



SECOND PLENARY ASSEMBLY
GLOBAL NETWORK ON ELECTORAL JUSTICE
TERMS OF REFERENCE

MONDAY DECEMBER 3

SESSION I.
Advances and achievements of the GNEJ

- **Date:** Monday December 3, 2018
- **Time:** 10:30 to 11:30 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.

Objective: Address the advances and modifications that have been carried out since the First Plenary Assembly and the agreements arising from the meeting of the Scientific Committee.

Format: General forum

Participants:

- Electoral Tribunal of the Federal Judiciary of Mexico (Presidency)
- Constitutional Court of South Korea (Vice-presidency)
- Electoral Court of South Africa (Vice-presidency)
- Superior Electoral Tribunal of the Dominican Republic (Vice-presidency)





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The Global Network on Electoral Justice (GNEJ) emerged as a response to some of the challenges that most concern constitutional courts and electoral tribunals within contemporary democracies, from a comparative perspective of the effective protection of the political-electoral rights of citizens and of the systems of representation.

Its objective is to reinvigorate global democratic governance based on the deliberation, design and recommendation of strategies with a jurisdictional perspective at the national, regional and global levels.

Throughout the first year of its incorporation, the GNEJ has offered a space for specialized and cross-cutting reflection on the main normative, theoretical and practical dilemmas facing the bodies responsible for guaranteeing and enforcing electoral justice and the rule of law in democratic matters, generating an inclusive and representative space.

The member countries have exchanged experiences, best practices, advisory opinions and judgments through more than 101 documents that have been shared through the platform¹ on the following subjects:

- Democratic disaffection
- Elections
- Political financing in elections
- Media and the use of new technologies
- Equal political participation

In this manner, the GNEJ promotes the exercise of multilateralism to improve the quality of democracies and electoral processes in various ways, by protecting the political rights of citizens and strengthening the quality of democratic deliberation.

¹ Unlike other associations and organizations that focus on the promotion of democracy, this Network is composed of the authorities in charge of ensuring electoral justice. Likewise, the objective is to combine academic analysis with constitutional analysis, with a focus on public policies so that the recommendations that arise - of a non-binding nature - may be implemented by the institutions that are part of the Network.





Plenary 1: Universal and egalitarian electoral justice

- **Date:** Monday December 3, 2018
- **Time:** 11:30 to 12:30 horas
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** Plenary session. Each speaker shall have a 10-minute intervention.

Objective: Analyze the mechanisms for protection of political-electoral rights and the access of citizens to electoral justice.

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The rights related to political and public participation carry out a fundamental role in the advancement of the rule of law, the progress of human rights and the strengthening of democracy. Among the obstacles to achieve an equitable and universal political and public participation, and to ensure that the full exercise of the political-electoral rights of citizens is guaranteed, the following stand out; discrimination based on ethnicity, gender, sex, religion, political opinion or disability.

As established in the International Covenant on Civil and Political Rights², it is the obligation of the States Parties to ensure the right of each person to a) participate in the conduct of public affairs, b) vote and be elected at genuine and periodic elections, which shall be by universal and equal suffrage and be held by secret ballot, guaranteeing free expression of the will of the voters and c) have access, under conditions of equality, to the public service of their country. Likewise, it sets forth that all persons are equal before courts and tribunals and have the right to be heard publicly and with due guarantees by a competent, independent and impartial tribunal established by law.

Thus, an efficient and effective electoral justice system is a key element to achieve full access to the civil and political rights of citizens and the development of free, fair and authentic democratic processes. The institutional machinery of democratic electoral systems has found in electoral justice an indisputable protagonist for the resolution of the multiple conflicts that can arise from political divergence (Orozco Henríquez, Ayoub y Ellis, 2013). Electoral conflicts not only involve voting results and, therefore, continuity or alternation in government, but also, and, in the first place, involve full access to the civil and political rights of citizens.

