



Strasbourg, 3 December 2008

CDL-EL-OJ(2008)004ann
Or. Fr.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**27th MEETING OF
THE COUNCIL FOR DEMOCRATIC ELECTIONS**

Venice, 13 December 2008 at 2 p.m.

DRAFT ANNOTATED AGENDA

1. Adoption of the agenda

The Council is invited to adopt the agenda as it appears in document CDL-EL-OJ(2008)004ann.

2. Lessons to be drawn from recent elections

Following his participation in election observation missions in Armenia, Georgia, “the former Yugoslav Republic of Macedonia”, the Russian Federation and Serbia Mr Gross is invited to make proposals for lessons which could be drawn from events which occurred before, during or after the above-mentioned elections.

3. Code of good practice on referendums

The Council will be informed about the adoption of the Declaration by the Committee of Ministers on the Code of good practice on referendums.

4. Code of good practice for political parties

Further to Parliamentary Assembly Resolution [1546\(2007\)](#) on the Code of good practice for political parties, the Council adopted, at its last meeting, a draft code of good practice for political parties ([CDL-EL\(2008\)020rev](#)) which was submitted to the Commission’s Plenary Session for adoption. The Council is now invited to examine the draft explanatory report to this Code ([CDL-EL\(2008\)027](#)) with a view to its adoption.

5. Thresholds and other features of the electoral system which bar parties from access to Parliament

Further to the conclusions of the 2007 session of the Forum for the future of Democracy, the Forum’s Consultative Committee requested a more in-depth examination of the question of thresholds on parliamentary representation. Mr Jaklic was asked to prepare a comparative report on this issue, which was examined by the Council at its last meeting. A slightly modified version of this report ([CDL-EL\(2008\)018rev](#)) was submitted to the Commission’s Plenary Session for adoption. Mr Jaklic is invited to inform the Council of his proposals for follow-up work on this issue.

6. International status of election observers

The Secretariat will inform the Council of the progress of work on this issue, carried out at the request of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly. A draft report should be submitted to the Council at its March 2009 meeting.

7. Imperative mandate

Mr Closa Montero will inform the Council on the progress of work on the study on imperative mandate. This study falls in the framework of work concerning the state of human rights and democracy in Europe.

8. “The former Yugoslav Republic of Macedonia”

Following the request from the Monitoring Committee of the Parliamentary Assembly regarding the revised electoral code, the Secretariat will inform the Council on progress of work on this issue. The Council will be informed about the draft opinion on the issue of the re-appointment of the members of the state election commission in “the former Yugoslav Republic of

Macedonia", which was submitted to the Commission's Plenary Session for adoption ([CDL\(2008\)133](#)).

9. Ukraine

The President of the Ukrainian parliament requested the Commission's opinion on the draft laws on referendum in Ukraine. The draft opinion on this issue, drawn up by Messrs Sanchez Navarro and Paczolay ([CDL-EL\(2008\)028](#); see [CDL-EL\(2008\)009](#) and [CDL-EL\(2008\)025](#)) was submitted to the Commission's Plenary Session for adoption.

10. Electoral glossary

The Council is invited to adopt a revised version of the Electoral Glossary ([CDL\(2008\)134](#)).

11. 5th European Conference of Electoral Management Bodies

The Secretariat will inform the Council on the 5th European Conference of Electoral Management Bodies which took place in Brussels on 20-21 November 2008.

12. Cancellation of election results

The Secretariat will inform the Council on the Seminar on the cancellation of election results which was held in Valetta on 14-15 November 2008, in co-operation with the Constitutional Court and the Ministry of Justice and Home Affairs of Malta, as well as on the follow up work on the study on the cancellation of election results.

13. Other developments and future activities

The Secretariat will inform the Council on work concerning the state of human rights and democracy in Europe (follow-up to Parliamentary Assembly Recommendation [1791\(2007\)](#)) on the issues of good governance and procedures for amending Constitutions. The question of thresholds and other features of the electoral system which bar parties from access to Parliament as well as of imperative mandate will be dealt with under items 4 and 6 above.

14. Co-operation with OSCE/ODIHR

An exchange of views will take place with the representatives of OSCE/ODIHR on the possibilities of future co-operation.

15. Date of the next meeting

It is proposed to hold the next meeting on Thursday, 12 March 2009 at 10 am.