



Human Rights Advocates

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The Right to Vote: A Basic Human Right in Need of Protection

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THE RIGHT TO VOTE

I. Introduction

Human Rights Advocates (“HRA”) seeks to ensure that the right to vote is guaranteed to all citizens as mandated by international law. The right to vote is a basic human right that empowers citizens to influence governmental decision-making and to safeguard their other human rights. Free and fair elections help to prevent war and bloodshed by allowing for peaceful transfers of power. By the same token, the derogation of voting rights may provoke violence and civil unrest. Despite consensus on the importance of the right to vote, its inclusion in many international human rights instruments, and its significance in protecting other human rights, derogations of voting rights remain widespread.

This paper begins by outlining the legal basis of the right to vote.* Next, it examines derogations of the right to universal and equal suffrage and derogations of the right to vote through fraud and intimidation. Then, it explores election administration procedures, as well as the new challenges that electronic voting systems pose to the right to vote. Finally, HRA offers recommendations and urges the Council to appoint a Special Rapporteur to investigate derogations of the right to vote and to define meaningful parameters for commitments, principles, and best practices for protecting the right to vote. Attached to this report is a proposed resolution for establishing such a mandate.

II. Legal Basis

The right to vote and the right to public participation in government is asserted in Article 21 of the Universal Declaration of Human Rights (“UDHR”). It provides that:

* HRA has submitted several reports to the Commission on Human Rights and to the Human Rights Council concerning the right to vote. The HRA report from 2007 on the right to vote is available at <http://daccess-ods.un.org/TMP/2428683.html>

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; 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.¹

Article 25 of the International Covenant on Civil and Political Rights (“ICCPR”) codifies these rights, requiring that:

- Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:
- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
 - (b) 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;
 - (c) To have access, on general terms of equality, to public service in his country.²

Furthermore, the right to vote is protected under several regional human rights instruments, including Article 13 of the African Commission on Human and People’s Rights (“ACHPR”), Article 23 of the American Convention on Human Rights (“ACHR”), and Protocol One of the European Convention on Human Rights (“ECHR”).

III. Universal and Equal Suffrage

Article 25 of the ICCPR explicitly extends the right to vote to “every citizen,” and calls for “universal and equal suffrage.”³ To further define the right to vote, the Human Rights Committee adopted General Comment 25 to the ICCPR. It explains that, “[a]rticle 25 of the Covenant recognizes and protects the right of every citizen to take part in the conduct of public affairs, the right to vote and to be elected and the right to have access to public service.”⁴ Furthermore, General Comment 25 to the ICCPR emphasizes that “no distinctions are permitted

¹ G.A. Res. 217A(III), U.N. Doc. A/810 (1948) [hereinafter UDHR].

² Dec. 16, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR].

³ Dec. 16, 1966, 999 U.N.T.S. 171.

⁴ HRC General Comment 25, para. 1, U.N. Doc. CCPR/C/21/Rev.1/Add.7 (1996).

between citizens in the enjoyment of these rights on the grounds of race, colour, sex, . . . or other status.”⁵ Nevertheless, in some countries, certain citizens are denied their voting rights as a matter of law, based on a past criminal conviction, based on their gender, or based on their race or ethnicity.

A. Disenfranchisement Based on Criminal Conviction

Article 25 of the ICCPR requires that “every citizen” be given the right to vote. General Comment 25 to the ICCPR clarifies that “[i]f conviction for an offence is a basis for suspending the right to vote, the period of such suspension should be proportionate to the offence and the sentence.”⁶

In the United States, many citizens are denied their voting rights because of a prior conviction. In *Richardson v. Ramirez*, the U.S. Supreme Court rejected a challenge to California’s disenfranchisement of convicted prisoners, ruling that the American Constitution’s 14th Amendment does not require states to provide a compelling reason before denying convicted individuals the right to vote.⁷ In fact, in some U.S. states, ex-offenders who have fully served their sentences remain barred from voting for the rest of their lives.⁸ Such a restriction is excessive and disproportionate to the offense, and it undermines the right to vote mandated by the ICCPR.

In contrast, many countries have denounced such disenfranchisement and have explicitly recognized the importance of preserving their citizens’ voting rights after a conviction. The

⁵ HRC General Comment 25, para. 3, U.N. Doc. CCPR/C/21/Rev.1/Add.7 (1996).

