



**INTERNATIONAL IDEA**  
Supporting democracy worldwide

## **28th Annual Conference and General Assembly meeting of the ACEEEO**

Judicial protection of electoral rights and the transparency of elections  
24-26 September 2019, Ljubljana, Slovenia.

### **DEMOCRACY AND ELECTORAL JUSTICE**



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# PRESENTATION OUTLINE

Topics to Cover



GSoD  
INITIATIVE



IDEA FOR  
ELECTORAL JUSTICE



A LOOK INTO  
THE EJSAG



USEFULNESS





**Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels**



Sustainable development goal number 16 seeks to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

# GLOBAL STATE OF DEMOCRACY

## Initiative

Outlines democratic developments in the last four decades, as well short-term trends, focusing on key developments in the last five years.

GSoD 2019 Report

Depict democratic trends at the country, regional and global levels for 158 countries across a broad range of different attributes of democracy in the period 1975–2018.

GSoD Indices

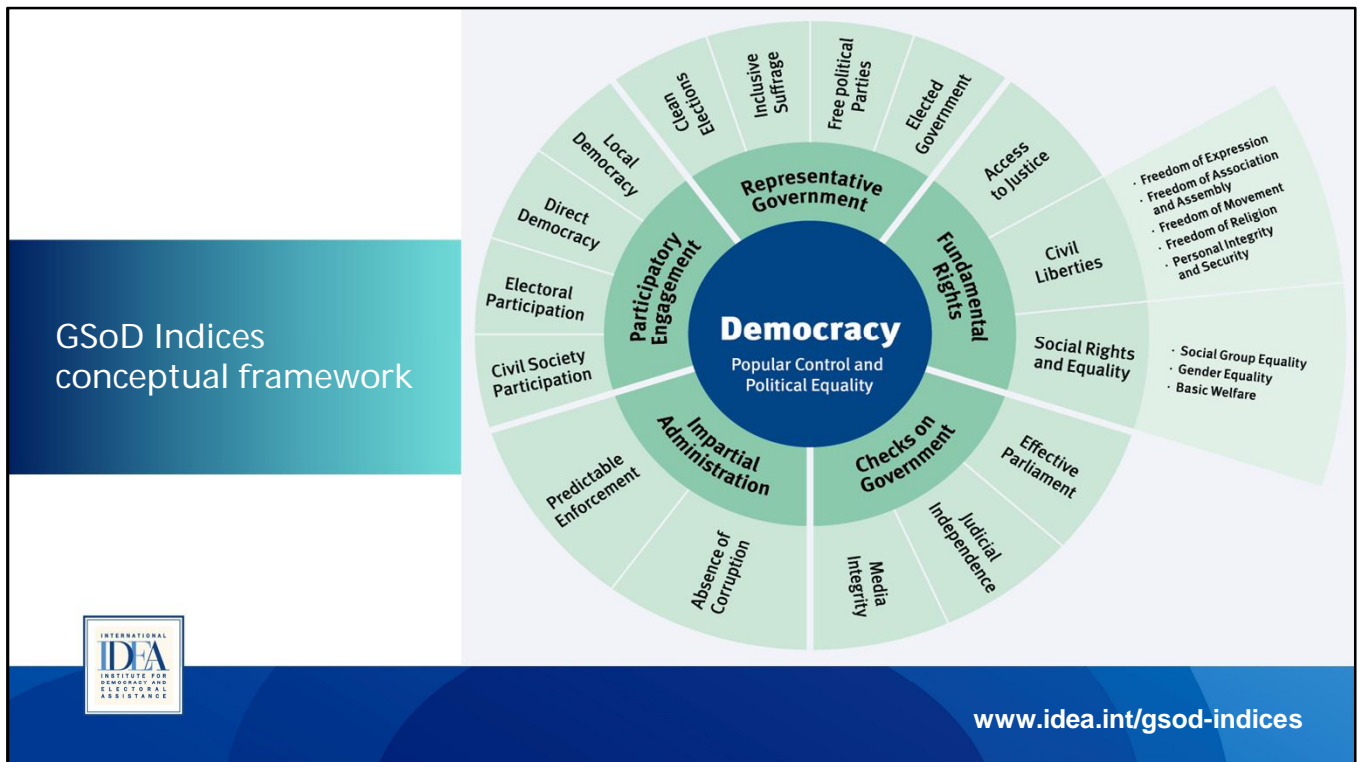
Info brief series to showcase the GSoD Indices data on specific themes

