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Election Observation activities of the Parliamentary Assembly in 2023

Progress report
Bureau of the Assembly
Rapporteur: Mr Tiny KOX, Netherlands, Group of the Unified European Left

1. Introduction

1. The Parliamentary Assembly (PACE) has long-standing experience in the field of electoral activities, in particular through its observation of presidential and parliamentary elections as well as national referenda. It also carries out pre-electoral and, when necessary, also post-electoral visits to countries under monitoring or post-monitoring procedure, or to countries enjoying a "partner for democracy" status with the Assembly. Since 1989 PACE has observed over 200 parliamentary and presidential elections in Europe and organised around 360 election-related visits. Over 2 700 PACE members have been deployed to observe these elections.

2. The Reykjavík Summit of Heads of States and Government of the Council of Europe, held in Reykjavík on 16 and 17 May 2023, re-affirmed the commitment of member States to our common democratic values and principles, including free and fair elections. Through its election observation and monitoring/post-monitoring procedures and electoral activities, our Assembly has, over the years, contributed to verifying the compliance of member States with their Council of Europe obligations in the field of elections, and to encouraging them to improve their electoral legal framework and practices. This latter aspect of support to member States will be further enhanced in 2024, through the integration into the Assembly's work of a co-operation component previously run by Directorate General of Democracy and Human Dignity of the Council of Europe.

3. The present report aims at recalling the electoral activities carried out by the Assembly in relation to its observation missions, and to make proposals for future activities.

4. I wish to thank all the national delegations, PACE members and Council of Europe Offices who contributed to election observation missions in 2023. They have dedicated their time to this unique exercise, that helps assess the conduct of elections and referenda, but also the quality of electoral campaigns and the electoral environment, leading to identify issues that are later on addressed by PACE committees.

2. Election observations by PACE in 2023

2.1. The year 2023: some facts and figures and some challenges

5. In 2023, PACE members actively participated in the 12 pre-election and election observation missions (EOMs) in five member States, with the assistance of the Division of Election Observation and Support (DEOS). PACE members demonstrated considerable interest in these EOMs, with 88 members from 28 member States having taken part in one or several EOMs in 2023. The list of election observation reports presented to the Assembly is appended (Appendix 1).

6. The PACE EOMs also include the country co-rapporteur(s) of the Committee on the Honouring of Obligations and Commitments by Member States of the Council of Europe (Monitoring Committee) – who are *ex officio* members of EOM *ad hoc* committees – thus benefiting from their expertise on the country concerned.

7. In line with the co-operation agreement signed between the Assembly and the European Commission for Democracy through Law (Venice Commission) of 4 October 2004, PACE delegations were accompanied on all EOMs by Venice Commission experts, ensuring the observance of Council of Europe standards and Venice Commission opinions by international election observation missions (IEOMs). Their contribution has been considered invaluable by all members of the IEOMs.

8. The participation of women in EOMs has increased from 28,8% in 2022 to 37,5% in 2023,[1] and this trend is to be welcomed. However, only one out of five chairpersons was a woman. The participation of women in EOMs and particularly as heads of delegation needs to be improved. Political groups, when submitting their quotas of members to *ad hoc* committees, should aim to include at least 40% of the under-represented sex, namely women.[2] That would enlarge the pool of women observers and potential heads of delegation. I therefore invite the Bureau of the Assembly to pay particular attention to this issue. I also encourage the Women@PACE Network to exchange views on ways to increase women's participation in – and presidency of – PACE *ad hoc* committees of observers.

9. There have been discussions as to whether out-of-country voting should be observed or not. While this possibility is foreseen in the PACE Guidelines for the observation of elections (paragraph 30), this should remain exceptional, and deemed necessary only when specific concerns related to out-of-country voting emerge.

