

Directorate General of Democracy and Political Affairs

DIRECTORATE OF DEMOCRATIC INSTITUTIONS

PROJECT “FORUM FOR THE FUTURE OF DEMOCRACY”



FFD-AB (2009)5 REV. E

Strasbourg, 6 October 2009

Forum for the Future of Democracy

Kyiv, 21-23 October 2009

**The Council of Europe *acquis*
in the electoral field**

Annotated bibliography prepared by the Secretariat

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Committee of Ministers

[Recommendation CM/Rec\(2009\)2 of the Committee of Ministers to member states on the evaluation, auditing and monitoring of participation and participation policies at local and regional level](#)

The Committee of Ministers recommends that member states co-operate with local and regional authorities and other stakeholders in order to evaluate democratic participation and its impact at local and regional level in a way that fosters co-operation between policy makers, practitioners and researchers, including academic institutions. It highlights the value of analytical tools, such as C.L.E.A.R. in this work.

[Recommendation CM/Rec\(2009\)1 of the Committee of Ministers to member states on electronic democracy \(e-democracy\)](#)

The Committee of Ministers recommends that member states use the possibilities offered by information and communication technology (ICT) to support and enhance democracy, democratic institutions and democratic processes. Used as a complement to traditional tools, e-democracy offers an opportunity to widen democratic participation and reinforce consultation and dialogue.

[Recommendation CM/Rec\(2007\)15 of the Committee of Ministers to member states on measures concerning media coverage of election campaigns](#)

The Committee of Ministers notes the important role of the media in modern societies, especially at election time and that the fundamental principle of editorial independence of the media assumes a special importance in such periods. It recommends that member states examine ways of ensuring respect for the principles it outlines regarding the coverage of election campaigns by the media, and adopt appropriate measures to implement these principles in their domestic law or practice.

[Recommendation Rec\(2004\)13 on the participation of young people in local and regional life](#)

Te Committee of Ministers recommend an environment favourable to active participation by young people in local and regional life. Amongst other matters, it encourages governments to enhance the possibilities for young people of voting age, who are permanently and legally residing on respective territories, to participate in local and regional elections.

[Recommendation Rec\(2004\)12 of the Committee of Ministers to member states on the processes of reform of boundaries and/or structure of local and regional authorities](#)

The Committee of Ministers recommends that, prior to reforms of the boundaries and/or the structure of local and/or regional authorities, member states should identify and take account of the applicable legal and practical preconditions and ensure the existence of well-designed decision-making procedures based on good institutional dialogue. Levels of satisfaction both in respect of service delivery and the credibility and sensitivity of local/regional government are important indicators for the optimal size.

[Recommendation Rec\(2004\)11 of the Committee of Ministers to member states on legal, operational and technical standards for e-voting](#)

In the first, and to date only, international standard-setting document on e-voting, the Committee of Ministers notes that some member states are already using, or are considering using, e-voting. Bearing in mind that the right to vote is one of the primary foundations of democracy, it insists that e-voting system procedures must comply with the principles of democratic elections and referendums and need to be as reliable and secure as democratic elections and referendums which do not involve the use of electronic means. The Council of Europe organises biennial meetings with governmental experts to review e-voting developments since the adoption of the Recommendation.

[Recommendation Rec\(2003\)4 of the Committee of Ministers to member states on common rules against corruption in the funding of political parties and electoral campaigns](#)

The Committee of Ministers is aware that corruption represents a serious threat to the rule of law, democracy, human rights, equity and social justice; that it hinders economic development, endangers the stability of democratic institutions and undermines the moral foundations of society. With this in mind, it recommends that the governments of member states adopt rules, based upon the principles and guidelines provided in the text, against corruption in the funding of political parties and electoral campaigns.

[Recommendation Rec\(2003\)3 on balanced participation of women and men in political and public decision making](#)

The Committee of Ministers recommend that the governments of member states commit themselves to promote balanced representation of women and men by recognising publicly that the equal sharing of decision-making power between women and men of different background and ages strengthens and enriches democracy. The text suggests that they could consider adopting legislative reforms to introduce parity thresholds for candidates in elections at local, regional, national and supra-national levels.

