

## **Instructions for the use of the database**

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This database is intended to assist election assistance providers, election observers and others in their efforts to utilize human rights obligations for assessing the quality of electoral processes. While assessments of elections necessarily must consider mitigating and aggravating factors beyond the scope of international law, the use of common assessment criteria can help to ensure objectivity and increased professionalism in the work of the assistance and observation communities, while increasingly emphasizing that elections involve the fulfillment of a wide range of human rights.

Public international law provides a sound foundation for an electoral assessment methodology for several reasons. First, as states have obligated themselves through the signature and ratification of treaties to standards of behavior and respect for human rights, public international law provides a recognized, objective, and transparent set of obligations for assessing elections. In addition, standards based in public international law are prescriptive in nature, recognizing that all democracies are imperfect and require vigilance and constant efforts to maintain and improve their functioning.

As part of the process of identifying obligations for democratic elections based in public international law, a wide range of sources have been reviewed including: treaties and other legal instruments; judicial decisions; decisions/recommendations from treaty supervisory committees; and handbooks and manuals. In order to support the assertion that (1) there are international obligations to which ratifying states have agreed and (2) these obligations are applicable to the electoral process, this compendium provides a catalogue of source quotes that do one (or more) of the following three things:

1. Articulate a high-level obligation as found in public international law. (Sources that articulate the high-level obligations are generally treaties and other instruments);
2. Provide an interpretation of the meaning of the high-level obligation. (The sources that provide interpretation of obligations are judicial decisions or the decisions and comments of supervisory committees such as the United Nations Human Rights Committee);
3. Provide examples of how an obligation might be implemented or applied by states in the context of the electoral process.

In order to easily review source quotes, they are arranged into an electronic database, searchable by a number of criteria. This allows the reader to see relevant obligations in public international law, the sources upon which we rely to demonstrate the obligation's relevance to the electoral process.

This document provides information on the design of the database and instructions on how to use its search functions as well as how to interpret search results.

## Conducting searches with the database.

- The front page (or search screen) of the database is shown below. From this screen you can conduct a search of the matrices of public international law using a variety of search criteria. These criteria include:
  1. Constituent parts of the electoral process
  2. Human rights obligations relevant to elections
  3. Country (only sources applicable to a particular country will show in your results)
  4. Organization
  5. Search by document
  6. Specific quote

**Please note that you do not have to select criteria in each field, but can search by one, several or all fields.**

The screenshot shows the search interface of the Carter Center - DES Application. The header includes 'Democracy Program' and 'Carter Center - DES Application'. Below the header, there are links for 'Login to continue.' and 'Login'. The main section is titled 'Search for Sources' and contains several search criteria:

- Select Part(s):** A dropdown menu with '--Select--' and a red box labeled '1' next to it.
- Select Obligation(s):** A grid of checkboxes for various human rights obligations. A red box labeled '2' is next to the checkbox for 'The State Must Take Necessary Steps to Ensure Rights'.
- Country:** A dropdown menu with '--Select--' and a red box labeled '3' next to it.
- Organization:** A dropdown menu with '--Select--' and a red box labeled '4' next to it.
- Document:** A dropdown menu with '--Select--' and a red box labeled '5' next to it.
- Quote:** A text input field with a red box labeled '6' next to it.

At the bottom of the form are 'Search' and 'Cancel' buttons.

- Not every human rights obligation appears in each part of the electoral process. Therefore, after selecting a part of the electoral process, you will only be able to select those obligations which are relevant to that part.

**Select Part(s):**

**Election Management** ▼

**Select Obligation(s):**

<input type="checkbox"/> Will of the People Shall be the Basis of Government	<input type="checkbox"/> Genuine Elections
<input type="checkbox"/> Periodic Elections	<input type="checkbox"/> Equality and Absence of Discrimination
<input type="checkbox"/> Right to an Effective Remedy	<input type="checkbox"/> The State Must Take Necessary Steps to Ensure Rights
<input type="checkbox"/> Rule of Law	<input type="checkbox"/> Equal Suffrage
<input type="checkbox"/> Right to Participate in Public Affairs	<input type="checkbox"/> Universal Suffrage
<input type="checkbox"/> Secret Ballot	<input type="checkbox"/> Every Citizen has the Right to Vote
<input type="checkbox"/> Every Citizen has the Right to be Elected	<input type="checkbox"/> Access to Information
<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> Freedom of Movement
<input type="checkbox"/> Prevention of Corruption	<input type="checkbox"/> Right to Security of the Person
<input type="checkbox"/> Right to a Fair and Public Hearing	<input type="checkbox"/> Freedom of Opinion and Expression
<input type="checkbox"/> Freedom of Assembly	

