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**Human Rights Council**

**Forum on Human Rights, Democracy and the Rule of Law**

**Fourth session**

24–25 November 2022

Item 1 of the provisional agenda

**Adoption of the agenda and organization of work**

 Annotated provisional agenda

 Provisional agenda

1. Adoption of the agenda and organization of work.

2. Learning through adversity: mapping pandemic-related democratic erosion.

3. Building blocks of building back: developing stronger institutions and fostering trust in government.

4. All in this together: social cohesion and community-led resilience and response systems.

5. Strengthening safeguards against future crises: inspiring examples to drive change.

 Annotations

 1. Adoption of the agenda and organization of work

The fourth session of the Forum on Human Rights, Democracy and the Rule of Law will be held in a hybrid format, on 24 and 25 November 2022. Pursuant to Human Rights Council resolution 46/4, the theme of the fourth session of the Forum will be “Strengthening democracies to build back better: challenges and opportunities”.

The President of the Human Rights Council will deliver an opening statement, to be followed by statements by the United Nations High Commissioner for Human Rights and the Chair of the Forum.

Panel discussions will be held for each of agenda items 2 to 5 and will cover aspects of the theme of the session.

**Documents for the session will be made available on the web page of the Forum.**[[1]](#footnote-2)

 2. Learning through adversity: mapping pandemic-related democratic erosion

The coronavirus disease (COVID-19) pandemic has had a significant impact on human rights, gender equality, the rule of law and democratic processes and institutions around the world, at times stalling hard-won progress. Although restrictions of human rights, limited access to information, unchecked emergency powers, executive overreach and widening security powers existed before the COVID-19 crisis, the pandemic exacerbated those phenomena. Pandemic-related challenges to human rights, in particular the right to freedom of expression and access to information, both online and offline, the right to freedom of peaceful assembly and of association and the right to participate in public affairs, have had an impact on the proper functioning of democracies.

The Forum will hold a panel discussion on the item, at which participants will share their views on, and experience of, the impact of the pandemic on human rights and civic space, including on the ability of women, young people and members of minority groups to take part in public decision-making.

The pandemic has affected all population groups, especially the most vulnerable, and has had a disproportionate impact on women, whereas the participation of women was needed to design gender-sensitive responses to the crisis. Participants in the panel discussion will consider the ways in which the pandemic and emergency responses affected the human rights of women, exacerbating gender-based inequalities, gender-based violence and the digital divide for women and girls.

The Secretary-General has noted that a free, independent and pluralistic media is a cornerstone of democratic societies.[[2]](#footnote-3) Increasingly, journalists around the world face limits to their ability to operate freely, including intimidation and harassment, both online and offline, surveillance, detention and, in some cases, even death. The COVID-19 pandemic has affected media freedom in various ways, at times increasing interference in the work of journalists, and having a serious impact on human rights, democracy and development. Discussions under the item will be focused on the effect of COVID-19 responses on the ability of the media to gather and evaluate facts and fight disinformation.

In considering the compliance of emergency measures with international human rights law, the discussion will be guided by the rule that such measures must not be discriminatory and must be provided for by law, necessary and proportionate, transparent, time-bound and sensitive to the rights and needs of marginalized groups.

 3. Building blocks of building back: developing stronger institutions and fostering trust in government

During the course of the COVID-19 pandemic, lockdown measures have hindered the social interaction that is essential for community-level participation, while physical closures of judicial and administrative institutions resulted in a weakening of access to justice and to other legal mechanisms. Misinformation, disinformation and uncertainty, combined with loss of livelihoods and rapidly changing policy responses, affected trust in government decisions.

Building back better requires reinvigorating trust in government decisions and institutions. In the report entitled “Our Common Agenda”,[[3]](#footnote-4) the Secretary General took note of the growing disconnect between people and the institutions that served them and of a crisis of trust caused by a loss of shared truth and understanding. He recognized that trust in public institutions was critical for resilient societies and for sustainable development and peace and placed it at the core of the Organization’s response to COVID-19.

