/ ETATS MEMBRES**

##### **AUSTRIA/ AUTRICHE**

Mr Gregor WENDA  
Federal Ministry of the Interior  
Republic of Austria  
Department III/6- Electoral Affairs  
Deputy Head of Department  
Postfach 100  
A-1014 Wien  
Tel.: +43 1 531 26 - 2323  
Fax: +43 1 531 26 - 2110  
E-mail: [Gregor.Wenda@bmi.gv.at](mailto:Gregor.Wenda@bmi.gv.at)

##### **BELGIUM/ BELGIQUE**

M. Stéphan DE MUL  
Attaché-Juriste  
SPF Intérieur- Service Elections  
11, rue des Colonies  
B - 1000 Bruxelles  
E-mail: [stephan.demul@rrn.fgov.be](mailto:stephan.demul@rrn.fgov.be)

M. Patrick TROUVEROY  
Informaticien-expert auprès de l'Administration des Pouvoirs Locaux du Ministère de la Région de  
Bruxelles-Capitale  
City Center Offices  
20, boulevard du Jardin Botanique  
B - 1000 Bruxelles  
Tél. : +32 2 800 38 77  
Fax : +32 2 800 38 00  
E-mail : [ptrouveroy@mrbc.irisnet.be](mailto:ptrouveroy@mrbc.irisnet.be)

##### **BULGARIA/ BULGARIE**

Prof. Mihail KONSTANTINOV  
Department of Mathematics  
Vice Dean of the Faculty of Transport Engineering  
University of Architecture Civil Engineering and Geodesy (UACEG)  
BG - 1046 Sofia  
Tel. : +359 2 9635245,  
Ext. 250: +359 884 316 010  
Fax : +359 2 9403527  
E-mail : [mmk\\_fte@uacg.bg](mailto:mmk_fte@uacg.bg)

## **CZECH REPUBLIC/ REPUBLIQUE TCHEQUE**

Ms Simona ŠMIDOVA  
Ministry of the Interior of the Czech Republic  
General administration department  
section for election and association  
Nad Štolou 3,  
170 00, Prague 7  
Czech Republic  
E-mail: [volby@mvcz.cz](mailto:volby@mvcz.cz)

## **FRANCE**

M. Pascal COURTADE  
Bureau des Elections et Etudes Politiques  
Direction de la Modernisation et de l'Action territoriale du Ministère de l'Intérieur  
1, bis place des Saussaies  
75008 Paris  
France  
E-mail: [Pascal.COURTADE@interieur.gouv.fr](mailto:Pascal.COURTADE@interieur.gouv.fr)

## **FINLAND/ FINLANDE**

Mr Jussi AALTONEN  
Ministerial Adviser  
Ministry of Justice  
P.O. Box 25  
FIN - 00023 Government  
Tel. : + 358 9 1606 7620  
E-mail : [Jussi.Aaltonen@om.fi](mailto:Jussi.Aaltonen@om.fi)

## **GERMANY/ ALLEMAGNE**

Mr Boris FRANSSEN-DE LA CERDA  
Counsellor  
Bundesministerium des Inneren  
Referat V I5  
Alt-Moabit 101 D  
D - 10559 Berlin  
Tel. : +49 1888 681 45520  
Fax : +49 1888 681 59 141  
E-mail : [VI5@bmi.bund.de](mailto:VI5@bmi.bund.de)

## **ITALY/ ITALIE**

Dr. Giuseppe CASTALDO  
Vice Prefect  
Ministry of the Interior  
Department for Internal and Territorial Affairs  
Central Directorate of Electoral Services  
Piazza del Viminale n. 1  
I - 00148 Rome  
Tel: +39 06 46 53 80 86

Fax: +39 06 488 37 56  
E-mail: [giuseppe.castaldo@interno.it](mailto:giuseppe.castaldo@interno.it)

Mr Salvatore GALATIOTO  
Department for Internal and Territorial Affairs  
Central Directorate of Electoral Services  
Piazza del Viminale n. 1  
I - 00148 Rome  
E-mail: [salvatore.galatioto@interno.it](mailto:salvatore.galatioto@interno.it)

#### **MOLDOVA/ MOLDAVIE**

Mr Veaceslav SISOVSCHI  
Head of the Foreign Communication Bureau,  
CRIS "Registru",  
Ministry of Information Technology and Communication  
134 Ștefan cel Mare și Sfînt blvd.  
MD 2012Chisinau  
Moldova  
Email: [slavuniaster@gmail.com](mailto:slavuniaster@gmail.com)