10. I would like to thank the host authorities of the countries in question for the invitation and support provided to our observers. However, in 2023, the Assembly faced, on a few occasions, difficulties in obtaining accreditations for all members of delegations appointed by the Bureau. In Türkiye, objections were raised against two members, who eventually had to renounce their participation in the EOM. This situation is most regrettable: it is clearly inappropriate for member States to pick and choose their international observers.[3]

11. More recently, our observers in Poland[4] deplored that as many as 29 observing MPs of the IEOM had their accreditation withdrawn, without any explanation, three days before the elections, while the observers had already arrived in the country. Under international pressure, 23 accreditations were restored a day later, while the 6 remaining MPs were granted accreditation on the eve of the election. This was an unprecedented and unacceptable situation.

12. It is moreover most regrettable and inappropriate that the PACE head of delegation and another observer from the IEOM observing the early parliamentary elections of 17 December 2023 in Serbia have been targeted by high officials and pro-government media and accused of “destabilising the country” for their evaluation of the elections following the release of the IEOM findings.

13. It is also regrettable that the Assembly was not invited, as of today, to observe the early presidential election in Azerbaijan, scheduled on 7 February 2024. The country being under PACE monitoring procedure, this constitutes a breach of a statutory obligation and could seriously jeopardise our future co-operation and political dialogue.

14. Finally, I would like to recall the safeguards and rules governing EOMs – as established by the Assembly in its guidelines[5] – to protect the integrity and credibility of the observation missions, which must be respected by our observers: members of *ad hoc* committees can only observe the elections in a country if they have signed both the annual PACE declaration of interest and the declaration of non-conflict of interests related to the country observed. They must also abide by the provisions of the code of conduct for PACE members as well as the code of conduct for International Election Observation Missions.

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1. In 2023, the Parliamentary Assembly included 45% of women. See “Gender equality in the functioning of the Assembly (AS/Ega/Inf (2024) 03).
2. This is the parity threshold deemed necessary by the Council of Europe to exclude possible gender bias in decision making, which is used by the Assembly.
3. “The national parliament of the country observed shall be invited to provide assistance with regard to the organisation of the programme of the pre-electoral and post-electoral missions, as well as the accreditations and visas for all members of the delegation, in due time.” Guidelines, paragraph 30.
4. Doc. 15861.
5. Guidelines for the observation of elections by the Parliamentary Assembly, revised on 23 May 2019.

2.2. Strengthening the network of PACE observers

15. Differently from the work of permanent parliamentary committees, EOMs are conducted by 20-to-40-member *ad hoc* committees of the Bureau, which cease to exist after the conduct of the EOM. PACE observers however form a pool of electoral experts who have gathered unique experience, which should be better valued and used in our Organisation.

16. Every year during the January part-session, the DEOS organises an annual meeting of chairpersons and members of *ad hoc* committees, providing PACE observers with an opportunity to exchange about past EOMs and possible improvements for the future.

17. For example, the annual meeting organised on 25 January 2023[6] provided an opportunity to:

– promote the Bern Conference on elections in times of crisis (9-10 May 2023);

– present the Council of Europe "Electoral Cycle" and the dedicated website;

– exchange views on the renewed role and composition of the Council for Democratic Elections of the Venice Commission.

18. However, these annual meetings provide limited time and space for PACE observers to exchange, and limited visibility to the many electoral activities carried out by the Assembly. Given that these activities will increase in the coming months, in the wake of the Reykjavik Summit and the integration of a co-operation component to the Assembly's electoral activities (see paragraphs 28-34), I consider that it would be valuable for the Bureau to consider ways to better facilitate and promote such exchanges between PACE observers, as well as their involvement in external activities giving greater visibility and prominence to the Assembly's electoral activities. One such initiative could be the constitution of a network of PACE observers.

2.3. Role and added-value of the Assembly within International Election Observation Missions

19. In line with a well-established practice, the Assembly observes elections in the framework of International Election Observation Missions (IEOMs), which include the EOM of the Office for Democratic Institutions and Human Rights (ODIHR) (comprising a core mission and long- and short-term observers), the Parliamentary Assembly of the Organization for Security and Co-operation in Europe (OSCE PA), the Parliamentary Assembly of the North Atlantic Treaty Organization (NATO PA) and the European Parliament (EP).

