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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Resolution adopted by the General Assembly on 16 December 2021

[*on the report of the Third Committee (A/76/462/Add.2, para. 114)*]

76/176. Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming that democracy is a universal value based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty and the right to self-determination,

Stressing that democracy, development, rule of law and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing,

Acknowledging also that respecting human rights, protecting democratic institutions and principles and promoting the rule of law creates an environment in which countries can promote development, protect individuals from discrimination and ensure equal access to justice for all by involving Governments, parliaments, the United Nations system and other international organizations, local authorities, national human rights institutions, indigenous peoples, persons belonging to minorities, human rights defenders, civil society, businesses and the private sector, the scientific and academic communities, and all other interested stakeholders,

Reaffirming that Member States are responsible for organizing, conducting and ensuring transparent, free and fair electoral processes inclusive of all citizens,



including those who are marginalized and underrepresented, as well as those belonging to minorities, and that Member States, in the exercise of their sovereignty, may request international organizations to provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose,

Recognizing the importance of fair, periodic, inclusive and genuine elections, including in nascent democracies and countries undergoing democratization, in order to empower citizens to express their will and to promote a successful transition to long-term sustainable democracies,

Recognizing also that Member States are responsible for ensuring transparent, free and fair elections, free of intimidation, coercion and tampering with vote counts, and that all such acts are sanctioned accordingly,

Highlighting the importance of including women in all their diversity on an equal basis in election processes that are free from discrimination and allow for their full, equal and meaningful participation, allowing for gender-responsive political institutions and the creation of more inclusive societies,

Emphasizing that Member States are responsible for respecting the will of the voters as expressed through genuine, periodic, free and fair elections, which shall be by universal and equal suffrage, and in this respect expressing serious concern about the unconstitutional or unlawful disruption of representative governance and democratic institutions and the unlawful removal of any democratically elected officials, whether by States or non-State actors,

Recalling its previous resolutions on the subject, in particular resolution [74/158](#) of 18 December 2019,

Recalling also all relevant Human Rights Council resolutions on the topic, including resolutions [19/11](#) of 22 March 2012,¹ [31/14](#) of 23 March 2016,² [31/37](#) of 24 March 2016,³ [33/22](#) of 30 September 2016,⁴ [34/41](#) of 24 March 2017,⁵ [39/11](#) of 28 September 2018⁶ and [48/2](#) of 7 October 2021,⁷

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that an increasing number of Member States are using elections as a peaceful means of discerning the will of the people, which builds confidence in representational governance and contributes to greater national peace and stability, and which may contribute to regional peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,⁸ in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right of everyone to freely choose representatives through 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,

¹ See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53* and corrigendum ([A/67/53](#) and [A/67/53/Corr.1](#)), chap. III, sect. A.

² *Ibid.*, *Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. IV, sect. A.

³ *Ibid.*

⁴ *Ibid.*, *Supplement No. 53A* and corrigendum ([A/71/53/Add.1](#) and [A/71/53/Add.1/Corr.1](#)), chap. II.

⁵ *Ibid.*, *Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

⁶ *Ibid.*, *Seventy-third Session, Supplement No. 53A (A/73/53/Add.1)*, chap. III.

⁷ *Ibid.*, *Seventy-sixth Session, Supplement No. 53A (A/76/53/Add.1)*, chap. IV, sect. A.

⁸ Resolution [217 A \(III\)](#).

Reaffirming the International Covenant on Civil and Political Rights,⁹ the Convention on the Elimination of All Forms of Discrimination against Women,¹⁰ the International Convention on the Elimination of All Forms of Racial Discrimination¹¹ and the Convention on the Rights of Persons with Disabilities,¹² and reaffirming also that no distinctions are permitted among citizens on any grounds, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability, in the enjoyment of the right to participate, directly or through freely chosen representatives, and to vote and to be elected in 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 electors,

Reaffirming also that the promotion and protection of human rights and fundamental freedoms at the national and international levels should be universal and conducted without conditions attached and that the international community should support the strengthening and promotion of democracy, development and respect for human rights and fundamental freedoms and the principles of the rule of law in the entire world,¹³

