

graphs 3 (d) and 5, of the International Covenant on Civil and Political Rights;²⁶

10. *Takes note with interest* of the reply of the Soviet authorities concerning the fate of those Afghan children who are in the Union of Soviet Socialist Republics;¹⁸⁶

11. *Notes improvements* in the treatment of prisoners and urges all the parties to the conflict to conform fully to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977;

12. *Notes with concern* the allegations of atrocities that are still committed against Afghan soldiers, civil servants and captured civilians;

13. *Requests* the Afghan authorities to take the proper steps in order to permit activity by the political opponents, and appeals to all conflicting parties to act likewise;

14. *Appeals* to the Afghan authorities to commute the death sentences imposed on the persons who were allegedly involved in the attempted *coup d'état* of March 1991;

15. *Expresses its concern* at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

16. *Urgently appeals* to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection and clearance, in order to facilitate the return of refugees and displaced persons to their homes in safety and dignity, in conformity with the Agreements on the Settlement of the Situation Relating to Afghanistan;

17. *Urgently appeals* to all Member States and humanitarian organizations to continue to promote the implementation of the projects envisaged by the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

18. *Urges* all parties concerned to undertake all necessary measures to ensure the safety of the personnel of humanitarian organizations involved in the implementation of United Nations humanitarian and economic assistance programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees;

19. *Also urges* all parties concerned to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

20. *Requests* the Secretary-General to give all necessary assistance to the Special Rapporteur;

21. *Decides* to keep under consideration, during its forty-seventh session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

75th plenary meeting
17 December 1991

46/137. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989 and

45/150 of 18 December 1990, as well as Commission on Human Rights resolution 1989/51 of 7 March 1989,³⁶

Having considered the report of the Secretary-General,¹⁸⁷

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights,⁸ which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Noting that the International Covenant on Civil and Political Rights²⁶ provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, 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, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, under the Charter, all States enjoy sovereign equality and that each State, in accordance with the will of its people, has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people and that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right, in accordance with the will of its people, freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States,

Noting with appreciation the advisory services and technical assistance provided by the Centre for Human Rights of the Secretariat as well as the technical assistance provided by the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme to some Member States, including those in transition to democracy, at their request, and inviting those bodies to continue and intensify these efforts as requested,

Noting the electoral assistance provided to Member States at their request by the Organization,

Affirming that electoral verification by the United Nations should remain an exceptional activity of the Organization to be undertaken in well-defined circumstances, primarily in situations with a clear international dimension,

Taking note of the criteria contained in paragraph 79 of

the report of the Secretary-General¹⁸⁸ which ought to be met before the Organization agrees to requests for electoral verification,

1. *Takes note with appreciation* of the report of the Secretary-General;

2. *Underscores* the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

3. *Stresses its conviction* that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

4. *Declares* that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in cooperation with others, as provided in national constitutions and laws;

5. *Underscores* the duty of each Member State, in accordance with the provisions of the Charter of the United Nations, to respect the decisions taken by other States, in accordance with the will of their people, in freely choosing and developing their electoral institutions;

6. *Reaffirms* that apartheid must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. *Affirms* the value of the electoral assistance that the United Nations has provided at the request of some Member States, in the context of full respect for their sovereignty;

8. *Believes* that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

9. *Endorses* the view of the Secretary-General that he should designate a senior official in the Offices of the Secretary-General to act as a focal point, in addition to existing duties and in order to ensure consistency in the handling of requests of Member States organizing elections, who would assist the Secretary-General to coordinate and consider requests for electoral verification and to channel requests for electoral assistance to the appropriate office or programme, to ensure careful consideration of requests for electoral verification, to build on experience gained to develop an institutional memory, to develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes and to maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and the avoidance

of duplication of efforts, and requests the Secretary-General to designate such an official to take on these tasks;

10. *Determines* that the designation of the senior official would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance nor prejudice the operational arrangements for missions that the Organization may decide to undertake;

11. *Requests* the Secretary-General to allocate whenever appropriate, and within existing resources, a small number of staff and other resources to support the designated senior official in carrying out his or her functions;

12. *Commends* the Centre for Human Rights of the Secretariat as well as the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme for the advisory services and technical assistance that they have provided and continue to provide to requesting Member States, and requests that they collaborate closely with the senior official designated by the Secretary-General and inform him or her of the assistance provided and activities undertaken by them in the area of electoral assistance;

13. *Requests* the Secretary-General to notify the competent organ of the United Nations upon receipt of official requests from Member States for electoral verification and, upon the direction of that organ, to provide appropriate assistance;

14. *Also requests* the Secretary-General to establish, in accordance with United Nations financial regulations, a voluntary trust fund for cases where the requesting Member State is unable to finance, in whole or in part, the electoral verification mission and to propose guidelines for disbursements therefrom;

15. *Affirms* the effectiveness of and the need for coordination with intergovernmental organizations, including regional organizations having international electoral assistance experience;

16. *Commends* the efforts of non-governmental organizations that have provided electoral assistance at the request of Member States;

17. *Invites* those Member States which have not responded to the Secretary-General's request, pursuant to paragraph 10 of resolution 45/150, to submit views concerning suitable approaches that will permit the Organization to respond to the requests from Member States for electoral assistance, to do so in order to enable the Secretary-General to include those views in his next report to the General Assembly;

18. *Requests* the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution, on the experience of the Organization in providing electoral assistance to requesting Member States and on recommendations for providing such assistance, on the detailed guidelines and terms of reference being developed for United Nations electoral involvement and on the nature and disposition of the requests from Member States, under the item entitled "Human rights questions".

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