



OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS



Promoting and consolidating democracy

Commission on Human Rights resolution 2000/47

The Commission on Human Rights,

Bearing in mind the purposes and principles of the Charter of the United Nations, and reaffirming that one of the basic aims of the United Nations is to promote and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, colour, sex, language or religion, political or other opinion, national or social origin, property, disability, birth or other status,

Recalling its resolution 1999/57 of 27 April 1999 on promotion of the right to democracy,

Reaffirming the indissoluble link between human rights as enshrined in the Universal Declaration of Human Rights and in the international human rights treaties and the foundation of any democratic society,

Recalling that all peoples have the right of self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development,

Recalling also that in the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23), it recommended that priority be given to national and international action to promote democracy, development and human rights,

Recalling further General Assembly resolution 53/243 of 13 September 1999 containing the Declaration and Programme of Action for a Culture of Peace,

Reaffirming its commitment to the process of democratization of States, and recognizing that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is 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 good governance, including through transparency and accountability, is indispensable for building peaceful, prosperous and democratic societies,

Aware of the crucial importance of active involvement of civil society in processes of governance that affect the life of people,

Recalling commitments undertaken by Member States for the promotion of democracy and the rule of law, within the framework of the United Nations and other international organizations,

Welcoming measures such as resolution 1080 of the Organization of American States, decision 141/XXXV of the Organization of African Unity and the Moscow Document on the Human Dimension adopted in 1991 by the Conference for Security and Cooperation in Europe, which commit member States to take certain steps in the event of an interruption of democratic government, as well as the 1991 Harare Commonwealth Declaration which commits members to fundamental democratic principles,

Encouraged by the wish of an increasing number of countries all over the world to devote their energy, means and political will to the building of democratic societies where individuals have the opportunity to shape their own destiny,

Noting the initiatives taken by the countries that participated in the first, second and third International Conferences of New or Restored Democracies, held respectively in Manila in June 1988, in Managua in July 1994 and in Bucharest in September 1997,

Noting that the Fourth International Conference of New or Restored Democracies is scheduled to be held in Cotonou, Benin, in December 2000, the initiative taken by Poland to host a meeting of Governments committed to the democratic path in Warsaw in June 2000, as well as the initiative of the Government of Mali to

host in Bamako, in 2000, following the Final Declaration adopted in September 1999 in Moncton, Canada, by the Eighth Summit of the International Organization of the Francophonie, an international symposium at ministerial level on the practices of democracy in the francophone areas,

1. *Calls upon States:*

(a) To consolidate democracy through the promotion of pluralism, the protection of human rights and fundamental freedoms, maximizing the participation of individuals in decision-making and the development of competent and public institutions, including an independent judiciary, effective and accountable legislature and public service and an electoral system that ensures periodic, free and fair elections;

(b) To promote, protect and respect all human rights and fundamental freedoms, in particular:

- (i) Freedom of thought, conscience, religion, belief, peaceful assembly and association, as well as freedom of expression, freedom of opinion, and free, independent and pluralistic media;
- (ii) The rights of persons belonging to national, ethnic, religious or linguistic minorities, including the right freely to express, preserve and develop their identity without any discrimination and in full equality before the law;
- (iii) The rights of indigenous people;
- (iv) The rights of children, the elderly and persons with physical or mental disabilities;
- (v) By actively promoting gender equality with the aim of achieving full equality between men and women;
- (vi) By considering becoming parties to international human rights instruments;
- (vii) By fulfilling their obligations under international human rights instruments to which they are parties;

(c) To strengthen the rule of law by:

- (i) Ensuring equality before the law and equal protection under the law;
- (ii) Ensuring the right to liberty and security of person, to equal access to justice, and to be brought promptly before a judge or other officer authorized by law to exercise judicial power in the case of detention, to avoid arbitrary arrest;
- (iii) Guaranteeing the right to a fair trial;
- (iv) Ensuring due process of law and the right to be presumed innocent until proven guilty in a court of law;
- (v) Promoting continuously the independence and integrity of the judiciary and, by means of appropriate education, selection, support and allocation of resources, strengthening its capacity to render justice with fairness and efficiency, free from improper or corrupt outside influence;
- (vi) Guaranteeing that persons who are deprived of their liberty are treated with humanity and dignity;
- (vii) Ensuring appropriate civil and administrative remedies and criminal sanctions for violations of human rights, as well as effective protection for human rights defenders;
- (viii) Including information on human rights obligations in training for civil servants, police forces and the military;