² OHCHR | International Covenant on Civil and Political Rights. (2018). Available at <https://www.ohchr.org/sp/professionalinterest/pages/ccpr.aspx>





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Therefore, it is also fundamental to ensure the access of all population groups to the protection of their political-electoral rights. The challenges to ensure political representation of women and to eradicate the gender-based political violence still exist at the present. Likewise, the population groups such as the indigenous peoples and communities, a population with some form of disability, the young, among others, present particularities that should be considered in the design of electoral justice.

Spaces such as GNEJ allow us to develop and interpret essential documents and guides for electoral justice and democracy, such as:

- The Rule of Law Checklist adopted by the Venice Commission at its 106th Plenary Session (Venice, March 2016);
- The Code of Good Practices in Electoral Matters adopted by the Venice Commission in its session number 52 (Venice, October 2002);
- The International Standards Guide on Electoral Justice of IFES, GUARDE; y
- OSCE Documents, including the Copenhagen Document of the Conference on the Human Dimension of 1990 and the Electoral Dispute Resolution Study: Towards a Standards Monitoring System on Resolving Electoral Disputes (Warsaw, 2000).





Working Group Sessions

Room A. Mechanisms of inclusion of political minorities (non-partisan candidacies, indigenous normative systems, persons with activity limitation)

- **Date:** Monday December 3, 2018
- **Time:** 13:30 to 15:30 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** There will be 7-minute interventions to guide the discussion and then the moderator will encourage debate among the participants.

Objective: Establish the advances and challenges faced by the electoral jurisdictional authorities with respect to the affirmative actions carried out for vulnerable groups.

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The International Covenant on Civil and Political Rights, of 1966, and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, of 1992, recognize and protect the rights of persons belonging to minorities. (Rights of minorities: International standards and guidelines for its application, 2010).

Currently, there is no international instrument that sets forth a precise definition of which groups constitute minorities, however, in article 1 of the 1992 declaration, reference is made to the fact that:

“States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity”.

Although there are national and international instruments that recognize the existence and protection of these political minorities, the great obstacle for their effective application in most cases is the recognition of the claims of these groups, which is a prerequisite for their effective participation in public life (Protsyk, 2010).

The work of constitutional justice to generate this recognition is essential, since it allows to enforce these mechanisms of inclusion, from the most common method, that of reserved seats (Slovenia, Romania, Croatia), to other options such as the electoral threshold



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exemption for access to parliament (Poland, Hungary), nominations and quotas in the candidacies.

Questions or guidelines for discussion:

1. What is the scope and costs of affirmative actions? In what cases has differentiated legal treatment of excluded groups in your country generated a decrease in inequalities?
2. How do you promote the representation of different population groups within political parties?
3. Do advances in the topic reflect equitable access to public positions?





Room B. Political participation with a gender perspective

- **Date:** Monday December 3, 2018
- **Time:** 13:30 to 15:30 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** There will be 7-minute interventions to guide the discussion and then the moderator will encourage debate among the participants.

Objective: The gender perspective as a new point of view responds to the social and cultural changes of our time. However, although society is in constant change, laws and institutions in many cases remain inert and anchored in the past. In that sense, the challenges and the application of gender representation by the electoral authorities should be identified, from a comparative perspective.

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"Gender equality and the empowerment of women have become an integral part of the international political and development agenda and are considered an essential element of progress towards the achievement of the Millennium Development Goals (MDGs)", opens the Plan of Action for Gender-Sensitive Parliaments in its preamble, approved in 2012 by the Inter-Parliamentary Union. The objectives of the Sustainable Development Goals (SDGs), based on the Agenda 2030 of the United Nations, includes the objective number 5 "Gender Equality", which indicates that the issue of political participation in gender continues to be a present challenge and that much work still needs to be done.

The number of women holding positions in the executive branch and parliament has stagnated globally and has only experienced some marginal improvements since 2015, as of June 2017 only 23.3% of parliamentarians were women, a small increase if we consider that in 1995 this percentage was 11.3%, at the secretariat / ministry level the percentage is lower, only 18.3% of the positions are filled by women (UN Women, 2017).