[Recommendation Rec\(2001\)19 of the Committee of Ministers to member states on the participation of citizens in local public life](#)

The Committee of Ministers recommends that member states frame a policy, involving local and – where applicable – regional authorities, designed to promote citizens' participation in local public life, drawing on the principles of the European Charter of Local Self-Government and the principles contained in this Recommendation.

[Recommendation Rec\(86\)8 on the exercise in the state of residence by nationals of other member States of the right to vote in the elections of the state of origin](#)

The Committee of Ministers recommends that governments of member states allow nationals of other member states residing on their territories to exercise their right to vote with regard to their countries of origin, according to the formalities of these countries.

European Court of Human Rights

[European Convention for the Protection of Human Rights and Fundamental Freedoms](#)

Articles of the Convention relevant to electoral issues include: Article 10. Freedom of expression; Article 11. Freedom of assembly and association; and Article 3. of the First Protocol to the Convention, the right to free elections. Case law can be consulted through the [European Court of Human Rights library](#).

European Commission for Democracy through Law (Venice Commission)

The number of documents of the Venice Commission in the electoral field is very large. The major reference documents and studies were compiled and published by Council of Europe Publishing in 2008 in "[Electoral Law](#)". This book is available in English and French and Russian. An edition in Ukrainian is under preparation and will be available at the 2009 Forum Session in Kyiv.

The major documents of the Venice Commission in the electoral field' can be found below. Some of these texts are also available in non-official CoE languages. Further information can be found on the [Venice Commission website](#)

Elections

CDL-AD(2009)031 [Guidelines on Media Analysis during Election Observation Missions by the OSCE Office for Democratic Institutions and Human Rights \(OSCE/ODIHR\) and the Venice Commission](#)

Adopted by the Council for Democratic Elections at its 29th meeting (Venice, 11 June 2009) and the Venice Commission at its 79th plenary session (Venice, 12-13 June 2009)

*This publication defines the methodology for the analysis of electoral campaigns, both by the public and private broadcasters, as well as by the press which highlight certain common principles that are important when assessing an electoral process from the point of view of international observers. It is based on the experience of international organisations, including the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Council of Europe and the European Union. It is a summarised and updated version of a previous document, **CDL-AD(2005)032** Guidelines on Media Analysis during Election Observation Mission.*

CDL-AD(2009)029 [Report on the Impact of Electoral Systems on Women's Representation in Politics adopted by the Council for Democratic Elections at its 28th meeting \(Venice, 14 March 2009\) and the Venice Commission at its 79th plenary session \(Venice, 12-13 June 2009\)](#)

This document concludes that, among the institutional factors of politics, both the electoral system and gender quotas can strongly influence women's parliamentary representation. The following combination, theoretically, appears to be the most favourable to gender balance: PR list systems in large constituencies and/or a nationwide district, with legal threshold, closed lists and a mandatory quota which provides not only for a high portion of female candidates, but also for strict rank-order rules, e.g. a zipper-system, and effective sanctions for non-compliance. However, the aim to ensure women's representation has to be balanced with other legitimate aims of the electoral system.

CDL-AD(2009)020rev [Report on an internationally recognised status of election observers](#)

Adopted by the Venice [Commission](#) at its 78th Plenary Session (Venice, 13-14 March 2009)

This report summarises the national legislation and practice on the rights of elections observers.

[CDL-AD\(2009\)026](#) [Summary of Recommendations on an internationally recognised status of election observers](#)

Adopted by the Council for Democratic Elections at its 29th meeting (Venice, 11 June 2009) and the Venice Commission at its 79th plenary session (Venice, 12-13 June 2009)

This document summarises the recommendations by international organisations, more precisely OSCE/ODIHR and the Council of Europe, on this issue. They should be followed by recommendations.

[CDL\(2009\)075](#) [The Venice Commission - The Council of Europe's Advisory Body on Electoral Matters](#)

This document summarises the activities of the Venice Commission as a body specialised in the electoral field since its creation, detailing their various aspects opinions on national legislation, standard-setting, comparative studies and seminars, specific assistance).

[CDL-AD\(2008\)037](#) [Comparative Report on thresholds and other features of electoral systems which bar parties from access to Parliament](#)

Adopted by the Council for Democratic Elections at its 26th meeting (Venice, 18 October 2008) and the Venice Commission at its 77th plenary session (Venice, 12-13 December 2008)

This report addresses legal measures capable of restricting or enhancing parties' access to parliaments. It focuses on legal and natural thresholds, types of electoral systems, without forgetting restrictions on funding, ballots and media access.