20. Our co-operation with ODIHR has been excellent throughout the years. ODIHR provides essential support and assistance on the spot, as well as ensuring that all participating organisations of the IEOM speak with one voice and issue joint preliminary findings and conclusions based on a credible, fact-based methodology.

21. Co-operation with all our election observation partners is thus of utmost importance. It is essential, for the credibility and the integrity of international election observation, that we work in close co-ordination and political concertation and speak with one voice. In this context I welcome the resumption of the meetings of IEOM partners, which was proposed by our Assembly this year. On 8 May 2023, on the margin of the Bern conference, the Secretary General of the Assembly, Ms Despina Chatzivassiliou-Tsovilis, initiated an exchange of views with OSCE PA Secretary General, Mr Roberto Montella, NATO PA Secretary General, Ms Ruxandra Popa, and ODIHR Director, Mr Matteo Meccaci, on issues of common interest and on the specific constraints and challenges of each organisation in the current European landscape. They discussed ways to reinforce synergies in election observation and enhance the integrity and security of EOM.

22. The Assembly has its own unique role to play within these IEOMs:

– The Assembly is the only parliamentary organisation which, through the conduct of regular pre-electoral missions approximately one month prior to the elections, assesses the overall electoral environment and makes a public statement.[7] These pre-electoral missions are very useful in enabling our members

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6. See Appendix 2 – Report of the Annual meeting on election observation, held in Strasbourg on 25 January 2023, AS/ELECT(2023)3

7. Pre-electoral missions consist of one representative per political group, and the country specific rapporteur(s) (from the Monitoring Committee, or from the Political affairs Committee). Pre-electoral missions aim at assessing the election legislation and its application, including the availability of appeals; the political situation; the arrangements for the election campaign; coverage of the election campaign by the media; the administration of the election and the work of the election authorities. See the Guidelines

to gain insights and detailed information and to increase the level of understanding through a continuous political dialogue. They are also complementary to PACE monitoring activities, when onsite monitoring visits just before and after elections are not possible, while drawing on the expertise of PACE monitoring rapporteurs (who, as stated above, are *ex officio* members of PACE ad hoc committees of observers).

– Furthermore, the Assembly's EOMs legal experts from the Venice Commission, who advise the PACE delegations and the IEOMs on the Council of Europe and international standards in the field of elections. This long-lasting co-operation with the Venice Commission is highly beneficial for strengthening the credibility of our missions. The Venice Commission's contribution to our election observations is highly appreciated by our all partners, providing a real added value to our missions.

3. Contribution of the Assembly to the follow-up of the Reykjavík Summit in the field of elections

3.1. The Bern conference "Elections in times of crisis": challenges and opportunities

23. Ahead of the Reykjavík Summit, the Assembly organised a major parliamentary conference, in co-operation with the Swiss Parliament, entitled "Elections in times of crisis" (Bern, 9-10 May 2023). It was attended by 130 participants, including the main stakeholders in elections matters. Interactive panels were organised in association with the Congress of Local and Regional Authorities, the Venice Commission and the General Directorate of Democracy and Human Dignity. High level guests included the President of the Parliamentary Assembly, Mr Tiny Kox, the President of the Venice Commission, Ms Claire Bazy Malaurie, the President of the Congress of local and regional authorities, Mr Leendert Verbeek, the Deputy Secretary General of the Council of Europe, Mr Bjørn Berge, as well as representatives of leading international election observation partners (ODIHR, OSCE PA, NATO PA) and NGOs (International Institute for Democracy and Electoral Assistance (IDEA), International Foundation for Electoral Systems (IFES)). Members of PACE *ad hoc* committees, members of parliaments, as well as chairs and members of central electoral commissions from 26 member States participated as well. Four major topics were discussed:[8]

– the impact of Covid-19 on elections;

– the impact of natural disasters on elections;

– the impact of armed conflict on elections, with a focus on the ongoing war in Ukraine;

– how electronic voting, artificial intelligence and cyber are transforming elections.

