

NEWSLETTER

of the Independent Expert on the promotion of a democratic and equitable international order



Issue No. 1 – December 2018

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It is my pleasure to launch this newsletter as the second UN Independent Expert on the promotion of a democratic and equitable international order. I was appointed by the United Nations Human Rights Council in March 2018, and took up my functions on 1 May.

The aim of this newsletter is to provide an update of my work and various activities as mandate holder, and seek your collaboration on issues of global interest.

I believe that a new world order is possible, one that is based on universal respect for human rights, social justice, rule of law and equitable development. In this regard, the mandate that has been entrusted to me requires a holistic approach, ensuring that all rights are promoted and protected in an environment that gives due recognition to issues of participation, inclusion and transparency.

I look forward to working constructively with a broad cross-section of stakeholders to create a better understanding of the need to promote a democratic and equitable international order. While I am mindful of the politically divisive nature of my mandate, I sincerely hope to be able to collaborate with as many stakeholders as possible.

A biography of the Independent Expert can be found on the link [here](#) below:

<https://www.ohchr.org/EN/Issues/IntOrder/Pages/LivingstoneSewanyana.aspx>

MESSAGE

FROM THE

*UN INDEPENDENT EXPERT ON THE
PROMOTION OF A DEMOCRATIC AND EQUITABLE INTERNATIONAL
ORDER.*



Dr. Livingstone Sewanyana

OVERVIEW OF THE MANDATE

According to Human Rights Council resolution [18/6](#), and subsequent resolutions on the subject, the latest of which is resolution [39/4](#), the Independent Expert is mandated to:

- Identify possible obstacles to the promotion and protection of a democratic and equitable international order, and to submit proposals and/or recommendations to the Human Rights Council on possible actions in that regard;
- Identify best practices in the promotion and protection of a democratic and equitable international order at the local, national, regional and international levels;
- Raise awareness concerning the importance of promoting and protecting of a democratic and equitable international order;
- Work in cooperation with States in order to foster the adoption of measures at the local, national, regional and international levels aimed at the promotion and protection of a democratic and equitable international order;
- Work in close coordination, while avoiding unnecessary duplication, with intergovernmental and nongovernmental organizations, other special procedures of the Human Rights Council, international financial institutions, as well as with other relevant actors representing the broadest possible range of interests and experiences, within their respective mandates, including by attending and following up on relevant international conferences and events;
- Integrate a gender perspective and a disabilities perspective into his or her work;
- Report regularly to the Human Rights Council and the General Assembly in accordance with their respective programmes of work; and
- Support the strengthening and promotion of democracy, development and respect for human rights and fundamental freedoms in the entire world.

VISION AND PRIORITIES OF THE INDEPENDENT EXPERT

In September and October 2018, the Independent Expert presented his first report to the Human Rights Council (A/HRC/39/47) and to the General Assembly (A/73/158), in which he outlined his vision and thematic priorities for the coming years.

A. Forms and Practices of Democracy.

While aware that the notion of democracy has been a subject of intense debate for centuries, and despite the fact that democracy is considered a “universal value”, it is far from being realized globally. The focus of future work in this area will be less on the theoretical construct, but more on the practice of

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Front row, left: Dr. Livingstone Sewanyana, Independent Expert on the promotion of a democratic and equitable international order presents vision-casting report to the Human Rights Council, September 2018.

VISION AND PRIORITIES OF THE INDEPENDENT EXPERT *continued from page 2*

democracy at the national level. There is a growing need to interrogate the existing governance practices across the world and identify obstacles to the growth of democracy and equitable development.

The Independent Expert would also like to engage states and relevant stakeholders on current obstacles to free, fair and inclusive elections, and, where appropriate, identify best practices. He will seek views and expert opinions on electoral systems and procedures and their impact on human rights.