[CDL-AD\(2006\)020](#) [Declaration on Women's Participation in Elections](#)

Adopted by the Venice Commission at its 67th plenary session (Venice, 9-10 June 2006)

This Declaration expands upon Item I.2.5 of the Code of Good Practice in Electoral Matters which proposes that legal rules requiring a minimum percentage of persons of each gender among candidates should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis.

[CDL-AD\(2006\)018](#) [Report on Electoral Law and Electoral Administration in Europe - Synthesis study on recurrent challenges and problematic issues](#)

Adopted by the Council for Democratic Elections at its 17th meeting (Venice, 8-9 June 2006) and the Venice Commission at its 67th plenary session (Venice, 9-10 June 2006)

This report identifies the recurrent challenges and weak points in the electoral legislation and the electoral administration in Europe against the background of international standards and good practices in electoral matters. It focuses on those countries where the Council of Europe has been engaged in making electoral recommendations or observing elections recently. It underlines a number of areas where progress is still required, at least in some countries, such as enhancing the independence, professionalism, and legitimacy of the electoral administration; ensuring fair and equal conditions for the political contestants in the pre-election period; improving voter registration and the voting procedures; paying more attention to the post-election period; protecting women's and minorities' rights.

[CDL-AD\(2005\)043](#) [Interpretative Declaration on the Stability of the Electoral Law](#)

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Adopted by the Council for Democratic Elections at its 15th meeting (Venice, 15 December 2005) and the Venice Commission at its 65th plenary session (Venice, 16-17 December 2005)

This Declaration offers an interpretation of the Code of Good Practice in Electoral Matters CDL-AD(2002)023rev, item II.2.B

CDL-AD(2004)003 [Report on Electoral Systems - Overview of available solutions and selection criteria](#)

Adopted by the Venice Commission at its 57th Plenary Session (Venice, 12-13 December 2003)

This report underlines that electoral systems (formulas) are the core mechanism to represent the will of sovereign people and to keep those who govern accountable. It focuses on the three main functions of the electoral systems: representation, selection and investiture. It analyses three main historical models for the functionality of electoral systems: elitist, mass democracy and the consumerist individuation model and outlines the advantages and drawbacks of the different systems. The report concludes with some considerations on the specific situation in emerging democracies.

CDL-AD(2002)023rev [Code of Good Practice in Electoral Matters: Guidelines and Explanatory Report](#)

Adopted by the Venice Commission at its 52nd session (Venice, 18-19 October 2002)

The code of good practice and its explanatory report is a flagship instrument which defines and clarifies the principles underlying Europe's electoral heritage based upon universal, equal, free, secret and direct suffrage in regularly held elections. It puts also the emphasis on the conditions required to implement the principles, such as are respect for fundamental rights, adequate regulatory levels and stable electoral laws, organisation of elections by an impartial body and an effective system of appeal. The Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe approved the code of good practice in electoral matters and the Committee of Ministers encouraged its implementation; it is therefore the reference document of the Council of Europe in the field of elections.

Referendums

CDL-AD(2007)008rev [Code of good practice on Referendums](#)

Adopted by the Council for Democratic Elections at its 19th meeting (Venice, 16 December 2006) and the Venice Commission at its 70th plenary session (Venice, 16-17 March 2007)

This document is the counterpart of the Code of good practice in electoral matters. The document begins by listing the principles of Europe's electoral heritage applicable to both elections and referendums (universal, equal, free, secret and direct suffrage) and the conditions for implementing those principles (including respect for fundamental rights, stability of the law, organisation of the ballot by an impartial body, existence of an effective appeal system), adapting them to the specific features of a referendum. Its last section focuses on the specific rules applicable to the referendum, such as unity of substance and form, compliance with all superior law and the entire legal order, including procedural rules.

CDL-AD(2005)034 [Referendums in Europe – An analysis of the legal rules in European States](#)

Adopted by the Council for Democratic Elections at its 14th meeting (Venice, 20 October 2005) and the Venice Commission at its 64th plenary session (Venice, 21-22 October 2005)

Direct consultation has long been the subject of heated discussion between legal and political experts, sociologists, politicians, and indeed the general public. The constitutions of many of the new democracies give referendums a prominent role and this study addresses the main legal questions raised by direct consultation of the people in European democracies.