24. This high-level conference provided the first public international forum, showcasing the Council of Europe's leading role in elections in Europe and highlighting the work carried out by the various institutions of the Organisation within the Council of Europe Electoral Cycle (see appendix 3). The Assembly welcomes the fruitful co-operation with the Congress, the Venice Commission and the Directorate of Democracy and Human Dignity: their involvement and active contribution to the conference demonstrated the broad scope and potential of the Council of Europe to address contemporary issues in electoral matters.

25. A Declaration was adopted by the participants at the end of the conference.[9]

26. In addition, Mr Damien Cottier (Switzerland, ALDE), Chairperson of the *ad hoc* committee for the Bern conference, presented a summary report and conclusions of the conference to the Assembly during its June 2023 part-session. These conclusions were published on 11 October 2023, on the occasion of the celebration of the 60th anniversary of the accession of Switzerland to the Council of Europe.

27. The Committee for Political Affairs and Democracy is now tasked with preparing a report on "Elections in times of crisis",[10] which should enable the Assembly to design follow-up proposals and recommendations to member States. The Bern conference has given some hints of possible follow-up by the Assembly or by the Council of Europe:

– Preparation of elections in Ukraine and elections in post-conflict situations (need for a roadmap defining the minimum conditions for calling elections after a state of emergency or martial law is lifted, as well as actions that ensure they remain as democratic as possible);

8. See the dedicated website for more information: https://pace.coe.int/en/pages/bern-elections-conference
9. Ibid.
10. See Doc. 15866.

– How to encourage member States to be prepared for new emergency situations / Developing a single framework that combines best practices from risk management, resilience building and crisis management;

– Developing a joint framework on how election observation missions should approach emergency situations;

– Observation/Monitoring of remote and online elections, which would require to adjust the methodology.

3.2. After the Reykjavík Summit, the way ahead

28. The year 2023 was marked by the organisation of the Council of Europe Summit of Heads of State and Government on 16-17 May 2023 and the adoption of the "Reykjavík Principles for Democracy" to secure and strengthen democracy and good governance and "actively enable and encourage democratic participation at national, regional and local levels through free and fair elections".

29. The Standing Committee of the Assembly for its part adopted the Riga Declaration on 26 May 2023, committing the Assembly to "strengthening its initiatives to uphold the integrity of elections". As part of the follow-up of the Assembly to the Reykjavík outcomes and priorities, the Bureau will continue to pay close attention to how the Assembly can contribute to the implementation of the Reykjavík Principles for Democracy.

30. In this spirit, the 2024, annual meeting of heads and members of EOMs will be devoted to the follow-up to the Reykjavík Summit, with the participation of the Chair of the Rapporteur Group on Democracy (GR-DEM) of the Committee of Ministers of the Council of Europe. This gathering should explore further concrete possibilities to implement the Reykjavík Principles for Democracy by the Council of Europe, but also – and first and foremost – in national parliaments.

31. As stated above, further to an internal restructuring of Council of Europe activities to streamline and increase synergies, the Assembly will as from 2024 incorporate co-operation activities in the field of elections. This work will provide support and assistance to our member States in various aspects of the electoral process, such as strengthening of capacities and competences of election administrations, political parties and campaign financing, media coverage, gender balance and political empowerment of women, inclusivity, countering misuse of administrative resources, fight against mis/disinformation and hate speech, digitalisation of electoral process, to name but a few. It will also include fully-fledged long term country specific projects within the framework of Council of Europe action plans or based on voluntary contributions. Such projects are currently implemented in Georgia, the Republic of Moldova and Ukraine in close co-operation with competent parliamentary committees, electoral administrations and other relevant institutions and electoral stakeholders.

32. The Assembly will also play an important role in managing and further developing the Council of Europe Electoral Cycle. This cycle, initiated at the end of 2022, enables PACE members and its secretariat to contribute meaningfully to electoral activities carried out by other parts of the Council of Europe, which has been a well-established practice (see paragraphs 40-43). The electoral cycle is an excellent illustration of the Council of Europe's comprehensive approach and expertise on electoral matters, and this approach should further be supported and developed, including through the allocation of increased financial means to joint activities.

