



**AMENDMENTS TO THE CODE OF GOOD PRACTICE
IN ELECTORAL MATTERS OF THE VENICE COMMISSION**

(Simulation exercise)

LUISS Summer Program - “Parliamentary democracy in Europe” - 8th edition

Jean Monnet Module 2017-2019 (575392-EPP-1-2016-1-IT-EPPJMO-MODULE)

on “Parliamentary accountability and technical expertise: budgetary powers, information and communication technologies and elections (PATEU)”

“Parliamentary Elections and Democratic Accountability in the Age of Populism”

Present Text	Amended Text
<p>1. Universal suffrage</p> <p>1.1. Rule and exceptions (...)</p> <p>c. Residence</p> <p>i. a residence requirement may be imposed;</p> <p>ii. residence in this case means habitual residence;</p> <p>iii. a length of residence requirement may be imposed on nationals solely for local or regional elections;</p> <p>iv. the requisite period of residence should not exceed six months; a longer period may be required only to protect national minorities;</p> <p>v. the right to vote and to be elected may be accorded to citizens residing abroad.</p>	<p>1. Universal suffrage</p> <p>1.1. Rule and exceptions (...)</p> <p>c. Residence</p> <p>i. a residence requirement may be imposed;</p> <p>ii. residence in this case should be defined by the government in a manner consistent with other legislation e.g tax, immigration means habitual residence;</p> <p>iii. a length of residence requirement may be imposed on nationals solely for local or regional elections; the requisite period of residence should not exceed six months; a longer period may be required only to protect national minorities;</p> <p>iv.</p> <p>iv. the right to vote and to be elected may be accorded to citizens residing abroad.</p>
<p>d. Deprivation of the right to vote and to be elected:</p> <p>i. provision may be made for depriving individuals of their right to vote and to be elected, but only subject to the following cumulative conditions:</p> <p>ii. it must be provided for by law;</p> <p>iii. the proportionality principle must be observed; conditions for depriving individuals of the right to stand for</p>	<p>d. Deprivation of the right to vote and to be elected:</p> <p>i. provision may be made for depriving individuals of their right to vote and to be elected, but only subject to the following cumulative conditions:</p> <p>ii. it must be provided for by law;</p> <p>iii. the proportionality principle must be observed; conditions for depriving individuals of the right to</p>



<p>election may be less strict than for disenfranchising them; iv. The deprivation must be based on mental incapacity or a criminal conviction for a serious offence. v. Furthermore, the withdrawal of political rights or finding of mental incapacity may only be imposed by express decision of a court of law.</p>	<p>stand for election may be less strict than for disenfranchising them; iv. The deprivation must be based on mental incapacity or a criminal conviction for a serious offence. v. Furthermore, the withdrawal of political rights or finding of mental incapacity may only be imposed by express decision of a court of law. vi. The right to vote must be restored immediately upon the conclusion of the sentence.</p>
<p>2. Equal suffrage (...) 2.5. Equality and parity of the sexes Legal rules requiring a minimum percentage of persons of each gender among candidates should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis.</p>	<p>2. Equal suffrage (...) 2.5. Equality and parity of sexes In compliance with the principle of equal suffrage, the adoption of legal rules requiring a minimum percentage of persons of each gender among candidates is recommended. should not be considered as contrary to the principle of equal suffrage if they have a constitutional basis.</p>
<p>3.2. Freedom of voters to express their wishes and action to combat electoral fraud (...) iv. electronic voting should be used only if it is safe and reliable; in particular, voters should be able to obtain a confirmation of their votes and to correct them, if necessary, respecting secret suffrage; the system must be transparent;</p>	<p>3.2. Freedom of voters to express their wishes and action to combat electoral fraud (...) iv. electronic and online voting, including the upload of individual ballot papers to the secured electoral commission website, should be used only if it is safe and reliable; in particular, voters should be able to obtain a confirmation of their votes and to correct them, if necessary, respecting secret suffrage; the system must be transparent;</p>