- (ix) Ensuring that the military remains accountable to democratically elected civilian government;

(d) To develop, nurture and maintain an electoral system that provides for the free and fair expression of the people's will through genuine and periodic elections, in particular by:

- (i) Ensuring the right of everyone to take part in the government of his/her country, directly or through freely chosen representatives;
- (ii) Guaranteeing the right freely to vote and to be elected in a free and fair process at regular intervals, by universal and equal suffrage, open to multiple parties, conducted by secret ballot;
- (iii) Taking measures as appropriate to address the representation of under-represented segments of society;
- (iv) Ensuring, through legislation, institutions and mechanisms, the freedom to form democratic political parties as well as transparency and fairness of the electoral process, including through appropriate access to funds and free, independent and pluralistic media;

(e) To create and improve the legal framework and necessary mechanisms for enabling the wide participation of members of civil society - individuals, groups and associations - in the development of democracy, by:

- (i) Respecting the diversity of society by promoting associations, dialogue structures, mass media and their interaction as a means of strengthening and developing democracy;
- (ii) Fostering, through education and other means, awareness and respect for democratic values;
- (iii) Encouraging the exercise of the right to form, join and participate in non-governmental organizations, associations or groups, including trade unions;
- (iv) Guaranteeing mechanisms for the involvement of civil society in processes of governance and developing cooperation between local authorities and non-governmental organizations;
- (v) Providing or improving the legal and administrative framework for non-governmental, community-based and other civil society organizations;
- (vi) Promoting active civil education and education on human rights, *inter alia* by organizations of civil society;

(f) To strengthen democracy through good governance by:

- (i) Improving the transparency of public institutions and policy-making procedures and enhancing the accountability of public officials;
- (ii) Taking legal, administrative and political measures against corruption, disclosing it and punishing all those involved in acts of corruption of public officials;
- (iii) Bringing government closer to the people by appropriate levels of devolution;
- (iv) Promoting the widest possible public access to information about the activities of national and local authorities, as well as ensuring access by all to administrative remedies, without discrimination;

- (v) Fostering high levels of competence, ethics and professionalism within the civil service, and its cooperation with the public, *inter alia* by providing appropriate training to the civil service;
- (g) To strengthen democracy by promoting sustainable development, in particular by:
 - (i) Taking effective measures aimed at the progressive realization of economic, social and cultural rights, such as the right to education and the right to a standard of living adequate for health and well-being, including food, clothing, housing and medical care and necessary social services, individually and through international cooperation;
 - (ii) Also taking effective measures aimed at overcoming social inequalities and eliminating poverty;
 - (iii) Promoting economic freedom and pursuing active policies to provide opportunities for productive employment and sustainable livelihood;
 - (iv) Ensuring equal access to economic opportunities and equal pay and other rewards for work of equal value;
 - (v) Creating a legislative and regulatory framework with a view to promoting sound and sustainable economic development;
- (h) To enhance social cohesion and solidarity by:
 - (i) Developing and strengthening institutional and educational capabilities, at local and national levels, to mediate conflicts, to resolve disputes peacefully, and to prevent and eliminate the use of violence in addressing societal tensions and disagreements;
 - (ii) Improving social protection systems and working towards ensuring basic social services for all;
 - (iii) Encouraging social dialogue and tripartite cooperation with respect to labour relations among government, trade unions and employer organizations, as reflected in the International Labour Organization core Conventions;

2. *Requests* the Office of the United Nations High Commissioner for Human Rights and human rights mechanisms of the Commission and the Sub-Commission on the Promotion and Protection of Human Rights to pay due attention, within their mandates, to the content of paragraph 1;

3. *Also requests* the United Nations High Commissioner for Human Rights, in her report to the Commission at its fifty-seventh session, to reflect progress on the implementation of the present resolution;

4. *Further requests* the Secretary-General and the High Commissioner to bring the present resolution to the attention of member States, the competent United Nations organs and intergovernmental and non-governmental organizations and to disseminate it on the widest possible basis;

5. *Decides* to continue consideration of the matter at its fifty-seventh session under the same agenda item.

*62nd meeting
25 April 2000*

[Adopted by a roll-call vote of 45 votes to none,
with 8 abstentions. See chap. XI.]