D. Emergence of Global Governance Forums.

In an increasingly interconnected world, it is not only within international organizations that decisions are taken on a multilateral basis. New global spaces besides the United Nations have emerged where international priorities are set. These inter-governmental, multi-sectoral and private groupings, such as the Group of Seven (G7), the Group of 20 (G20), the Group of 77 (G77), the World Economic Forum, the World Social Forum, and the Community of Democracies play a role in developing the framework and function of the international order. As such, it would be worthwhile to study their constitutions and practices, applying the principles of transparency, participation and accountability in order to develop recommendations on strengthening their contributions to democratic governance and human rights impact.

B. Public Participation and Decision Making in Multilateral Institutions.

The Independent Expert strongly believes that the right to take part in the conduct of public affairs is essential to the realization of an international order that is democratic and equitable. This right is not restricted to local affairs, but extends to global institutions such as the United Nations, the World Bank, the International Monetary Fund and the World Trade Organization. He intends to examine how the right to participate in public affairs could be better realized in multi-lateral forums, paying due attention to the issues of gender equality and civil society space, and more importantly, how to make such institutions more responsive and inclusive. Participation in decision-making requires that all stakeholders have the opportunity to influence and share control over-development initiatives and the decisions and resources that affect their lives.

E. Global Economic Challenges.

The Independent Expert recognizes that the regularly evolving global economic system poses challenges for the protection of human rights, impacting negatively in a dis-proportionate manner those whose economic situations were already precarious, such as women, persons with disabilities and older persons. International responses, from austerity measures to classical approaches to international investment, have so far proven insufficient to stem causes and consequences of global economic challenges. Whereas there have been positive developments in the policy of the international financial institutions, there is nevertheless still room to improve participation and representation in multilateral institutions.

Moreover, civil society organizations poised to comment on financial policy have faced obstacles to organizing, technical and capacity limitations or outright intimidation and reprisals. The expert therefore intends to look at how the international community could better respond to these challenges in a way that promotes a world order that is more democratic and equitable.

C. Corruption and Open Government

The Independent Expert is mindful of the adverse effects of this phenomena on the realization of a democratic and equitable international order, and appreciates the substantial work carried out in this area. In this regard, he would like to engage States and other stakeholders on good practices that demonstrate effective private-public partnership, the enforcement of labour rights and environmental protection, as well as the commitment of businesses to non-discrimination and other rights-respecting practices.

Under the principle of “open government”, countries pledge to protect civil society organizations as a means of becoming more transparent, more accountable and more responsive to their own citizens. Recognizing the dangers faced by anti-corruption campaigners, as well as other human rights defenders working in the field of good governance, it would also be important to analyse the connection between repression of civic activity and increased inequity. In this regard, the Independent Expert is interested in gathering information about citizen monitoring and the space given to civil society to participate and contribute to the work of national and international anti-corruption bodies.

F. Youth Facing Fragility, Violence and Opportunity.

The Independent Expert would like to interrogate the nexus between youth, fragility, violence and opportunity. Fragile contexts impede the enjoyment of fundamental human rights by the society and threaten democratic institutions and processes. Youth, in particular, face unique challenges and are especially vulnerable in uncertain environments. Furthermore, limited access to resources, education, training, employment and a lack of economic opportunities constrain youth's prospects, and in some cases may draw youth to resort to violence. Youth are also severely underrepresented in national and international governing bodies, and their space in multilateral settings is particularly limited.

METHODOLOGY

The Independent Expert will adopt several working methods to execute his mandate.

He will undertake **thematic studies**, drawing from the topics discussed above. In the annual reports that he will produce as a result of these thematic studies, he will summarize his findings on particular subjects and provide guidance and recommendations to Member States, intergovernmental agencies, civil society, private sector actors and other stakeholders.

He proposes to convene **expert meetings and consultations**, bringing together participants from Member States, academia, civil society, the private sector and international organizations to interrogate the selected themes further. These consultations will aid him in identifying obstacles or best practices on selected themes. The recommendations arising from such meetings will further inform his regular reports.

