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International IDEA

Joint Training on
Effective Electoral Assistance

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Electoral Disputes Resolution

Domenico Tuccinardi
Senior Project Manager
International IDEA
Electoral processes are a key instrument for conflict mitigation and conflict management. However, their unfolding also constantly generate potential for new conflicts.

EDR mechanisms are meant to defuse these potential conflicts and allow the electoral process to absolve its primary function
The Electoral Cycle: an EDR perspective
Requirements for establishing adequate EDR

- Adequate legal framework
- Efficient institutional setup
- Provision of EDR bodies with sufficient powers, resources and tools to fulfil their mandate
- Ability to respond to demands and issue enforceable decision in expeditious manner
The EDR System Families

- Legislative or political systems
- Legal systems
- Other systems
EDR Classification – The legislative system

- Legislative or political system, known as the Traditional System
- Mix of political judicial or political administrative systems
Legal systems

- Judicial systems (ordinary courts of justice) known as the British System
- Constitutional Courts or Councils, known as the Austrian system
- Specialised Electoral Courts, known as the Latin American System
- Administrative Systems
Other EDR Systems

- Ad Hoc mechanisms
- Informal mechanisms
Basic 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
Factors Influencing EDR Effectiveness

- Constitutional Legal Framework
- Electoral System
- Electoral Management Model
- Political and Social Environments
- Legal Traditions
Other Key Principles

- Due process
- Public hearings
- Accessibility
- Free of charge
- Simple and expedite procedures
- Publicity of process and decisions
- Motivated decision