33. I am convinced that the integration of this new co-operation aspect will further enrich the Assembly, creating new synergies and opportunities for the Assembly to support member States in all phases of the electoral process. It will ensure that the resolutions related to electoral environments and the findings of our EOMs have a better follow-up in the countries concerned and lead to democratic, standard-based electoral processes and elections in Council of Europe member States and partners for democracy.

34. As an illustration of our timely co-operation with member States, in the spirit of the Reykjavík Declaration and the Bern conclusions, the Assembly has undertaken to assist the Ukrainian authorities in designing the conditions and criteria which will govern post-war elections. The PACE and Council of Europe Secretariat facilitated the discussions under the High-Level Dialogue II "Good Democratic Governance in Ukraine: achievements, challenges and the way forward in post-war period" held in Kyiv on 4 December 2023. The meeting was attended by Mr Oleksandr Korniyenko, First Deputy Chairperson of the Ukrainian Parliament, members from different political factions of the Ukrainian Parliament and key stakeholders, including the Central Electoral Commission.[11] Criteria and indicators to assess necessary pre-conditions for organising future elections were discussed, as well as procedures for decision making and dispute resolution and how to organise voting in specific territories. The Assembly stands ready to further support this process.

4. Contribution of Assembly members to other Council of Europe electoral activities

4.1. Co-operation with the Venice Commission

35. The Assembly contributed to the work of the Council of Democratic Elections (CED), with three members and three substitutes appointed respectively by the Committee on Political Affairs and Democracy (Mr Michael Georg Link, member, and Mr Alexander Pociej, substitute), the Monitoring Committee (Ms Valentina Martinez Ferro, member, and Ms Laura Castel, substitute), and the Committee on Legal Affairs and Human Rights (Mr Davor Ivo Stier, member, and Ms Khatia Dekanoidze, substitute). The Bureau of the Assembly renews the designation of its members to the CED at each January part-session. Given the important role of the CED, I strongly encourage the PACE committees concerned and the Bureau to ensure a good balance of political parties and gender when appointing its members.

36. On 5 October 2023, upon the entry of force of the CED revised rules of procedure, Mr Link was elected Vice-President of the CED, alongside Mr Stewart Dickson, Thematic Spokesperson of the Congress of local and regional authorities on local and regional elections, who was elected President, and Mr Srđan Darmanović, elected Vice-President on behalf of the Venice Commission.

37. The CED notably discussed the draft joint opinion of the Venice Commission and the OSCE/ODIHR on the amendments of the German Federal Election Act, and their compliance with the Council of Europe's standards, the Code of Good Practice in Electoral Matters and the case law of the European Court of Human Rights, draft opinions on amendments to electoral legislation in Armenia, Germany, Georgia, the Republic of Moldova and Ukraine. The CED also held exchanges of views on the case law of the Court on effective examination of electoral disputes, the use of digital technologies and artificial intelligence during electoral processes or the stability of electoral law.

38. The CED is a unique, tripartite body that advises the Venice Commission on electoral matters and fosters exchanges of views between legal and political experts on elections. The CED is regularly informed about the Assembly's activities that are relevant for its work and can certainly play an active role in the follow-up of PACE resolutions and activities in the field of elections.

39. This co-operation proved very useful. On 2 November 2023, the Assembly, represented by Mr Damien Cottier, contributed to the 4th Scientific Electoral Experts Debates devoted to "The Stability of Electoral Law", co-organised by the CED and the University of Barcelona. Mr Cottier recalled the discussions held in Berne in May 2023 (see above) and stressed that national authorities should adjust and adapt to changing environments and crisis/emergency situations, while securing the integrity of elections and avoiding the risk of political manipulation of elections when last minute changes occur.