Mr Eugeniu URSU  
Head of the Informational Systems Department,  
CRIS "Registru",  
Ministry of Information Technology and Communication  
134 Ștefan cel Mare și Sfînt blvd.  
MD 2012Chisinau  
Moldova  
E-mail: [eugeniu.ursu@registru.md](mailto:eugeniu.ursu@registru.md)

#### **NETHERLANDS/ PAYS-BAS**

Mr Rintje OENEMA  
Lange Vijverberg 11  
NL- 2513 AH Den Haag  
Email: [rintjeoenema@bprbzk.nl](mailto:rintjeoenema@bprbzk.nl)

Ms Katinka VAN BARNEVELD  
Specialist Kiesraad  
Tel: +31 70 426 82 19  
Tel (secretariat): +31 70 426 62 66  
NL-Den Haag  
Email: [Katinka.Barneveld@kiesraad.nl](mailto:Katinka.Barneveld@kiesraad.nl)

#### **NORWAY/ NORVEGE**

Mr Christian BULL  
Ministry of Local Government  
and Regional Development  
Postbox 8112 Dep.  
N - 0032 Oslo  
E-mail : [Christian.Bull@krd.dep.no](mailto:Christian.Bull@krd.dep.no)

Mr Hans Petter GRAVDAHL  
Deputy Director General at the Ministry  
of Local Government and Regional Development  
Postbox 8112 Dep.  
N - 0032 Oslo  
E-mail : [Hans-Petter-Friestad.Gravdahl@krd.dep.no](mailto:Hans-Petter-Friestad.Gravdahl@krd.dep.no)

Mr Henrik NORE  
Project Manager e-voting  
Ministry of Local Government and Regional Development  
Postbox 8112 Dep.  
N - 0032 Oslo  
Office: +47 22247270  
Mobile: +47 95102988  
E-mail : [henrik.nore@krd.dep.no](mailto:henrik.nore@krd.dep.no)

### **PORTUGAL/PORTUGAL**

Mr Domingos MAGALHAES  
Director of services  
DGAI – Electoral Administration  
Av D. Carlos I, 134  
P - 1249-104 Lisbon  
Tel. : +351 213947100  
Fax : +351 213909264  
E-mail : [dmagalhaes@mail.telepac.pt](mailto:dmagalhaes@mail.telepac.pt)

### **ROMANIA/ ROUMANIE**

Mr Gabriel SAUCA  
Director of the IT department  
Permanent Electoral Authority of Romania  
6, Stavropoleos Street  
3rd District  
030084, Bucharest  
Romania  
E-mail: [gabriel.sauca@roaep.ro](mailto:gabriel.sauca@roaep.ro)

### **RUSSIAN FEDERATION/ FEDERATION DE RUSSIE**

Mr Sergey ALESHKIN  
Central Electoral Commission  
of the Russian Federation  
Tel: +7 916 324 09 45  
E-mail: [femid@mail.ru](mailto:femid@mail.ru)

### **SLOVAK REPUBLIC/ REPUBLIQUE SLOVAQUE**

Ms Livia SKULTETYOVA  
Director of the Department for  
the Election and Referendum  
Ministry of Interior of the Slovak Republic  
Drienova 22  
SK - 826 86 Bratislava

Tel. : +421 2 4333 8662  
Fax : +421 2 4333 3552  
E-mail : [ovr.svs@mvsr.vs.sk](mailto:ovr.svs@mvsr.vs.sk)

Mr Thomas KERUL'  
Expert on development of information systems  
Statistical Office of the Slovak Republic  
Mileticova  
824 67 Bratislava  
[Tomas.kerul@statistics.sk](mailto:Tomas.kerul@statistics.sk)

## **SWITZERLAND/ SUISSE**

Ms Ardita DRIZA-MAURER  
Juriste  
Projet de vote électronique  
Chancellerie fédérale  
Palais fédéral ouest  
CH - 3003 Berne  
Switzerland  
Tél. : +41 31 322 06 10  
Fax : +41 31 322 58 43  
E-mail : [ardita.driza-maurer@bk.admin.ch](mailto:ardita.driza-maurer@bk.admin.ch)

