



Strasbourg, 14 March 2019

EEPI(2019)1_add1

EUROPEAN ELECTORAL PERFORMANCE INDEX (EEPI)¹

Addendum 1: Criteria of the European Electoral Performance Index

¹ Document prepared by the Division of Electoral Assistance – DGII, Directorate General for Democracy

(Supra-criteria are here indicated in bold)

1.1 Pre-electoral period

Legal framework (Guarantee of the right to vote)

1. Democratic elections are not possible without respect for human rights and fundamental freedoms, in particular freedom of expression and of the press, freedom of circulation inside the country, freedom of assembly and freedom of association for political purposes, including the creation of political parties. Restrictions are possible only if they have a basis in law.

2. Apart from rules on technical matters and detail, rules of electoral law must have at least the rank of a statute.

3. An impartial body must be in charge of applying electoral law.

4. The Central Electoral Commission is independent and permanent and may not be dismissed for the duration of its term of office.

5. The members of the central electoral commission must include at least one member of the judiciary with knowledge of electoral matters and representatives of parties or candidates represented in parliament or having received a certain number of votes, and with knowledge of electoral matters.

6. Political parties must be equally or proportionally represented on electoral commissions or otherwise be able to observe the work of the electoral commission.

7. Members of electoral commissions receive electoral training in line with European standards.

8. New constituency boundaries are impartial and without detriment to national minorities.

9. *New electoral boundaries take account of the opinion of a committee, the majority of whose members are independent (geographer, sociologist, representation of parties, and national minorities), and are defined at least every 10 years.*

10. *Seats must be evenly distributed between constituencies (maximum permissible departure 15%, except in special circumstances).*

11. *The electoral boundaries committee is independent.*

12. *Legal means are implemented in order to guarantee a minimum percentage of persons of each gender among candidates.*

13. *For legislative bodies, elections must be held at regular and reasonable intervals (not exceeding 5 years).*

14. *At least one chamber of the national parliament is elected directly.*

15. *Representation of each sex in parliament or in the lower chamber of parliament must not be lower than 40%.*

16. *National and international election observers can observe elections during the three stages.*

17. *Observers must be able to go to any place except where otherwise provided by law.*

18. *A law sets the minimum age for voting and standing as a candidate.*

19. *Legislation prohibits hate speech.*

20. *A law punishes election fraud.*

21. Sub-national legislative bodies are elected directly.

22. Local councils are elected directly.

Training, education and awareness-raising

23. Participation in national elections exceeds 50%.

24. National authorities assist with civic education and the provision of information about voting and elections.

25. Special programmes are put in place for first-time voters.

26. Special programmes are put in place for vulnerable persons.

27. Special programmes are put in place for national minorities.

28. Awareness-raising is undertaken in order to prevent electoral fraud.

29. The various methods of voting and the time-limits are clearly explained.

Media

30. The expression of political pluralism is guaranteed in the media.

31. Public service media are independent.

32. The law makes provision for an independent mechanism to monitor the media in relation to electoral issues.

Voter and candidate registration

33. *The right to vote is acquired at the age of majority.*

34. *The right to vote and be elected is granted to national citizens living abroad.*

35. *Foreign residents can vote in local elections (with a possible length-of-residence requirement).*

36. *If there is a residence requirement for eligibility to vote, it does not exceed six months for nationals for local or regional elections.*

37. *All voters may be registered on electoral registers, except where decided otherwise by a court.*

38. Electoral registers are permanent, updated annually and published. Changes may be made to electoral registers before the election, but not at polling stations.

39. *Procedures are put in place to facilitate voter registration on electoral registers.*

40. *Political parties representing national minorities are recognised.*

41. Validation of candidatures must be completed by the start of the election campaign.

42. *The process of selecting candidates within political parties is transparent.*

43. *If the submission of candidatures is subject to a signature requirement, this must be governed by clear rules (including with regard to time-limits) and the law must not require signatures from more than 1% of the electorate.*

1.2 Election period

Electoral campaign and financing

44. Public authorities have a duty to be neutral during election campaigns (funding of political parties and candidates, election billposting and the right to demonstrate).

45. The law ensures that funding for political parties and election campaigns is transparent.

46. A law punishes any failures to comply with the rules regarding funding.

47. There is a cap on election campaign spending (especially in relation to advertising).

48. The law makes provision for proportionally or strictly equal coverage of elections by audiovisual media.

49. Public authorities are required to guarantee and respect neutrality of coverage by audiovisual media and in particular the public service media.

50. Legal provision is made for a minimum level of access for candidates to privately-owned media (television, radio and opinion-based press).

Voting operations

51. Every person who has the right to vote must be able to exercise it.

52. Suffrage must be free and individual.

53. Secrecy of voting is guaranteed.

54. Voters all have the same number of votes.

55. *There are several possible methods of voting (voting at polling stations, voting by proxy, postal voting, etc.).*

56. *E-voting should be allowed only if it is safe and reliable.*

57. *Voting is made easier for persons with reduced mobility and for persons with sensory disabilities.*

58. *The opening and closing times of polling stations are complied with.*

59. *Electoral materials are provided to voters.*

60. *During voting operations, ballot papers can only be handled by voters.*

61. *Polling stations include representatives of parties and candidates.*

62. *Representatives of political parties and/or candidates can observe the holding of elections.*

63. Voters' identities are checked before voting takes place.

64. Voters are able to vote in secret.

65. The security of ballot boxes is ensured.

66. The integrity of counting is ensured.

67. Votes and void, blank and spoiled ballot papers are counted in an honest and transparent manner.

68. Two criteria are considered when assessing the accuracy of the election result: the number of votes cast (signatures) and the number of ballot papers in the ballot box.

69. Observers can conduct parallel counting of votes.

70. Results are transmitted directly, immediately and in a transparent manner to the co-ordinating office.

71. Polling station records and lists of voters or non-voters are accessible.

72. Results from polling stations must be published.

1.3 Post-election period

73. Final results are published swiftly (within less than 5 days).

74. The national authorities take national and international observers' reports into consideration.

75. Any voter may lodge an election appeal.

76. The law clearly specifies the appeal procedure (jurisdiction, responsibilities of the various bodies, quorum requirement) which must be simple, in particular concerning admissibility. The costs of this procedure are reasonable.

77. There is a body which has authority to settle any dispute regarding election law.

78. The appeal body in electoral matters is either an electoral commission or a court.

79. Where the appeal bodies are higher electoral commissions, they must be able to set aside the decisions of lower electoral commissions. The highest appeal body in electoral matters is a court.

80. The appeal body in electoral matters must be able to annul the result of an election in the event of a major irregularity and require that a new election be held.

81. The time-limits for lodging and deciding appeals must be three to five days at first instance.