



# General Assembly

Distr.: Limited  
3 October 2024

Original: English

## Human Rights Council

### Fifty-seventh session

9 September–11 October 2024

Agenda item 3

### Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

**Albania, Armenia,\* Austria,\* Belgium, Botswana,\* Bulgaria, Chile, Costa Rica, Croatia,\* Cyprus,\* Czechia,\* Denmark,\* Ecuador,\* Estonia,\* Finland, Georgia, Greece,\* Guatemala,\* Iceland,\* Indonesia, Ireland,\* Israel,\* Italy,\* Latvia,\* Lithuania, Luxembourg, Malta,\* Marshall Islands,\* Montenegro, Namibia,\* Netherlands (Kingdom of the), North Macedonia,\* Peru,\* Poland,\* Portugal,\* Romania, Slovakia,\* Slovenia,\* Spain,\* Sweden\* and Ukraine\*:** draft resolution

### 57/... Equal participation in political and public affairs

*The Human Rights Council,*

*Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,*

*Recalling all relevant international human rights treaties, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,*

*Recalling also all relevant Human Rights Council resolutions on equal participation in political and public affairs, in particular resolutions 24/8 of 26 September 2013 on equal political participation, and resolutions 27/24 of 26 September 2014, 30/9 of 1 October 2015, 33/22 of 30 September 2016, 39/11 of 28 September 2018 and 48/2 of 7 October 2021,*

*Recalling further all relevant Human Rights Council resolutions, in particular resolution 52/22 of 3 April 2023 on human rights, democracy and the rule of law,*

*Recalling all relevant General Assembly resolutions on strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization, in particular resolution 76/176 of 16 December 2021,*

*Reaffirming that all citizens shall have the right and the opportunity, without any of the distinctions stipulated in the International Covenant on Civil and Political Rights and without unreasonable restrictions, to take part in the conduct of public affairs, directly or through freely chosen representatives, and to have access, on general terms of equality, to public service in their country, and to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and held by secret ballot, guaranteeing the free expression of the will of the electors, and reaffirming also that the will of the people shall be the basis of the authority of government, and that no distinctions are permitted among citizens in the enjoyment of the right to participate in the conduct of public affairs on the*

\* State not a member of the Human Rights Council.



grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability,

*Reaffirming also* 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 further* the critical importance of the full realization of the right to participate in political and public affairs, in accordance with article 25 of the International Covenant on Civil and Political Rights, to protect and promote democracy, the rule of law, social inclusion, inclusive economic growth, sustainable development and the advancement of gender equality and the empowerment of women and girls, in the context of the 2030 Agenda for Sustainable Development, as well as for the realization of all human rights and fundamental freedoms for all,

*Reaffirming* that the full, equal and meaningful participation of women at all levels of decision-making, as well as that of girls, free from violence and discrimination, both online and offline, is essential to the promotion of women's empowerment and to the achievement of gender equality, inclusive economic growth and sustainable development, the rule of law, peace and democracy,

*Underlining* the importance of the active, meaningful and inclusive participation of young persons in decision-making and the important role that youth can play in the promotion of sustainable development and the promotion, protection and fulfilment of all human rights, and the importance of removing barriers that prevent the meaningful participation of young persons in political and public affairs,

*Stressing* the importance of fostering enabling environments in which civil society organizations, human rights defenders, in particular women human rights defenders and women's rights organizations, 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* that the rights of everyone to freedom of expression, to peaceful assembly, to freedom of association and to education, access to information, and inclusive economic empowerment are among the essential conditions for equal participation in political and public affairs and must be promoted and protected, both online and offline,

*Recognizing also* that the right to education, including access to information and access to inclusive and quality human rights and civic education, has a transformative potential and is a multiplier right that supports the participation of children,

*Recognizing further* the importance of free, fair, transparent, inclusive, genuine and periodic elections by universal and equal suffrage, including in new democracies and countries in democratic transition, in order to empower citizens to express their will and to promote a successful transition to long-term sustainable democracies,

*Recognizing further* that States are responsible for ensuring transparent, periodic, free and fair elections, free of intimidation, coercion and tampering with counting of votes,

*Emphasizing* the importance of electoral institutions and processes to safeguard the principles underpinning genuine periodic and democratic elections, such as ensuring that all parties and candidates are able to compete on an equal basis before the law,

*Recognizing* that disinformation is a threat to democracy that can suppress political engagement and hinder the realization of informed participation in political and public affairs, and that it is increasingly being used to deter women and girls from participating in the public sphere,

*Recognizing also* that the use of hate speech, both online and offline, to provoke stigmatization and violence, and which might constitute an attempt to restrict the full, meaningful, inclusive and safe participation of persons, including women and children and those belonging to groups vulnerable to racism, racial discrimination, xenophobia and related intolerance, poses a significant threat by creating a hostile environment that discourages individuals from fully and equally engaging in political and public affairs,

*Welcoming* the report of the Office of the United Nations High Commissioner for Human Rights containing a summary of the intersessional workshop on the implementation of the right to participate in public affairs in the context of the coronavirus disease (COVID-19) pandemic and the post-pandemic recovery, submitted to the Human Rights Council pursuant to Council resolution 48/2,<sup>1</sup> and the work of the Office of the High Commissioner, the special procedures of the Human Rights Council, the treaty bodies and other relevant human rights mechanisms on continuing to identify and address obstacles to, and to call for, the full implementation of the right to participate in public affairs,