⁶ Paragraph 14 of the Human Rights Committee’s General Comment 25 provides that restriction on the right should be proportionate to the offense and sentence. HRC Gen. Comment 25, U.N. doc. CCPR/C/21/Rev.1/Add.7 (1996).

⁷ *Richardson v. Ramirez*, 418 U.S. 24 (1974).

⁸ Marc Mauer and Tushar Kansal, *Barred for Life: Voting Rights Restoration in Permanent Disenfranchisement States*, The Sentencing Project 1 (2005).

European Court of Human Rights has found that the restriction of voting rights of all convicted prisoners violates Article 3 of Protocol No. 1 of the ECHR.⁹

In this regard, South Africa should be commended for its efforts to facilitate and encourage convicted citizens to vote even while they are in prison. South Africa has maintained that the disenfranchisement of prisoners is a violation of South African law and international law, and that the State has a positive obligation to enable its prisoners to vote.¹⁰ In *August v. Electoral Commission*, in 1999, the Constitutional Court confirmed that the unqualified right for every citizen to vote imposes positive obligations upon the government to make reasonable arrangements for prisoners to vote.¹¹ Then, in 2004, in *Minister of Home Affairs v. NICRO*, the Constitutional Court reaffirmed its holding in *August*. It ruled that depriving the right to vote from prisoners who are serving a sentence without the option of paying a fine instead is not acceptable without a compelling justification.¹² Efforts are currently being made to help prisoners to register and to exercise their right to vote in the South African general elections that are scheduled to take place later this year.¹³

B. Disenfranchisement Based on Gender

Article 7 of the Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”) protects the right of women to vote on an equal basis with men. In particular, Article 7 of CEDAW provides that “State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in

⁹ *Hirst v. United Kingdom*, no. 74025/01, ECHR (2005), available at <http://www.echr.coe.int>

¹⁰ *Minister of Home Affairs v. NICRO*, 2004 (5) SA 1 (CC), available at <http://www.sentencingproject.org/pdfs/southafrica-decision.pdf>.

¹¹ *August v. Electoral Commission*, 1999 (3) SA 1 (CC) (S.Afr.).

¹² *Minister of Home Affairs v. NICRO*, 2004 (5) SA 1 (CC), available at <http://www.sentencingproject.org/pdfs/southafrica-decision.pdf>.

¹³ Civil Society Prison Reform Initiative. *Prisoner Participation in the 2009 General Elections*. Community Law Centre, University of the Western Cape, January 26, 2009. <http://www.communitylawcentre.org.za/recent-news/prisoner-participation-in-the-2009-general-elections>

particular, shall ensure to women, on equal terms with men, the right ... [t]o vote in all elections.”¹⁴ However, even in some countries that have ratified CEDAW, women face considerable obstacles to meaningful participation in elections as voters and as candidates.

In 2005, Saudi Arabia conducted its first nationwide municipal elections. This was an extraordinary development in a State where all citizens, both men and women, had previously been denied the right to vote. However, Saudi women were excluded from participating in this election. In 2000, Saudi Arabia had ratified CEDAW without reservations to Article 7, so by denying Saudi women the right to vote, Saudi Arabia had failed to meet their international human rights obligations. Furthermore, the exclusion of women voters violated Saudi electoral laws, which provided that all citizens were to be eligible to vote, and not just men.¹⁵

At the time, the Saudi interior minister simply said, “I do not think that women’s participation is possible.”¹⁶ The Saudi election officials justified denying women’s voting rights because of administrative difficulties. These officials maintained that there were not enough women electoral staff to run women-only voter registration centers and that many Saudi women did not have the required photo identification cards.¹⁷ Then again, the head of the Election Committee also indicated that, before they allowed women to exercise their right to vote, they intended to conduct “studies to assess whether [the women’s vote] is useful or not.”¹⁸

¹⁴ Convention on the Elimination of All Forms of Discrimination Against Women, Dec. 18, 1979, 1249 U.N.T.S. 13 [hereinafter CEDAW].

