

# OBSERVATORY ON GENDER EQUALITY OF THE GLOBAL NETWORK ON ELECTORAL JUSTICE

**Work program**  
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# **OBSERVATORY ON GENDER EQUALITY OF THE GLOBAL NETWORK ON ELECTORAL JUSTICE**

## **WORK PROGRAM** **March 2021 - December 2024**

### **Introduction**

The Electoral Tribunal of the Federal Judiciary (TEPJF), in collaboration with the Global Network on Electoral Justice (GNEJ) and other organizations, promotes the creation of the **Observatory on Gender Equality**, as a mechanism to disseminate the administration of justice with a perspective on women's political-electoral rights and to make visible the progress towards achieving equality and non-discrimination from the role of the courts, tribunals and judicial bodies that make up the GNEJ.

This work program of the Observatory on Gender Equality develops the elements that will accompany the implementation of the Observatory, the objectives, strategic lines, activities, as well as the thematic components and indicators.

The purpose of this program is to disseminate, share and increase the interpretations and cutting-edge arguments on women's human rights and gender equality by the courts, tribunals and judicial bodies that make up the GNEJ and that have contributed to strengthening women's political-electoral rights, access to elected office and in public and political decision-making positions, in their respective countries.

An important feature of the Observatory is its non-restrictive focus on member states and their potential. Its work can contribute thematically through exchanges and recommendations that consider the characteristics of the member country's region.

## **I. General objective**

Promote the political participation of women in public decision-making through the dissemination of gender-sensitive rulings of the electoral courts that make up the GNEJ, as well as to promote the exercise of their political-electoral rights in conditions of parity and free of gender-based political violence against women.

## **II. Strategic objectives**

**Strategic objective 1.** Strengthen the administration of electoral justice with a gender perspective in the electoral tribunals that make up the GNEJ, through accountability and recommendations.

**Strategic objective 2.** Showcase judgments with a gender perspective and best practices in the promotion of women's political-electoral rights, as well as identify the conditions of the bodies that impart justice in the world, for an adequate justice with a gender perspective.

**Strategic objective 3.** Disseminate the profiles and stories of people who, through their work, help to promote equality in the participation of women in the political-electoral sphere.

### III. Suggested indicators and guiding questions

In the initial phase of the Observatory, the Board, and the Scientific Leader in particular, can adjust the following indicators and guiding questions. It will be important to define the indicators (quantitative, qualitative, and in harmony with the objectives of the GNEJ) to identify current challenges, draft relevant recommendations and measure the success of the Observatory. This will be done with a proactive approach and should result in concrete proposals with a verifiable impact. The Board will define the form of measurement, periodicity, form of data capture, calculation formulas and goals.<sup>1</sup>

1. Do electoral judges have jurisdiction to, and do they usually impart justice, with a gender perspective?
2. What are the relevant rulings in this area? (quantitative and qualitative perspective)
3. Are the decisions respected and implemented? What mechanisms or tools do judges have to enforce their rulings?
4. Does the electoral judiciary have adequate access to the legal developments occurring in comparable legal systems in other parts of the world?
5. Does the country in consideration have a legal framework that provides for full parity at all levels of government?
6. Are the legal requirements adequate or unnecessarily complex and disadvantage women?
7. How is formal equality translated into reality? Is substantive equality experienced by all women from different social groups?
8. Are appointments to senior positions in the electoral justice system made in accordance with the promotion of equal participation of different genders?
9. Is there a perception that women and people of different genders are treated differently, hostile or preferential? Is women's political participation equal to that of men, and is it diverse?
10. Does gender-based political violence affect the full participation of people of all genders in the public sphere (whether political or judicial)?

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<sup>1</sup> The survey on the bases of operation of the Observatories, completed by participants of the GNEJ in January 2021, proposed indicators such as, for example: Male and female candidates, positions they occupy in the party or candidacy lists, number of women participating in electoral boards, registration of the electoral roll differentiated by sex, register of lists of candidates differentiated by sex, registry of electoral results at the national level, differentiated by sex in the country, urban and rural areas, and registry of voters differentiated by sex, among others.

