Parliamentary Assembly
Assemblée parlementaire
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1592 (2007)[1]

Code of Good Practice on Referendums

Parliamentary Assembly

1. Referendums are an instrument of direct democracy which belong to the European electoral heritage. In recent years, recourse to this instrument in Council of Europe member states has increased, as has the public perception of its political impact: European citizens witnessed how the rejection of the European Union Constitutional Treaty in some European Union member states has had political repercussions in others, and has forestalled, for the time being, the continuation of the ratification process. Similarly, many Europeans followed closely the referendum which led to the establishment of a new sovereign state: the Republic of Montenegro.

2. While considering referendums as a positive means to enable citizens to participate in the political decision-making process and to bridge the distance between them and decision makers, the Parliamentary Assembly has constantly demanded that the Council of Europe, as an organisation devoted to the promotion and reinforcement of democracy and the rule of law, establish clear and comprehensive guidelines in this field.

3. The Assembly, therefore, welcomes the adoption of the Code of Good Practice on Referendums by the European Commission for Democracy through Law (Venice Commission), which enlarges on the Venice Commission's previous guidelines on constitutional referendums at national level, complements the Council of Europe guidelines on referendums and popular initiatives at local level, and is the natural counterpart to the Code of Good Practice in Electoral Matters, adopted in 2003.

4. Considering that the adoption of the Code of Good Practice on Referendums would enable member states to re-evaluate and, if necessary, revise their legislation and practice in this field, and in accordance with the procedure followed for the Code of Good Practice in Electoral Matters, the Assembly decides to forward the code of good practice to national delegations and parliaments so that it can be applied in Council of Europe member states without delay.

1. *Text adopted by the Standing Committee,* acting on behalf of the Assembly, on 23 November 2007 (see Doc. 11435, report of the Political Affairs Committee, rapporteur: Mr Van den Brande).