Indicator 7.1 – Electoral integrity

The role of parliament is central to ensuring that elections are free and fair, which constitutes the cornerstone for any democratic society. Elections should reflect the will of the voters, be transparent and inclusive, and provide voters, candidates and political parties with equal opportunities for participation, a level playing field and a safe environment.

This indicator covers the right to vote and the right to be elected, as well as the institutional mechanisms necessary to ensure these rights.

In order to maintain the credibility of the electoral process, it is necessary for electoral legislation to be stable and for the right and opportunity to participate in public affairs, vote and be elected to be safeguarded. This encompasses universal and equal suffrage, as well as opportunities for every eligible person to register as a voter and to cast a secret ballot without fear or interference. Democratic elections require people to be presented with a real choice in the elections. The right of every citizen to freely compete in elections as an independent candidate or as a member of a political party must be ensured in law and in practice.

Elections are administered by an independent electoral management body (EMB) that operates in a transparent, impartial, open and accountable manner. The EMB observes its duty of neutrality in the electoral process and enjoys independence in decision-making. Its role in conducting the electoral process is respected by the community.

The assessment of the indicator on electoral integrity comprises the following dimensions:

- 7.1.1 Voting and election rights
- 7.1.2 Candidature, party and campaign rights and responsibilities
- 7.1.3 Public authorities’ roles in elections
Indicator 7.1 – Electoral integrity

Dimension 7.1.1 Voting and election rights

Indicator: 7.1 Electoral integrity
Sub-target: 7 Representative parliament
Target: 16.7 Responsive, inclusive, participatory and representative parliament

About the dimension

This dimension outlines provisions by which the constitution and national legislation of a country establish an adequate basis for democratic elections. While the constitution contains fundamental electoral principles such as the election system, universal suffrage, periodicity of elections and voter secrecy, electoral legislation includes issues related to election management (composition of administration, boundary delimitation) and other procedural matters.

The stability of electoral legislation is crucial to the credibility of the election process. The recommendation based on the best international practice is for the legislation to be amended at least one year ahead of the subsequent elections, to provide participants in the process (such as candidates, parties and voters) with adequate time to become familiar with and adapt to the electoral rules. Revising the legal framework should be an open and inclusive process, and provide an opportunity for public debate and consultation with stakeholders.

States guarantee constitutional recognition of universal suffrage (the right to vote and to be elected) and equal suffrage (equal voting rights and power) in a non-discriminatory manner. These rights are often subject to reasonable qualifications such as age, citizenship and residency requirements. The countries may also adopt diverse approaches to the limitation of voting rights, which need to be clearly listed and defined in electoral legislation.

Equality of access to registration and voting for all eligible persons, including women, ethnic minorities, citizens with disabilities and language minorities, is guaranteed. In order to ensure the exercise of the voting right of all societal groups, states provide, inter alia, accessible voting facilities, adapted polling stations for disabled people, and electoral materials that are translated into all national minority languages.

Enforcement of electoral rights requires the availability of effective remedies in the national legislation. Citizens, political parties and other civil society groups are provided with the opportunity to appeal to a competent and independent election management body and/or court when a violation of electoral rights has allegedly occurred. To ensure the protection of voting rights, the law defines strict deadlines for the review of complaints, and mandates the election management body and courts to provide prompt decisions.

On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of voting and election rights would encompass the following:

Voting and election rights are protected by the constitution and national legislation. The parliamentary practice guarantees the stability of electoral law(s) and ensures that all significant changes take place well in advance of any subsequent election, in line with international standards.

Every citizen enjoys the protection of universal and equal suffrage, equal access to voting in periodic elections and fundamental human rights that are especially relevant during elections, including freedom of opinion and expression, freedom of movement, peaceful assembly and association, and access to information. The electoral system allows voters to cast their vote individually and the secrecy of the ballot is ensured. Any limitations on these rights are clearly prescribed in the law in accordance with objectively verifiable criteria, in a non-discriminatory way, and are consistent with international obligations.

The legal framework provides for effective mechanisms and remedies for violations of the right to vote and to be elected. Citizens, political parties and other civil society organizations may appeal before the EMB or the courts. The detailed procedures are defined in the law(s).

