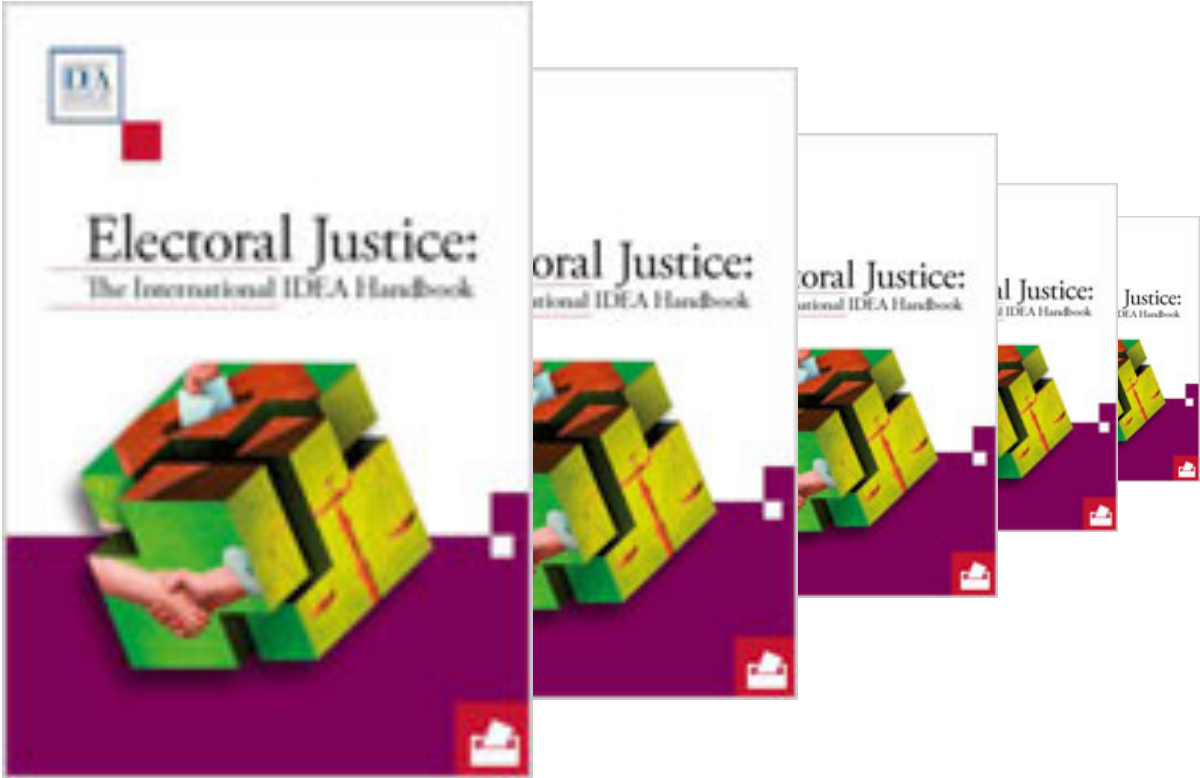




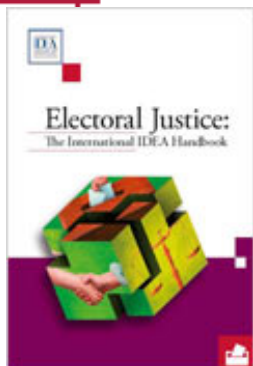
# Electoral Justice Handbook





# Contents

1. Role of Electoral Justice
2. Elements of Electoral Justice
  - Preventive measures
  - EDR systems
  - Alternative EDR mechanisms
3. Variants of EDR Institutions
4. Principles & Guarantees of EDR Systems
5. Basic Elements of EDR Systems



