

2nd Scientific Electoral Experts Debates

Sinaia, Romania, 3-4 May 2018

Concept paper

The 2nd Electoral Experts Debates will be dedicated to equal suffrage, an essential requirement of democratic elections. Equal suffrage is, alongside universal, free, secret and direct suffrage, as well as the frequency of elections, one of the basic principles of Europe's as well as the world's electoral heritage, as defined in particular in the reference document of the Council of Europe in the field of elections, the [Code of Good Practice in Electoral Matters](#).

The discussion to be held in Sinaia will be based on the papers submitted to the Romanian Journal of Electoral Studies ([Electoral Expert Review](#)), at the address expert.electoral@roaep.ro by 25 March 2018 – in English, French or Romanian - and will be published in a special issue of this review (see the [call for papers](#)). It is open to practitioners as well as to academics.

Equal suffrage includes a number of aspects to be debated in Sinaia:

- Equal voting rights, according to which each voter has one, or an equal number of votes: exceptions are now very rare (giving two votes to members of minorities or only one in a two-vote system to voters abroad).
- Equal voting power: seats must be evenly distributed between the constituencies: there must be an equal number of inhabitants, of resident nationals or of registered voters per seat. Since perfect proportionality is not reachable, the discussion will be about which deviation is acceptable, and how to correct it. The two possibilities are reallocation and redistricting, the latter one being unavoidable in uninominal systems. The discussion should also address exceptions to equal voting power, for example for second chambers, and intermediate cases like that of the European Parliament. It will be based in particular on the [report on constituency delineation and seat allocation](#).
- Equality of opportunity implies the neutrality of state authorities, in such matters as: access to mass media, party funding, but also, for example, delineation of constituencies, by prohibiting gerrymandering. An issue is to know whether equality of opportunity allows or even imposes the limitation of political party spending or financing by a single contributor. Another one is to know up to what extent equality may be understood not as strict, but as proportional to electoral results. Strict equality means that political parties are treated on an equal footing irrespective of their current parliamentary strength or support among the electorate. If it is proportional, political parties must be treated according to the results achieved in past elections.
- The last but not least aspect of equality is equality of results in the electoral field. The discussion could address the question whether equality of results is easier to ensure – and more legitimate? – in the electoral field than in other fields of law.

- The most classical aspect of equality of results in the electoral field is the proportional representation of political parties competing for the election. While not imposed by international standards in general, it may be recognized by national constitutions.
- A fundamental aspect of equality of results is gender parity. Equality of results is inherent in the philosophy behind the Council of Europe standards on parity democracy, which recommend that member states ensure that the representation of either women or men in any decision-making body in political or public life should not fall below 40%.
- Rules on representation of minorities may aim at ensuring equality of results, but also lead to deviation from proportional representation of the various groups. Such possible deviations should be discussed on the basis of the international and constitutional requirements in the field.
- The participants could also discuss other possible aspects of the principle of equality in the electoral field, for example concerning the composition of election commissions.