Obligations relevant to Election management (Available for selection)

Obligations not relevant to Election management (Not available for selection)

- You may also choose to search via key word by inserting a quote into the relevant “quote” section of the search page.
- You may search by multiple functions at once. The following example show several searches using multiple criteria to limit the search.
  1. Sources relevant to the “Right to an Effective Remedy” and the “Right to Vote,” only in the context of Voter Education

**Search for Sources**

**Select Part(s):**

**Voter Education** ▼

**Select Obligation(s):**

<input type="checkbox"/> Will of the People Shall be the Basis of Government	<input type="checkbox"/> Genuine Elections
<input type="checkbox"/> Periodic Elections	<input type="checkbox"/> Equality and Absence of Discrimination
<input checked="" type="checkbox"/> Right to an Effective Remedy	<input type="checkbox"/> The State Must Take Necessary Steps to Ensure Rights
<input type="checkbox"/> Rule of Law	<input type="checkbox"/> Equal Suffrage
<input type="checkbox"/> Right to Participate in Public Affairs	<input type="checkbox"/> Universal Suffrage
<input type="checkbox"/> Secret Ballot	<input checked="" type="checkbox"/> Every Citizen has the Right to Vote
<input type="checkbox"/> Every Citizen has the Right to be Elected	<input type="checkbox"/> Access to Information
<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> Freedom of Movement
<input type="checkbox"/> Prevention of Corruption	<input type="checkbox"/> Right to Security of the Person
<input type="checkbox"/> Right to a Fair and Public Hearing	<input type="checkbox"/> Freedom of Opinion and Expression
<input type="checkbox"/> Freedom of Assembly	

2. Or, sources relevant only to the right to “Access to Information” which were authored by the Organization for Security and Cooperation in Europe (OSCE)

**Select Obligation(s):**

<input type="checkbox"/> Will of the People Shall be the Basis of Government	<input type="checkbox"/> Genuine Elections
<input type="checkbox"/> Periodic Elections	<input type="checkbox"/> Equality and Absence of Discrimination
<input type="checkbox"/> Right to an Effective Remedy	<input type="checkbox"/> The State Must Take Necessary Steps to Ensure Rights
<input type="checkbox"/> Rule of Law	<input type="checkbox"/> Equal Suffrage
<input type="checkbox"/> Right to Participate in Public Affairs	<input type="checkbox"/> Universal Suffrage
<input type="checkbox"/> Secret Ballot	<input type="checkbox"/> Every Citizen has the Right to Vote
<input type="checkbox"/> Every Citizen has the Right to be Elected	<input checked="" type="checkbox"/> Access to Information
<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> Freedom of Movement
<input type="checkbox"/> Prevention of Corruption	<input type="checkbox"/> Right to Security of the Person
<input type="checkbox"/> Right to a Fair and Public Hearing	<input type="checkbox"/> Freedom of Opinion and Expression
<input type="checkbox"/> Freedom of Assembly	

**Country:**  
--Select--

**Organization:**  
Organization for Security and Cooperation in Europe

3. Sources related to Voter Registration from the United Nations that are applicable to Angola.

**Search for Sources**

**Select Part(s):**  
Voter Registration

**Select Obligation(s):**

<input type="checkbox"/> Will of the People Shall be the Basis of Government	<input type="checkbox"/> Genuine Elections
<input type="checkbox"/> Periodic Elections	<input type="checkbox"/> Equality and Absence of Discrimination
<input type="checkbox"/> Right to an Effective Remedy	<input type="checkbox"/> The State Must Take Necessary Steps to Ensure Rights
<input type="checkbox"/> Rule of Law	<input type="checkbox"/> Equal Suffrage
<input type="checkbox"/> Right to Participate in Public Affairs	<input type="checkbox"/> Universal Suffrage
<input type="checkbox"/> Secret Ballot	<input type="checkbox"/> Every Citizen has the Right to Vote
<input type="checkbox"/> Every Citizen has the Right to be Elected	<input type="checkbox"/> Access to Information
<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> Freedom of Movement
<input type="checkbox"/> Prevention of Corruption	<input type="checkbox"/> Right to Security of the Person
<input type="checkbox"/> Right to a Fair and Public Hearing	<input type="checkbox"/> Freedom of Opinion and Expression
<input type="checkbox"/> Freedom of Assembly	