Although progress is constant but marginal, it is often made more difficult by other variables, such as political gender violence. A survey of the Inter-Parliamentary Union conducted in 2017, 123 women from 45 European countries (81 parliamentarians and 42 staff) of the Parliamentary Assembly of the Council of Europe, shows that sexism, abuse of power and political violence against women exists in all parliaments of the member states. 85.2% of women parliamentarians stated that they have been victims of psychological





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violence, while 40.5% of women in the staff stated that they have suffered sexual harassment at work.

To ensure the full and effective participation of women and equal opportunities for leadership at all decision-making levels in political and public life, as mentioned in goal 5.4 of the SDGs, there must be equal access for women to justice, constitutional equality provisions and impartial courts, which will repeal discriminatory laws and regulations (Raday, n.d.).

Questions or guidelines for discussion:

1. What mechanisms exist to increase the substantive participation of women in political life at local, national and international levels?
2. How do we promote equity in leadership within political parties?
3. Do authorities have protocols to prevent gender-based violence during electoral processes?
4. What are the challenges current democracies are facing to promote greater participation of women in the public sphere?





Plenary 2: Protection of democratic principles in elections from a comparative global perspective: judicialization or other dispute resolution mechanisms?

- **Date:** Monday December 3, 2018
- **Time:** 15:45 to 16:45 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** Plenary session. Each speaker shall have 10-minute interventions.

Objective: General introduction to the topic, its implications in electoral processes and their effects on democratic disaffection. The different models of resolution of electoral conflicts will be analyzed.

TERMS OF REFERENCE

The values of freedom and respect for human rights and the principle of holding periodic and genuine elections through universal suffrage are essential elements of democracy. In turn, democracy provides the natural environment for the protection and effective realization of human rights. These values have been incorporated into the Universal Declaration of Human Rights³ and have been further elaborated in the International Covenant on Civil and Political Rights⁴, which enshrines a multitude of political rights and civil liberties on which significant democracies are based.

For its part, electoral integrity refers to elections based on the democratic principles of universal suffrage and political equality, characterized by impartial and transparent preparation and management, throughout the electoral cycle.

It is an essential part of a free, fair and reliable election. It is inherent in the principles of democracy and the representative system of government, in which issues such as transparency, accountability and the accuracy of the administration of an election are considered together with ethical electoral behavior and systems of integrity monitoring.

Therefore, the electoral integrity is conceived as part of the electoral process in which problems related to integrity and some of the solutions to face them are examined. The main subcategories in this area that address these types of issues are:

³ https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/spn.pdf

⁴ <https://www.ohchr.org/SP/ProfessionalInterest/Pages/CCPR.aspx>





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- a. Integrity in Electoral Administration
- b. Integrity in Participation
- c. Oversight of the Integrity of the Election
- d. Implementation of the Electoral Integrity Act

For International IDEA, electoral justice encompasses all those means and mechanisms to guarantee the regularity of electoral processes and the defense of electoral rights. The electoral justice mechanisms include both the means for the prevention of electoral conflicts as well as the formal mechanisms for their solution through institutional channels, including those of an informal nature, as is the case with alternative means for the resolution of electoral conflicts.

Taking these concepts into consideration, the GNEJ will allow us to know, from a comparative perspective, if the electoral processes of all countries face problems considered democratic and meet the minimum international standards that exist for the holding free and reliable elections. In this regard, it is necessary to measure the quality of these through the perception of experts, in order to answer why electoral integrity is important for legitimacy⁵, civic activism, representativeness, security and the democratization process.

⁵ Norris, Pippa. (2014) *Why electoral integrity matters*. New York: Cambridge University Press.





Working Group Sessions

Room A. Successful and legitimate elections: an international perspective

- **Date:** Monday December 3, 2018
- **Time:** 17:00 to 19:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo
- **Format:** Each participant will have 15 minutes for their presentation, followed by a 55-minute question and answer session.

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The objective of this Working Group Session is to provide comparative experience and best practices on two key and interrelated topics. First, the panel will discuss the importance of having independent and impartial bodies in charge of election organization and electoral dispute resolution, and specifically, the main characteristics that an election body must have in order to be successful and legitimate. Within this topic, International IDEA will present a proposal of global indicators on access to electoral justice, for discussion and feedback with speakers and participants in general.

