

ULAANBAATAR PLAN OF ACTION

Democracy, Good Governance and Civil Society

12 September 2003

1. We, the governments and representatives of nations around the world gathered at the 5th International Conference of New or Restored Democracies in Ulaanbaatar on 10-12 September 2003, affirm the need to further work towards consolidation of democracy in our countries by building societies that are just and responsible, inclusive and participatory, open and transparent, that respect all human rights and fundamental freedoms of all and ensure accountability and the rule of law.

2. The Plan of Action of the Fifth ICNRD, which is to be presented to the United Nations General Assembly, will guide the work of the President and the Bureau in the years leading to the sixth ICNRD.

3. National Action

3.1 For democratic changes to be meaningful and of benefit to all people, these need to be reflected at the national level. Countries may therefore:

3.1 a Draw up, with the collaboration of citizens and civil society, a national plan for strengthening democracy which is consistent with the spirit of the Declaration agreed at Ulaanbaatar.

3.1 b Prior to the sixth ICNRD, prepare 'country information notes'. The country information notes will outline the prospects of advancing and deepening democracy in the country and the steps that have or still need to be taken to address the principles and recommendations of the ICNRD declaration.

3.1 c Develop their own national democratic indicators' databases to be better able to monitor their progress in democratic and social development over time. It is recommended that the development of own national democratic indicators benefit from the current work done in other multilateral fora. The creation of such a database should be an inclusive and dynamic process with the participation of policy-makers, academics and civil society. The exercise will raise public awareness on issues of democratic governance and provide a broad overview of progress in this area. This process could also be central to national consensus building with the engagement of all stakeholders leading to further national consolidation of democracy.

3.1 d Give special attention to the following areas:

3.2 Participation and representation

3.2 a Ensure that the electoral process guarantees principles of holding free, fair, and periodic elections, based on secret balloting and universal suffrage monitored by independent national election bodies;

3.2 b Emphasise voter education particularly in an effort to improve voter turnout and reduce invalid votes. Ensure that voters have access to independent and sufficient information;

3.2 c Ensure independence of electoral bodies and ensure their constitutional guarantees;

3.2 d Ensure transparent electoral campaign financing;

3.2 e Ensure the freedom of association including the right to form independent political parties to create a pluralistic society;

3.2 f Support the participation of citizens living abroad or overseas and ensure that the election and decision-making process benefits from the largest possible rate of participation within society.

3.2 g Decentralise decision making to the local level, where feasible;

3.2 h Improve democratic institutions at the local level;

3.2 i As appropriate, take immediate steps in publishing all legislation (even financial ones) as white papers and consider inviting comments from citizens and interested parties before these are enacted;

3.2 j Improve the work of parliamentary committees; and

3.2 k The executive and legislature should hold regular consultations with citizens to ensure they are well aware of their needs and thus are able to address them accordingly at the highest levels.

3.3 Sustainable Development and eradication of poverty

3.3 a Develop safety nets, including social welfare systems, for the poor and marginalised in our societies;

3.3 b Ensure provisions of essential services are affordable for the poorest;

3.3 c Address the urban/rural divide by developing plans that address the needs of rural communities;

3.3 d Promote Human Resource Development for achievement of national economic development goals, especially with a view to the unemployed pursuing a productive life in our communities;

3.3 e Promote public participation in environmental decision making;

3.3 f Prioritise the protection of the environment as this has a direct link to the alleviation of poverty;

3.3 g Aggressively pursue the attainment of the Millennium Development Goals.

3.4 Protection of human rights

3.4 a Establish or strengthen independent and impartial human rights commissions in conformity with the Paris Principles, ombudsman offices or similar bodies able to investigate human rights abuses and abuse of power;

3.4 b Harmonize national legislation with international instruments on the promotion and protection of human rights;

3.4 c Consider acceding to all the international human rights instruments, regularly prepare reports on their implementation and submit them for consideration by the appropriate treaty mechanisms and actively cooperate with the United Nations Commission of Human Rights;

3.4 d Support human rights monitoring capacities of NGOs and the media;

3.4 e Develop human rights education programmes for the military, the police, the civil service, as well as the general population. Countries should consider including civic/ democracy/ human rights education in their school curricula, or encourage the appropriate authorities to do so, and if necessary, seek the help of the United Nations System and civil society;

3.4 f Promote and protect equality of all people before the law and their equal protection under the law;

3.4 g Ensure right of equal access to justice and to be protected from arbitrary arrest;

3.4 h Investigate alternative dispute settlement mechanisms;

3.4 i Set up, where absent, independent bar/law associations;

3.4 j Strengthen the independence, impartiality and professionalism of the judiciary;

3.4 k Ensure due process of law and the right to be presumed innocent until proven guilty in a court of law;

3.4 l Ensure guaranteed right to a fair and impartial trial;

3.4 m Ensure that violations of human rights and abuse of power are well investigated and perpetrators brought to justice;

3.4 n Ensure remedies are provided to victims of human rights violations; and

3.4 o Protect those who work towards ensuring that rights and freedoms are fully respected.