Underscoring the important role that regional and subregional organizations play, in accordance with the Charter, in the areas of peace and security, development and human rights,¹⁴ and recalling their commitments to supporting the principles of free and fair elections,

Reaffirming that the full, equal and meaningful participation and representation of all women, on equal terms with men, at all levels of decision-making is essential to the achievement of gender equality, social inclusion, sustainable development, peace and democracy, as well as for the realization of all human rights and fundamental freedoms,

Noting with concern the increased demand for unpaid care and domestic work in the light of the coronavirus disease (COVID-19) pandemic, and that these disproportionate impacts compound existing obstacles to women's full, effective, equal and meaningful participation and decision-making in public life,

Mindful that women continue to account for only one quarter of national legislators worldwide, and highlighting the importance of all women's full, equal and meaningful participation, including women with disabilities, and representation in parliaments, including in leadership positions, and the importance for parliaments to mainstream a gender perspective in their work,

Emphasizing the role of all women in decision-making and leadership positions through broad political engagement and full, effective, equal and meaningful participation and representation across all political, economic and public dimensions of a society is essential to a strong democracy,

Noting such inclusion will further contribute to the prevention and resolution of armed conflict, the success of peace mediation, peacebuilding processes, post-conflict reconstruction and sustainable global security while simultaneously advancing Security Council resolution 1325 (2000) and the women, peace and security agenda,

⁹ See resolution 2200 A (XXI), annex.

¹⁰ United Nations, *Treaty Series*, vol. 1249, No. 20378.

¹¹ *Ibid.*, vol. 660, No. 9464.

¹² *Ibid.*, vol. 2515, No. 44910.

¹³ A/CONF.157/24 (Part I), chap. III, para. 8.

¹⁴ Resolution 69/277, para. 2.

Mindful that the full, equal, and meaningful participation of all women in political and public life may only be achieved when all acts of sexual and gender-based violence including conflict-related sexual violence, and sexual harassment both online and offline, are effectively combated,

Underlining the importance of primary birth registration for the enjoyment of all the rights to which individuals are entitled, including civil and political rights and with respect to political participation,

Recognizing that in order to equally participate in free and fair elections, all women need not only the legal right to vote but the ability to access polling stations and elections information freely, and that Member States should include the perspectives of women in diverse conditions and situations in designing, evaluating and reviewing policies and legislation on participation in political and public affairs,

Noting the importance of providing comprehensive, accessible and free civic education for all people, including all women and girls, as well as electoral information and voting papers, to all having the right to participate in elections, in a range of accessible formats and languages, as appropriate, empowering thus all citizens having the right to participate in elections,

Stressing the importance, generally and in the context of promoting free, fair and inclusive elections, of respect for the freedoms of peaceful assembly and association and expression, including the freedom to seek, receive and impart information, in accordance with the International Covenant on Civil and Political Rights, and noting in particular the fundamental importance of access to information and media freedom, including through accessible and easy-to-understand formats for new information and communications technologies,

Recognizing the potential of online communication tools to promote freedom of expression and expand political participation, as well as to empower persons who belong to underrepresented groups and those who are marginalized, including but not limited to groups mentioned in the report of the Secretary-General on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization,¹⁵ and urging States to create and maintain, in law and in practice, a safe and enabling environment for journalists to perform their work independently and without undue interference,

Expressing deep concern that the increasing prevalence and spread of disinformation by both internal and external actors on traditional and social media, as well as efforts to manipulate voting systems and the use of Internet and mass media shutdowns to intentionally and arbitrarily prevent or disrupt access to or dissemination of information online in the framework of elections, constitute an urgent problem for democracies around the world,

Recognizing that the spread of hate speech through online platforms is increasingly directed at political figures, disproportionately targeted at women and members of minority groups, causes serious harm to those affected and can have a damaging impact on electoral processes,

Noting that some countries are beginning to use online technology for balloting purposes, and reaffirming the right to privacy, according to which no one shall be subjected to arbitrary or unlawful interference with their privacy, family, home or correspondence, and the right to the protection of the law against such interference, as set out in article 12 of the Universal Declaration of Human Rights and article 17

¹⁵ [A/76/266](#).

of the International Covenant on Civil and Political Rights, and that the same rights that people have offline must also be protected online,