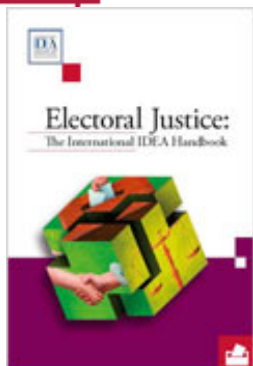


# Electoral disputes

Disputes are inherent to any electoral process

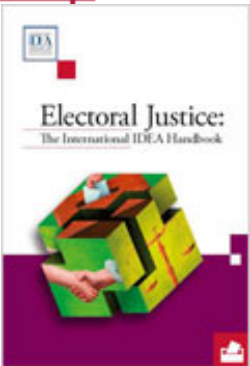
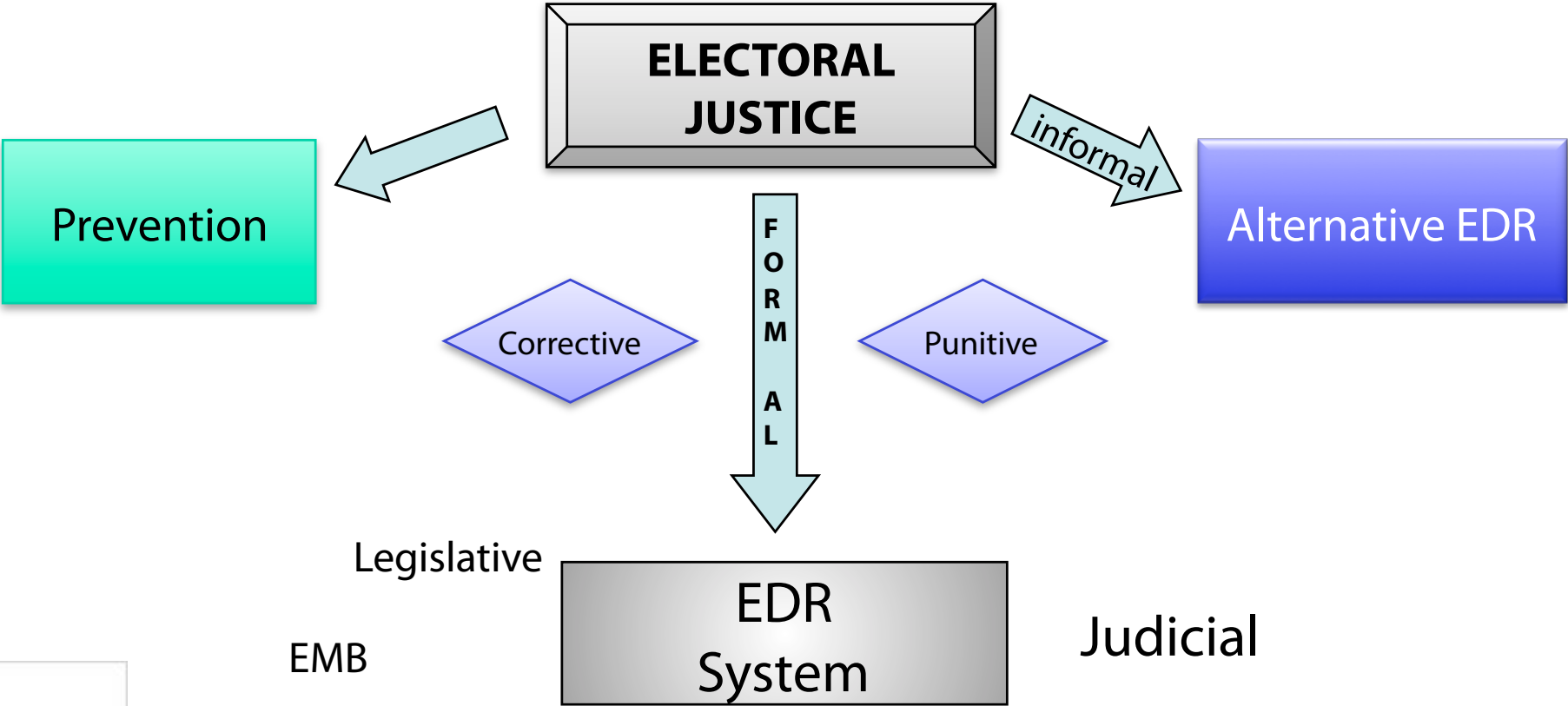
A healthy electoral process does entail the possibility to resolve disputes well before e-day