The expert also plans to undertake **country visits** to examine obstacles to, and best practices in, the promotion and protection of a democratic and equitable international order in more depth. He intends to make additional requests for visit invitations in order to explore further, within particular country contexts, the themes elaborated above. In anticipation of carrying out country visits, he will develop a methodology applicable to the mandate that defines the scope of inquiry for the visits. During such visits, he plans to hold meetings with a broad range of stakeholders, including government authorities of the countries in question, national human rights institutions, UN agencies, civil society and the private sector.

He is also keen to **participate in international forums** to raise awareness concerning the importance of promoting and protecting a democratic and equitable international order. In such forums, he will seek to contribute to discussions on such an order that may be carried out by national, regional and international institutions and organizations, the private sector, civil society and academia.

Moreover, he would like to examine instances (either specific cases, or trends) where there has been an infringement of a democratic and equitable international order, and raise those instances with Member States and other stakeholders concerned, through the **communications procedure** (see below).

More importantly, he plans to **cooperate with fellow special procedures mandate holders** where there are intersecting interest areas in a particular country, on individual cases of common concern, violations of human rights that implicate democratic principles or equity, or reprisals. He will also seek cooperation with other human rights instruments at the international and regional levels.



Left: Mr. Andrew Gilmour, Assistant Secretary General for Human Rights together with (Right) Dr. Livingstone Sewanyana, at the UN Headquarters in New York.



(Left) Ms. Lauren Melkus, and (Right) Mr. Mark R. Shulman from the New York Bar Association together with (Center) Dr. Livingstone Sewanyana, in New York.

2018 ACTIVITIES

- **4-8 June:** participation in the annual meeting of special procedures, Geneva, Switzerland;
- **6-8 September:** participation in the Network European Citizenship Education 2018 Conference, Marseille, France;
- **10-14 September:** participation in the 39th session of the Human Rights Council, Geneva, Switzerland;
- **15-19 October:** participation in 73rd session of the Third Committee of the General Assembly, New York, USA;
- **19-22 November:** participation in the 2018 induction session of new special procedures mandate holders, Geneva, Switzerland.

While in Geneva and New York, the Independent Expert held consultations with representatives of Permanent Missions and with a broad range of civil society with a view to seeking feedback on his thematic priorities and discussing possible avenues of collaboration.

In Geneva, he first met with the Chairs of the five regional groups at the Human Rights Council (Africa, Asia Pacific, Eastern Europe, Latin American and Caribbean and Western Europe), He later held meetings with members of the five groups. He also had a series of bilateral meetings with Member States in Geneva and New York. In addition, he had exchanges with the Assistant Secretary-General for Human Rights and the Director of the Electoral Assistance Division at the Department of Political Affairs.

MEETINGS WITH VARIOUS GROUPS OF DELEGATES IN GENEVA



Meeting with the Eastern Europe States Group chaired by the Permanent Mission of Georgia to the UN.



Meeting with the African States Group chaired by the Permanent Mission of Togo to the UN.



Meeting with the Western Europe and Other States Group chaired by the Permanent Mission of Denmark to the UN.



Meeting with the Latin America and Caribbean States Group chaired by the Permanent Mission of Mexico to the UN.



Meeting with the Asia-Pacific States Group chaired by the Permanent Mission of Myanmar to the UN.

SUBMITTING COMPLAINTS TO THE INDEPENDENT EXPERT

The Independent Expert can take action on cases of alleged human rights violations and abuses, and other instances, which constitute obstacles to the realization of a democratic and equitable international order.

Upon review of the information received, the Independent Expert sends letters—known as

“communications” – to governments and other stakeholders. In these letters, he presents the allegations, outlines applicable human rights norms and standards, seeks clarification from the relevant authorities, and requests them to ensure that violations are prevented, stopped, and thoroughly investigated, and that remedial action is taken.

The Independent Expert welcomes information from any individual, group of people, civil society organization, national human rights body or intergovernmental entity on threats to, and advances to a democratic and equitable international order. Further information and guidelines for submissions can be found on the link [here](https://www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx)

<https://www.ohchr.org/EN/HRBodies/SP/Pages/Communications.aspx>

HOW TO CONTACT THE INDEPENDENT EXPERT

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