Electoral law and national minorities

CDL-AD(2008)013 [Report on Dual Voting for Persons belonging to National Minorities](#)

Adopted by the Council for Democratic Elections at its 25th meeting (Venice, 12 June 2008) and the Venice Commission at its 75th plenary session (Venice, 13-14 June 2008)

This report examines ways to achieve effective participation in public affairs by national minorities. It concludes that dual voting is an exceptional measure which may in certain circumstances reduce tensions. It should be considered within the framework of the Constitution and should respect the principle of proportionality under its various aspects, which means that it should have a transitional character and apply only to small minorities.

CDL-AD(2005)009 [Report on Electoral Rules and Affirmative Action for National Minorities' Participation in decision-making process in European countries](#)

Adopted by the Council for Democratic Elections at its 12th meeting (Venice, 10 March 2005) and the Venice Commission at its 62nd Plenary Session (Venice, 11-12 March 2005) (not included in the publication 'Electoral law')

This report suggests guiding principles on the controversial issue of affirmative action for national minorities' participation in the decision-making processes and offers a basis for developing common European frameworks, if not yet standards, for such action. It takes note that there are already in existence interesting electoral rules that have affirmative action goals, but that in general they have limited range.

CDL-INF(2000)004 [Electoral law and national minorities](#)

Adopted by the Venice Commission at its 41th plenary session (Venice, 10-11 December 1999)

This report addresses the issue of participation of national minorities in a state's elected bodies, especially the national legislature. Such participation is studied through electoral systems (formulas) and the possibilities they give members of national minorities to be present in elected bodies. The participation of members of national minorities in public life through elected office results not so much from the application of rules specific to the minorities, as from the implementation of general rules of electoral law, adjusted, if need be, to increase the chances of success of the candidates from such minorities.

Political parties

CDL-AD(2009)021 [Code of Good Practice in the field of Political Parties adopted by the Venice Commission at its 77th Plenary Session \(Venice, 12-13 December 2008\) and Explanatory Report adopted by the Venice Commission at its 78th Plenary Session \(Venice, 13-14 March 2009\)](#) *This Code is the most important document of the Venice Commission in the field of political parties. This text, which is addressed to political parties, aims to reinforce their internal democracy and increase their credibility in the eyes of citizens, thus contributing to the legitimacy of the democratic process and institutions as a whole and fostering participation in political life, as well as to promote democratic principles such as equality, dialogue, co-operation, transparency and the fight against corruption.*

CDL-AD(2006)025 [Report on the Participation of Political Parties in Elections](#)

Adopted by the Council for Democratic Elections at its 16th meeting (Venice, 16 March 2006) and the Venice Commission at its 67th plenary session (Venice, 9-10 June 2006)

This document summarises a number of national rules in the field of political parties, and concludes that a set of common standards is not only possible but also quite appropriate in a number of fields, which are rules for the nomination of candidates for different elections; equal treatment of different parties and individual candidates competing in elections; possibility to have observers during the elections until the last complaints are dealt with by the competent bodies; transparency in campaign financing and accountability of parties for the different resources used; equal access to mass media; an effective complaints and appeals system; respect of the principle of proportionality in case of sanctions.

The major documents of the Venice Commission in the electoral field can be found below. Some of these texts are also available in non-official CoE languages. [Further information can be found on their website.](#)

Other documents of the Venice Commission on political parties, not directly related to elections, may be found under [the political parties section](#) of the Venice Commission website.

Proceedings of the Uni-Dem Seminars in the Electoral Field

CDL-STD(2006)043 [The pre-conditions for a democratic election - Science and technique of democracy, No. 43 \(2006\)](#)

CDL-STD(2005)041 [Organisation of Elections by an Impartial Body - Science and technique of democracy, No. 41 \(2005\)](#)

CDL-STD(2004)039 [European Standards of Electoral Law in Contemporary Constitutionalism - Science and Technique of Democracy No.39 \(2004\)](#)

CDL-STD(1998)026 [The principle of respect for human dignity, No. 26 \(1998\)](#)

CDL-STD(1998)025 [New trends in electoral law in a pan-European context - Science and technique of democracy No. 25 \(1998\)](#)

Venice Commission Work in Progress

A conference on “the electoral process” was held in Madrid on 24-25 April 2009. The proceedings will be published in 2009. The final version of the reports will be available earlier.

