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

Albania,* Austria,* Bulgaria,* Chile, Costa Rica, Croatia,* Cyprus,* Ecuador,* Estonia,* Finland, Germany, Latvia,* Lithuania, Luxembourg, Mexico, Monaco,* Montenegro, Morocco, Netherlands (Kingdom of the),* North Macedonia,* Norway,* Peru,* Portugal,* Republic of Korea,* Romania, Slovenia,* Spain,* Tunisia* and Ukraine: draft resolution

52/... Human rights, democracy and the rule of law

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action, and taking note with appreciation of the commemoration of their respective anniversaries in 2023,

Reaffirming also the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and other relevant international human rights instruments,

Reaffirming further the United Nations Framework Convention on Climate Change and the Paris Agreement, and the objectives and principles contained therein, and emphasizing that parties should, in all climate change related actions, fully respect, promote and consider their respective obligations with regard to human rights,

Recognizing that climate change and its impact are among the greatest challenges of the day, directly and indirectly affecting the full enjoyment of human rights, that States should, when taking action to address climate change, respect, promote and consider their respective obligations with regard to human rights, to ensure more sustainable and effective climate action, and that the impact of climate change affects individuals and communities around the world, especially in developing countries, in particular small island developing States, least developed countries and landlocked developing countries, and in different ways, owing to factors such as geographical location, economic condition, poverty, gender, age, Indigenous or minority status, where applicable, national or social origin, birth or other status and disability,

Acknowledging that, by adopting the 2030 Agenda for Sustainable Development, States Members of the United Nations have pledged to leave no one behind in the implementation of the Sustainable Development Goals, including, inter alia, Goal 16, to promote peaceful and inclusive societies for sustainable development, provide access to

* State not a member of the Human Rights Council.



justice for all and build effective, accountable and inclusive institutions at all levels, and looking forward to the Summit of the Future, to be held in 2024,

Recalling the Secretary-General's Call to Action for Human Rights, and recognizing that taking a human rights-based approach into consideration contributes to the achievement of the objectives therein,

Recalling also all previous resolutions on democracy and the rule of law adopted by the General Assembly, the Commission on Human Rights and the Human Rights Council, in particular Council resolutions 19/36 of 23 March 2012, 28/14 of 26 March 2015, 34/41 of 24 March 2017, 40/9 of 21 March 2019 and 46/4 of 23 March 2021, in which the Council, inter alia, established the Forum on Human Rights, Democracy and the Rule of Law and decided on the themes of its first four sessions,

Acknowledging that innovation, technological change and education in the digital age is essential for achieving gender equality and the empowerment of all women and girls, and emphasizing that the full, equal and meaningful participation of women in decision-making is critical to democracy,

Inviting States and all stakeholders to advance technology for democracy and to work to ensure that technology is designed, developed and deployed with respect for human rights and fundamental freedoms, and recalling the Guiding Principles on Business and Human Rights,

Acknowledging that human rights, democracy and the rule of law create an environment in which countries can promote sustainable 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, local communities, persons belonging to national or ethnic, religious and linguistic minorities, human rights defenders, civil society, women's and girls' rights organizations, the business and private sectors, the scientific and academic communities and all other interested stakeholders,

Stressing that human rights, democracy and the rule of law are interdependent and mutually reinforcing, and in this regard recalling the report of the Secretary-General on strengthening and coordinating United Nations rule of law activities,¹ in which the Secretary-General addressed the ways and means of developing further the linkages between the rule of law and the three main pillars of the United Nations, namely, peace and security, human rights, and development,

Recognizing the link between human rights, democracy, the rule of law and good governance, and recalling the Human Rights Council resolutions and all other resolutions relevant to the role of good governance in the promotion of human rights,

Convinced that the independence and impartiality of the judiciary, the integrity of the judicial system and an independent legal profession are essential prerequisites for the protection of human rights, the rule of law, good governance and democracy and for ensuring that there is no discrimination in the administration of justice and should therefore be respected in all circumstances,

Recalling 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 or by equivalent free-voting procedures, guaranteeing the free expression of the will of the electors,

Reaffirming that democracy is based on the freely expressed will of people, including through free and fair elections that are transparent and inclusive, 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

¹ A/72/268.

reaffirming further the necessity of due respect for sovereignty, territorial integrity and the right to self-determination,

Bearing in mind that challenges to democracy arise in all democratic societies and that determined and coordinated actions and engagement is required to prevent and combat the trend of democratic backsliding, the deterioration of the respect for human rights and fundamental freedoms, as well as for the rule of law,

Acknowledging that the triple planetary environmental crisis has both direct and indirect implications for humanity, nature and well-being, but also for democratic governance and the effective enjoyment of all human rights, and the need for States to respect, protect and fulfil human rights and to take action consistent with international commitments and obligations when taking urgent and necessary action in this respect,

