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Sustainable Democracy.

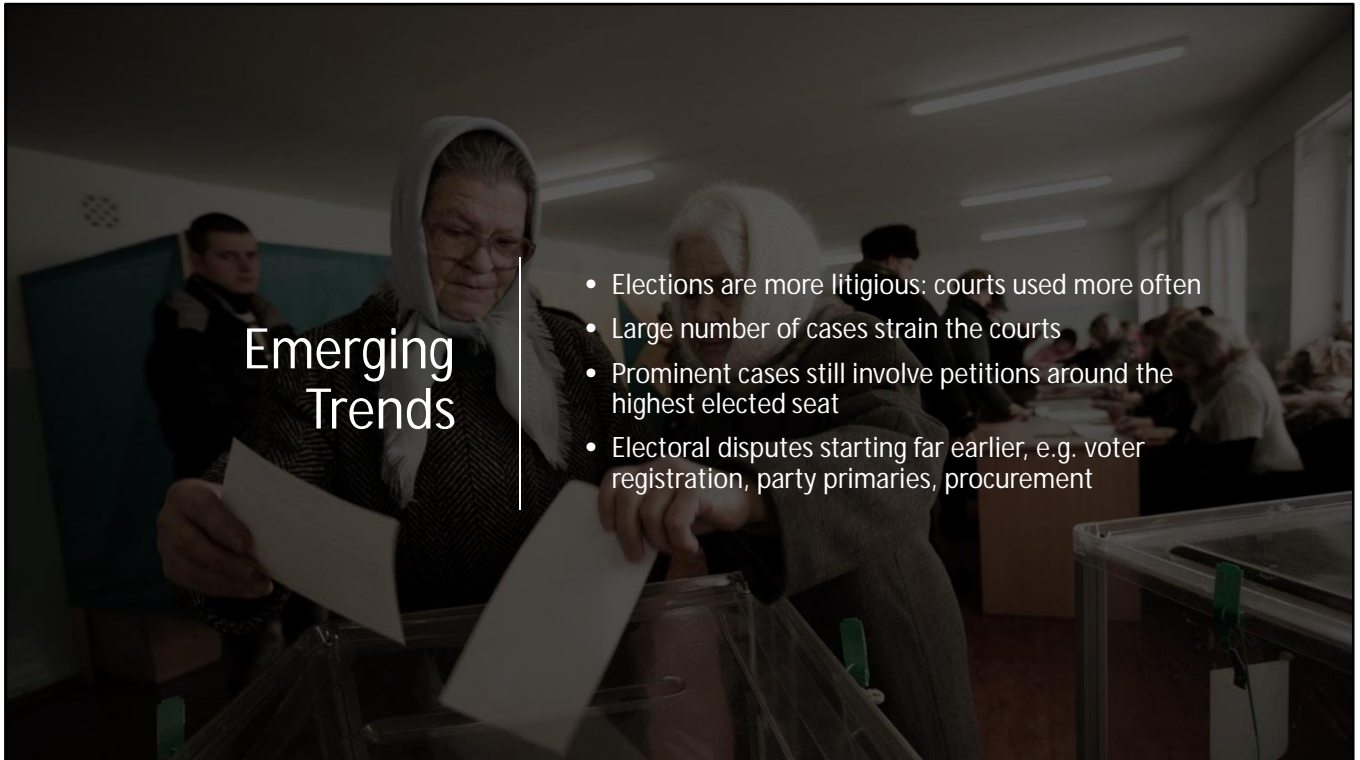
Regional Electoral Justice Networks





Why develop electoral justice networks?

- Domestic "triers of fact" are receiving less international support and regional networks can help fill the void
- Those adjudicating electoral disputes regularly on the ground can and should support one another
- Electoral justice networks can serve as a knowledge base and intellectual resource for those under pressure
- Regular venues will allow members to discuss current regional and international electoral complaint issues
- Courts and commissions can benefit from each other's specific judicial and electoral expertise
- Further development and refinement of best practices based on the participants experience



New challenges on the continent and globally:

- Democracy being questioned and the legitimacy of elections being challenged before the first ballot is cast
- International actors that do not support democratic forms of government are filling the void left by the West.
- Election results worldwide are being challenged and decided by courts on a more regular basis
- Truth and facts are seen as relative and are being manipulated by internal and external actors
- For any decision you make, your independence may be questioned
- Decisions you make may be manipulated or misunderstood, which can undermine the electoral justice and the acceptance of results



Objective

To share experiences, discuss new challenges, and explore how an ongoing forum for such peer-to-peer engagement could strengthen electoral justice in each region.

