



# General Assembly

Distr.: Limited  
3 October 2022

Original: English

## Human Rights Council

### Fifty-first session

12 September–7 October 2022

Agenda item 3

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

**Albania,\* Armenia, Australia,\* Austria,\* Belgium,\* Bosnia and Herzegovina,\* Bulgaria,\* Canada,\* Chile,\* Costa Rica,\* Croatia,\* Cyprus,\* Czechia, Denmark,\* Ecuador,\* Estonia,\* Finland, Georgia,\* Germany,\* Greece,\* Hungary,\* Iceland,\* Ireland,\* Italy,\* Latvia,\* Lithuania, Luxembourg, Malaysia, Malta,\* Marshall Islands, Mexico, Montenegro, Netherlands, New Zealand,\* Norway,\* Paraguay, Peru,\* Poland, Portugal,\* Republic of Korea, Romania,\* Slovakia,\* Slovenia,\* South Africa,\* Spain,\* Sweden,\* Türkiye,\* Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution**

### 51/... The role of good governance in the promotion and protection of human rights

*The Human Rights Council,*

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

*Guided also by the Universal Declaration of Human Rights, as a common standard of achievement of all peoples and all nations, and the Vienna Declaration and Programme of Action, which affirmed that all human rights are universal, indivisible, interdependent and interrelated,*

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

*Recalling also Human Rights Council resolutions 7/11 of 27 March 2008, 19/20 of 23 March 2012, 25/8 of 27 March 2014, 31/14 of 23 March 2016, 37/6 of 22 March 2018 and 45/9 of 6 October 2020, all other resolutions relevant to the role of good governance in the promotion of human rights and the 2030 Agenda for Sustainable Development,*

*Welcoming the resolve of States parties to the United Nations Convention against Corruption, and noting with interest the provisions of the Convention that have led to the development of a mechanism among States parties to review their progress in combating corruption,*

*Noting with interest the outcomes of the sessions of the Conference of the States Parties to the United Nations Convention against Corruption,*

*Reaffirming the 2030 Agenda for Sustainable Development, adopted by the General Assembly in its resolution 70/1 of 25 September 2015, including its recognition of the need*

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



to build peaceful, just and inclusive societies that provide equal access to justice and that are based on respect for human rights, including the right to development, on effective rule of law and good governance at all levels and on transparent, effective and accountable institutions,

*Welcoming* the commitments made by all States in the political declaration entitled “Our common commitment to effectively addressing challenges and implementing measures to prevent and combat corruption and strengthen international cooperation”<sup>1</sup> to promote, while safeguarding personal data protection and privacy rights, the use of technological innovations to prevent, detect and combat corruption and facilitate digital government in this regard,

*Recognizing* the importance of a conducive environment, at both the national and international levels, for the full enjoyment of human rights and fundamental freedoms and of the mutually reinforcing relationship between good governance and human rights,

*Recognizing also* that transparent, responsible, accountable, open and participatory government, responsive to the needs and aspirations of the people, including women, Indigenous Peoples, persons with disabilities and those in vulnerable and marginalized situations, is the foundation on which good governance rests and that such a foundation is one of the indispensable conditions for the full realization of human rights, including the right to development, especially in times of crisis,

*Recognizing further* the crucial importance of the active involvement of civil society, at the national, regional and international levels, in processes of governance and in promoting good governance, including through transparency and accountability, at all levels, which is indispensable for building peaceful, prosperous and democratic societies,

*Stressing* the importance of developing and implementing national legislation on the promotion of access to diverse and reliable information, of establishing active, free and meaningful participation and of strengthening the administration of justice, transparency, accountability and good governance at all levels,

*Reaffirming* the right of every citizen to have access, in general terms of equality, to public service in their country as enshrined in article 21 of the Universal Declaration of Human Rights and article 25 (c) of the International Covenant on Civil and Political Rights,

*Recognizing* that a professional, accountable and transparent public service upholding the highest standards of efficiency, competence and integrity is one of the essential components of good governance,

*Recognizing also* that the knowledge, training and awareness of public servants, human rights education and the promotion of a human rights culture within the public service play a vital role in promoting respect for and the realization of human rights in society,

*Welcoming* the contribution of the United Nations Public Service Awards programme, which recognizes excellence in public service to the promotion of the role, professionalism and visibility of public service, and noting its review to align it with the 2030 Agenda for Sustainable Development,

*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, is essential for good governance,

*Welcoming* the commitments made by all States in the 2005 World Summit Outcome<sup>2</sup> to make the fight against corruption a priority at all levels,

*Mindful* that the fight against corruption at all levels plays an important role in the promotion and protection of human rights and in the process of creating sustainable, effective, accountable and transparent institutions for the achievement of the full enjoyment of human rights,

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<sup>1</sup> General Assembly resolution S-32/1, annex.

<sup>2</sup> General Assembly resolution 60/1.