Recognizing the need to strengthen democratic processes, electoral institutions and national capacity-building in requesting countries, including the capacity to administer fair elections, promote voter education, the development of electoral expertise and technology and the full, equal and meaningful participation of all women on equal terms with men, take all appropriate measures to ensure the full, equal and meaningful participation of all persons with disabilities on an equal basis with others, increase citizen participation and provide civic education, including to youth, in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Noting the importance of ensuring orderly, open, fair and transparent democratic processes that protect the rights to peaceful assembly, association and freedom of expression and opinion,

Noting also that the international community can contribute to the creation of conditions that could foster stability and security throughout the pre-election, election and post-election periods in transitional and post-conflict situations,

Reiterating that transparency is a fundamental basis for free and fair elections, which contribute to the accountability of Governments to their citizens, which, in turn, is an underpinning of democratic societies,

Acknowledging, in this regard, the importance of national and international observation of elections for the promotion of free and fair elections and its contribution to enhancing the integrity of election processes in requesting countries, to promoting public confidence and electoral participation and to mitigating the potential for election-related disturbances,

Acknowledging also that extending invitations regarding international electoral assistance and/or observation is the sovereign right of Member States, and welcoming the decisions of those States that have requested such assistance and/or observation,

Recalling its resolution 60/1 of 16 September 2005, entitled “2005 World Summit Outcome”, in which it welcomed the establishment by the Secretary-General of the United Nations Democracy Fund,

Welcoming the support provided by Member States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations trust fund for electoral assistance, the democratic governance thematic trust fund of the United Nations Development Programme and the United Nations Democracy Fund,

Recognizing that electoral assistance, particularly through appropriate, sustainable, accessible and cost-effective electoral technology, can facilitate full access for persons with disabilities and supports the electoral processes of developing countries,

Recognizing also the coordination challenges posed by the multiplicity of actors involved in electoral assistance both within and outside the United Nations,

Welcoming the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization, and stressing the importance of fostering enabling environments in which civil society organizations, human rights defenders, peacebuilders, and journalists and media workers can operate freely and safely, both online and offline, thereby increasing the ability of individuals to take part in elections and election monitoring,

Recognizing the importance of the links between democracy, sustainable, social and economic development, the reduction of inequalities, peace, human rights, the rule of law, democracy and good governance, including the holding of free and fair elections, and in this regard recalling the adoption of the 2030 Agenda for Sustainable Development,¹⁶

Bearing in mind that measures necessary to contain the coronavirus disease (COVID-19) pandemic have had a considerable impact on public participation, including through restrictions on the rights to freedom of expression, to peaceful assembly and freedom of association, and on access to information, affecting particularly the work of the media and civil society, including women's rights organizations and organizations of persons with disabilities, and direct participation in decision-making and leading to restrictions in the context of electoral processes,

1. *Welcomes* the report of the Secretary-General on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization;

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs and legislation of requesting countries to develop, improve and refine their electoral institutions and processes, including by ensuring full access to all stages of the electoral process for persons with disabilities, recognizing that the responsibility for organizing free and fair elections lies with Governments;

3. *Reaffirms* that the electoral assistance provided by the United Nations should continue to be carried out in an objective, impartial, neutral and independent manner;

4. *Requests* the Under-Secretary-General for Political and Peacebuilding Affairs, in her role as United Nations focal point for electoral assistance matters, to continue to regularly inform Member States about the requests received and the nature of any assistance provided;

5. *Requests* the United Nations to continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election and that the results of the mission will be reported comprehensively and consistently;

6. *Notes* the importance of adequate resources for the administration of efficient and transparent elections at the national and local levels, and recommends that Member States provide adequate resources for those elections, including by considering the possibility of establishing internal funding, where feasible;

7. *Reaffirms* the obligation of all States to take all appropriate measures to ensure that every citizen has the effective right and opportunity to participate in elections on an equal basis, and calls upon States to take measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in public affairs, including based on race, colour, ethnicity, national or social origin, sex, sexual orientation and gender identity, language, religion, political views or on the basis of disability;

8. *Strongly condemns* any manipulation of election processes, coercion and tampering with vote counts, particularly when done by States, as well as by other actors, and calls upon all Member States to respect the rule of law and the human rights and