**Assessment**

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution that define the periodicity of elections, voter secrecy and the election system
- Specific articles of the constitution that guarantee the universal and equal suffrage of every citizen of a certain age
- Established practice that demonstrates that the changes to the electoral law(s) take place at least one year in advance of subsequent elections
- Adapted facilities for disadvantaged groups (such as adapted polling stations and electoral material translated into minority languages)
- Specific articles of the constitution that uphold fundamental human rights
- Specific articles of electoral legislation
- Detailed legal provisions that ensure effective mechanisms and remedies for violations of voting rights
- Other rules that regulate electoral matters

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

**Assessment criterion No. 1: Legal framework**

Constitutional and/or legislative provisions clearly define the main elements of elections, including the electoral system, periodicity of elections and voter secrecy. Legislative provisions are clear, consistent and unambiguous.

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**Evidence for this assessment criterion:**

**Assessment criterion No. 2: Stability of electoral law(s)**
There is an established practice demonstrating that amendments to the main provisions of the electoral law(s) take place at least one year ahead of subsequent elections. Changes to the electoral legislation are conducted in an open and inclusive way, and public debate and consultations with stakeholders are ensured.

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Evidence for this assessment criterion:

**Assessment criterion No. 3: Universal suffrage**

There is evidence of constitutional and legal provisions that guarantee the right of universal and equal suffrage for all citizens who have reached the age of legal majority. Limitations or restrictions on the right of suffrage are clearly set out in the national legislation. Universal suffrage is exercised in a non-discriminatory manner and criteria such as race, colour, sex, language, religion, political or other opinion, association with a national minority, property, birth or other status, do not result in any restrictions.

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Evidence for this assessment criterion:

**Assessment criterion No. 4: Access to voting**

There is evidence of legislation ensuring that all eligible voters have access to registration and are provided with, *inter alia*, accessible voting facilities, adapted polling stations for disabled persons, and electoral materials that are translated into all national minority languages.

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Evidence for this assessment criterion:

**Assessment criterion No. 5: Protection of fundamental human rights related to participation in elections**

There is evidence of constitutional and legal provisions that uphold the rule of law and guarantee respect for human rights with regard to the electoral process. This includes freedom of assembly, freedom of association, freedom of opinion and expression, freedom of movement, equal protection and accountability before the law, the
Indicator 7.1 – Electoral integrity

right to security and freedom from all forms of violence, including violence against women in elections, and the right to ballot secrecy.

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Evidence for this assessment criterion:

Assessment criterion No. 6: Rights to remedy

Detailed legal provisions ensure effective mechanisms and remedies for the enforcement of electoral rights. Citizens, political parties and civil society groups are entitled to appeal before the competent election management body and/or court, and request prompt consideration of the case.

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Evidence for this assessment criterion:

Recommendations for change

Sources and further reading

• International IDEA, Inter-Parliamentary Union (IPU) and Stockholm University, *Atlas of Electoral Gender Quotas* (Sweden: International IDEA, 2013).

• IPU, ‘*Declaration on Criteria for Free and Fair Elections,*’ adopted by the Inter-Parliamentary Council at its 154th session (Paris: IPU, 1994).


Dimension 7.1.2 Candidature, party and campaign rights and responsibilities

Indicator: 7.1 Electoral integrity
Sub-target: 7 Representative parliament
Target: 16.7 Responsive, inclusive, participatory and representative parliament

About the dimension

This dimension refers to the provisions under which the legal framework of a country guarantees the right of every citizen, whether individually or through a political party, to stand for elections and to conduct a campaign on an equitable basis.

States should guarantee the right of individuals and societal groups to establish political parties, subject to reasonable exceptions clearly stated by law. Once registered, the parties must have an equal opportunity to gain access to the ballot. The same protection should be provided for an eligible citizen to run as an independent candidate.

Granting ballot access to a political party or an independent candidate may be subject to some requirements such as: having a monetary deposit that is refundable if a candidate/party wins or gains a certain percentage of votes; collecting a specific number of validated signatures of registered voters and; winning a seat or achieving a minimum threshold of votes in the previous elections. All the procedures related to the practical implementation of these requirements must be clearly defined in the law and not be such as to unduly restrict possible participation in the electoral process.