4.2. Post-electoral activities

40. The Assembly has regularly worked with the Directorate General of Democracy and Human Dignity in the design and implementation of its co-operation programmes on elections.

41. On 16 June 2023, Mr Stefan Schennach (Austria, SOC) participated in a post-electoral seminar organised by the Central Electoral Commission of Bosnia and Herzegovina. He presented the main findings of the PACE EOM that he chaired during the October 2022 general elections in Bosnia and Herzegovina and on which he had reported back to the Monitoring Committee. The exchange provided a good opportunity to discuss issues that could be improved with the Central Electoral Commission and also members of the local polling boards.

42. Mr Pierre-Alain Fridez (Switzerland, SOC) presented the role of PACE election observation and its possible impact on improving the electoral legal framework and practices in the field of training and information campaigns for voters at the conference on "Improving electoral processes and elections: the role of electoral training centers" held in Strasbourg on 28-29 November 2023.

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11. See www.coe.int/en/web/kyiv/-/high-level-dialogue-on-democratic-governance-reforms-in-ukraine. The Dialogue is taking part under the Council of Europe Programme "Strengthening Good Democratic Governance and Resilience in Ukraine", in the framework of the Project "Supporting democratic post-war elections in Ukraine" implemented under the Council of Europe Action Plan for Ukraine "Resilience, Recovery and Reconstruction" 2023–2026. A first High-Level Dialogue had been organised in Strasbourg in November 2022 with PACE secretariat participation.

43. The work of the Assembly in relation to elections was also highlighted on the occasion of a study visit of Moldovan electoral actors which took place on 14-15 June 2023, with the participation of representatives of the Moldovan Central Electoral Commission, and at a conference on e-voting organised in Strasbourg on 16 June 2023.

5. Conclusions

44. In 2023, the Assembly continued to play an active role not only in observing elections but also in promoting electoral activities that contribute to improving electoral legal frameworks and practices of our member States. The organisation of the Bern Conference in May 2023 remains a landmark event of the co-operation between the different partners of the Council of Europe's Electoral Cycle with external partners representing IEOM members, electoral management bodies, civil society organisation and academia. This format of conference on key relevant subjects related to electoral matters should be pursued at least biannually.

45. A range of current Assembly reports and activities are directly connected to electoral processes, such as foreign interference, reconstruction of Ukraine, elections in times of crisis, the image of migrants in electoral campaigns, etc. The monitoring activities ensure that recommendations issued by PACE observers in the framework of IEOM are being addressed, with a view to encouraging national authorities to improve electoral processes and reinforce the integrity of elections.

46. Europe is facing many challenges that could potentially threaten the integrity of elections held in the Council of Europe member States and fuel people's mistrust in democratic elections. The Bern conference was an occasion to unite forces at all levels to reflect upon these challenges and seek solutions. As part of the implementation of the outcomes of the Reykjavík Summit, particularly the Principles for Democracy, our Assembly should remain fully committed to continuing and further developing its activities to promote and guarantee participative democracy through free and fair elections.

47. I invite the Bureau to consider ways of further reinforcing the role of the Assembly in promoting the Reykjavík Principles for Democracy and, in particular:

47.1. as regards our core election observation activities, to:

– further encourage PACE members to take an active part in election observation, promote strict observance of gender balance in the composition of EOMs and gender parity in the appointment of chairpersons of PACE *ad hoc* committees of observers;

– decide to set up a network of PACE election observers to foster the exchange of information on electoral activities and EOMs, organise dedicated seminars and represent the Assembly in external electoral activities;

– decide to debate, during the Assembly's first part-sessions of the year, an annual information report (which could be prepared by the outgoing chairperson of the network in the framework of the progress report of the Bureau) providing an actual overview of the Assembly's electoral activities;

47.2. as regards the new co-operation activities to be incorporated in the Assembly's work programme, to:

– support their development and ask the Secretary General of the Assembly to ensure the necessary financial and human resources for their good implementation;

– encourage innovative formats of co-operation with the various stakeholders and partners, including the governmental, parliamentary and civil society dimensions.