#### IV. Strategic lines and activities

<b>Strategic objective 1.</b> Strengthen the administration of electoral justice with a gender perspective in the electoral tribunals that make up the GNEJ, through accountability and recommendations.				
<b>Strategic line</b>	<b>Activities</b>	<b>Type of indicator</b>	<b>Indicators</b>	<b>Implementation period</b>
1. Contribute to the exchange of rulings with a gender perspective in electoral matters.	1. Establish the criteria for communication with the members of the GNEJ.	Number of guiding documents on the Observatory's performance	1 Communication policy of the Observatory.	April - May 2021
	2. Determine the methodology for the systematization and analysis of sentences with a gender perspective.		1 Methodology for the analysis of rulings. Peer review of electoral court rulings to ensure that they have a gender perspective.	April 2021 - April 2022
	3. Compile, systematize and analyze judgments with a gender perspective in electoral matters.		1 Bimonthly report on articles or rulings related to the topic on the Global Exchange Platform of the GNEJ.	Permanent 2021 to 2024
2. Increase capacities in the administration of electoral justice with a gender perspective.	1. Systematize the arguments, criteria and interpretations of rulings with a gender perspective in electoral matters.		6 Periodic activity reports with a substantial background analysis section. Record progress and comparisons with previous reports. Specialized and longitudinal research.	Permanent 2021 to 2024
	2. Validate the information included in the systematization of arguments, criteria and interpretations of judgments with a gender perspective in electoral matters, with the institutions that make up the GNEJ.		1 Document with the argumentation that ensures greater gender equality through rulings with a gender perspective.	Permanent 2021 to 2024
	3. Provide exchange opportunities for the analysis and study of arguments, criteria and interpretations of rulings with a gender perspective.		1 Results report with a roadmap for issuing rulings that favor greater gender equality.	Permanent 2021 to 2024

<b>Strategic objective 2.</b> Showcase judgments with a gender perspective and best practices in the promotion of women's political-electoral rights, as well as identify the conditions of the bodies that impart justice in the world, for an adequate justice with a gender perspective.				
<b>Strategic line</b>	<b>Activities</b>	<b>Type of indicator</b>	<b>Indicators</b>	<b>Implementation period</b>
<b>1.</b> To disseminate criteria and interpretations guaranteeing women's political-electoral rights.	<b>1.</b> Disseminate rulings with a gender perspective in electoral matters, within the Observatory and the GNEJ.	Number of research papers with substantive analysis	6 Results reports of the updates within the Observatory.	Annual basis 2021 to 2024
	<b>2.</b> Disseminate the document containing the criteria and interpretations of judgments with a gender perspective in electoral matters. Consider the legal and electoral framework.		6 Results reports of the dissemination within the Observatory, the GNEJ and in social networks.	Annual basis 2021 to 2024
<b>2.</b> Promote best practices of the electoral justice bodies that make up the GNEJ, to promote gender equality.	<b>1.</b> Conduct a study to learn about best practices within electoral justice bodies on incorporating a gender perspective.		1 Best practices study. 1 Continuous Research Plan.	April - December 2021
	<b>2.</b> Identify areas of opportunity for incorporating the gender perspective within the institutions that make up the GNEJ.		1 Document of recommendations. 1 Systematization of information document. 1 Positioning when there is any related news that disproportionately affects women in the exercise of their political-electoral rights (only if applicable).	Annual basis 2021 to 2024
	<b>3.</b> Create a repository of best practices for the incorporation of the gender perspective within the institutions that make up the GNEJ.		1 Repository contents with a roadmap with the future steps to take.	Permanent 2021 to 2024
	<b>4.</b> Promote spaces for exchange to identify areas of opportunity in the abilities of women to defend their political-electoral rights.		1 Results report.	Permanente 2021 al 2024

It should be noted that the recommendations issued by the Observatory are non-binding, and that each document or roadmap will be developed based on a risk analysis.

## V. Implementation of the program

The development of the **Observatory on Gender Equality of the Global Network on Electoral Justice** will be reflected in a microsite hosted on the Global Exchange Platform, which will include information related to the objectives of the Observatory, the judgments with a gender perspective and the results of the activities carried out in the period from April 2021 - December 2024.

The Technical Secretariat will be the liaison responsible for coordinating the communication policy with the Global Network on Electoral Justice, in order to collect the judgments with a gender perspective that, having met the criteria of the methodology, will be uploaded thematically on the Observatory's microsite.

The TEPJF, through its specialized area, the General Directorate for Equal Rights and Gender Parity, will cooperate with the Technical Secretariat in regard to the implementation of the Program, in the coordination, follow-up and evaluation of the strategic objectives, lines of action, activities and indicators, as well as the topics and contents inherent to the implementation of the Observatory.

In addition, a representative of the Scientific Committee of the GNEJ will be the Scientific Leader of the Observatory and will guide the definition of a sustainable methodology and the thematic research of this initiative.

Following the generation of periodic reports, studies, roadmaps, recommendations and other results, the Board must disseminate them within the GNEJ, as well as on the Observatory's website and social media. The Board is requested to appoint a spokesperson to enhance the dissemination and impact of these tools, as well as to bring the issue closer to the public. The Technical Secretariat will commit to support the dissemination and the external communication strategy.

In 2024, the participants of the GNEJ will vote on whether to extend the work of the Observatory, and will have the opportunity to evaluate whether its functions and activities should be adjusted to the new needs.<sup>2</sup> This vote will require the presentation

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<sup>2</sup> In the survey on the operational bases of the Observatories, completed by participants of the GNEJ in January 2021, a majority emphasized the relevance of ensuring the permanence of the observatories created. This is because the issues connected to electoral justice are dynamic.

of a final report of activities, findings and recommendations, shared by the Observatory's Board.

