



Thematic Workshop:  
Elections, Violence & Conflict Prevention

# Promoting Dispute Resolution and Security Sector Engagement

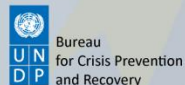


*Barcelona, 22-26 March,  
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# Electoral Justice

“Electoral Justice seeks to **prevent** and, as necessary, appropriately **address and resolve** electoral conflicts in order to keep greater conflict from ensuing.”

Draft Electoral Justice International IDEA’s Handbook



# *In reality...*

## Some examples where electoral justice failed to:

Prevent conflict?

Address conflict?

Resolve conflict?



# *Formal and Informal Approaches*

One way to analyse and understand election dispute resolution is to distinguish between:

- **Formal:** Election Dispute Resolution Mechanisms
- **Informal:** Alternative Dispute Resolution Mechanisms



# Formal Electoral Dispute Resolution Systems

EDR systems **FORMAL systems of appeals** through which electoral actions and/or procedures can be legally challenged. Entrusted to a:

- **Legislative bodies**  
(legislative committee or political assembly)
- **Judicial organ**  
(courts – regular, constitutional, administrative, specialised electoral courts)
- **EMB**  
(EMB with jurisdictional powers)
- **Ad hoc organ**  
(elections under peace keeping)





# Formal Electoral Dispute Resolution Systems

Country/ Case	Issue of complaint	Complaint towards	Complaint issued by	1 <sup>st</sup> Challenge instance	2 <sup>nd</sup> Challenge instance	3 <sup>rd</sup> Challenge instance
<b>A</b>	Party registration	Civil Registry Office	Political Party	EMB (high-level officer or organ)	Judicial Body for final resolution*	-
<b>B</b>	Vote counting	Polling Station	Political Party or voter	EMB (high-level officer or organ)	Regular Court	Constitutional Court for final resolution
<b>C</b>	Vote tabulation	Tabulation Centre/EMB	Political Party or voter	EMB (high-level officer or organ)	Legislative Body	-

\* The judicial body could be a regular, constitutional, administrative or electoral court

# *Informal Mechanisms*



- **CUSTOMARY GOVERNANCE** concept
- **DIALOGUE** based

**Some examples?**

- Party liaison committees**
- Mediation committees**
- Panels of eminent people**



# Security Sector Engagement

## Positive

- Deterrence
- Investigation
- Sanctions

## Negative

- Lack of skills
- Loyal to incumbent
- Fear prosecution with change of government
- Fear loss of privileges with change of government

**Without enforcement, the best legislation can be bypassed or ignored.**



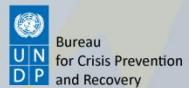


**THE END**

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