**Country:**  
Angola

**Organization:**  
The United Nations

## Additional information about searching by Country

Many sources included in the matrix are international treaties, which undergo a process of ratification, and political declarations, which are signed by States. Appropriate ratification and signatory information for all states has been inserted into the database. Therefore, when you search by a particular country, only those sources which are applicable to that country will appear in your search results. For example, if you were to search for “Angola” which is a member of the United Nations and the African Union, treaties and declarations from both of these bodies would appear (as relevant to Angola’s particular political commitments). However, no treaties from the Council of Europe of the Organization of American States would be found in the results.

[Login](#)

[Main Menu](#)      [Search for Sources](#)      [Status of Ratifications Report](#)

**Select Part(s):**

--Select--

**Select Obligation(s):**


<input type="checkbox"/> Will of the People Shall be the Basis of Government	<input type="checkbox"/> Genuine Elections
<input type="checkbox"/> Periodic Elections	<input type="checkbox"/> Equality and Absence of Discrimination
<input type="checkbox"/> Right to an Effective Remedy	<input type="checkbox"/> The State Must Take Necessary Steps to Ensure Rights
<input type="checkbox"/> Rule of Law	<input type="checkbox"/> Equal Suffrage
<input type="checkbox"/> Right to Participate in Public Affairs	<input type="checkbox"/> Universal Suffrage
<input type="checkbox"/> Secret Ballot	<input type="checkbox"/> Every Citizen has the Right to Vote
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<input type="checkbox"/> Freedom of Association	<input type="checkbox"/> Freedom of Movement
<input type="checkbox"/> Prevention of Corruption	<input type="checkbox"/> Right to Security of the Person
<input type="checkbox"/> Right to a Fair and Public Hearing	<input type="checkbox"/> Freedom of Opinion and Expression
<input type="checkbox"/> Freedom of Assembly	

**Country:**

Angola

In addition, on the search page you may choose a country and then click “Get Status of Ratification Table”. This search will result in a short summary table which shows the country in question, with a list of all treaties and declarations to which this country is party. A second tab in this table also shows a list of documents which, while not legally binding or politically persuasive, represent evidence of good state practice.

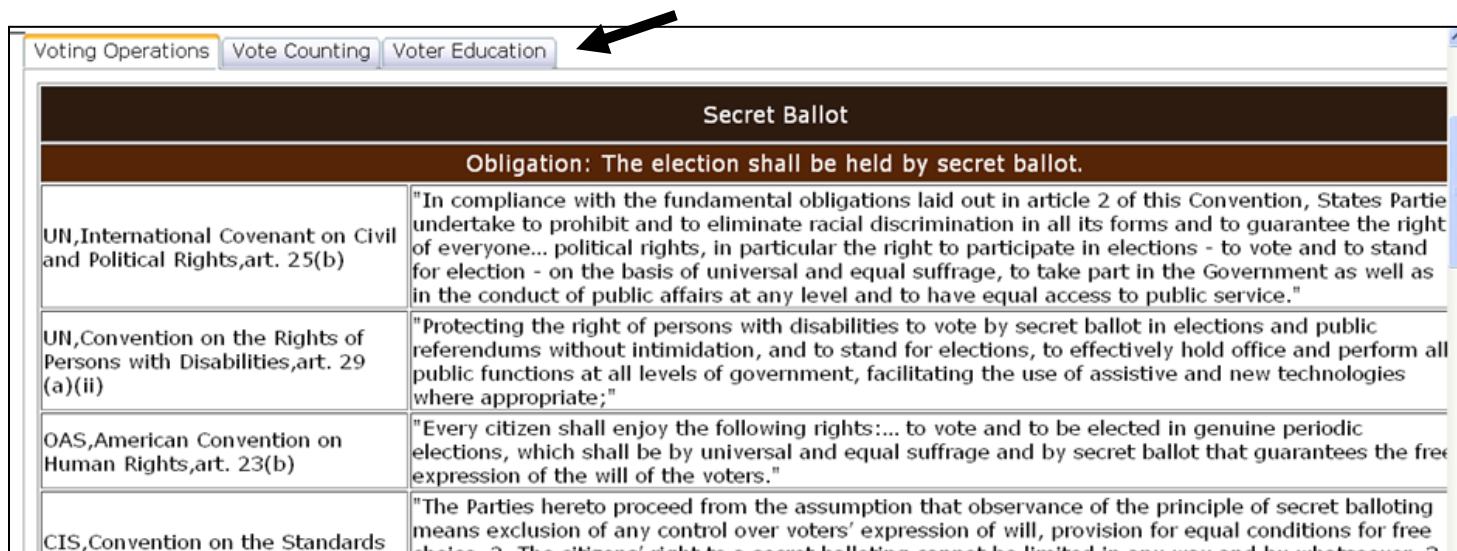
Select Country To View Documents Acceptance Status:



Status of Ratifications Table		Sources Evident of Good State Practice	<a href="#">Print Report</a>
Organization	Document	Acceptance Level	
UN	Convention on the Elimination of All Forms of Discrimination against Women	Ratified/Acceded	
UN	Convention on the Political Rights of Women	Ratified/Acceded	
UN	Convention on the Rights of the Child	Ratified/Acceded	
UN	International Covenant on Civil and Political Rights	Ratified/Acceded	
UN	United Nations Convention Against Corruption	Ratified/Acceded	
AU	African Charter on Human and Peoples' Rights	Ratified/Acceded	
AU	Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa	Ratified/Acceded	
SADC	SADC, Protocol Against Corruption	Ratified/Acceded	
UN	Communication No. 488/1992. Toonen v. Australia	Ratified/Acceded	

## Reading the Database Results

- Database results are shown in a color-coded, table format. Results are shown in different tabs for different parts of the electoral process (if applicable based on search criteria).



Secret Ballot		
Obligation: The election shall be held by secret ballot.		
UN,International Covenant on Civil and Political Rights,art. 25(b)	"In compliance with the fundamental obligations laid out in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone... political rights, in particular the right to participate in elections - to vote and to stand for election - on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service."	
UN,Convention on the Rights of Persons with Disabilities,art. 29 (a)(ii)	"Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections, to effectively hold office and perform all public functions at all levels of government, facilitating the use of assistive and new technologies where appropriate;"	
OAS,American Convention on Human Rights,art. 23(b)	"Every citizen shall enjoy the following rights:... to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters."	
CIS,Convention on the Standards	"The Parties hereto proceed from the assumption that observance of the principle of secret balloting means exclusion of any control over voters' expression of will, provision for equal conditions for free choice. 2. The citizens' right to a secret balloting cannot be limited in any way and by whatsoever. 3	

- Results within each tab appear in a three column format. The respective columns indicate the following information:
  - The first column includes bibliographic information relevant to the quoted documents source. This information appears in the following format, "Organization, Document Name, place in document"
  - The second column includes a direct quote drawn from a relevant public international law document
  - The third column contains a color-coding indicative of the source-level (please see below for an explanation of source levels)

Obligation: States must enforce the remedy when granted.		
UN,International Covenant on Civil and Political Rights,art 2(3)	"Each State Party to the present covenant undertakes : (a) to ensure that any person whose rights or freedoms are herein recognized as violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) to ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, <b>1</b> to develop the possibilities of judicial remedy; (c) to <b>2</b> e that the competent authorities shall enforce such remedies when granted."	<b>3</b>
OAS,American Convention on Human Rights,art. 25(2)	"The States Parties undertake: a. to ensure that any person claiming such remedy shall have his rights determined by the competent authority provided for by the legal system of the state; b. to develop the possibilities of judicial remedy; and c. to ensure that the competent authorities shall enforce such remedies when granted."	
At times, an effective remedy may require States Parties to take interim measures.		
UN,United Nations Human Rights Committee, General Comment No. 31, Nature of the General Legal Obligation on States	"The Committee further takes the view that the right to an effective remedy may in certain circumstances require States Parties to provide for and implement provisional or interim measures to avoid continuing violations and to endeavour to repair at the earliest possible opportunity any harm that	

3. Within the results table, the name of the overall obligation is contained in the dark brown box. This is followed by a statement summarizing the sources. This allows the reader to scan the document to see the obligation, and, if they so choose, to read the direct quotes upon which the assertion of that obligation is based.