## VI. Composition of the Board

- President of the Board and the Observatory  
**Mónica Aralí Soto Fregoso**, Justice of the High Chamber of the Electoral Tribunal of the Federal Judiciary of Mexico
- Scientific Leader of the Global Network on Electoral Justice (GNEJ)  
**Ann Ravel**, Professor of Law, University of California, Berkeley
- UN WOMEN  
**María Noel Vaeza**, Regional Director for the Americas and the Caribbean
- United Nations Development Program (UNDP)  
**Guillermina Martín**, Team Leader a.i. of the Gender Team, Regional Hub for Latin America and the Caribbean
- Organization of American States (OAS)  
**Francisco Guerrero Aguirre**, Secretary for Strengthening Democracy
- International Institute for Democracy and Electoral Assistance (International IDEA)  
**Rumbidzai Kandawasvika-Nhundu**, Senior Advisor, Democracy and Inclusion
- Venice Commission  
**Simona Granata-Menghini**, Director/Secretary
- Technical Secretariat  
**Alberto Guevara Castro**, Director General of International Relations of the TEPJF.<sup>3</sup>

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<sup>3</sup> Persona Titular de la Secretaría Técnica de la RMJE.



## **Responsible for content monitoring on behalf of TEPJF**

- Head of the Technical Secretariat.
- Person in charge of the General Directorate for Equal Rights and Gender Parity.

## **VII. Principles of the Program of the Observatory**

Considering the pillars of women's human rights, upheld and protected by the courts, tribunals and judicial bodies that are members of the Global Network on Electoral Justice, the following are proposed as parameters for the Observatory's actions:

### **Human rights**

Always work within the context of human rights, seeking the highest standards to ensure their respect, protection, guarantee and promotion, in accordance with the principles of universality, interdependence, indivisibility and progressiveness at all times.<sup>4</sup>

### **Gender mainstreaming**

Is regarding the incorporation and application of the principle of equal treatment and opportunities between women and men in public policies, so that access to resources is guaranteed under equal conditions, public policies are planned taking into account existing inequalities, and the results and impact of these policies on the advancement of real equality are identified and evaluated.<sup>5</sup>

### **Gender perspective**

The methodological tool of the gender perspective must be used as a starting point to understand the gender-based inequalities, discrimination and structural violence that have been part of the social order. This, so that the activities that make up the responsibility to judge can contemplate and address them in order to contribute to the construction of substantive equality.<sup>6</sup>

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<sup>4</sup> Art. 1 of the Political Constitution of the United Mexican States.

<sup>5</sup> ABC of Gender in Public Administration. *Inmujeres*, available at: [http://cedoc.inmujeres.gob.mx/documentos\\_download/100903.pdf](http://cedoc.inmujeres.gob.mx/documentos_download/100903.pdf)

<sup>6</sup> ABC of Gender in Public Administration. *Inmujeres*, available at: [http://cedoc.inmujeres.gob.mx/documentos\\_download/100903.pdf](http://cedoc.inmujeres.gob.mx/documentos_download/100903.pdf)

### **Substantive equality**

Substantive equality between genders, broadly understood as the construction of equal conditions and opportunities from the root with the elimination of subordinations built through gender; the necessary mechanisms to correct and ensure equality in procedures by addressing structural asymmetries; the guarantee of equality in the exercise of human rights as a real result in the materialization of the ultimate goal of equality.<sup>7</sup>

### **Nondiscrimination**

To understand differences as part of human diversity, ensuring that these differences do not become disadvantages for the effective exercise of human rights.<sup>8</sup>

### **Intersectionality**

Theoretical tool to address multiple discriminations and to understand how different sets of identities influence access to rights and opportunities.<sup>9</sup>

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<sup>7</sup> GENERAL RECOMMENDATIONS ADOPTED BY THE COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN Thirtieth session (2004) General Recommendation No. 25 Article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women - Temporary special measures. Available at: <https://www.ohchr.org/SP/HRBodies/CEDAW/Pages/Recommendations.aspx>

<sup>8</sup> Basic Elements of Human Rights: An Introductory Guide. IIDH. Available at [https://www.iidh.ed.cr/IIDH/media/2083/campa%C3%B1a-educativa-elementos-basicos-guia-introductoria\\_marzo2009-2008.pdf](https://www.iidh.ed.cr/IIDH/media/2083/campa%C3%B1a-educativa-elementos-basicos-guia-introductoria_marzo2009-2008.pdf)

<sup>9</sup> Intersectionality: a tool for gender justice and economic justice. AWID. International feminist organization. Available at: <https://www.awid.org/es/publicaciones/interseccionalidad-una-herramienta-para-la-justicia-de-genero-y-la-justicia-economica>