Recognizing the need for States to formulate and implement effective and sustainable measures, guided by the best available science and technology, to address the challenges and needs of the current and future generations, in particular by fostering more environmentally responsible behaviour, including through education and public awareness-raising, training, public participation, public access to information and international cooperation on these issues,

Acknowledging that responsible, sustainable and ambitious global responses to planetary challenges require the full implementation of respective obligations under relevant multilateral agreements, sustainable policies, democratic mechanisms, decision-making processes that are inclusive of women, girls and groups in vulnerable situations, innovative participatory practices, accountable processes and fully transparent approaches based on the respect for human rights, the rule of law and democratic principles,

Recognizing the need for all stakeholders to be a part of the responses to global crises, to have access to timely and accurate information online and offline and to be involved in decisions that affect them, and acknowledging the importance of an active, inclusive and safe engagement of civil society in policymaking, free from reprisals and acts of intimidation, and of facilitating the private sector's contributions to these responses,

Recalling Human Rights Council resolution 40/11 of 21 March 2019, in which the Council recognized the contribution of human rights defenders, including women and Indigenous human rights defenders, working in environmental matters, referred to as environmental human rights defenders, to the enjoyment of human rights, environmental protection and sustainable development, urging all States to take all measures necessary to ensure the protection of the rights and the safety of all persons, including environmental human rights defenders, and underscoring the responsibility of all business enterprises, transnational and others, consistent with the Guiding Principles on Business and Human Rights, to respect human rights, including the rights to life, liberty and security of person of human rights defenders,

Urging States to acknowledge the important contribution of civil society, human rights defenders, journalists and media workers, to the promotion of human rights, democracy and the rule of law, and to ensure an open, safe and enabling environment for their work, both online and offline,

Calling upon States to promote access to the Internet for all and to encourage digital platforms to secure access to free, independent, reliable and plural information,

Acknowledging the fundamental importance of education and training for human rights in consolidating democracy and contributing to the promotion, protection and effective realization of all human rights and the essential role of youth education and youth engagement with environment-related issues and associated decision-making processes in building inclusive and peaceful societies, while reaffirming the need for States to develop and implement strategies that give young people real opportunities to enable their full, effective and meaningful participation in designing and implementing policies, programmes and initiatives,

Recalling that the exercise of human rights, including the rights to seek, receive and impart information, to participate in the conduct of government and public affairs, including

when participating in environmental decision-making, is vital to the realization of a clean, healthy and sustainable environment, as recognized by the General Assembly, in its resolution 76/300 of 28 July 2022, and the Human Rights Council, in its resolution 48/13 of 8 October 2021, and the importance of providing science-based and evidence-based data and information to the public, while welcoming the Secretary-General's intention to establish a code of conduct for greater integrity of public information,

Underlining that, while States have the primary responsibility for safeguarding and strengthening democracy and the rule of law, the United Nations has a critical role in providing assistance and coordinating international efforts to support States, at their request, in their democratization processes,

Recognizing the value of the Forum on Human Rights, Democracy and the Rule of Law for exchange, dialogue, mutual understanding and cooperation on the interrelationship between human rights, democracy and the rule of law, in accordance with the principles and purposes of the Charter, while acknowledging the importance of existing regional formats in the field of human rights, and underlining the relevance of continuing the debates in this frameworks,

1. *Notes* the holding, in November 2022, of the fourth session of the Forum on Human Rights, Democracy and the Rule of Law, under the theme, "Strengthening democracies to build back better: challenges and opportunities";

2. *Welcomes* the report of the Chair on the fourth session of the Forum on Human Rights, Democracy and the Rule of Law,² and invites States and other stakeholders to consider and implement the relevant recommendations contained therein meant to contribute to the strengthening of the resilience of democratic institutions and processes in view of future global crises;

3. *Encourages* States, with the cooperation of all stakeholders, to promote good governance at all levels and to develop effective, accountable and transparent democratic practices, processes and institutions and participatory and representative decision-making processes inclusive of women, girls and groups in vulnerable situations, while also reaffirming their full commitment to the 2030 Agenda for Sustainable Development;

4. *Decides* that the theme of the fifth session of the Forum, to be held in 2024, will be "Democracy and climate change: focusing on solutions";

5. *Encourages* in this respect an increased exchange of good practices on education, enhanced communication, training, public awareness-raising, public participation, public access to information and international cooperation;

6. *Decides* that participation in the fifth session of the Forum will be in accordance with the modalities set out by the Human Rights Council in its resolutions 28/14, 34/41, 40/9 and 46/4, so that it also includes youth, environmental human rights defenders, Indigenous Peoples and relevant business enterprises and private sector actors;

7. *Encourages* States and all stakeholders to pay particular attention to promoting the broadest possible and most equitable participation in the Forum, with due regard for geographical and gender balance;

8. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to continue to provide the Forum, at its fifth session, with all the necessary services and facilities, including interpretation in all official languages of the United Nations.

² A/HRC/52/72.