GSoD In Focus



As part of its efforts to promote a world in which democratic processes, actors and institutions are inclusive and accountable, and deliver sustainable development for all, International IDEA launched in 2016 the Global State of Democracy Initiative with its 3 main products:

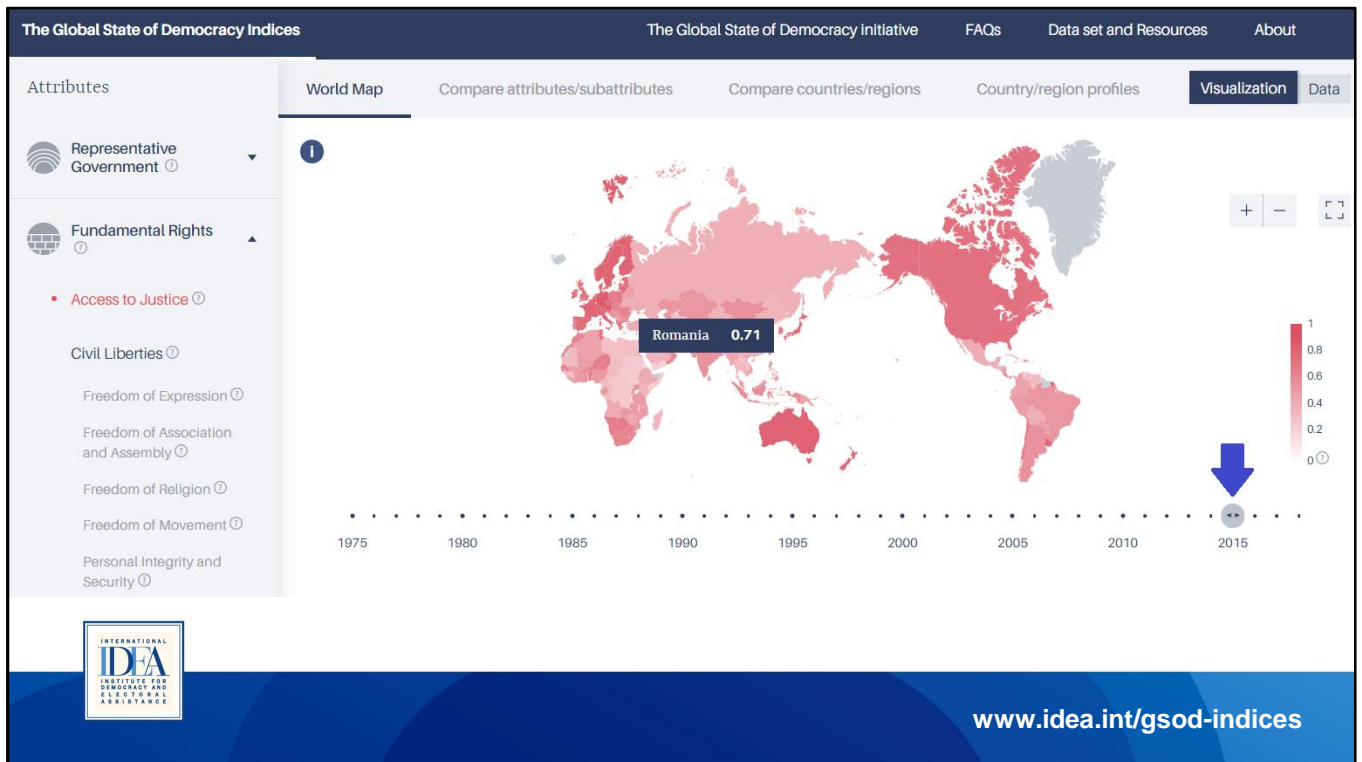
- The GSoD report, the first one published in 2017, the 2019 edition to be launched in November, which is aimed to provide a health check of democracy globally and in the different regions of the world – what are the current trends, opportunities and challenges, what does the latest research say that might be useful to policy-makers and, what makes it unique: provides policy recommendations to harness the opportunities and address the challenges.
- The GSoD indices – The GSoD Indices provide statistical data on democratic performance and trends at country, regional and global levels for 158 countries in the period 1975–2018. The data is compiled from a selection of 12 datasets, is based on International IDEA's conceptual framework for democracy and provides country level scores for 5 attributes and 16 democratic subattributes.
- The GSoD In Focus – a series of short briefs that apply the GSoD Indices data to current issues in the democracy debate, zooming in on specific themes. The latest GSoD In Focus is tracking progress in implementing SDG 16.