After reviewing the sources, and identifying key quotes that either:

- articulate an obligation,
  - interpret an obligation,
  - or provide examples of how an obligation might be applied by a state,
- the quotes are pulled into the table format. Quotes that can be linked to an obligation and have similar themes have been grouped together. In the example below, all of the quotes refer to the periodicity of elections.

<b>Periodic Elections</b>	
<b>Obligation: Elections are to be held at periodic intervals.</b>	
UN, ICCPR, art. 25(b)	"To vote and be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the voter."
OAS, ACHR, art. 23(1b)	"Every citizen shall enjoy the following rights:... to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters."
CoE, Protocol No. 1 - ECHR, art. 3	"The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."
UNHRC, General Comment 25, para. 19	"At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the Will of the People, which...is the basis of governmental legitimacy."
UN, UDHR, art. 21(3)	"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."
AU, ACDEG, art. 3(4)	"State Parties shall implement this Charter in accordance with the following principles: 4. Holding of regular, transparent, free and fair elections;"
AU, ACDEG, art. 32(7)	"State Parties shall strive to institutionalize good political governance through: 7. Organising regular, free and fair elections."
AU, Declaration on the Principles Governing Democratic Elections in Africa, art. 2	"Regular elections constitute a key element of the democratization process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development."
OSCE, Copenhagen, para. 6	"The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority of government."
OSCE, Copenhagen, para. 7.1	"To ensure that the will of the people serves as the basis of the authority of government, the participating States will (7.1) hold elections at reasonable intervals, as established by law."
ECOWAS, Protocol on DGG, art. 2(2)	"All the elections shall be organized on the dates or at periods fixed by the Constitution or the electoral laws."
OAS, IADC, art. 3	"Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government."
NEPAD, Declaration on Democracy, Political, Economic and Corporate Governance, para. 7	"At the beginning of the new century and millennium, we reaffirm our commitment to the promotion of democracy and its core values in our respective countries. In particular, we undertake to work with renewed determination to enforce the inalienable right of the individual to participate by means of free, credible and democratic political processes in periodically electing their leaders for a fixed term of office;"
OSCE/ODIHR, <i>Guidelines to Assist National Minority Participation</i> , p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."

Overall human rights obligation

Sources relevant to the overall obligation

4. In some cases, the review of the sources will reveal that an obligation has more than one defining characteristic. For example, In the case of periodic elections (below), the obligation has several components. High level sources indicate that while elections are to be held at periodic intervals, states can derogate from their international obligations in certain, limited circumstances. Therefore, under international law, an election can be postponed, but only in circumstances where the state can prove that the exigencies of the situation strictly required such action, and where the measures taken were compatible with the state's obligations.


Again, that the sources are international treaties and instruments indicating that they are obligations for ratifying states.


