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Need to protect election observers

Motion for a recommendation

tabled by Mr Claude KERN and other members of the Assembly

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

In an era marked by heightened political polarisation, rampant disinformation and foreign interference, independent and impartial election observation is essential for safeguarding electoral integrity and strengthening public trust in democratic institutions.

However, recent election observation missions conducted by the Assembly have highlighted increasing challenges confronting observers. Domestic observers, in particular, face mounting pressure, smear campaigns and even arrest in some Council of Europe member States. In addition, subtler legal and administrative barriers significantly undermine domestic NGOs' ability to monitor electoral processes effectively.

At the same time, international observers, including from the Assembly, have experienced growing difficulties, including problems with accreditation and targeted attacks. In a few cases, the Assembly has not been invited to observe elections in some member States, despite their clear legal obligations.

The Assembly should therefore call on the Committee of Ministers to recommend that member States enshrine robust protection for international and domestic election observers in national legislation. Building on the recognition of "election observers as human rights defenders" by the European Commission for Democracy through Law (Venice Commission) in 2024, member States should implement comprehensive measures to enhance observer protection and ensure the conditions necessary for effective observation and operational capacity. This includes clear and transparent accreditation procedures, unrestricted access to electoral information and processes, protection of freedom of expression and assembly, mechanisms for lodging complaints and guaranteed rights to present findings publicly. Member States should also proactively prevent harassment or unjustified legal proceedings against observers, provide adequate training and ensure impartiality and integrity within electoral authorities.

Signed (see overleaf)



Signed¹:

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