National legislation may provide some specific provisions to promote the inclusion of under-represented groups, such as women and national and/or ethnic minorities in elected institutions. Such legislative provisions may refer to the implementation of quotas for under-represented groups in candidate lists, reserved seats, or may encourage the establishment of an internal party quota system for candidate selection.3

In order to genuinely reflect the will of citizens in the representative government, all campaigning parties and candidates must enjoy freedom of expression and association, have an equal opportunity to reach out to voters at large, and to disseminate their messages, policies and programmes without fear. Access to the media and “equitable treatment in media owned or controlled by the state” must be guaranteed by the law.4

Access to campaign financing is another right that should be protected by national legislation. It is essential that when public funding is provided, it is clearly regulated and the principle of equal opportunities is applied. Some states require public funding to political parties to be directed to women candidates’ campaigns. States allowing private contributions to the election campaign must ensure a level playing field for contestants with regard to the raising of private funds. Reasonable caps on campaign contributions/spending and a transparent system of disclosure of assets and expenditure should be detailed in the national legislation.

The national legislative framework should provide for the right to appeal regarding alleged violations of political and electoral rights that take place prior to, during and after elections, to a competent and independent election management body and/or court. While time limits for lodging appeals must be short, they should be long enough to make an appeal possible. The time for making decisions should be equally brief to allow the effective restoration of electoral rights.

3 See Indicator 7.2 Composition of legislature.
On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of candidature, party and campaign rights and responsibilities would encompass the following:

The legal framework ensures that everyone has the right to stand for elections in the country on an equal footing with other candidates, including the right to join or, together with others, register a political party or organization to compete in elections. Whenever restrictions limit these rights, they are objective, non-discriminatory and consistent with international obligations, and are clearly stated in the legislation.

The legal framework ensures that candidates have the right and the opportunity to freely express their opinions to the electorate, and to campaign on an equal basis with other candidates and political parties. This includes the regulation of access to private or publicly-owned media.

Political funding is regulated and a policy of financial transparency is established with regard to election campaign funding. Where public funding is provided, it is clearly regulated and the principle of equality of opportunity applies. States allowing private contributions to the election campaign ensure that there is equality of opportunity for all candidates to raise private funds.

Legislative or other regulatory measures enable the mutual respect of rights and freedoms among candidates and political parties standing for elections, and the commitment to not engage in violence or improper interference in the campaigns of others.

Every elector, candidate and political party is protected by the law and has a right to a remedy by an independent and impartial authority for acts violating political and electoral rights. Where an individual or a political party has had their election rights obstructed or unduly restricted, they have the right to appeal to a competent authority and to have a prompt and effective remedy.

**Assessment**

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the constitution ensuring the right of citizens to stand for elections as a candidate or/and as a member of a political party
- Specific articles of the electoral law defining all the criteria for participation in the elections
- Other rules that regulate electoral matters
- Rules that regulate political funding
- Rules that regulate the electoral dispute resolution system
- Reports and media coverage that show actual practice

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

**Assessment criterion No. 1: Right and opportunity to stand for elections**
Indicator 7.1 – Electoral integrity

There are legal provisions that guarantee the right of an eligible citizen to stand for elections as an individual candidate or by joining/establishing a political party in order to compete in elections. All the restrictions for participation in the elections are defined in the law and they are not discriminatory towards minorities, people with disabilities or based on religion, sex, ethnicity or race.

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Evidence for this assessment criterion:

Assessment criterion No. 2: Equal opportunity and freedom of expression

There are legal provisions and evidence of practice where candidates and political parties stand for elections campaign on an equal basis, including with the party that forms the existing government. This includes the freedom to reach out to voters and express political views, freedom of movement within a country to campaign for election, and access to private and publicly-owned media.

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Evidence for this assessment criterion:

Assessment criterion No. 3: Transparent political funding

There are legal provisions that clearly regulate the rules on the funding of candidates, political parties and electoral campaigns. Political funding is transparent and a process to monitor the financial status of candidates and political parties before and after their term in office is in place. Candidates and political parties have access to a level playing field for the raising of campaign funding, and the process is subject to supervision.