<b>Periodic Elections</b>	
<b>Obligation: Elections are to be held at periodic intervals.</b>	
UN, ICCPR, art. 25(b)	"To vote and be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the voter."
OAS, ACHR, art. 23(1b)	"Every citizen shall enjoy the following rights:... to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters."
CoE, Protocol No. 1 - ECHR, art. 3	"The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."
UNHRC, General Comment 25, para. 19	"At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the Will of the People, which... is the basis of governmental legitimacy."
UN, UDHR, art. 21(3)	"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."
AU, ACDEG, art. 3(4)	"State Parties shall implement this Charter in accordance with the following principles: 4. Holding of regular, transparent, free and fair elections;"
AU, ACDEG, art. 32(7)	"State Parties shall strive to institutionalize good political governance through: 7. Organising regular, free and fair elections."
AU, Declaration on the Principles Governing Democratic Elections in Africa, art. 2	"Regular elections constitute a key element of the democratization process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development."
OSCE, Copenhagen, para. 6	"The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority of government."
OSCE, Copenhagen, para. 7.1	"To ensure that the will of the people serves as the basis of the authority of government, the participating States will (7.1) hold elections at reasonable intervals, as established by law."
ECOWAS, Protocol on DGG, art. 2(2)	"All the elections shall be organized on the dates or at periods fixed by the Constitution or the electoral laws."
OAS, IADC, art. 3	"Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government."
NEPAD, Declaration on Democracy, Political, Economic and Corporate Governance, para. 7	"At the beginning of the new century and millennium, we reaffirm our commitment to the promotion of democracy and its core values in our respective countries. In particular, we undertake to work with renewed determination to enforce the inalienable right of the individual to participate by means of free, credible and democratic political processes in periodically electing their leaders for a fixed term of office."
OSCE/ODIHR, Guidelines to Assist National Minority Participation, p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."
UN, Human Rights and Elections, para. 72	"While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental authority."
UN, Human Rights and Elections, para. 71-72	"The requirement that elections be held periodically is expressly stated in both the Universal Declaration of Human Rights (art. 21, para. 3) and the International Covenant on Civil and Political Rights (art. 25b). The importance of this provision should not be minimized. Once-only elections (for instance, at the time of the country's gaining independence, or of its transition from an authoritarian regime) will not suffice for international human rights purposes. Rather, this provision makes clear the requirement of a sustained democratic order, continually answerable to the will of the people." "While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental legitimacy."
Venice Commission, Code of Good Practice in Electoral Matters, sec. I.6	"Elections must be held at regular intervals; a legislative assembly's term of office must not exceed five years."
<b>Obligation: Temporary postponement of voting processes due to a public emergency is permitted, but only to the extent required by the circumstances, provided that such measures are not contrary to a State's obligation under international law.</b>	
UN, ICCPR, art. 4(1)	"In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin."
CESCR, Siruusa Principles, para. A.39	"A state party may take measures derogating from its obligations under the International Covenant on Civil and Political Rights pursuant to Article 4 (hereinafter called "derogation measures") only when faced with a situation of exceptional and actual or imminent danger which threatens the life of the nation. A threat to the life of the nation is one that: (a) affects the whole of the population and either the whole or part of the territory of the State, and (b) threatens the physical integrity of the population, the political independence or the territorial integrity of the State or the existence or basic functioning of institutions indispensable to ensure and project the rights recognized in the Covenant."
CESCR, Siruusa Principles, para. B.51	"The severity, duration, and geographic scope of any derogation measure shall be such only as are strictly necessary to deal with the threat to the life of the nation and are proportionate to its nature and extent."


Multiple summary statements indicate that an obligation has more than one defining characteristic


- Within the matrices sources are listed according to their standing as evidence of obligations in public international law in the following order:
  - U.N. Treaties
  - Regional Treaties (listed alphabetically by body)
  - Interpretative documents (decisions/recommendations) from the U.N.
  - Interpretative documents (decisions/recommendations) from Regional Bodies
  - U.N. Non-treaty standards
  - Regional Non-treaty standards
  - Teaching of highly-qualified publicists, manuals and handbooks (listed alphabetically)

In order to clearly delineate between source levels, a color-coded bar has been added to the right side of the matrix, as described below:

 U.N. and Regional treaties, as the highest level source documents are shaded a burgundy. For a statement to be considered an obligation at least one burgundy source must be present within its source quotes.

 The burnt orange shading indicates interpretative documents from the U.N. and regional bodies (e.g. courts). These sources add detail to the obligations and may appear under 'obligation' level summary statements as further support for higher level sources. While persuasive on states, they cannot in themselves determine an obligation upon States.

 Non-treaty standards from the U.N and other regional sources are coded a shade of gold to indicate their level of standing. These sources do not create obligations, but are persuasive upon States party to them and may indicate standing or emergent international or regional customary law.

 Peach indicates handbooks or the teachings of highly qualified publicists. These are application level sources which may illustrate accepted State practices which are emergent norms.