*Noting with interest* the work of the Office of the High Commissioner to disseminate and promote the use of the guidelines on the effective implementation of the right to participate in public affairs, including its guidance note entitled “How to effectively implement the right to participate in public affairs: A spotlight on people of African descent”,<sup>2</sup>

*Encouraging* Governments, local authorities, relevant United Nations bodies, specialized agencies, funds and programmes, other intergovernmental organizations, national human rights institutions and civil society actors to give due consideration to the guidelines, as a set of orientations for States, in the formulation and implementation of their policies and measures concerning equal participation in political and public affairs,

1. *Expresses concern* that, despite progress made towards the full implementation of the right to participate in political and public affairs worldwide, many people continue to face obstacles, such as discrimination, including multiple intersecting forms of inequality and discrimination, in the enjoyment of their right to participate in the political and public affairs of their countries as well as in the enjoyment of other human rights that enable it;

2. *Recognizes* that women and girls, young persons, persons belonging to marginalized groups or national or ethnic, religious and linguistic minorities, people of African descent, persons with disabilities and persons in vulnerable situations are among those who are most affected by discrimination in participation in political and public affairs, including, inter alia, violence, both online and offline, against women participating in political and public affairs;

3. *Reaffirms* the obligation of States to take all appropriate measures to ensure that every citizen has an effective right to and opportunity for equal participation in public affairs, including participation in elections on an equal basis;

4. *Urges* all States to ensure that every citizen can participate fully, effectively and meaningfully in political and public affairs, including by, inter alia:

(a) Complying fully with their international human rights obligations and commitments and working to implement all accepted universal periodic review recommendations with regard to equal participation in political and public affairs, including by reflecting them in their national legislative framework;

(b) Considering signing and ratifying or acceding to the International Covenant on Civil and Political Rights and other relevant international human rights treaties;

(c) Taking all necessary measures to eliminate laws, regulations and practices that discriminate, directly or indirectly, against citizens in their right to participate in public affairs, online and offline, on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, or on the basis of disability;

(d) Taking proactive measures to eliminate all barriers in law and in practice that prevent or hinder citizens, in particular women and girls, young persons, older persons, persons belonging to marginalized groups or national or ethnic, religious and linguistic minorities, people of African descent, persons with disabilities, persons in vulnerable situations and Indigenous Peoples, from participating fully, equally and meaningfully in

<sup>1</sup> A/HRC/54/44.

<sup>2</sup> <https://www.ohchr.org/en/documents/tools-and-resources/how-effectively-implement-right-participate-public-affairs-spotlight>.

political and public affairs, including, inter alia, by reviewing and repealing measures that unreasonably restrict the right to participate in political and public affairs, and considering adopting, on the basis of reliable disaggregated data on participation, temporary special measures, including legislative acts, aimed at increasing the participation of underrepresented groups in all aspects of political and public affairs;

(e) Taking steps to promote and protect the voting rights of all those entitled to vote without any discrimination, including facilitation of voter registration and participation and the provision of electoral information and materials in accessible formats and languages, as appropriate;

(f) Exploring new forms of participation and opportunities brought about by new information and communications technology and social media as a means to improve and widen, online and offline, the ability to exercise the right to participate in public affairs, and other rights directly supporting and enabling it, and recognizing and addressing the digital divide, including for women and girls and persons with disabilities, while mitigating the risks, including tackling online harms, and promoting digital, media and information literacy and connectivity;

(g) Supporting the development of fair, safe and professional media coverage, including during elections, as important elements of democracy, including by building the capacity of media professionals and media regulators;

(h) Ensuring the rights of everyone to freedom of expression, including to seek, receive and impart information, freedoms of peaceful assembly and association, education and development, and facilitating equal and effective access to information, independent media and communications technology in order to enable pluralistic debates fostering inclusive and effective participation in political and public affairs;

(i) Creating a safe and enabling environment for human rights defenders, in particular women human rights defenders and women's rights organizations, journalists, media workers or other civil society actors, online and offline, which together with other actors play a key role in the effective promotion, protection and realization of all human rights;

(j) Providing full and effective access to justice and redress mechanisms to those citizens whose right to participate in political and public affairs has been violated, including, as appropriate, by developing effective, independent and pluralistic national human rights institutions, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

5. *Calls upon* all States to enhance the political participation of all women, to address violence against women participating in political and public affairs, both online and offline, to accelerate the achievement of gender equality and, in all situations, to promote and protect the full and equal enjoyment by all women of all human rights with respect to voting in elections and public referendums and being eligible for election to publicly elected bodies;

6. *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 States to respect the rule of law and the human rights and fundamental freedoms of all persons, including the right of every citizen 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;

7. *Calls upon* States to continuously strengthen and develop their electoral institutions and processes, and to ensure that such institutions remain independent to guarantee the fairness, transparency and integrity of elections;

8. *Requests* the Office of the United Nations High Commissioner for Human Rights:

(a) To continue its dissemination and promotion of the guidelines on the effective implementation of the right to participate in public affairs;

(b) To provide technical cooperation and capacity-building to States upon their request regarding the use of the guidelines;

(c) To prepare, in consultation with States and all other relevant stakeholders, a follow-up report on good practices and challenges that States face when using the guidelines, with a particular focus on participation in elections, and to present the report to the Human Rights Council at its sixty-third session;

9. *Encourages* the Office of the High Commissioner, the special procedures of the Human Rights Council, the treaty bodies and other relevant international human rights mechanisms to continue to address, within their respective mandates, the promotion of equal political participation in their work.

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