Speakers, in alphabetical order:

- Hugo Concha, Researcher, Institute of Legal Research – UNAM
- Thomas Hicks, Commissioner, U.S. Election Assistance Commission
- Johann Kriegler, Ret. Justice, Constitutional Court of South Africa and Fmr. Chairperson, Independent Electoral Commission of South Africa
- Jesús Orozco Henríquez, Fmr. Commissioner Inter American Commission on Human Rights and, Researcher, Institute of Legal Research - UNAM
- Ellen Weintraub, Commissioner, U.S. Federal Election Commission
- Miguel Angel Lara Otaola (Chair), Head of Mission for Mexico and Central America – International IDEA



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The methodology is as follows:

- The panel will have a duration of two hours.
- Dr. Orozco and Dr. Concha will have 20 minutes combined (10 min each) to present a joint project by International IDEA. This project consists in the creation of an index for evaluating the quality of electoral institutions/ electoral justice/ protection of political rights around the world.
- The other members of the panel will have 15 minutes each of their presentations.
- The remaining time will be used for Q&A and discussion with the participants. One of the aims is to get as much feedback as possible on our electoral justice indicators.





Room B. Good practices in electoral reforms

- **Date:** Monday December 3, 2018
- **Time:** 17:00 to 19:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo
- **Format:** There will be 7-minute interventions to guide the discussion and afterwards the moderator will encourage discussion among the participants.

Objective: There are clear differences in international electoral practices, considering the differences between electoral and political party systems. However, it is evident that there are shared values that strengthen the yearnings for democratic consolidation. In this sense, it is intended to identify, from a comparative perspective, the electoral reforms that have been carried out in different parts of the world in order to find the best practices.

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The idea behind an electoral reform is that no election is perfect, and that all countries can improve their practice (Ruthrauff, 2017). Some of the mechanisms from which good practices can emerge that may influence in an electoral reform process are: observation missions, whether carried out by an international organization or by civil society organizations, review of electoral reforms by international consultative bodies, such as the Venice Commission, specific projects promoted by intergovernmental bodies, such as the United Nations or the European Union, and permanent assistance from international bodies specialized in democracy and elections, such as International IDEA and the International Foundation for Electoral Systems (IFES).

The action of these mechanisms can be taken in solitary or in company, but they must always be framed by the universal and regional instruments that defend democratic principles and the protection of political-electoral rights, and by the consultative and jurisdictional bodies that monitor and, in other cases, sanction compliance with the substance of these instruments by the member states.

The Venice Commission in its opinion CDL (2013)004, on electoral legislation in Mexico, recommended reconsidering the prohibition of re-election for parliamentarians, due, among other things, to the fact that other democracies avoided introducing such a principle in their constitutions and/or electoral legislation.





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Through the Election Observation Missions of the European Union in Lebanon in 2005 and 2009, several good practices were recommended with the aim of improving the electoral process in the country, some of which were included in the electoral reforms of 2008 and 2017, such as the creation of a new proportional system, voting abroad and increased secrecy of the vote.

In 2017, a new electoral law in Pakistan was passed by the National Assembly, empowering the Electoral Commission to operate independently, improving voter registration mechanisms, the resolution of electoral disputes, political finance and the inclusion of women and persons with limited mobility in the electoral process. All the above is in line with international good practice and recommendations of international organizations such as IFES, which since 2009 has worked closely with the country's electoral management body (IFES, 2017).

Questions or guidelines for discussion:

1. Are electoral reforms the product of citizens' distrust? Or are they necessary to strengthen electoral authorities?
2. How can electoral authorities collaborate with the elaboration and drafting of electoral reforms?
3. Are electoral reforms a product of the political and social context in which they are developed? Or are they the result of citizens' distrust of electoral authorities?
4. How do electoral authorities address the implementation of electoral reforms?
5. What measures have the electoral authorities taken with regard to transparency and accountability?
6. Is there an over-regulation of the powers of the electoral authorities?