Appendix 1 – Elections observed by the Assembly in 2023

Country	Date	Report
Bulgaria		
Early parliamentary elections (5th round) IEOM with PACE and ODIHR	2 April 2023	**Chairperson: Mr Andrej HUNKO (Germany, UEL)** IEOM Press release and preliminary conclusions Report – Doc 15774
Montenegro		
Presidential election Second round of the presidential election IEOM with PACE, EP and ODIHR	19 March 2023 2 April 2023	**Chairperson: Mr Joe O'REILLY (Ireland, EPP/CD)** PACE pre-electoral statement IEOM Press release and preliminary conclusions IEOM Press release and preliminary conclusions (2d round) Report – Doc 15744
Türkiye		
Presidential and parliamentary elections Second round of the presidential election IEOM with PACE, OSCE PA and ODIHR	14 May 2023 28 May 2023	**Chairperson: Mr Frank SCHWABE (Germany, SOC)** PACE pre-electoral statement IEOM Press release and preliminary conclusions IEOM Press release and preliminary conclusions (2d round) Report – Doc 15793
Montenegro		
Early parliamentary elections IEOM with PACE, EP and ODIHR	11 June 2023	**Chairperson: Mr Reinhold LOPATKA (Austria, EPP/CD)** IEOM Press release and preliminary conclusions Report – Doc 15820
Poland		
Parliamentary elections IEOM with PACE, OSCE PA and ODIHR	15 October 2023	**Chairperson: Ms Mireille CLAPOT (France, ALDE)** PACE pre-electoral statement IEOM Press release and preliminary conclusions Report – Doc 15861
Serbia		
Early parliamentary elections IEOM with PACE, OSCE PA, EP and ODIHR	17 December 2023	**President: Mr Stefan SCHENNACH (Austria, SOC)** PACE pre-electoral statement IEOM Press release and preliminary conclusions Report – Doc 15895

Appendix 2 – 2023 PACE Annual meeting on Election Observation

Report of the meeting held in Strasbourg on 25 January 2023 (AS/ELECT (2023) 3, excerpt)

The meeting was chaired by Tiny Kox, President of the Parliamentary Assembly and then by Aleksander Pociej (EPP/CD, Poland). [...]

PACE President Kox welcomed the resumption of these annual meetings of Heads and members of PACE election observation missions after two years marked by the pandemic. He recalled the highly valuable work of the Assembly in the field of elections (with more than 250 elections observed since 1989) and participatory democracy. The recommendations issued after election observation missions had brought important legal, legislative and societal changes in the countries visited. The international observation had contributed to improving and protecting the integrity of their electoral processes. Reference was also made to the relevant reports prepared by the PACE Committee on Political Affairs and Democracy and its Sub-committee on Democracy on various topics concerning elections.

While many member states are facing democratic backsliding, elections remain the backbone of democracy. Ensuring the integrity, resilience and adaptability of electoral processes and making sure that they are inclusive, representative and participatory is one of the recommendations made by the Parliamentary Assembly for the 4th Summit of the Heads of State and Government of the Council of Europe (Reykjavik, 16-17 May 2023).

The meeting focused on recent developments in Council of Europe activities pertaining to elections:

– Markus Adelsbach, Head of the Elections and Participatory Democracy Division (DGII) and Franck Daeschler, Deputy Head, presented the new website on **"**Election: the Council of Europe's role**"**, which provides an access to reports of the Parliamentary Assembly and the Congress of Local and Regional Authorities of the Council of Europe, to reports and opinions of the Venice Commission, to relevant judgments by the European Court of Human Rights, and to information on activities by Council of Europe Directorates General. This website highlights the role of the organs and bodies of the Council of Europe in the eight stages of the Electoral Cycle [...]. This should contribute to giving more visibility to the activities of the Council of Europe, which has a solid reputation in the field of elections, and to support activities in the field of, i.a, hate speech in elections, gender equality in elections, harassment in elections, media, digital technology, artificial intelligence, etc.

