



*Judicial protection
of electoral rights and
the transparency of elections*

Effective Judicial Protection

Fast vs. Fair Process

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Judicial protection and Electoral Process

Elections are a process and every step has to be determined in a certain time-frame.

Judicial review is an inherent part of that process and should in principle not affect the general election in its entirety – except when the court decides to do so.

Special rules are in place to ensure that: one court responsible for the judicial review in first and last instance, short deadlines for rulings, etc.

How fast is effective?

- The time-frames determined by law:
 - 48 hours for examination of decisions by the election commissions,
 - 30 days for the examination of the final results (e.g. in referenda),
 - ...

Can fast be fair enough? Can fair be fast enough?

- Need for a fair judicial procedure:
 - right to appear before the court,
 - public hearing,
 - examination of facts,
 - right to be heard...



And until next elections...