<b>Periodic Elections</b>	
<b>Obligation: Elections are to be held at periodic intervals.</b>	
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NEPAD, Declaration on Democracy, Political, Economic and Corporate Governance, para. 7	"At the beginning of the new century and millennium, we reaffirm our commitment to the promotion of democracy and its core values in our respective countries. In particular, we undertake to work with renewed determination to enforce the inalienable right of the individual to participate by means of free, credible and democratic political processes in periodically electing their leaders for a fixed term of office."
OSCE/ODIHR, Guidelines to Assist National Minority Participation, p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."
UN, Human Rights and Elections, para. 72	"While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental authority."
UN, Human Rights and Elections, para. 71-72	"The requirement that elections be held periodically is expressly stated in both the Universal Declaration of Human Rights (art. 21, para. 3) and the International Covenant on Civil and Political Rights (art. 25b). The importance of this provision should not be minimized. Once-only elections (for instance, at the time of the country's gaining independence or of its transition from an authoritarian regime) will not suffice for international human rights purposes. Rather, this provision makes clear the requirement of a sustained democratic order, continually answerable to the will of the people." "While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental legitimacy."
Venice Commission, Code of Good Practice in Electoral Matters, sec. 1.6	"Elections must be held at regular intervals; a legislative assembly's term of office must not exceed five years."
<b>The interval between elections must not be unduly long.</b>	
UNHRC, General Comment 25, para. 9	"Genuine periodic elections in accordance with paragraph (b) are essential to ensure the accountability of representatives for the exercise of the legislative or executive powers vested in them. Such elections must be held at intervals which are not unduly long and which ensure that the authority of government continues to be based on the free expression of the will of electors."
<b>In most instances, electoral processes will be held between two and five years apart.</b>	
OSCE/ODIHR, Guidelines to Assist National Minority Participation, p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."
Venice Commission, Code of Good Practice, sec. 1.1.6	"Elections must be held at regular intervals; a legislative assembly's term of office must not exceed five years."
<b>The scheduling of voting processes must allow adequate time to successfully implement other necessary components of the electoral process.</b>	
UN, Human Rights and Elections, para. 75	"Each time elections are scheduled, the dates set out in the calendar for each phase of the process must allow adequate time for effective campaigning and public information efforts, for voters to inform themselves, and for the necessary administrative, legal, training and logistic arrangements to be made. The electoral calendar should itself be publicized as part of civic information activities, in the interests of transparency and of securing public understanding and confidence in the process."

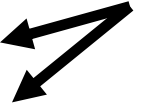
6. Within the matrices summary statements appear in four colors (described above). This color coding is intended as a guide to the reader as to the relative legal strength of the statement. Statements which are supported by treaties will be colored burgundy, while statements which do not include treaty level sources will be colored according to the highest level applicable source.

