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A commitment to introduce rules to ensure fair referendums in Council of Europe member States

Motion for a resolution

tabled by Lord George FOULKES and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The number of referendums in Council of Europe member States has significantly increased in recent years. These have included votes on gay marriage in Ireland, the “Brexit” referendum in the United Kingdom, referendums on immigration in Switzerland and in Hungary, and the constitutional referendum organised by President Erdoğan in Turkey in April 2017.

In each case questions have been raised about the process of the referendum and the fairness of the outcome.

Against such a background, it is worth noting that there are no commonly agreed standards relating to the conduct of referendums and no clear definition of what constitutes a free, fair and legitimate referendum.

The Parliamentary Assembly should inquire into this matter and consider preparing a list of agreed criteria to ensure that referendums held in Council of Europe member States are fair, free and legitimate, including making recommendations on:

- Registration: who is eligible to vote and where and how are they to be registered?
- Voting: where should voting take place? Should displaced voters and voters living in the diaspora be entitled to vote – and if so, where?
- How would a regulating authority (The Referendum Commission) be composed? Who would determine its membership?
- Should referendums be subject to a special majority requirement, in recognition of the implications? Should the result stand if it is supported by less than 50 per cent. of eligible voters but by a majority of those voting?
- Should there be limits on campaign spending, or should participants’ campaign contributions be capped? If so, how should this be enforced?
- How should information be dealt with? Should all sides have equal broadcasting time? If so, how would this be enforced?

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EC: European Conservatives Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group