Room C. Resolution Models for Electoral Disputes and Effective Protection of Rights

- **Date:** Monday December 3, 2018
- **Time:** 17:00 to 19:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo
- **Format:** There will be 7-minute interventions to guide the discussion and afterwards the moderator will encourage discussion among the participants.

Objective: To know, from a comparative perspective, the challenges faced by contemporary democracies in relation to their models of electoral dispute resolution. To analyze the advantages and disadvantages of each of them, considering the historical evolution and legal tradition of each country.

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The International Foundation for Electoral Systems mentions seven standards, emanating from the globally recognized right to participate in the government and to ensure this essential right to participation, which strengthens the fair handling of electoral disputes. These standards are the following:

1. Right to a remedy for electoral disputes and complaints;
2. A clearly defined regime of electoral standards and procedures;
3. An impartial and informed judge;
4. A system that judicially issues decisions;
5. Establish evidentiary burdens and standards of evidence;
6. Availability of effective and meaningful remedies; and
7. Effective stakeholder education.

Models of electoral dispute resolution should have these standards regardless of the institutional framework they come from. According to the classification of the International IDEA Manual on Electoral Justice (which uses as a classification criterion for electoral dispute resolution models) the nature of the body to which the final decision on the final challenge is attributed are four existing models:





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- a) Legislative body (legislature or other political assembly)
- b) Judicial body
 - Ordinary courts of the judiciary
 - Constitutional courts or councils
 - Administrative courts
 - Specialized electoral court
- c) Electoral Management Body with jurisdictional powers; and
- d) Ad hoc bodies created with the participation of the international community or as an internal institutional solution for a specific electoral process

This session will analyze the different models of electoral dispute resolution in a comparative perspective.

Questions or guidelines for discussion:

1. What international methodologies and instruments enable states to deal with the manipulation of elections in the face of the rise of authoritarian democracy?
2. How do electoral authorities face the emerging challenges in their procedures, initiatives and prospects for an effective resolution of electoral disputes?
3. What are the main challenges faced by electoral arbitrators in resolving electoral disputes in the current democratic context?
4. How to achieve the interconnectivity of international standards in the delivery of justice at the local level?





TUESDAY DECEMBER 4

Plenary 3: Digital revolution and electoral processes

- **Date:** Tuesday December 4, 2018
- **Time:** 09:00 to 10:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo
- **Format:** General forum

Objective: To introduce the impact that new technologies have had on electoral processes, from an electoral justice perspective, as well as the challenges that have implied for the authorities and citizens in general.

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New technologies are reforming politics and, in particular, elections. The use of Internet and social media have changed the traditional form of interaction between institutions and citizens, therefore institutions must make adjustments both to their operation and to their legal frameworks, to evolve at the same pace as the transformation of technology, and thus find communication channels conducive to enhance democracy and focus actions to ensure the pursuit of electoral justice.

According to data from the Digital Global Overview 2017, half the world's population now uses the Internet, and the number of social media users grew by more than 20% in the last 12 months. There are currently 2.7 billion "active social media users".

In that sense, political parties and candidates use social media to reach out to voters, mobilize supporters, raise funds, communicate policies. Voters use social media to get involved in campaigns, politicians, other voters on election-related issues, i.e., broaden public debate.

Such multidirectional activity can strengthen the integrity and transparency of electoral processes and enrich democracy. But, social media is also used to misinform or to inform inappropriately. Such actions may or may not affect election results and undermine confidence in the integrity of democratic processes. For this reason, it is necessary to discuss the possible repercussions that social networks have on the electoral process.





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For this reason, Internet governance is one of the great challenges for contemporary democracies, as well as developing mechanisms to measure its effects on them. Another problem is the dissolution between the public and private spheres, which, in moments of electoral campaigns, can acquire special relevance.