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Evidence for this assessment criterion:

Assessment criterion No. 4: Right to security and responsibilities of the candidates

There are legal provisions that ensure the security of the lives and property of candidates, and provide for sanctions when these provisions are violated. These also refer to the potential engagement of candidates and political parties in violence or improper interference in the campaigns of other candidates/political parties.
**Indicator 7.1 – Electoral integrity**

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Evidence for this assessment criterion:

**Assessment criterion No. 5: Right to appeal**

There are legal provisions that guarantee the right to appeal and to remedy for violations of human rights and electoral regulations. The appeal procedure, as well as the powers and responsibilities of the bodies involved, are clearly regulated. The time limits for lodging and deciding the appeals are reasonably short to effectively remedy the breaches of electoral rights in a timely way.

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Evidence for this assessment criterion:

**Recommendations for change**

**Sources and further reading**

- Inter-Parliamentary Union (IPU), *Declaration on Criteria for Free and Fair Elections*, adopted by the Inter-Parliamentary Council at its 154th session (Paris: IPU, 1994).
Indicator 7.1 – Electoral integrity

**Dimension 7.1.3 Public authorities’ roles in elections**

Indicator: 7.1 Electoral integrity  
Sub-target: 7. Representative parliament  
Target: 16.7 Responsive, inclusive, participatory and representative parliament

**About the dimension**

This dimension outlines the provisions under which the legal framework of a country guarantees the rights of all eligible citizens to universal, equal, free and secret suffrage through the impartial, transparent and independent administration of elections by public authorities.

National legislation requires voter registration to be a simple, permanent and fully transparent process. Responsible public authorities ensure the completeness and accuracy of the electoral register, and allow electoral participants and voters to request changes and additions to the register which should be a systematically updated and publicly available document. The right to register as a voter may be subject to some requirements, such as age, nationality or residency. All the requirements should be clearly defined and not be subject to arbitrary decision or change.

Public authorities should observe their duty to remain neutral in the electoral process and guarantee the freedom of voters to form an opinion. Legislation obliges state institutions to “honour their duty of even-handedness, particularly where the use of mass media, billposting, the rights to demonstrate on public thoroughfares and the funding of parties and candidates are concerned”.

Ballot secrecy is crucial for ensuring free suffrage and for protecting voters from threats or interference that they might face during voting, whether this comes from the authorities or individuals. Ballot secrecy should be ensured and respected by public authorities, and applied to the entire electoral process, especially during the casting and counting of votes.

Proper administration of elections requires the election management body to be impartial and independent from political influence. While in some countries national and local government institutions are trusted to handle the electoral process, other countries establish an independent elections management body (EMB). The composition of the EMB, the procedures for the appointment and removal of EMB officials, their duties and responsibilities, and the guarantee for the election process to be conducted in an independent and impartial manner should be defined and protected by the law.

To increase the transparency and credibility of elections, many countries provide for the presence of observers, both domestic and international, in addition to the representatives of political parties, candidates and the media. Clear criteria, procedures and time-frames for election accreditation should be defined by the law.

Effective mechanisms and remedies for the enforcement of electoral rights must be guaranteed by national legislation. Citizens should be able to challenge the failure to comply with the electoral law before competent and independent authorities. The law should establish strict deadlines for reviewing complaints and mandating EMB, and for the courts to deliver prompt decisions.

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Indicator 7.1 – Electoral integrity

Please see also dimension 7.2.1 on representing diversity of political opinion, and the sources for further reading.

On the basis of a global comparative analysis of parliamentary practices and models in parliamentary development, an aspiring goal for parliaments in the domain of public authorities’ roles in elections would encompass the following:

Public authorities maintain a register of voters and ensure the registration and updating of details of voters in a fully transparent manner. The register is a permanent, public and accurate document, and an effective, impartial and non-discriminatory procedure for the registration of voters is guaranteed.

Public authorities ensure that the population is aware of electoral procedures and that the electorate has access to the lists and information on candidates standing for election.

Public authorities observe their duty to remain neutral in the electoral process and guarantee the freedom of voters to form an opinion.