What makes the GSoD Report are the GSoD Indices, which provide statistical data on democracy, building on IDEA’s definition of democracy as popular control over decision-making and political equality between those exercising that control.

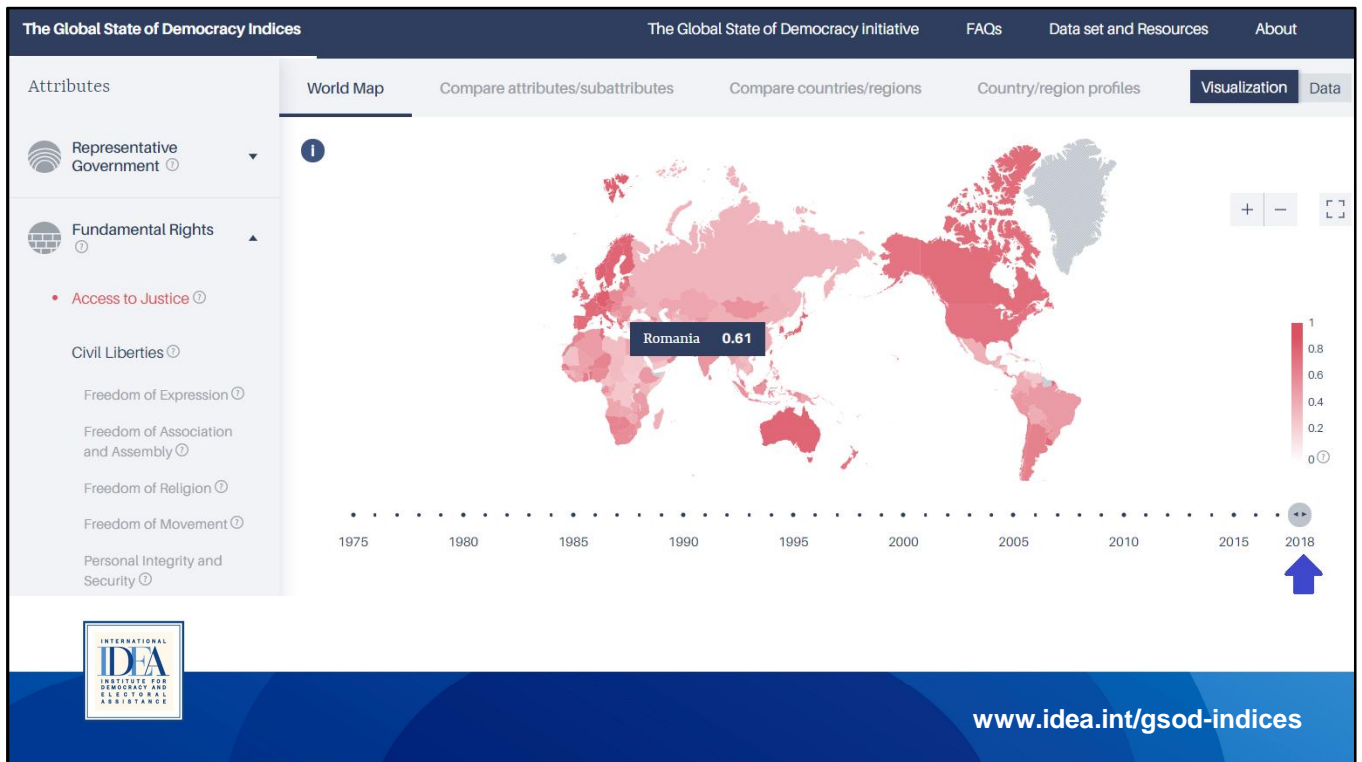
Out of those two key principles, we define five attributes that we think are key to operationalize those principles: Representative Government, Fundamental Rights, Checks on Government, Impartial Administration and Participatory Engagement with their subattributes, 16 in total, and subcomponents.

I highly encourage you to use the instrument, it is on line, free, publicly available, with a very intuitive, user friendly interface.



This is how the interface of the GSoD Indices looks like and this is an example of data visualization.

I chose the attribute Fundamental Rights and the subattribute Access to Justice, and the year, 2015 for example and a global heatmap was generated. It's enough to move the cursor on the map to find out the score for each country.



You can of course also compare and there are many other interesting features that the tool has and I consider to be very useful for many categories of public, from policy and decision-makers and CSOs to policy influencers, media, students, youth.

