

ABSTRACT

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Identifying International Principles for Resolving Election Disputes

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Abstract by Andrew Guhr

International human rights law acknowledges the right of individuals to participate in elections. While the substance of that right is well established, mechanisms for resolving election disputes arising from right violations are less developed. In order to further that discussion, the Administrative Law Review's 2005 Symposium examines recent trends in election dispute-resolution around the world.

In writing the Symposium's Forward, Ipp and Hoverter distil the panel discussions into five basic principles inherent in effective dispute-resolution mechanisms: the ability to file a complaint; the presence of an impartial arbiter; timely resolution; effective, appropriate, and enforceable remedies; and transparent and accessible procedures. The authors provide brief explanations and examples of each principle, derived from presentations given during the symposium. While the authors acknowledge that external factors can greatly influence the success of dispute-resolution, mechanisms devised in accordance with the above principles provide the greatest benefits—deterring external influence and internal violence, as well as promoting the rule of law and democratic institutions.