The higher the possibility to seek redress throughout the electoral cycle, the less number of disputes will arise in the post-election day period



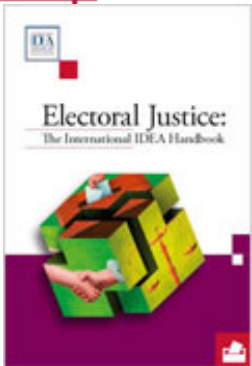
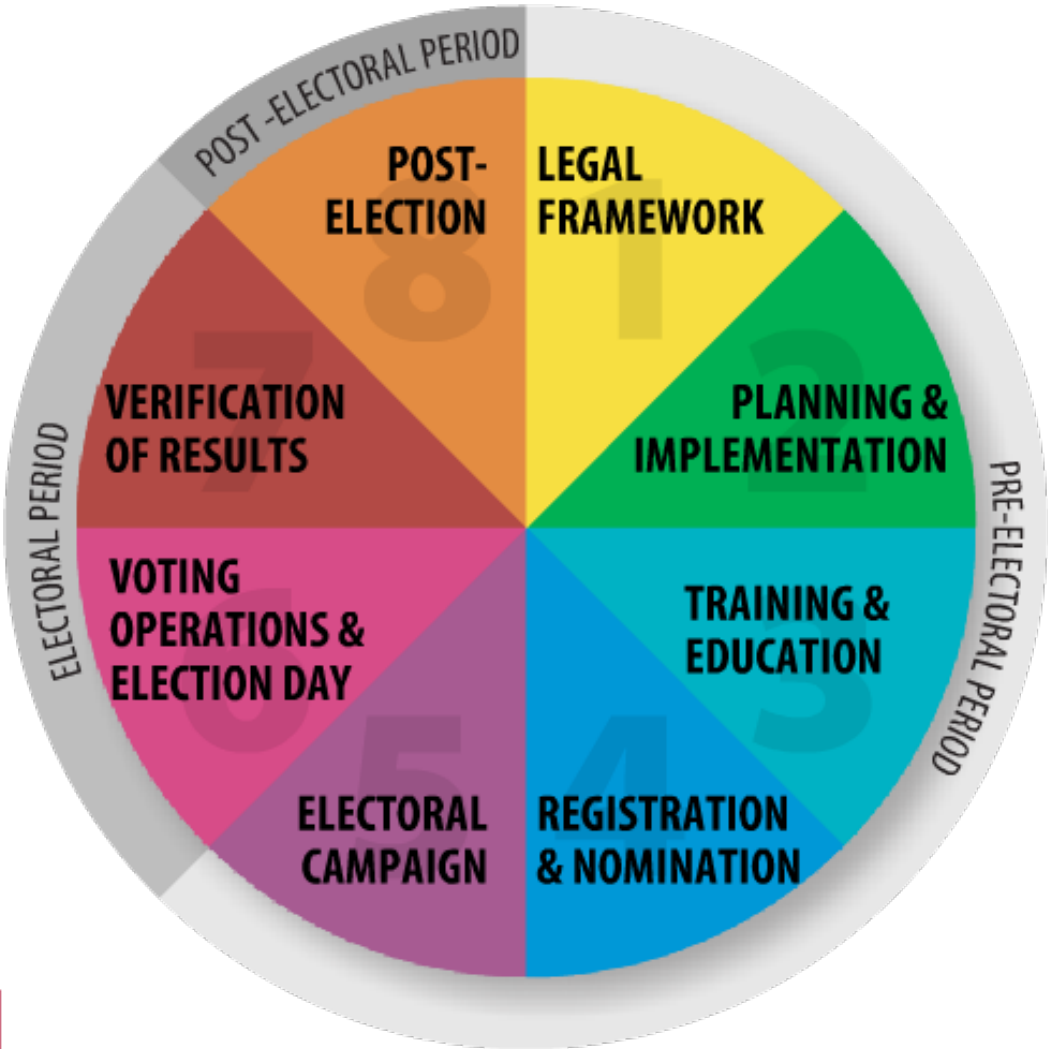