3.5 Open and transparent Government

3.5 a Facilitate citizens' access to information ;

3.5 b Make internal and transnational activities and transactions, that are most susceptible to corrupt practices, more transparent and easily accessible for investigation;

3.5 c Provide media education to national officials and civil servants to increase appreciation of the media's role in a democratic society;

3.5 d Facilitate access to government records and other information, within our national legal frameworks, while protecting individuals, organizations and institutions from abuse;

3.5 e Reform any legal instruments that inhibit the media from pursuing their work; and

3.5 f Support programs aimed at improving the professionalism and ethics of journalists in the country and encourage the formation of professional associations of media practitioners.

3.6 Rule of Law and Accountability

3.6 a Ensure that the military remains accountable to the democratically elected civilian government;

3.6 b Strengthen, where necessary, the separation of powers;

3.6 c Strengthen the legal basis of the fight against corruption, including, where possible, speedy negotiation and adoption of the United Nations Convention against Corruption;

3.6 d Become parties to the appropriate UN conventions and protocols to fight international terrorism and promote speediest conclusion to the negotiations on the draft international convention for the suppression of acts of nuclear terrorism and the draft comprehensive convention on international terrorism;

3.6 e Cooperate fully with the Counter-Terrorism Committee (CTC) of the United Nations Security Council to fight terrorism and other international mechanisms to fight transnational crime;

3.6 f Incorporate in legislation and support provisions in international agreements concerning protection of human rights when fighting terrorism;

3.6 g Ensure due process to those who are charged with terrorism, as reflected in international legal documents;

3.6 h Make greater use of the United Nations' and regional mechanisms of peaceful settlement of disputes;

3.6 i Consider recourse to the services of the International Court of Justice and other international and regional dispute settlement institutions; and

3.6 j Incorporate provisions concerning mechanisms of conflict prevention and consensus building in legislation.

4 Regional Action

Strengthening regional collaboration in democratic development by:

4.1 Drawing up a plan of action for the regions through regional inter-governmental organisations with the collaboration of governments and civil society.

4.2 Adopt regional declarations or charters that are more catered to the conditions in the regions and that focus on regional collaboration for the promotion and support of democracy.

4.3 Map out the relationship between the regional organisations and ICNRD and procedures that need to be followed for collaborative efforts.

4.4 Undertake a series of activities to exchange experiences on coping with political, economic and social challenges of globalization and its impact on democratic governance; social responsibility in a globalizing world; rural and urban development and local participation and representation; participation and representation in the design and implementation of environmental and development programs; policy and capacity development required to achieve the MDGs.

4.5 Agree on modes of mutual assistance in the development of democratic institutions; share experiences in the development of a democratic culture; and develop programmes of assistance for countries undergoing democratic transitions;

4.6 Organise regular regional events within the framework of regional organisations or fora to assess progress of countries in the region in their democratic endeavours;

4.7 Undertake a series of regional meetings and workshops with the participation of academia and civil society to discuss the need for governance and democracy assessments, exchange views on assessment methodologies and identify examples of good practice or innovative problem-solving in this area.

4.8 Create regional networks of policy-makers and civil society members to study conflict prevention and consensus-building in democracies and identify successful experiences to share with regional partners.

4.9 Undertake to set up regional networks of practitioners and stakeholders to promote democracy education curricula and share experiences in this area.

4.10 Promote regional dialogue on the promotion and protection of human rights and fundamental freedoms and create or consolidate regional monitoring mechanisms to assess the state of human rights and fundamental freedoms.

4.11 Promote regional dialogue to share experiences on strengthening electoral and political party systems.

4.12 Use information technology tools to create databases of regional treaties, agreements and declarations, and to share resources and experiences in democratic governance.

4.13 Promote development of international cooperation, particularly at the regional level, against corruption.

5 International Action

Recalling with appreciation the United Nations Secretary-General's Report (A/56/499, 23 October 2001) about the UN System's support to governments in order to promote and consolidate new and restored democracies, the Fifth ICNRD recommends that the United Nations General Assembly supports the following actions in support of promoting and supporting democracy:

5.1 Strengthen the Follow-up Mechanism by ensuring that:

5.1 a It is responsible for the follow-up on the implementation of this Plan of Action;

5.1 b The President or Bureau represent ICNRD at international fora when deemed necessary;

5.1 c The President of the Fifth ICNRD establishes, with the assistance of the United Nations, a working group to examine the conclusions of the Fifth Conference and proposals made in background papers submitted to and interventions made at the Fifth Conference with the aim of studying proposals for making the Conference even more effective and efficient and establishing a practical programme of work for future conferences;

5.1 d It coordinates with the International Civil Society Forum follow-up mechanism; and

5.1 e The President or the Bureau is urged to initiate discussions with the Chair of the Community of Democracies to exchange views on ways of bringing closer the two movements, in a complimentary manner.