Europe / Eurasia Electoral Justice Network

Inaugural Meeting September 5, 2018
Vilnius, Lithuania

Albania, Bosnia and Herzegovina, Kosovo,
Macedonia, Montenegro, Serbia, Georgia



Africa Electoral Justice Network

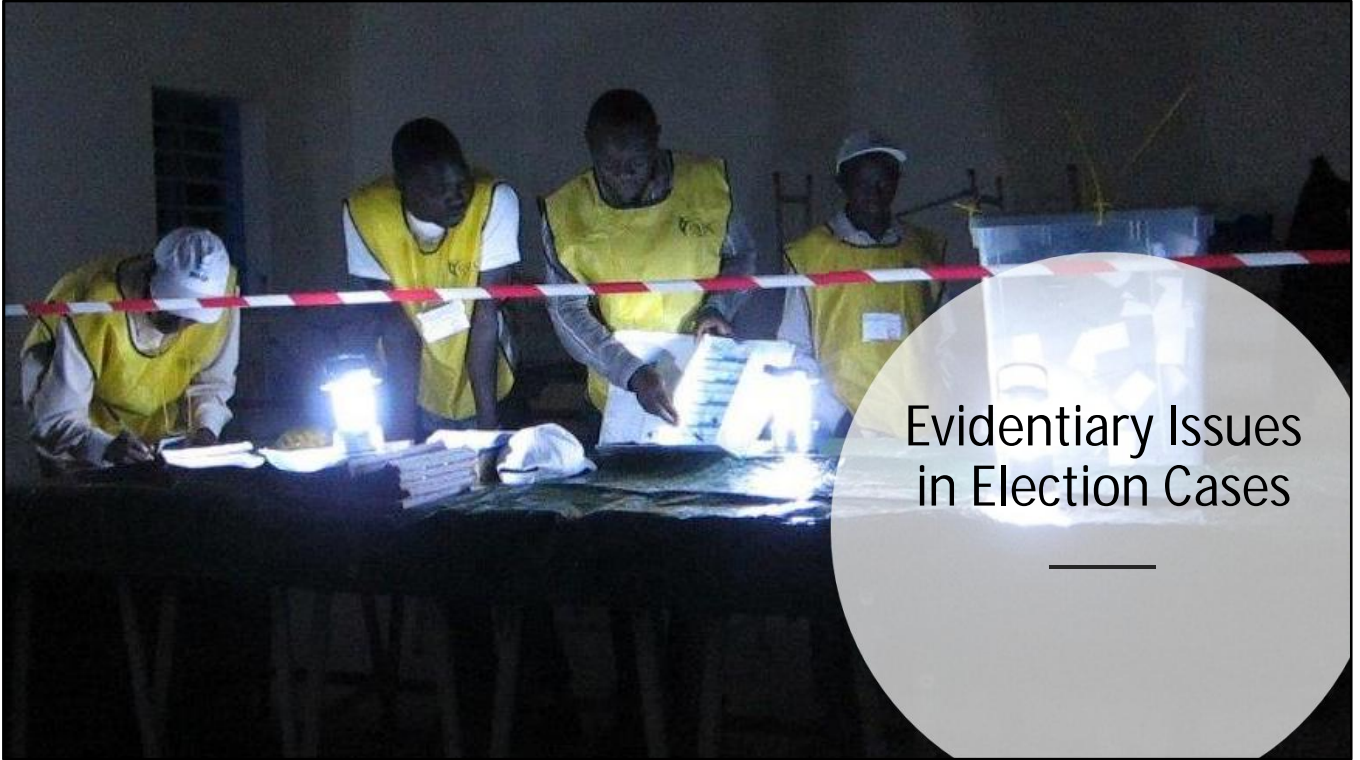
Inaugural Meeting April 16-17, 2019
South Africa

Ethiopia, Ghana, Kenya, Mozambique,
Niger, Nigeria, Senegal, South Africa and
Zambia



Select Themes Considered by the Networks





Evidentiary Issues in Election Cases

Impunity for Election Crimes





Elections, Social Media, and Disinformation

Election Technology

"[f]rom the materials placed by both the sides, we are satisfied that the 'paper trail' is an indispensable requirement of free and fair elections. The confidence of the voters in the EVMs can be achieved only with the introduction of the 'paper trail.'"

Swamy v. Election Commission of India (Supreme Court of India 2013)



The Misuse of State Resources in Election Campaigns

"Those who stand to benefit from these people's vote...ought to be agreeable to a regulatory framework that facilitates...reasonable access to information that could shed more light on who they really are and whose favours they might have to return."

My Vote Counts NPC v Minister of Justice and Correctional Services and Another [2018] ZACC 17



Second Annual Electoral Jurisprudence Network Meeting

October 7-8, 2019

Sarajevo, Bosnia and Herzegovina

Albania, Bosnia and Herzegovina, Georgia, Kosovo,
Macedonia, Serbia

- Procedural Challenges in Election Dispute Resolution
- Evidentiary Issues in Election Cases, Including Recounts and Audits
- Annulment of Election Results
- Vote Buying, Campaign Finance Violations, and Abuse of State Resources
- Social Media and the Spread of Disinformation in Elections
- Future regional discussions and initiatives





Global Electoral Case Law Database

IFES is developing a global database of national case law to help illuminate how legal frameworks are being interpreted and applied to election disputes in different countries, and what remedies are being provided.

Other databases already exist that provide international and regional jurisprudence, for example the EU's [International Election-Related Case Law Database](#), and various regional courts provide access to their judgments online, for example the [African Court of Human and Political Rights](#), and the [European Court of Human Rights](#).

However, there is currently no global database or compendium of national election jurisprudence.



Watch this space

www.ifes.org