¹⁵ *Saudi Arabia: Women’s Exclusion from Elections Undermines Progress*, Amnesty International, Nov. 17, 2004. <http://news.amnesty.org/index/ENGMDE230152004>

¹⁶ *Saudi Women Barred From Voting*, BBC NEWS, Oct. 11, 2004, http://news.bbc.co.uk/2/hi/middle_east/3734420.stm.

¹⁷ *Saudi Women Barred From Voting*, BBC NEWS, Oct. 11, 2004, http://news.bbc.co.uk/2/hi/middle_east/3734420.stm.

¹⁸ *Saudi Arabia: Women’s Exclusion from Elections Undermines Progress*, Amnesty International, Nov. 17, 2004. <http://news.amnesty.org/index/ENGMDE230152004>.

Nevertheless, Saudi authorities agreed to allow women to vote in the next municipal elections to be held in 2009.¹⁹ HRA commends Saudi Arabia for making this commitment to uphold its obligations under CEDAW and looks forward to seeing Saudi women exercise their right to vote this year.

C. Disenfranchisement Based on Race

Article 5 of the international Convention on the Elimination of All Forms of Racial Discrimination (“CERD”) requires States “to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, ... [p]olitical rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage.”²⁰ Paragraph 3 of the General Comment to the ICCPR also emphasizes that under ICCPR Article 25, “every citizen” is guaranteed the right to vote, and that “no distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”²¹

There has been a long history of disenfranchisement based on race in some parts of the United States. The Voting Rights Act is a landmark in U.S. civil rights legislation that was passed in 1965. Ever since then, it has helped to prevent discriminatory voting practices aimed at disenfranchising African Americans. Section 5, the heart of the Voting Rights Act, requires certain jurisdictions to demonstrate that new voting rules do not have the purpose or effect of discriminating against minority voters.²²

¹⁹ *How Democratic is the Middle East?*, BBC NEWS, Sept. 9, 2005, http://news.bbc.co.uk/2/hi/middle_east/3784765.stm#saudi.

²⁰ Dec. 21, 1965, 660 U.N.T.S. 195, Art. 5 [hereinafter CERD]

²¹ HRA General Comment 25, para 14, U.N. Doc. CCPR/C/21/Rev.1/Add.7 (1996).

²² 42 U.S.C. § 1973-1973aa-6

Despite the protections it has provided minority voters, Section 5 is now being challenged as unconstitutional by a municipal utility district in Texas, and the U.S. Supreme Court is expected to hear arguments on whether to strike it down. Although discrimination against minority voters in the United States may not be as blatant as it once was, minority voters are still targeted by partisan operatives and still face unfair obstacles to voting at the polls. For example, district borders are drawn to prevent minorities from winning elections, polling places are located in difficult places for minority voters to get to, and stringent voter identification requirements are created to suppress the minority vote.²³ If Section 5 is repealed, it would likely facilitate an increase in systematic and deliberate attempts to reduce minorities' abilities to vote, which would undermine article 5 of CERD.

IV. Fraud and Intimidation

In order to conduct a free and fair election, it is imperative to ensure the safety of each of the candidates and their supporters. In Zimbabwe's presidential runoff election this past year, intimidation and violence were used to derogate the right to vote. Although Mr. Tsvangirai won the first round of elections against President Mugabe, the close vote forced a second round of balloting. However, Mr. Mugabe used security forces to carry out a brutal crackdown on supporters of Mr. Tsvangirai, compelling Mr. Tsvangirai to withdraw from the run-off election. Consequently, Mugabe was able to claim victory in an uncontested election. Although President Mugabe has now agreed to allow Mr. Tsvangirai limited authority over some economic and social ministries, the population have lost their right to a meaningful count of their votes.²⁴

²³ *Upholding the Voting Rights Act*, N.Y. Times, January 24, 2009, <http://www.nytimes.com/2009/01/25/opinion/25sun1.html>

²⁴ Sarah Childress, *Mugabe, Rivals to Rule Zimbabwe*, The Wall Street Journal, January 31, 2009. <http://online.wsj.com/article/SB123332129713033159.html>.

