COUNCIL OF EUROPE
COMMITTEE OF MINISTERS

RECOMMENDATION No. R (86) 8

OF THE COMMITTEE OF MINISTERS TO MEMBER STATES

ON THE EXERCISE IN THE STATE OF RESIDENCE BY NATIONALS OF OTHER MEMBER STATES OF THE RIGHT TO VOTE IN THE ELECTIONS OF THE STATE OF ORIGIN[1]

(Adopted by the Committee of Ministers on 21 March 1986 at the 394th meeting of the Ministers' Deputies)

The Committee of Ministers, under the terms of Article 15.*b* of the Statute of the Council of Europe,

Considering that the aim of the Council of Europe is the achievement of greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and of facilitating their economic and social progress;

Considering that, by ratifying the European Convention on Human Rights, the Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which ensure the free expression of the opinion of the people in the choice of the legislature;

Considering that this undertaking is consistently interpreted as guaranteeing the right to vote and to be elected;

Noting that a very large number of nationals of Council of Europe member states are residing abroad and that there are obstacles which prevent them from exercising their voting rights so that they have in fact no possibility of exercising normally their voting rights;

Considering that the existence and the exercise of political rights and in particular voting rights are the bases of democracy and the preservation and strengthening of such rights are one of the major concerns of the Council of Europe member states,

Recommends governments of member states:

A. to allow nationals of other member states residing on their territories to exercise their right to vote with regard to their countries of origin according to the formalities of these countries, in particular:

a. by voting in the consulates and embassies of the country of origin, to the extent that this is not contrary to public policy,

b. by postal voting, or

c. by proxy voting;

B. to adopt, in exceptional cases where they do not allow nationals of other member states to vote according to the provisions mentioned in A above and, consequently, the right to vote can be exercised only by going to the country of origin, provisions which make it easier for foreign nationals to return there, in particular by the grant of special short-term leave for electoral reasons, if necessary, without pay;

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1. When this recommendation was adopted, and in application of Article 10.2.*c* of the Rules of Procedure for the meetings of the Ministers' Deputies, the Representative of Switzerland reserved the right of his Government to comply or not with paragraphs A and B of the recommendation.

C. to allow the foreign national to receive any individual notification or official document from his country of origin concerning the exercise of the right to vote;

D. to consider the possibility, in specified circumstances and in places designated for this purpose, to authorise the organisation of information meetings for nationals of other member states so that they can exercise their right to vote with full knowledge of the facts.