Impact of electoral systems on women’s representation in politics: a report should be adopted by the Venice Commission at its June 2009 session

: a first report was adopted by the Venice Commission at its March 2009 session (its final version will be available shortly). Further documents will be submitted to the Commission later in 2009.

The Venice Commission is also working on cancellation of election results. The proceedings of a seminar on this topic held in Malta in November 2008 should be published in 2009 and a general study adopted this year too.

Work on thresholds and other features of electoral systems which bar parties from access to Parliament, as well as on the international status of election observers, is also ongoing.

Parliamentary Assembly

AS/Ega (2009) 32 rev Impact of electoral systems on women’s representation in politics

This Revised introductory memorandum has been declassified to make it available to Forum participants.

Recommendation 1860 (2009) [on Electronic Democracy](#) Resolution 1653 (2009) [on Electronic Democracy](#)

These texts reaffirm that electronic democracy is primarily about democracy, not technology. They invite national parliaments to review national legislation with a view to introducing legal standards for using e-tools in the political process, and to eliminate the risks of their misuse. The texts call on national parliaments to make full use of the opportunities offered by ICT to improve political processes, transparency and citizen participation, thereby strengthening representative democracy.

Recommendation 1839 (2008) [State of democracy in Europe. Specific challenges facing European democracies: the case of diversity and migration](#) Resolution 1617 (2008) [State of democracy in Europe. Specific challenges facing European democracies: the case of diversity and migration](#)

The Parliamentary Assembly notes that one of the ultimate objectives of every democratic system should be to ensure equal opportunities to allow all people to exercise their political rights. With this in mind, it invites member states to facilitate access to citizenship.

Doc. 11628 (2008) [The state of democracy in Europe, The functioning of democratic institutions in Europe and progress of the Assembly's monitoring procedure](#)

Throughout the reporting period (April 2007 – June 2008), the Monitoring Committee undertook monitoring procedures in eleven member states and post-monitoring dialogues in three member states. The report assesses both progress and shortcomings with respect to the recurrent issues raised in all the countries under discussion, namely: the separation of powers and the role of parliament; elections and electoral reform; political parties and their funding; the fight against corruption; media pluralism; local and regional self-government; conflicts and the role of parliaments in confidence building.

Recommendation 1820 (2007) [Co-operation between the Parliamentary Assembly and the Conference of INGOs](#)

Resolution 1589 (2007) [Co-operation between the Parliamentary Assembly and the Conference of INGOs](#)

The Parliamentary Assembly recalls its long-standing support for civil society organisations as key players in the new international context. Such organisations, and particularly international non-governmental organisations (INGOs), play an increasingly important role in policy and decision-making processes in pluralist democracies. It invites Council of Europe member states to help strengthen INGOs and civil society which are working to promote the Organisation's core principles and values.

Recommendation 1791 (2007) [State of human rights and democracy in Europe](#)

Resolution 1547 (2007) [State of human rights and democracy in Europe](#)

These texts summarise the state of human rights and democracy in Europe and express the concern that human rights violations, including very serious ones, still take place in Europe. It stresses the importance of the Council of Europe as Europe's human rights watchdog and concludes that it is necessary to strengthen the Organisation's human rights mechanisms and its action in the field of democracy.

Resolution 1590 (2007) [Secret ballot – European code of conduct on secret balloting, including guidelines for politicians, observers and voters](#)

The Parliamentary Assembly calls on member states to guarantee secret voting for all citizens, including the most vulnerable groups such as the elderly, people with disabilities and the illiterate, and to make sure that appropriate facilities are provided to enable such individuals to vote in secrecy.

Resolution 1591 (2007) [on Distance voting](#)

The Parliamentary Assembly suggests that, whilst distance voting can open up avenues to extend the right to vote and guarantee universal suffrage, it may also present challenges in terms of ballot security, surveillance and control of the procedures and outcomes. Guidelines and suggestions are proposed.

