



Resolution 1320 (2003)¹

Code of Good Practice in Electoral Matters

Parliamentary Assembly

1. The holding of free, equal, universal, secret and direct elections at regular intervals remains a sine qua non for recognising a political system as democratic.
2. Noting that, until now, every European or international organisation has tended to follow its own criteria on the observation and evaluation of elections, and that there is neither a formal text setting out all the underlying principles of European electoral systems nor a permanent European body responsible for electoral monitoring, the Parliamentary Assembly considers that the Council of Europe, owing to its specific role as the guardian of democracy in Europe, should play a pioneering role in codifying election rules.
3. In view of the Council of Europe's widely-recognised experience in observing elections and referendums in member states or applicant countries, [Resolution 1264 \(2001\)](#) therefore invited the European Commission for Democracy through Law (the Venice Commission) to set up a working group to devise a code of good practice in electoral matters.
4. The Assembly welcomes the setting up of the Council for Democratic Elections, a tripartite body in which the Assembly has actively participated together with the Congress of Local and Regional Authorities of Europe, and especially thanks the Venice Commission for its significant contribution to the drafting of the Code of Good Practice in Electoral Matters, which has now been published.
5. The Assembly considers that the code constitutes a major step towards harmonising standards for the organisation and observation of elections and in establishing procedures and conditions for the organisation of the electoral process.
6. The Assembly notes with interest the documents recently drafted by the Office for Democratic Institutions and Human Rights (Odhr) of the Organisation for Security and Co-operation in Europe (OSCE) and the Association of Central and Eastern European Election Officials (ACEEEO), which are also aimed at defining the rules governing democratic elections.
7. The Assembly considers that the adoption of the Code of Good Practice in Electoral Matters would enable Council of Europe member states to re-evaluate and/or revise their electoral legislation. In this manner election observation reports could examine whether the laws and regulations applied in member states comply with the various criteria and rules laid down in the code, with a view to assessing their democratic character.
8. The Assembly considers that, as a reference document not only for member states but also for itself, the code would reinforce the impact and the credibility of the electoral observation and monitoring activities conducted by the Council of Europe.
9. The Assembly, noting that the code does not provide for any sanctions in the event of failure by the member state to comply with its provisions, considers that the matter requires further thought.

1. Assembly debate on 30 January 2003 (7th Sitting) (see [Doc. 9682](#), report of the Political Affairs Committee, rapporteur: Mr Clerfayt). Text adopted by the Assembly on 30 January 2003 (7th Sitting).



10. The Assembly proposes to forward the Code of Good Practice in Electoral Matters to national delegations and parliaments, so that it can be applied in Council of Europe member states as soon as possible and it supports any other similar initiatives.

11. The Assembly therefore invites the Venice Commission:

11.1. to set the activities of the Council for Democratic Elections on a permanent footing and consider the council one of its own bodies, while maintaining its current form of mixed membership, as specified in [Resolution 1264](#);

11.2. to implement the aims of the Council for Democratic Elections, as set out in [Resolution 1264](#), and, in particular, continue its activities with a view to:

- a. setting up a database comprising, inter alia, the electoral legislation of Council of Europe member states;
- b. formulating opinions, in co-ordination with the Assembly, on all general questions relating to electoral matters as well as opinions concerning possible improvements to legislation and practices, in particular member states or applicant countries;
- c. drafting, as soon as possible, a computerised questionnaire setting out in a practical form the general principles of the Code of Good Practice in Electoral Matters, which would give the observer delegations a better overview of the electoral situation.