¹⁶ Resolution 70/1.

fundamental freedoms of all persons, including the right to vote and to 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 electors, thereby fostering conditions in which all citizens, regardless of how they voted, whom they supported or whether their candidates prevailed, have the motivation and incentive, as well as the right and opportunity, to continue to participate directly or through elected representatives in the conduct of public affairs and their Government;

9. *Calls upon* all Member States to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and to be elected;

10. *Also calls upon* all Member States to consider ways to increase the representation of all youth in decision-making at all levels in local, national, regional and international institutions and mechanisms, to promote the constructive political engagement of youth and to consider, explore and promote new avenues for the full, effective, structured and sustained participation of youth and youth-led organizations in relevant decision-making processes;

11. *Further calls upon* all Member States to enhance the political participation of all women, accelerate the achievement of gender equality and the empowerment of all women and girls in all situations, including by taking measures to reduce and redistribute women's and girls' disproportionate share of unpaid care and domestic work, promote and protect the human rights of women with respect to voting in elections and public referendums and being eligible for election to publicly elected bodies on equal terms with men at all levels of government by further inclusion and by measures to prevent and respond to and condemn all forms of sexual and gender-based violence, both online and offline;

12. *Recommends* that, throughout the timespan of the entire electoral cycle, including before and after elections, as appropriate, on the basis of a needs assessment and in accordance with the evolving needs of requesting Member States, bearing in mind sustainability and cost-effectiveness, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help to strengthen their democratic processes, also bearing in mind that the relevant office may provide additional assistance in the form of mediation and good offices, upon the request of Member States;

13. *Notes with appreciation* the additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, encourages those organizations to share knowledge and experience in order to promote best practices in the assistance that they provide and in their reporting on electoral processes, and expresses its appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

14. *Acknowledges* the aim of harmonizing the methods and standards of the many intergovernmental and non-governmental organizations engaged in observing elections, and in this regard expresses appreciation for the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, which elaborate guidelines for international electoral observation;

15. *Recalls* the establishment by the Secretary-General of the United Nations trust fund for electoral assistance, and, bearing in mind that the fund is currently close to depletion, calls upon Member States to consider contributing to the fund;

16. *Encourages* the Secretary-General, through the United Nations focal point for electoral assistance matters and with the support of the Electoral Assistance Division of the Department of Political and Peacebuilding Affairs of the Secretariat, to continue to respond to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular by enhancing the capacity of national electoral institutions;

17. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, including to enhance the accessibility and diversity of the roster of electoral experts and the electoral institutional memory of the Organization, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

18. *Reiterates* the need for ongoing comprehensive coordination, under the auspices of the United Nations focal point for electoral assistance matters, between the Electoral Assistance Division, the United Nations Development Programme, the Department of Peace Operations and the Department of Operational Support of the Secretariat and the Office of the High Commissioner to ensure coordination and coherence and avoid duplication of United Nations electoral assistance;

19. *Requests* the United Nations Development Programme to continue its democratic governance assistance programmes in cooperation with other relevant organizations, in particular those that promote the strengthening of democratic institutions and linkages between civil society and Governments;

20. *Reiterates* the role of civil society, human rights defenders, peacebuilders, as well as journalists and media workers, and the importance of their active engagement in the promotion of democratization, and invites Member States to facilitate the full, effective, equal and meaningful participation of civil society in electoral processes;

21. *Also reiterates* the importance of reinforced coordination within and outside the United Nations system, and reaffirms the clear leadership role within the United Nations system of the United Nations focal point for electoral assistance matters, including in ensuring system-wide coherence and consistency and in strengthening the institutional memory and the development, dissemination and issuance of United Nations electoral assistance policies;

22. *Requests* the Secretary-General to report to the General Assembly at its seventy-eighth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance support by the Organization for the democratization process in Member States;

23. *Recognizes* the impact of the COVID-19 pandemic on public participation, with many channels for engagement moving online, posing obstacles for those segments of the population who have limited or no Internet access or who face other barriers to digital inclusion, such as the affordability of the Internet, and encourages States to ensure that all stakeholders, including women and girls, persons living in rural communities and persons with disabilities, have access to timely and accurate information and are fully involved in decisions that affect them.

*53rd plenary meeting
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