# The Concept





# The Electoral Cycle



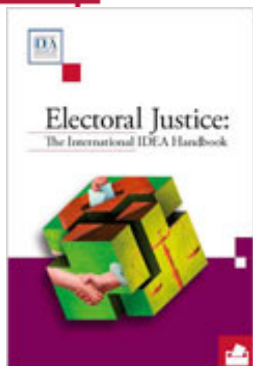


# Electoral disputes

Electoral disputes are not necessarily of a judicial nature, complaints are!

Good practices include:

- conflict prevention mechanisms
- revocation or modification of the irregularity
- penalizing the offender
- alternative dispute resolution mechanisms





# EDR Mechanisms

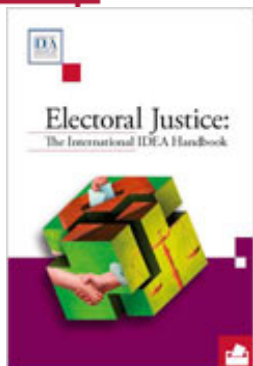
Legislative bodies

Judicial bodies

- Regular courts
- Constitutional courts
- Administrative courts
- Specialised electoral courts

EMB with judicial powers

Transitory or “Ad Hoc” bodies





# ADR Mechanisms?

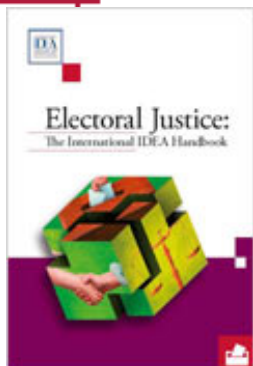
Parties bilateral mechanisms

Arbitration and negotiation mechanisms

Conflict Mediation Panels

Are ADR mechanisms still such when provided for in the legal framework?

Are preventive mechanisms to be categorised as ADR ones?







# Basic EDR principles

Independence of EDR Bodies

Independence and impartiality of EDR members

Accountability of EDR bodies and their members

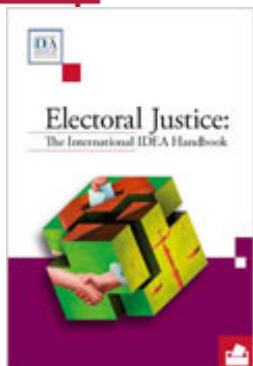
transparency (clear and unequivocal procedures)

integrity

professionalism

efficiency

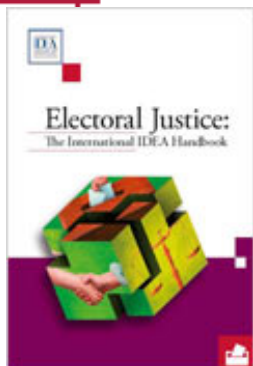
service-mindedness





## The Database

[www.idea.int/uid](http://www.idea.int/uid)





# The Database

**Custom query**

**1. Select the geographic scope**

All regions ▾

Click on >> to add all countries listed in the left box, or > to add just the highlighted country

- Afghanistan
- Albania
- Algeria
- American Samoa
- Andorra
- Angola
- Anguilla
- Antigua and Barbuda
- Argentina
- Armenia

> >>

x clear

**2. Filter by type of election**

Legislative  
 Presidential  Referendum

**3. Choose dimension(s)**

Challenges to election results  
 Other electoral disputes

**4. Select fields** (all | default | clear)

Type of first instance  
 Type of last instance  
 Who may file a complaint?  
 Filing fee?  
 Deposit fee?