In the 2030 Agenda for Sustainable Development, States pledged to develop effective, accountable and transparent institutions, to ensure responsive, inclusive, participatory and representative decision-making at all levels and to guarantee public access to information, in accordance with national legislation and international agreements.

The Forum will hold a panel discussion on the item, at which participants will consider ways to make public institutions more effective, accountable, transparent and inclusive, in particular more diverse and gender-inclusive, in line with Sustainable Development Goal 16, mindful of the fact that stronger institutions are instrumental in increasing public trust, which in turn is essential to recovery from crises.

Discussions will be focused on: specific tools aimed at strengthening democratic institutions, specifically on stronger parliamentary and judiciary oversight, including in terms of diversity and representation; increased access to justice and legal remedies, including online; the recognition of informal justice mechanisms compliant with the rule of law; fostering respect for the principle of separation of powers; and the importance of an independent judiciary. Lessons learned from the COVID-19 pandemic will be used to explore ways to increase public trust and confidence in the public sector, and thereby enhance the legitimacy and public ownership of State decisions.

 4. All in this together: social cohesion and community-led resilience and response systems

The United Nations comprehensive response to COVID-19 includes promoting social cohesion and investing in community-led resilience and response systems as a key step for an effective response for transformative and sustainable recovery.[[4]](#footnote-5) The Forum will hold a panel discussion on the item, focusing on specific tools and measures aimed at strengthening social cohesion and inclusion to contribute to peaceful and just societies and to leave no one behind.

Establishing social cohesion is impossible without meaningful social dialogue and increased levels of political engagement.[[5]](#footnote-6) Discussions will cover ways of establishing or strengthening inclusive social dialogue mechanisms, to promote a whole-of-society, gender-inclusive approach to recovering better, enhancing resilience to future shocks and ensuring democracy-building using bottom-up principles empowering local organizations and supporting local governments.

A vibrant civil society, a free media and an engaged academia are important elements of an effective recovery. Civic space in all its diversity is a key element in building trust, amplifying the voices of those not heard and developing social cohesion. Participants in the panel discussion will discuss ways to ensure the inclusive and diverse participation of civil society in decision-making, create a protective environment for civil society and introduce strategies aimed at empowering civil society and fostering genuine and vibrant debate leading to stronger horizontal and vertical societal ties.[[6]](#footnote-7)

In the report entitled “Our Common Agenda”, the Secretary General called for a renewal of the social contract between Governments and their people, and within societies, in order to tackle the widening socioeconomic disparities resulting from the pandemic, which distort economic justice and threaten social and political stability. Participants in the panel discussion will consider the elements of the new social contract between Governments, people, civil society, businesses and other actors, anchored in human rights and focusing on equal opportunities for all.

 5. Strengthening safeguards against future crises: inspiring examples to drive change

Post-pandemic policies and strategies should utilize the crisis as an opportunity to achieve the socioeconomic transformations that are necessary to ensure a more sustainable and resilient future and better preparedness for future crises.[[7]](#footnote-8) A “back to normal” approach is not enough, and the post-pandemic environment provides an opportunity to be guided by the principle of building back better[[8]](#footnote-9) by avoiding disproportionate and unnecessary restrictions of public freedoms, online and offline, threats to privacy, the curtailment of free speech, the overreach of emergency powers and heavy-handed security responses that undermine democracy. Recovering better requires making an additional effort to address inequalities and discrimination, ensuring participation for all, putting into place a new social contract, transforming economies and building global responses.[[9]](#footnote-10)

The Forum will hold a panel discussion on the item, focusing on specific tools, best practices and new initiatives that are aimed at strengthening democratic safeguards, while improving preparedness for future crises.

