

11. *Decides* to consider this question at its forty-ninth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

85th plenary meeting
20 December 1993

48/131. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989, 45/150 of 18 December 1990, and especially 46/137 of 17 December 1991 and 47/138 of 18 December 1992, as well as the annex to Commission on Human Rights resolution 1989/51 of 7 March 1989,²⁹

Bearing in mind the Vienna Declaration and Programme of Action,⁶ adopted by the World Conference of Human Rights, held at Vienna from 14 to 25 June 1993, especially the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections, including assistance in the human rights aspects of elections and public information about elections, is of particular importance in the strengthening and building of institutions relating to human rights and the strengthening of a pluralistic civil society, and that special emphasis should be given to measures that assist in achieving those goals;¹⁶²

Reaffirming that electoral assistance is provided only at the specific request of the Member State concerned,

Having considered the report of the Secretary-General,¹⁶³

Noting the high level of requests for electoral assistance by Member States,

1. *Takes note with appreciation* of the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections;

2. *Commends* the electoral assistance provided to Member States at their request by the United Nations, requests that such assistance continue on a case-by-case basis in accordance with the proposed guidelines on electoral assistance, recognizing that the fundamental responsibility for ensuring free and fair elections lies with Governments, and also requests the Electoral Assistance Unit of the Secretariat to inform Member States on a regular basis about the requests received, the responses given to those requests and the nature of the assistance provided;

3. *Requests* that the United Nations attempt 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 for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;

4. *Recommends* that the United Nations, in order to ensure the continuation and consolidation of the democratization process in Member States requesting assistance, provide assistance before and after elections have taken place, including

needs-assessment missions aimed at recommending programmes which might contribute to the consolidation of the democratization process;

5. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation and the establishment by the Administrator of the United Nations Development Programme of a separate fund, the Trust Fund for Technical Assistance to Electoral Processes, and calls upon Member States to consider contributing to the funds;

6. *Stresses* the importance of coordination by the focal point within the United Nations system, commends the Centre for Human Rights of the Secretariat for the advisory services and technical assistance it provides and the Department for Development Support and Management Services of the Secretariat and the United Nations Development Programme for the technical assistance they provide to requesting Member States, and requests the focal point to strengthen its collaboration with the Centre for Human Rights, including through an exchange of personnel when appropriate, and with the Department for Development Support and Management Services and the United Nations Development Programme and inform them of requests submitted in the area of electoral assistance;

7. *Recommends* that the United Nations continue and strengthen its coordination of election preparation and observation with intergovernmental and non-governmental organizations which have an interest in such activities;

8. *Requests* the Secretary-General to provide the Electoral Assistance Unit with adequate human and financial resources, under the regular budget of the United Nations and within existing resources, to allow it to carry out its mandate;

9. *Also requests* the Secretary-General to reinforce the Centre for Human Rights through the redeployment of resources and personnel, so as to enable it to answer, in close coordination with the Electoral Assistance Unit, the increasing number of requests from Member States for advisory services in the area of electoral assistance;

10. *Recommends* that the Secretary-General, on the basis of the guidelines proposed in his report¹⁶⁴ and on the basis of experience acquired over the last two years, provide a revised set of guidelines for consideration at its forty-ninth session;

11. *Further requests* the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of resolution 47/138 and the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on the validity of the guidelines in the light of experience.

85th plenary meeting
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48/132. Strengthening of the rule of law

The General Assembly,

Recalling that the achievement of international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language and religion is one of the purposes of the United Nations,

Recalling also that, by adopting the Universal Declaration of Human Rights,³ Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Firmly convinced that, as stressed in the Universal Declaration of Human Rights, the rule of law is an essential factor in the protection of human rights,

Convinced that through their own national legal and judicial systems States must provide appropriate civil, criminal and administrative remedies for violations of human rights,

Aware of the need for the implementation of strengthened advisory services and technical assistance activities in the field of human rights,

Mindful of the significant role played by national institutions in the promotion and protection of universally recognized human rights and fundamental freedoms in their respective countries,

Convinced that the Centre for Human Rights of the Secretariat should play an important role in coordinating system-wide attention for human rights,

Recalling Commission on Human Rights resolution 1992/51 of 3 March 1992,³² and taking note of Commission resolution 1993/50 of 9 March 1993,³³ both entitled "Strengthening of the rule of law",

Noting with appreciation that in the Vienna Declaration and Programme of Action,⁶ adopted by the World Conference on Human Rights on 25 June 1993, the Conference recommended that priority be given to national and international action to promote democracy, development and human rights,

1. *Endorses* the recommendation of the World Conference on Human Rights that a comprehensive programme be established within the United Nations and under the coordination of the Centre for Human Rights of the Secretariat, with a view to helping States in the task of building and strengthening adequate national structures which have a direct impact on the overall observance of human rights and the maintenance of the rule of law;¹⁶⁵

2. *Expresses its conviction* that such a programme should be able to provide, upon the request of the interested Government, technical and financial assistance for the implementation of national plans of action as well as specific projects for the reform of penal and correctional establishments and the education and training of lawyers, judges and security forces in human rights, and in any other sphere of activity relevant to the good functioning of the rule of law;

3. *Requests* the Secretary-General, in accordance with the request contained in section II, paragraph 70, of the Vienna Declaration and Programme of Action, to submit concrete proposals to the General Assembly at its forty-ninth session containing alternatives for the establishment, structure, operational modalities and funding of the proposed programme, taking into account existing programmes and activities already undertaken by the Centre for Human Rights;

4. *Requests* the Commission on Human Rights to remain actively seized of this question, with a view to further elaborating the outline of the proposed programme;

5. *Decides* to continue its consideration of this question at its forty-ninth session in the light of the proposals of the Secretary-General.

*85th plenary meeting
20 December 1993*

48/133. International Year of the World's Indigenous People, 1993

The General Assembly.

Bearing in mind that one of the purposes of the United Nations set forth in the Charter is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without discrimination as to race, sex, language or religion,

Recognizing and respecting the value and the diversity of cultures, as well as the cultural heritage and the forms of social organization of the world's indigenous people,

Recalling its resolution 45/164 of 18 December 1990, in which it proclaimed 1993 the International Year of the World's Indigenous People, with a view to strengthening international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health,

Conscious of the need to improve the economic, social and cultural situation of the indigenous people with full respect for their distinctiveness and their own initiatives,

Appreciative of the contributions made to the voluntary fund for the Year opened by the Secretary-General,

Noting the establishment of the fund for the development of indigenous peoples of Latin America and the Caribbean as one kind of support for the objectives of the Year,

Taking note of the recommendation of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, that an international decade of the world's indigenous people should be proclaimed,¹⁶⁶

Noting the need to continue strengthening the initiatives taken as a result of the Year,

Recalling the request to the Subcommission on Prevention of Discrimination and Protection of Minorities that it should complete its consideration of the draft universal declaration on the rights of indigenous peoples,

1. *Calls upon* the United Nations system and Governments that have not yet done so to develop policies in support of the objectives and the theme of the International Year of the World's Indigenous People and to strengthen the institutional framework for their implementation;