<b>Periodic Elections</b>	
<b>Obligation: Elections are to be held at periodic intervals.</b>	
UN, ICCPR, art. 25(b)	"To vote and be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the voter."
DAS, ACHR, art. 23(1b)	"Every citizen shall enjoy the following rights:... to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters."
CoE, Protocol No. 1 - ECHR, art. 3	"The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."
UNHRC, General Comment 25, para. 19	"At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the Will of the People, which... is the basis of governmental legitimacy."
UN, UDHR, art. 21(3)	"The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."
AU, ACDEG, art. 3(4)	"State Parties shall implement this Charter in accordance with the following principles: 4. Holding of regular, transparent, free and fair elections;"
AU, ACDEG, art. 32(7)	"State Parties shall strive to institutionalize good political governance through: 7. Organising regular, free and fair elections."
AU, Declaration on the Principles Governing Democratic Elections in Africa, art. 2	"Regular elections constitute a key element of the democratization process and therefore, are essential ingredients for good governance, the rule of law, the maintenance and promotion of peace, security, stability and development."
OSCE, Copenhagen, para. 6	"The participating States declare that the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority of government."
OSCE, Copenhagen, para. 7.1	"To ensure that the will of the people serves as the basis of the authority of government, the participating States will (7.1) hold elections at reasonable intervals, as established by law."
ECOWAS, Protocol on DGG, art. 2(2)	"All the elections shall be organized on the dates or at periods fixed by the Constitution or the electoral laws."
OAS, IADC, art. 3	"Essential elements of representative democracy include, inter alia, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government."
NEPAD, Declaration on Democracy, Political, Economic and Corporate Governance, para. 7	"At the beginning of the new century and millennium, we reaffirm our commitment to the promotion of democracy and its core values in our respective countries. In particular, we undertake to work with renewed determination to enforce the inalienable right of the individual to participate by means of free, credible and democratic political processes in periodically electing their leaders for a fixed term of office;"
OSCE/ODIHR, <i>Guidelines to Assist National Minority Participation</i> , p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."
UN, Human Rights and Elections, para. 72	"While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental authority."
UN, Human Rights and Elections, para. 71-72	"The requirement that elections be held periodically is expressly stated in both the Universal Declaration of Human Rights (art. 21, para. 3) and the International Covenant on Civil and Political Rights (art. 25b). The importance of this provision should not be minimized. Once-only elections (for instance, at the time of the country's gaining independence, or of its transition from an authoritarian regime) will not suffice for international human rights purposes. Rather, this provision makes clear the requirement of a sustained democratic order, continually answerable to the will of the people." "While no particular schedule of periodicity is set by the instruments, general limitations on discretion are discernible. At the very least, elections must be held often enough to ensure that governmental authority continues to reflect the will of the people, which, as already noted, is the basis of governmental legitimacy."
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<b>In most instances, electoral processes will be held between two and five years apart.</b>	
OSCE/ODIHR, <i>Guidelines to Assist National Minority Participation</i> , p. 17	"Elections must not only be regular, but they must also be held at reasonable intervals. In most constitutions, elections are held from between 2 to 5 years."
Venice Commission, Code of Good Practice, sec. I.1.6	"Elections must be held at regular intervals; a legislative assembly's term of office must not exceed five years."
<b>The scheduling of voting processes must allow adequate time to successfully implement other necessary components of the electoral process.</b>	
UN, Human Rights and Elections, para. 75	"Each time elections are scheduled, the dates set out in the calendar for each phase of the process must allow adequate time for effective campaigning and public information efforts, for voters to inform themselves, and for the necessary administrative, legal, training and logistic arrangements to be made. The electoral calendar should itself be publicized as part of civic information activities, in the interests of transparency and of securing public understanding and confidence in the process."

Summary statements which reflect different strength sources are color coded according to their highest level source.

7. **Important Note.** when searching by country, organization, and document within the database, or when using the free standing quote search function the resulting table may include a summary statement that is colored differently from the highest level source quote which appears below it .This should indicate to the user that higher level sources that fall outside of the specific search criteria selected exist.

Peoples and Human Rights, Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,C (c)	body; 2. any person claiming a right to remedy shall have such a right determined by competent judicial, administrative or legislative authorities; 3. any remedy granted shall be enforced by competent authorities; 4. any state body against which a judicial order or other remedy has been granted shall comply fully with such an order or remedy."
<b>Effective Remedy requires reparation.</b>	
AU,African Commission on Peoples' and Human Rights, Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,para. C(b)2	"The right to an effective remedy includes reparation for the harm suffered."
<b>The legal framework for elections should provide effective redress for violations of electoral rights.</b>	
AU,African Charter on	"State parties shall: Establish and strengthen national mechanisms that redress election-related



However, if a search was conducted which did not limit the sources to those prepared by the African Union, the results would appear as below, with a United Nations source included at the level of “interpretive document.”

	effective system of implementation."
<b>Effective Remedy requires reparation.</b>	
JN,United Nations Human Rights Committee, General Comment No. 31, Nature of the General Legal Obligation on States Parties to the Covenant,para. 16	"Article 2, paragraph 3, requires that States Parties make reparation to individuals whose Covenant rights have been violated. Without reparation to individuals whose Covenant rights have been violated, the obligation to provide an effective remedy, which is central to the efficacy of article 2, paragraph 3, is not discharged....The Committee notes that, where appropriate, reparation can involve restitution, rehabilitation and measures of satisfaction, such as public apologies, public memorials, guarantees of non-repetition and changes in relevant laws and practices, as well as bringing to justice the perpetrators of human rights violations."
AU,African Commission on Peoples' and Human Rights, Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa,para. C(b)2	"The right to an effective remedy includes reparation for the harm suffered."
<b>Obligation: States must enforce the remedy when granted</b>	