The Secretary-General identified digital transformation as one of the seismic shifts that would shape the twenty-first century.[[10]](#footnote-11) Accelerated by the COVID-19 pandemic, digital transformation could facilitate a leap forward in democratic development, engagement and accountability, but it could also widen existing inequalities even further. During the pandemic, many channels for public participation and access to information rapidly moved online, excluding those segments of the population who had limited or no Internet access; the offline population is disproportionately poor, rural, older and female.[[11]](#footnote-12) Participants in the panel discussion will assess the benefits and the risks for democracies of accelerated digital transformation and discuss best practices that are compliant with international human rights standards.

The COVID-19 pandemic triggered the worst economic fallout since the worldwide economic depression of 1929.[[12]](#footnote-13) The pandemic and the procedures put into place to protect people from the virus led to a downward spiral, ultimately pushing an estimated 115 million additional people into extreme poverty in 2020.[[13]](#footnote-14) One of the lessons learned from the crisis is that, in order to strengthen the resilience of societies against shocks, more must be done to fulfil the right to social security and to strengthen social protection systems. Recognizing the direct relevance of social policies for democracy, the panel discussion will be focused on specific tools and measures to enhance social protection systems, strengthen democratic institutions and increase public confidence in government and democracy itself.

Annex

 Organization of work of the fourth session of the Forum on Human Rights, Democracy and the Rule of Law

| Thursday, 24 November 2022 |
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| 10 a.m. to 1 p.m. | **Adoption of the agenda and organization of work (item 1)**Opening of the sessionWelcome and opening remarks by the President of the Human Rights CouncilRemarks by the United Nations High Commissioner for Human RightsRemarks by the Chair of the Forum **Learning through adversity: mapping pandemic-related democratic erosion (item 2)**Panel discussion |
| 3 p.m. to 6 p.m. | **Building blocks of building back: developing stronger institutions and fostering trust in government (item 3)**Panel discussion |
| Friday, 25 November 2022 |
| 10 a.m. to 1 p.m. | **All in this together: social cohesion and community-led resilience and response systems (item 4)**Panel discussion |
| 3 p.m. to 6 p.m. | **Strengthening safeguards against future crises: inspiring examples to drive change (item 5)**Panel discussionConcluding remarks by the Chair of the Forum |

1. www.ohchr.org/democracyforum. [↑](#footnote-ref-2)
2. Video message of 9 September 2022 by the Secretary-General on the occasion of the International Day of Democracy, available at https://media.un.org/en/asset/k1g/k1grmfrax1. [↑](#footnote-ref-3)
3. [A/75/982](http://undocs.org/en/A/75/982). [↑](#footnote-ref-4)
4. See https://unsdg.un.org/sites/default/files/2021-12/un-comprehensive-response-covid-19-2021.pdf. [↑](#footnote-ref-5)
5. United Nations Development Programme, “Strengthening social cohesion: conceptual framing and programming implications”, February 2020. [↑](#footnote-ref-6)
6. See [A/HRC/51/13](http://undocs.org/en/A/HRC/51/13). [↑](#footnote-ref-7)
7. United Nations Sustainable Development Group, “United Nations framework for the immediate socioeconomic response to COVID-19”, April 2020. [↑](#footnote-ref-8)
8. United Nations Sustainable Development Group, “Shared responsibility, global solidarity: responding to the socioeconomic impacts of COVID-19”, March 2020. [↑](#footnote-ref-9)
9. See [A/HRC/46/19](http://undocs.org/en/A/HRC/46/19). [↑](#footnote-ref-10)
10. Nelson Mandela Lecture, delivered by the Secretary-General on 18 July 2020, on the theme “Tackling the inequality pandemic: a new social contract for a new era”. [↑](#footnote-ref-11)
11. See [A/HRC/35/9](http://undocs.org/en/A/HRC/35/9). [↑](#footnote-ref-12)
12. Office of the United Nations High Commissioner for Human Rights, “Social protection must be strengthened before the next crisis”, 29 July 2021. [↑](#footnote-ref-13)
13. See [A/HRC/47/36](http://undocs.org/en/A/HRC/47/36). [↑](#footnote-ref-14)