Resolution 1546 (2007) [The Code of good practice for political parties](#)

Political parties are the key link between the individual and democratic governance and their legitimacy and credibility are of the utmost importance for the legitimacy of the democratic process as a whole. The Parliamentary Assembly recommends a code of good practice for political parties which sets out the most important elements for the conduct of political parties. This text led to the elaboration of the 2009 Venice Commission Code of Good Practice for Political Parties.

Resolution 1231 (2000) [on the Impact of electoral systems on the political process](#)

The Parliamentary Assembly suggests that the parliaments of member countries pay attention to issues regarding the effects of the electoral systems on the political process and ensure that adequate research is undertaken on the issue.

Recommendation 1413 (1999) [on Equal representation in political life](#)

The Parliamentary Assembly invites its national delegations to urge their parliaments to introduce specific measures to correct the under-representation of women in political life.

Resolution 1154 (1998) [on Democratic functioning of national parliaments](#)

This texts recalls the principles governing political legitimacy and democratic institutional systems.

Recommendation 1315 (1997) [on the minimum age for voting](#)

The Parliamentary Assembly recommends that the age for the right to vote and stand for election should be 18 years throughout Europe and that member states should create the necessary preconditions for the participation of young people in civic life through education and the promotion of community involvement.

Resolution 1121 (1997) [on instruments of citizen participation in representative democracy](#)

The Parliamentary Assembly invites member states to improve their system of representative democracy by striking a balance between the exercise of responsibility of political power and the role of citizens in the decision-making process.

Reports on the observation of elections in different countries

The Parliamentary Assembly undertakes election observation missions. Parliamentary elections in [Georgia](#) and [Monaco](#), 2008 are recent examples.

There is an ongoing discussion within the PACE on internal observation procedures and on cooperation with external partners which may lead to a document in 2009.

Work in Progress

Doc. 11481: [Motion for a Recommendation on Thresholds and other features of electoral systems which have impact on representativity of national parliaments in Council of Europe member states](#)

Rapporteur: Mr Daems, Political Affairs Committee

The first discussion was held on 17 March 2009. The Memorandum will be the PACE's contribution to the Forum. The conclusions of the Forum will be used by the Rapporteur to complete his Memorandum and the texts to be adopted with a view to presenting them to the Assembly during the 2010 January session.

Doc. 11503: [Motion for a resolution on Impact of electoral systems on women's representation in politics](#)

Rapporteur: Mrs Err, Committee on Equal Opportunities for Women and Men

An introductory Memorandum will be available for the Forum, and the Rapporteur will finalise it in the light of the Forum conclusions. The opinion of the Venice Commission is currently being sought.

Doc. 11863 [Motion for a resolution on Democracy and the limitation of mandates](#)

Presented by Mr Mota Amaral and others

The Assembly needs to discuss this subject and take appropriate measures in order to prevent that kind of damage to democracy — which is expanding in Third World countries — in the member-countries of the Council of Europe.

Doc. 11895: [Motion for a resolution on the Expansion of democracy by lowering the voting age to 16](#)

Presented by Mr Jensen and others

The Assembly recommends an investigation on the advantages and drawbacks of engaging and securing young people's participation in democracy by lowering of the voting age to 16 in all member countries of the Council of Europe.

Congress of Local and Regional Authorities

Resolution 274 (2008) [on Congress policy in observing local and regional elections](#) and its [Explanatory Memorandum](#)

The aim of the Congress in observing elections is to help member states improve their electoral laws and procedures in the interests of voters. The reports arising from these missions, based on actual local circumstances, make it possible to keep track of the progress of measures to set up local democracy with reference to the situation prior to the observation and by applying standards that are adjusted to the social and cultural context of the country in which the observations are taking place.

[Revised Charter on the participation of young people in local and regional life](#) (2003)

This Charter serves to promote the active participation of young people in decisions and actions at local and regional level in order to build more democratic, inclusive and prosperous societies. It considers that participation and active citizenship must go beyond voting or standing for election to include the right, the means, the space and the opportunity to participate in and influence decisions and engage in actions and activities so as to contribute to building a better society.

[Convention on the Participation of Foreigners in Public Life at Local Level](#) (1992, ETS 144)

The Convention aims to improve the integration of foreign residents into the life of the community. It provides that member states guarantee to foreign residents, on the same terms as to its own nationals, the "classical rights" of freedom of expression, assembly and association. The Convention also provides also that member states may undertake to grant to foreign residents the right to vote in local elections, after five years of lawful and habitual residence in the host country, and to stand for election.