Its effects on democracy could not be understood today without the use of information technology in elections, especially when candidates' messages begin to differentiate between the electorate, and a voter market is created. Thus, directed propaganda that manipulates Big Data is changing more and more the advertising operation not only of commercial products, but also of electoral campaigns and political-electoral communication. In addition to this, there are no boundaries on the Internet, and no clear rules adapted to these new realities: “realities of the 21st century, rules of the 20th century”.⁶

⁶ A first attempt to regulate the content of messages sent through the Internet was enacted in 2002 (see the *McCain-Feingold campaign finance act*), which requires the validation of messages by candidates for federal elections in the United States. With that signature, they are supposed to take responsibility for their content. But it would be impossible for the contents of that law to go beyond the privacy that reigns on Facebook. Any candidate could be falsely accused the day before the election without it being possible to claim that such an infamous note reduced votes in the final vote. There are only a few proposals (unheard by internet companies) to force them to keep at least one repository of all campaign messages; Daniel Kreiss; New York Times, September 8, 2018; Turrow, Joseph et al, "Americans roundly reject tailored political advertising" Working Paper, Univerisy of Pennsylvania, 2012.





Working Group Sessions

Room A. Use of social media, freedom of expression and equity in electoral processes

- **Date:** Tuesday December 4, 2018
- **Time:** 10:15 to 12:15 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo
- **Format:** There will be 7-minute interventions to guide the discussion and afterwards the moderator will encourage discussion among the participants.

Objective: To identify, understand and debate the state of the issue and good practices on social media, innovation and digital platforms in relation to the protection of political and electoral rights.

The United Nations Development Programme (UNDP) in Mexico and the UNDP Regional Centre for Latin America and the Caribbean (RBLAC) designed the process of analysis, discussion and exchange of experiences on the issue of the use of social media, implications and evaluation in relation to the protection of political and electoral rights.

In a context where we talk about digital democracy and where technological innovation constantly permeates the way of doing politics, campaigning, voting and counting, it is important to be at the forefront of these advances, but more importantly, it is to be able to understand these innovations in the light of our own systems, to be able to influence their adaptation and modernization, all thinking in more efficient and transparent schemes.

Therefore, the virtual Platform of the GNEJ is a space where virtual debates can be established for the analysis of problems, good practices and trends in the subject. It is recommended to have a pragmatic dialogue, not focused on theoretical elements, but on the regional challenges in the matter and the global innovations that have been made to promote better electoral justice. The working group will resume the discussion and will incorporate the contributions of the attending countries. This will generate strong lines of work with the innovations and discussion of the network, which may be adopted by its members.

There will be a revision of the principal trends in the field of electoral justice innovation. This way, relevant elements that give way to the exchange of ideas and good practices between the participants will be presented, departing from a dynamic of *world café*





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that will contrast different alternatives to tackle the global challenges to this theme. Derived from the work that will be performed, a report will be drafted and shared in the conclusions of the General Assembly, in order to encourage the adoption of working guidelines generated by the GNEJ Members.





Room B. Use of technologies for access to justice and for citizen interaction and participation

- **Date:** Tuesday December 4, 2018
- **Time:** 10:15 to 12:15 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** There will be 7-minute interventions to guide the discussion and afterwards the moderator will encourage discussion among the participants.

Objective: The use of information and communication technologies within the context of the functioning of the institutions in the justice system, depends on the objectives for which they are implemented. The aim is to identify, from a comparative perspective, good practices that can improve and contribute with elements to the debates on this topic.

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The legal principle known as “Open Justice” is understood as a precept that guides the jurisdictional tasks and contains different substantive rules that a jurisdictional entity should comply with. Among these rules, it is emphasized that jurisdictional procedures should be conducted, and decisions made, in an open court, that evidence ought to be publicly communicated to those present in court, and that nothing should be done to discourage accurate and fair communication of judicial proceedings, including that made by the media. In brief, justice must be achieved, and in order to do so, it must be seen (Bosland and Gill, 2014).

At a critical moment in which confidence in the judiciary is at a minimum, (as demonstrated by the Latinobarómetro 2018, in which only 24% of respondents trust the judiciary), a little more than a third of the population of the European Union considers the independence of the courts and judges in their countries, as "bad" (Perceived independence of the national justice systems in the EU among the general public, 2017).