*Recognizing* the increasing awareness in the international community of the detrimental impact of widespread corruption on human rights, by weakening institutions, by eroding public trust in government and by impairing the ability of Governments to fulfil all their human rights obligations,

*Recognizing also* that effective anti-corruption measures and the protection of human rights, including by strengthening transparency and accountability in government, are mutually reinforcing,

*Recognizing further* the opportunities provided by open data and digital technologies to strengthen transparency and accountability and to prevent, detect and investigate corruption,

*Recognizing* that good governance and the fight against corruption have a central role in the promotion and protection of human rights and in the elimination of obstacles to development,

*Stressing* that good governance at the local, national and international levels is essential for sustained economic growth, sustainable development and the eradication of poverty and hunger, and in this context reaffirming the 2030 Agenda for Sustainable Development,

*Noting* the ongoing work of several important initiatives towards the deepening of good governance practices at the national, regional and international levels, and taking into account the ongoing work of the United Nations system and other relevant international and regional organizations relating to the role of good governance in the promotion and protection of human rights,

*Recognizing* the primary responsibility of States, as the main duty bearers, to promote and protect human rights online and offline,

*Noting* that, used in compliance with international human rights law, information and communications technology can be an effective tool to foster greater participation and contribute to promoting human rights principles and good governance, while being mindful of the impact, opportunities and challenges of rapid technological change with regard to the promotion, protection and enjoyment of human rights,

*Recognizing* that information and communications technology can hold great potential for strengthening democratic institutions and the resilience of civil society, empowering civic engagement and enabling the work of human rights defenders, public participation and the open and free exchange of ideas,

*Stressing* that use of information and communications technology, including the digitalization of public service, can strengthen the efficiency, professionalism, accountability, transparency and accessibility of public institutions,

*Recognizing* the risks that misuse of information and communications technology may have for the protection, promotion and enjoyment of human rights, fundamental freedoms and good governance,

*Expressing concern* that misuse of information and communications technology can undermine equal access to public services, and stressing the importance of ensuring the safety and security of critical infrastructure and critical information infrastructure in this regard,

1. *Welcomes* the convening on 22 June 2022 of a panel discussion on good governance in the promotion and protection of human rights during and after the coronavirus disease (COVID-19) pandemic;

2. *Recognizes* that international human rights law provides a set of standards to guide governing processes and to assess performance outcomes, and in this regard stresses that good governance is necessary for establishing and maintaining an environment conducive to the promotion and protection of human rights;

3. *Reaffirms* that the same rights that people have offline must also be protected online;

4. *Notes with concern* that many forms of the digital divide remain between and within countries, and between men and women, boys and girls, older and younger persons and persons with disabilities, and recognizing the need to close them;

5. *Acknowledges* that many countries all over the world need support in terms of expanding infrastructure, technological cooperation and capacity-building, including human and institutional capacity-building, to ensure the accessibility, affordability and availability of the Internet in order to bridge digital divides, to offer a digital dividend to all people and to meet the Sustainable Development Goal targets;

6. *Urges* States to ensure the right of every person to have access, on equal terms, to public services in his or her country by using new communications technology and global interconnectedness, technological innovation and organizational solutions to respond in the best possible way to the needs of people confronted with the risks of crises;

7. *Also urges* States to progressively take steps to expand Internet access in order to provide public services accessible to all, especially the poor and those at most risk of social exclusion, thereby rectifying imbalances in access to information and the communications technology currently available and ensuring their participation in public life;

8. *Further urges* States to maintain and enhance efforts to promote access to diverse and reliable information on the Internet as one means of facilitating affordable and inclusive education, health, justice and other public services globally, underlining the need to address digital literacy and digital divides;

9. *Encourages* States to address any weaknesses in the way public services are being delivered, including in the areas of health, education and justice, and to increase accessibility to them, including through new information and communications technology;

10. *Also encourages* States to promote an open, secure, stable, accessible and peaceful information and communications technology environment based on respect for international law, including the obligations enshrined in the Charter of the United Nations and international human rights instruments, and to address the risks that misuse of information and communications technology may have for the protection, promotion and enjoyment of human rights and fundamental freedoms;

11. *Further encourages* States to consider developing transparency practices, such as e-procurement, open contracting and spending dashboards, to detect and deter corruption risks in government contracts and purchases;

12. *Welcomes* the commitments made by all States in the 2030 Agenda for Sustainable Development to good governance in the promotion and protection of human rights, including by using strengthened means of technology and embracing their implementation;

13. *Underlines* that the primary responsibility lies with States at the national level, including through their constitutional provisions and other enabling legislation, consistent with their international obligations, to ensure that professional public services uphold the highest standards of efficiency, competence and integrity and are predicated on good governance principles, including impartiality, the rule of law, transparency, accountability, participation, inclusivity and combating corruption, and stresses the importance of human rights training and education in this regard;

14. *Invites* the Secretary-General to ensure the upholding of the integrity of the United Nations system in its service to humanity, and improved coordination between United Nations agencies, programmes and funds, with a view to ensuring that the United Nations system continues to improve the quality of its work at all levels, including in support of objectives and priorities at the national level;

15. *Encourages* the relevant mechanisms of the Human Rights Council to continue to consider, within their respective mandates, the issue of the role of good governance in the promotion and protection of human rights;

16. *Encourages* States to consider developing and implementing appropriate tools or mechanisms to review, measure and assess progress in good governance, including but not limited to the Sustainable Development Goals;

17. *Requests* the High Commissioner:

(a) To organize, before the fifty-fourth session of the Human Rights Council, a full-day panel discussion in a hybrid format and fully accessible to persons with disabilities, including with sign language interpretation and a webcast open to the participants of States, relevant treaty bodies and mandate holders, academia, civil society and relevant stakeholders, on good governance in the promotion and protection of human rights, with a view to discussing the most efficient ways of using good governance to address the human rights impact of the various digital divides;

(b) To liaise with States, relevant United Nations agencies, funds and programmes, the treaty bodies, the special procedures of the Human Rights Council and regional human rights mechanisms, as well as with representatives of civil society, including non-governmental organizations and national human rights institutions, with a view to ensuring their contribution to the above-mentioned panel discussion;

(c) To prepare a report on the panel discussion, to make it available in an accessible format, including an easy-to read version, and to present it to the Human Rights Council at its fifty-fifth session;

18. *Requests* the Secretary-General to provide the above-mentioned panel discussion with all the resources necessary for services and facilities;

19. *Decides* to remain seized of the matter.

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