[European Charter of Local Self-Government](#) (1985)

The European Charter of Local Self-Government is a binding instrument which commits the signatory member states to applying the basic rules guaranteeing political, administrative and financial independence of local authorities. It offers local authorities the right and the ability to regulate and manage a substantial share of public affairs under their own responsibility and in the interests of the local population. It calls for the principle of local self-government to be recognised in domestic legislation and that local authorities should be elected by universal suffrage.

[European Code of conduct for local and regional elected representatives](#)

This Code of conduct serves to reinforce trust between local and regional politicians and citizens. It clarifies the ethical obligations of local and regional elected representatives as well as their role and duties. It stresses the essential role of citizens and the media in building up a climate of confidence.

Reports on the observation of local and regional elections in different countries

The Congress regularly observes local and regional elections in member states. Recent examples include ["the former Yugoslav Republic of Macedonia"](#) and [the Supreme Council of the Autonomous Republic of Adjara \(Georgia\)](#)

European Committee on Local and Regional Democracy

[How to enhance the work of the Council of Europe in the field of local and regional governance?](#)

Mari Kiviniemi, Minister of Public Administration and Local Government, Finland (2009)

At the 15th session of the Ministerial Conference in Valencia (October 2007) Mari Kiviniemi was invited to draw up a report on how to develop and raise the profile of the work of the Council of Europe in the area of local and regional government. The report concludes that efficient communication needs to be an all-encompassing principle in everything that is being done at all levels of government. It suggests four pillars of organisational evolution: Stronger ownership by member states; Improved co-operation with international players; Increased organisational flexibility and efficiency and Opening up.

[The Strategy for Good Governance and Innovation at Local Level](#) (2008)

The Strategy is a practical instrument aiming to stimulate co-ordinated action by national and local stakeholders, so that citizens in all European countries benefit from good democratic governance at local level, through the continuously improved quality of local public services, engagement of the population, and policies that meet their expectations. Principle one of its twelve principles addresses 'Fair Conduct of Elections, Representation and Participation'.

[C.L.E.A.R.: an auditing tool for citizen participation at the local level](#)

This diagnostic tool enables local governments and other organisations at local level to identify the strengths and problems regarding participation in their localities and, subsequently, to consider more comprehensive strategies to enhance public participation. Its dissemination to member states is promoted through the Committee of Ministers' Recommendation (2009)2 on the evaluation, auditing and monitoring of participation and participation policies at local and regional level.

Council of Europe publications

The works published by the Council of Europe include comparative studies, monographs, topical debates, proceedings of colloquies, international legal instruments, official texts etc. A selection of relevant reports are listed below. The full catalogue can be consulted [here](#).

[Electoral law](#) (2008)

Author(s): Venice Commission

ISBN: 978-92-871-6424-7

Price: € 39

[Organisation of elections by an impartial body](#) (2006)

(Science and democracy No. 41)

Author(s): Venice Commission

ISBN: 978-92-871-6010-2

Price: € 12

[The preconditions for a democratic election](#) (2006)

(Science and technique of democracy No. 43)

Author(s): Venice Commission

ISBN: 978-92-871-6011-9

Price: € 15

[Financing political parties and election campaigns - guidelines](#) (2004)

Author(s): Ingrid van Biezen

ISBN: 978-92-871-5356-2

Price: € 8

[Reflections on the future of democracy in Europe](#) (2005)

Author(s): Forum for the future of democracy

ISBN 978-92-871-5812-3

Price: € 17

[Legal, operational and technical standards for e-voting](#) (2005)

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Recommendation Rec(2004)11 and explanatory memorandum
ISBN 978-92-871-5635-8
Price: € 8

[Code of good practice in electoral matters](#) (2003)
Guidelines and explanatory report
(Science and technique of democracy No. 34)
ISBN 978-92-871-5191-9
Price: € 8

[The participation of foreign residents in public life at local level](#) (2003)
Consultative bodies, Stuttgart December 2001
(Studies and texts No. 78)
ISBN 978-92-871-5117-9
Price: € 11

[Media and elections – Handbook](#) (1999)
ISBN 978-92-871-3952-8
Price: €7.62