– Damien Cottier, Chairperson of the Swiss Delegation to the PACE, introduced the main lines of the Parliamentary Conference on "Elections in Times of crisis: Challenges and Opportunities" organised by the Parliamentary Assembly and the Swiss Parliament in Bern on 9 and 10 May 2023. These discussions should provide input for the 4th Summit. PACE Secretary General Despina Chatzivassiliou-Tsovilis provided information about the content and organisation of the Conference (see the website of the Bern Parliamentary conference). Interactive panels would be organised in association with the Congress, the Venice Commission and the Directorate of Democracy and Human Dignity (DGII). The Bureau has constituted an *ad hoc* committee to take part in this conference.

– Simona Granata-Menghini, Director and Secretary of the Venice Commission, recalled that the setting-up of the Council for Democratic Elections (CED) started in 2001, following an initial request made by the Parliamentary Assembly to the Venice Commission to draft a code of good practice in electoral matters. This initiative was later institutionalised and resulted in a joint venture, with a tri-partite composition of the CDE composed of a legal body, the Venice Commission, providing analyses concerning the legal and constitutional basis for elections, and the political bodies of the Council of Europe in charge of observing elections and assessing how electoral legislation is implemented, namely the Parliamentary Assembly and the Congress. The CDE discusses feed-back from electoral observation missions. There should be a reflection about how these results could be better made known to PACE members. The CDE should also enjoy greater visibility and have a more pro-active role by inviting other actors. The Council for Democratic Elections adopted revised rules in October 2022, which will enter into force in October 2023. Each institution will then have a presidency or vice-presidency on a rotating basis.

During the exchange of views, the following issues were discussed:

– Participants praised election observation missions as a unique experience, allowing PACE members to have a direct impact and establish contacts with people and politicians in other countries. The participants valued the fruitful co-operation with the experts of the Venice Commission which provides important advice on the legal and constitutional aspects and the electoral codes.

– Participants also stressed that host countries pay great attention to PACE election observation reports. Monitoring co-rapporteurs, if case arises, contribute to ensuring that these reports are considered by the host country. The Council of Europe deserves more credit for its election observation work and greater visibility vis-à-vis other international partners in field missions. The question of the size of PACE observation delegations was also raised.

– Participants agreed that the Electoral cycle was an innovative and instrumental tool to promote the activities carried out by the Council of Europe and to increase PACE election observers' background knowledge about election issues.

– The Covid 19 period had been a challenging period for elections, some countries having postponed or cancelled elections. One participant stressed that the pandemic should not be a reason for tampering with democracy and should not impact the possibility to hold proper elections even if electoral campaigns were more limited. Participants felt there was a need to draw lessons from the impact of the pandemic on elections.

– The Council of Europe is facing increased populism, increased digitisation and the rise of "alternative facts". While the monitoring activities carried out by the Council of Europe seek to ensure the respect for the values and principles of the Organisation in Europe, these values are no longer acknowledged as universal in some member states. This is challenging multilateralism and good governance and constitutes a turning point for the prospects of democracy and human rights in Europe. It remains to be seen how the Council of Europe, within its Electoral cycle, can contribute to addressing these emerging issues, which will also be debated during the Bern conference.

It was recalled that election observation missions were carried out in 2022 by the Assembly in Serbia, Bosnia and Herzegovina as well as Bulgaria, which held its 4th round of early elections, marked by mistrust, decreasing turn out due to voting fatigue and the lack of a political majority.

Finally, the participants took note of the schedule of elections for 2023 which, at that stage, included the observation of elections in Montenegro (19 March), Bulgaria (2 April) and Türkiye (dates to be confirmed). Information was provided by the co-rapporteur Mr Cottier on the latest developments in Montenegro, while the organisation of elections in Ukraine foreseen in the autumn 2023 raises questions, an issue that will be discussed at the Bern conference on "Elections in times of crisis" in May 2023.

Appendix 3 – The Council of Europe Electoral Cycle

Source: The Council of Europe Electoral Cycle – Elections (coe.int)