The use of technologies for access to justice plays a key role as it is the link between the previously mentioned concept of open justice and the means by which citizens can access justice and participate and interact with jurisdictional bodies, and that way foster a sense of citizenship and increase confidence in their institutional work.





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Upon adopting new technologies, such as social networks, the judiciary should find a balance in using it, in order to create a direct dialogue with the community, whilst preserving the fundamental aspects of the Rule of Law, equality and judicial impartiality (Warren, 2014).

Questions or guidelines for discussion:

1. What have been the advances on the use of technology for access to justice?
2. Do you consider that new technologies have fostered citizen participation?
3. How should social networks be analyzed from the perspective of regulation versus freedom of expression?
4. How to protect the personal data of citizens against new strategies of political campaigns in social networks?
5. What is the role of social networks and the spread of disinformation in electoral justice in the face of the emergence of new actors and environments?





Electoral Dispute Resolution Mechanisms before the Global Situation: A Summary of Shared Experiences

- **Date:** Tuesday December 4, 2018
- **Time:** 12:15 to 13:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** A conference format, where the concerns of the participants of the Second Plenary Assembly will be gathered, in relation to the dispute resolution mechanisms before the global situation.

Terms of reference: Conduct an analysis of the experiences the countries have in the field of conflict resolution.

GUIDE FOR THE PRESIDENCY OF THE SESSION:

- The Presidency of this session will be comprised of three people who will make an initial presentation of **5 minutes** each, in which the preliminary main concerns gathered by the participants will be presented.
- After the initial presentations, the participants will be given the floor for **20 minutes**. In the beginning of this period the participants may register their interest in speaking, to share their reflections on the presented concerns and share experiences from their countries. Two kinds of participation rules will be followed, and in order of the register (raised hand and yellow card).
- Lastly, there will be a final intervention of **3 minutes** per member of the Presidency of the session, compiling the concerns and presenting them in a concluding manner.



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Report of the Working Group Sessions of the Second Plenary Assembly

- **Date:** Tuesday December 4, 2018
- **Time:** 14:00 to 15:30 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** General forum.

Objective: Each coordinator of the working group sessions will share the conclusions of each working session to all the participants.

Description: The coordinator of each working session will present the conclusions up until 7 minutes each. Thereafter, a space shall be opened up to make additional comments of 2 minutes per person.





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Plenary 4. General Assembly of the GNEJ and resolutions

- **Date:** Tuesday December 4 2018
- **Time:** 15:30 to 17:00 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.
- **Format:** Plenary session

Terms of reference: In this session, the working rules shall be adopted, new working mechanisms shall be suggested, and the central theme of the Global Network shall be agreed by consensus by all the participants, taking in consideration their priority concerns.

AGENDA

- Report of the meeting of the Scientific Committee
- Presentation of the Global Exchange Platform of the Global Network on Electoral Justice
- Thematic proposal of the following meeting
- Revision and ratification of the Constitutive Act
- Revision and approval of the agreements of the Second Plenary Assembly of the Global Network on Electoral Justice
- Other matters





SEGUNDA ASAMBLEA PLENARIA
de la Red Mundial de Justicia Electoral

SECOND PLenary ASSEMBLY
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3Y4
DICIEMBRE
2018



Private Meeting: Scientific Committee of GNEJ

- **Date:** Tuesday December 4, 2018
- **Time:** 17:45 to 19:30 hours
- **Venue:** Presidente InterContinental hotel, Cancun, Quintana Roo.

Participants: Presidency, Vice-presidencies and Members of the Scientific Committee of GNEJ

Agenda:

- Elaborate the work plan for 2019, including the possibility to organize fora and publications.
- Establish working methodologies for the following meetings.
- Analyze the relevance of the thematic lines of the GNEJ, in accordance with the discussed during the Second Plenary Assembly.
- Discuss ideas to improve the experience and participation of the Members of the Global Exchange Platform.
- Identify areas of improvement and suggest possible solutions/alternatives.





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