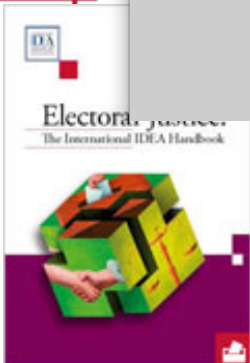
Filing/deposit fee amount (local currency)  
 Maximum complaint time since incident  
 Maximum complaint time since announcement  
 Maximum adjudication time  
 Number of levels of adjudication

View or export to Excel or CSV

Page last updated October 19, 2010

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Email: info@idea.int | Web: www.idea.int | © 2010 International IDEA. All rights reserved.

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# The Database

This is a preview of the data. Close it using the X in the upper right corner to access the Electoral Justice Database interface.  
Click a country to view that country's page. Click a field heading to see a summary and country details for that field. Click a data entry to view more details or suggest an update or correction or a missing entry to add a new one.

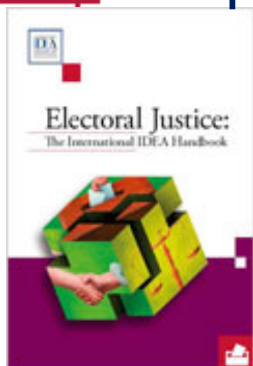
Download as [Excel](#) | [CSV](#)  
[Scroll to legends](#)

Challenges to election results									
Country	Type	Type of first instance	Type of last instance	Who may file a complaint?	Filing fee?	Deposit fee?	Filing/ deposit fee amount (local currency)	Maximum complaint time since incident	Maximum complaint time since announcement
Albania	Legislative	Electoral Management Body	Regular Court	Candidate/Party Representative Political Party	No	No	Not applicable	2 days	2 days
	Presidential	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable
	Referendum	Electoral Management Body	Regular Court	Candidate/Party Representative Political Party	No	No	Not applicable		
Armenia	Legislative	Electoral Management Body	Constitutional Court/Council	Candidate/Party Representative Electoral Management Body			Not applicable	1 day	1 day
	Presidential	Electoral Management Body	Constitutional Court/Council	Candidate/Party Representative Electoral Management Body			Not applicable	1 day	1 day
	Referendum	Electoral Management Body	Constitutional Court/Council	Election Observer Non-Governmental Organization /Civil Society Organization /Mass organization/ Trade union			Not applicable	1 day	2 days



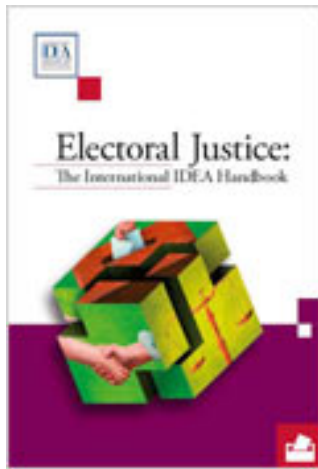
## What are they for?

- ✓ As a collection of global practices
- ✓ To present principles and guarantees for an effective Electoral Justice System
- ✓ To move forward the discussion on the international obligations for electoral dispute resolutions
- ✓ To encourage discussions over different electoral justice practices





What next?



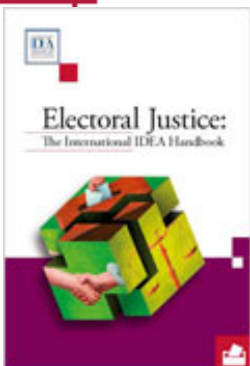
etc.



Nepal



Indonesia





## For more information:

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International IDEA

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