## **UKRAINE**

Mr Dmytro KULEBA  
Office of the Minister of Foreign Affairs  
Ministry of Foreign Affairs of Ukraine  
2, vul.Velyka Zhytomyrska  
Kyiv 01018  
Ukraine  
E-mail: [d.kuleba@mfa.gov.ua](mailto:d.kuleba@mfa.gov.ua)

## **NON-MEMBER STATES**

### **BRAZIL/ BRÉSIL**

Ms Susan KLEEBANK  
Electoral Justice- Superior Electoral Court  
Praça dos Tribunais Superiores, Bloco C  
Brasília/DF  
Brazil  
CEP: 70096-900  
Tel: +55 61 3316 3499  
Fax: +55 61 3316 3534  
E-mail: [susan.kleebank@tse.jus.br](mailto:susan.kleebank@tse.jus.br)

## **INTERNATIONAL ORGANISATIONS/ ORGANISATIONS INTERNATIONALES**

### **OSCE/ODIHR - OSCE/BIDDH**

Mr Robert KRIMMER  
Senior Adviser on New Voting Technologies  
OSCE Office for Democratic Institutions and Human Rights  
Aleje Ujazdowskie 19  
00-557 Warsaw  
Poland  
Tel: +48 603 793 787  
E-Mail: [robert.krimmer@odihp.pl](mailto:robert.krimmer@odihp.pl)

## **OTHER ORGANISATIONS/ AUTRES ORGANISATIONS**

### **ASSOCIATION OF EUROPEAN ELECTION OFFICIALS (ACEEEO)**

Dr Jenö SZEP  
Advisor at ACEEEO  
Alkotmany u. 25  
H - 1054 Budapest  
Hungary  
Tel. : +36209448719  
Fax : +3613540264  
E-mail : [jeno.szep@gmail.com](mailto:jeno.szep@gmail.com)

### **E-VOTING.CC**

Mr Manuel KRIPP  
Competence Center for Electronic Voting and Participation (E-Voting.CC)  
Pyrkergergasse 33/1/2  
A - 1190 Vienna  
Austria  
Tel: +43 1 3193950  
Fax: +43 1 3193955  
E-Mail: [m.kripp@e-voting.cc](mailto:m.kripp@e-voting.cc)

## **EXPERTS**

Mr Kristjan VASSIL  
European University Institute  
Badia Fiesolana  
Via dei Roccettini 9  
I-50014 San Domenico di Fiesole (FI)  
Italy  
E-mail: [kristjan.vassil@eui.eu](mailto:kristjan.vassil@eui.eu)

Mr Andreas EHRINGFELD  
Researcher  
Vienna University of Technology  
Wiedner Hauptstrasse 76  
Stiege 2, 2 Stock  
1040 Vienna  
Austria  
Tel: +43 664 608 44 41 026  
E-mail: [andreas.ehringfeld@inso.tuwien.ac.at](mailto:andreas.ehringfeld@inso.tuwien.ac.at)

**COUNCIL OF EUROPE SECRETARIAT/**  
**SECRETARIAT DU CONSEIL DE L'EUROPE**

**European Commission for Democracy through Law (Venice commission)/ Commission  
Européenne pour la démocratie par le droit (Commission de Venise)**

Mr Pierre GARRONE  
Head of Division  
Elections and referendums division  
E-mail: [Pierre.Garrone@coe.int](mailto:Pierre.Garrone@coe.int)

**Directorate General of Democracy and Political Affairs/  
Direction Générale de la Démocratie et des Affaires Politiques**

**Directorate of Democratic Institutions/ Direction des Institutions Démocratiques**

Mr Childerik SCHAAPVELD  
Director of Democratic Institutions/ Directeur des Institutions Démocratiques

Mr Michael REMMERT  
Project Manager/ Chef de Projet  
« Good Governance in the Information Society / Bonne gouvernance dans la société de l'information »

Ms Susanne CAARLS  
Programme adviser/ Conseillère de programme  
« Good Governance in the Information Society / Bonne gouvernance dans la société de l'information »

Ms Suzette SAINT-MARC  
Project Assistant/ Assistante de Projet  
« Good Governance in the Information Society / Bonne gouvernance dans la société de l'information »

Ms Elsa BOUDJEMA  
Assistant/ Assistante  
« Good Governance in the Information Society / Bonne gouvernance dans la société de l'information »

Ms Franziska STAHL  
Trainee/ Stagiaire  
« Good Governance in the Information Society / Bonne gouvernance dans la société de l'information »