At times, the derogation of voting rights by fraudulent means may provoke violent civil unrest. In the recent presidential election in Kenya, the Election Commission obstructed independent election observers and allegedly manipulated the vote count.²⁵ Frustration at how the election was conducted led to an eruption of violence between the competing groups, which degenerated into ethnic violence and police crackdowns that left more than one thousand people dead.²⁶ In fact, a UN Special Rapporteur recently indicted Kenya's security forces for post-election, extrajudicial killings, and has called for the resignation of Kenya's Attorney General and Police Commissioner.²⁷ In addition to all of the killings, there were reports of widespread human rights abuses and several hundred thousand people were displaced from their homes due to the violence.²⁸ Kenya's election highlights the importance of ensuring the legitimacy of elections and protecting the right to vote.

V. Election Administration

Independent and impartial election administration is critical to the right to vote. The elections this past year in Ghana and in the United States highlight certain practices that help to facilitate effective election administration and free and fair elections. These elections also illustrate various election administration problems.

Ghana's elections this year were by and large free, transparent, and nonviolent, and represent a striking example for other countries. In particular, Ghana's Electoral Commission was impartial, effective, and thorough. It organized widespread voter education efforts, it

²⁵ Shashank Bengali, *How Kenya's Election Was Rigged*, McClatchy Newspapers, January 31, 2008, <http://www.truthout.org/article/how-kenyas-election-was-rigged-0>

²⁶ Mike McIntire and Jeffrey Gettleman, *A Chaotic Kenya Vote and a Secret U.S. Exit Poll*, N.Y. Times, January 30, 2009, http://www.nytimes.com/2009/01/31/world/africa/31kenya.html?_r=1&ref=world

²⁷ *Statement by UN Special Rapporteur on Extrajudicial, Arbitrary or Summary Executions - Mission to Kenya 16-25 February 2009*, United Nations Human Rights Council, February 25, 2009. <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-7PLP3R?OpenDocument>

²⁸ *World Report 2008: Kenya*, Human Rights Watch, available at <http://hrw.org/englishwr2k8/docs/2008/01/31/kenya17756.htm>.

ensured that polling officials were trained for the first round of voting and retrained for the second round, and it put in place effective fraud prevention measures like dipping the forefinger of voters in indelible ink to prevent multiple voting.²⁹ Indeed, the Electoral Commission even reran the vote in one district, just to make sure the close election results were accurate.³⁰

Transparency was ensured by allowing party agents of both candidates a high degree of access and public observation at the polling stations.³¹ Moreover, a host of independent institutions deployed thousands of non-partisan observers to monitor the elections.³² In fact, The Coalition of Domestic Election Observers (CODEO) conducted a parallel vote tabulation to verify the accuracy of the official results.³³

The two leading parties were evenly matched, and oil had recently been discovered off the coast of Ghana, so this was a highly competitive election. There were several reports of intimidation and attacks at polling stations, but security forces at the polling stations and the presidential candidates themselves helped to mitigate the violence.³⁴ The two leading candidates, Mr. Akufo-Addo and Mr. Mills, were gracious and made explicit efforts to urge their supporters to maintain the peace.³⁵ Indeed, Mr Akufo-Addo quickly conceded defeat after Mr. Mill's narrow victory was declared, and the outgoing president, John Kufuor, who belongs to Mr. Akufo-Addo's party, was also willing to accept the defeat and step down. Ultimately, the

²⁹ Julie Benz-Pottie, *Carter Center Finds Ghana's Presidential Run-off Elections Credible and Peaceful*, The Carter Center, December 30, 2008. http://www.cartercenter.org/news/pr/ghana_prelim_123008.html

³⁰ *A Damned Close-Run Thing-And a Fine Example to the Rest of Africa*, The Economist, January 8, 2009. http://www.economist.com/world/mideast-africa/displaystory.cfm?story_id=12898793

³¹ Julie Benz-Pottie, *Carter Center Finds Ghana's Presidential Run-off Elections Credible and Peaceful*, The Carter Center, December 30, 2008. http://www.cartercenter.org/news/pr/ghana_prelim_123008.html

³² Julie Benz-Pottie, *Carter Center Finds Ghana's Presidential Run-off Elections Credible and Peaceful*, The Carter Center, December 30, 2008. http://www.cartercenter.org/news/pr/ghana_prelim_123008.html

³³ Theodore Dzeble, *Codeo to Deploy Approximately 4,000 Observers and Conduct PVT for Presidential Runoff Election*, CODEO, December 27, 2008. <http://www.codeogh.org/?p=121>

³⁴ *A Damned Close-Run Thing-And a Fine Example to the Rest of Africa*, The Economist, January 8, 2009. http://www.economist.com/world/mideast-africa/displaystory.cfm?story_id=12898793

³⁵ *Ghana Gets It Right*. Courier-Journal, January 13, 2009. <http://www.courier-journal.com/article/20090113/OPINION01/901130351>

effective administration of this election has allowed for a peaceful transfer of power, enabling Ghana to better serve its citizens' interests and avoid being consumed by civil strife.

