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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in co-operation with
THE CONSTITUTIONAL COURT OF THE REPUBLIC OF BULGARIA

UNIDEM SEMINAR

**“EUROPEAN STANDARDS OF ELECTORAL LAW IN
THE CONTEMPORARY CONSTITUTIONALISM”**

(Sofia, 28-29 May 2004)

SYNOPSIS

The Venice Commission in co-operation with the Constitutional court of the Republic of Bulgaria organised a seminar on “European standards of electoral law in the contemporary constitutionalism”, in Sofia (Bulgaria), on 28-29 May 2004.

Since its creation in 1990, the Venice Commission has been very active in the field of electoral law and its co-operation with Constitutional courts and analogous jurisdictions is an important part of its work. However, this is the first time that the Commission has organised an activity of such a high level focusing on the role played by constitutional justice in the electoral process.

The main aim of this activity was to explore the different electoral systems and experiences of a number of courts both in Europe and at European Union level. Following a number of reports (10), the participants held a fruitful discussion on the advantages and shortcomings of different electoral systems, the case-law of higher national jurisdictions on electoral disputes, the participation of foreigners in the electoral process at the local level, the electoral rights of individuals with nationality of other European countries and the possible development of electoral law within the European Union. Some participants who were not speakers had prepared specific documents on elections and constitutional case-law in their respective countries which were distributed to the participants.

Approximately 50 participants including judges of the Constitutional Court of the Republic of Bulgaria, the Chairman of the Central Electoral Commission as well as representatives of the Ministry of justice attended the seminar. Mr Nedelcho BERONOV, President of the Constitutional Court chaired the working sessions.

The Venice Commission invited the following speakers: Mr. Georges CLERFAYT (former Vice-President of the Parliamentary Assembly of the Council of Europe), Mrs Mirjana LAZAROVA TRAJKOVSKA (Judge, Constitutional court of “the Former Yugoslav Republic of Macedonia”), Messrs Vladimir LYSENKO (Member of the Central Electoral Commission of the Russian Federation), Richard GHEVONTYAN (Professor, University Paul Cezanne of Aix-Marseille III), Angel SANCHEZ NAVARRO (Deputy Director of the Centre for Political and Constitutional Studies), Etienne GRISEL (Professor, University of Lausanne), Francis JACOBS (Advocate General, Court of Justice of the European Communities) and Ciril RIBICIC (Judge of the Constitutional Court of the Republic of Slovenia). The Bulgarian rapporteurs were Mrs Emilia DROUMÉVA and Mr Evgeni TANCHEV (Judges of the Constitutional Court of the Republic of Bulgaria). This seminar was also attended by representatives of 12 constitutional and other courts, and electoral commissions.

This activity was given extensive coverage by the national media.

The texts of the reports of this seminar will be published in the series “Science and Technique of Democracy” in due course.

Distribution:

- Members, associate members,
- Observers
- Permanent Representations