# The Global State of Democracy 2019 Report

Addressing the ills, reviving the promise

Severe forms of democratic backsliding are currently seen in a number of countries in Europe.

Europe is the region that has seen most declines on the indicators that measure progress on SDG 16 since 2015.

Challenges to Judicial Independence in Europe were noted in Central and Eastern Europe, where there have been recorded instances of intrusion in the work of the judiciary in a context of democratic backsliding.

GSoD 2019 Report

GSoD Indices

GSoD In Focus



Returning to the 2019 GSoD Report, to be launch in November with the title Addressing the ills, reviving the promise, I extracted from the document a few findings to share with you here today. Hopefully my colleagues form IDEA will forgive me for leaking these pieces of information but I'm sure they understand the importance of this event and the capacity and responsibility we have in reviving the democratic promise.

Democracy is definitely about people.

During the last 30 years, the many countries in Europe went through a dynamic process of democratization. They have implemented profound reforms, meant to strengthen their institutions, increase the transparency of their activities and subsequently the trust of people in state's capacity to provide strong guarantees for civil liberties and fundamental rights, and an independent judiciary. All these were possible due to the active involvement of people in the governance.

Yet, in recent years, severe forms of democratic backsliding are seen in a number of countries in Central and Eastern Europe. Worrying declines were noted in areas subsumed to fundamental rights like freedom of expression and access to justice.

Under these circumstances, protecting the rule of law and the independence of justice are essential for strengthening the resilience of democracies in Europe. Without these two elements, free and fair elections are not attainable, and citizen's rights are not



guaranteed anymore.

Electoral justice systems play a vital role in this. Elections cannot achieve their main purpose of providing legitimacy to the government if themselves are not viewed as legitimate. An effective and efficient electoral justice system is therefore needed to guarantee that all phases of the electoral cycle are held in compliance with the law and citizens are able to exercise their political rights.

# INTERNATIONAL IDEA'S SUPPORT FOR EJ

Around the world



## EJ DATABASE

Comparative electoral justice database with key legal provisions covering 178 countries



## EJ HANDBOOK

A comprehensive guide to principles and standards on electoral justice as they are applied around the world



## EJS Assessment Guide

Tool designed to support users in achieving Goal 16 through the assessment of the strengths and weaknesses of their electoral justice systems



International IDEA is playing an active role in supporting electoral justice systems around the world.

IDEA has developed a widely used comparative electoral justice database of key legal provisions covering 178 countries. The Institute has also developed Electoral Justice: The International IDEA Handbook (2010), a comprehensive guide to principles and standards on electoral justice as they are applied around the world.

The latest tool related to electoral justice developed by IDEA is the Electoral Justice Systems Assessment Guide



Designed as an awareness raising instrument or assessment tool

**Electoral Justice System  
Assessment Guide**



[www.idea.int/gsod-indices](http://www.idea.int/gsod-indices)

I was designed as an awareness raising instrument or assessment tool.

# 40 QUESTIONS

Covering key organizing principles of an effective electoral justice system

25 questions

- Compliant and respondent perspective



15 questions

- Institutional perspective



The Assessment Guide itself consists of 40 questions covering key organizing principles of an effective electoral justice system. The first 25 questions include those that might be posed from the perspective of the users of the system—those who seek electoral justice, those who may be accused of electoral violations, and other system users. The remaining 15 questions include those that might be posed from the perspective of people working within an electoral justice system, regarding the quality of laws and institutions.

Each question is accompanied by comparative examples of global practices.

# ORGANIZING PRINCIPLES

Considered in the EJSAG



Although no two electoral justice systems are identical, every EJS can be analyzed on how it embodies certain common organizing principles. The organizing principles considered in this Assessment Guide consist of

EJS Assessment Guide focuses on electoral justice throughout the entire electoral cycle



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# OVERVIEW

Provides overview of electoral justice concepts, laws, institutions and other practices



Questions provide comparative examples of global practices

## EJS Assessment Guide

Examples are meant to be illustrative of what can go right or wrong in an electoral justice system—tried to show diversity



“Findings” and “Actions” sections are meant to help users decide next steps in addressing issues that the Guide may help users identify



# TARGET AUDIENCES

Not limited to..

Leaders within the electoral  
justice system



Those outside who wish to  
understand, engage with  
system





# POTENTIAL (RECOMMENDED) USES

Of the EJSAG



Awareness-raising



Electoral Observation



Education



Reform



Reporting on electoral  
justice/dispute  
resolution



Internal improvements



# THANK YOU!



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