The electorate is protected from threats or constraints that hinder its right to freely cast its votes, regardless of whether the interference derives from the actions of the authorities or other individuals. Ballot secrecy is ensured and respected by public authorities and applied to the entire electoral process, especially during the casting and counting of votes.

To increase the transparency and credibility of elections, national legislation provides for the presence of observers during the entire electoral process, from the pre-election period through to the delivery of final results.

There is an electoral management body in charge of administering and ensuring the proper conduct of the electoral process. The electoral management body operates on the basis of clearly defined rules, enjoys independence of decision-making and action, carries out its tasks impartially and transparently, and enjoys the trust and respect of the community.

Assessment

The dimension is evaluated on the basis of several criteria that should be assessed separately. For each criterion, select one of the six descriptive grades (Non-existent, Poor, Basic, Good, Very good and Excellent) that corresponds best to your parliament, and provide details of the evidence on which the assessment is based.

The evidence for assessment of this dimension might include:

- Specific articles of the law on the maintenance of the electoral register
- Specific articles of the electoral law mandating the public authorities to provide civic education and information programmes about the electoral procedure
- Specific articles of the electoral law on ballot secrecy
- Specific articles of the electoral law allowing for the presence of observers
- Legal authority and rules of the electoral management body
- Documents produced by election observers
- Reports and media that show actual practice
Indicator 7.1 – Electoral integrity

If relevant, additional comments or examples that support the assessment (such as references to external national, regional or international surveys and reports) can be provided.

**Assessment criterion No. 1: Electoral register**

National legislation provides for a permanent and public electoral register that is regularly updated. The criteria for voter registration (such as age, nationality and residency) are clearly defined and applied without discrimination of any kind. A procedure for making changes and additions is in place.

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**Evidence for this assessment criterion:**

**Assessment criterion No. 2: Equal access to information on the electoral process and candidates**

There are legal provisions for ensuring non-discrimination in the process of voter education and candidate presentation, such as by making the information available in the languages of national minorities. There are national programmes for civic education and publicity about the electoral process.

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**Evidence for this assessment criterion:**

**Assessment criterion No. 3: Guarantee of the freedom of voters to form an opinion**

There are legal provisions ensuring the neutrality of public authorities in the electoral process. They provide equal opportunities for parties and candidates, and ensure the uniform application of the law to all. This includes the conditions for the use of media (especially publicly-owned media), billposting, the right to demonstrate on public thoroughfares, and access to public funding for parties and candidates.

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**Evidence for this assessment criterion:**

**Assessment criterion No. 4: Guarantee of secret suffrage and the freedom of voters to express their opinion**
Indicator 7.1 – Electoral integrity

Public authorities are mandated to implement measures to ensure that ballot secrecy is respected during the whole electoral process, so that no voter can be identified when the votes are counted. There are legal provisions that prevent and sanction the violation of ballot secrecy and/or other practices intended to control the vote of a third person, including those carried out by the authorities or other individuals with the aim of preventing voters from freely casting their vote.

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Evidence for this assessment criterion:

Assessment criterion No. 5: Election observation and democratic practices

There is evidence of legal provisions that ensure the integrity and transparency of the entire electoral process, including sanctions for electoral fraud. There is also evidence that those responsible for managing the electoral process are trained and act impartially, and that the presence of observers (national or international), party agents, candidates' representatives and the media is allowed throughout the entire electoral process, including during voting and counting.

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Evidence for this assessment criterion:

Assessment criterion No. 6: Organization of elections by an impartial body

Legal provisions mandate an electoral management body to administer the core aspects of the electoral process. They require the electoral management body to have clear and publicly available rules and procedures to ensure an inclusive and qualified composition and leadership, transparency of its actions, and effective communication with the public.

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Evidence for this assessment criterion:

Assessment criterion No. 7: Right to remedy

There are detailed legal provisions that ensure effective mechanisms and remedies for the enforcement of electoral rights. Every citizen and electoral participant (political party, candidate, party agents, candidates’
Indicator 7.1 – Electoral integrity

representatives, local observers and the media) is entitled to appeal to the competent election management body and/or court, and request prompt consideration of the case.

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Evidence for this assessment criterion:

Recommendations for change

Sources and further reading

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