The U.S. presidential elections in 2008 also reveal important issues concerning election administration. Because Barack Obama won by such a considerable margin, voting irregularities received much less media attention than in previous years. Nevertheless, the 2008 presidential election faced many of the same election administration problems that arose in the 2000 and the 2004 U.S. presidential elections. In particular, there were reports of fraudulent registration practices, misinformation campaigns intended to discourage voting, shortages in voting materials and long lines in allegedly targeted districts, and problems with provisional votes.³⁶

Furthermore, in *Crawford v. Marion County Election Board*, the U.S. Supreme Court recently upheld mandatory photo identification laws.³⁷ Citizen advocate groups argue that such laws have a disproportionate and discriminatory impact on poor, elderly, minority and/or disabled citizens.³⁸ Passports are expensive, those who don't own cars don't need a driver's license, and in order to obtain a state-issued identification card, the person must present his or her birth certificate. In effect, these people are more likely to be disenfranchised because they not have a passport, a driver's license, or a state issued identification card, and because it is more difficult for them to obtain one. In fact, Judge Evans, writing for the dissent in the Seventh Circuit decision, stated that this law was a "not-too-thinly-veiled attempt to discourage election-day turnout by certain folks believed to skew Democratic."³⁹

³⁶ Ben Adler. *Ballot Boxed: Just because Obama Won a Landslide Doesn't Mean Our Voting System Has Been Fixed*. The New Republic, December 4, 2008. <http://www.tnr.com/politics/story.html?id=66c8b907-3673-4366-a68c-a1d4a75b7b49>

³⁷ 553 U.S. ___, 128 S. Ct. 1610 (2008).

³⁸ Brief for the Lawyers' Committee for Civil Rights Under Law, et al. as Amici Curiae Supporting Petitioners, *Crawford v. Marion County Election Board*, No. 07-21 at 15 (U.S. argued Jan. 9, 2008).

³⁹ *Crawford v. Marion County Election Board*, 472 F.3d 955 (7th Cir. 2007).

After this ruling, it is likely that other states will now pass similar laws that may pose unreasonable barriers to voting for many poor and minority citizens. Rather than imposing laws that will decrease voter turnout, states should work towards increasing voter turnout in order to strengthen fundamental voting rights. Relatively simple reforms such as universal registration laws, a deceptive-practices bill, and accommodating voter identification laws might go far to strengthen voting rights in the United States.

VI. Electronic Voting

Electronic voting machines used in the United States are often unreliable and insecure, and pose new challenges to conducting fair and transparent elections. There have been complaints that electronic voting systems have failed during U.S. elections by losing votes, registering votes for one candidate when the voter was trying to vote for another candidate, counting votes twice, failing to print “zero tapes” as they are supposed to, reporting more votes than voters, or reporting significantly fewer votes than voters, etc.⁴⁰

The software of these electronic voting systems is confidential; it is not even disclosed to the election officials who purchase the machines.⁴¹ Furthermore, many of these machines provide no paper record of the votes, so there is no way to ensure that the computer records are being accurately tallied. To make matters worse, electronic voting machines can be easily hacked into in as little as seven minutes, and the vote count can be manipulated without leaving any sort of trace.⁴²

⁴⁰ Voter Action, *Pennsylvania State Supreme Court Allows Voting Rights Case to Proceed*, December 19, 2008. http://www.votetrustusa.org/index.php?option=com_content&task=view&id=3000&Itemid=113

⁴¹ Joseph Hall, *Contractual Barriers to Transparency in Electronic Voting*, April 22, 2007. http://josephhall.org/papers/jhall_evt07.pdf

⁴² Associated Press, *Report: NJ Voting Machines Easily Hacked*, CBS3, October 17, 2008. <http://cbs3.com/local/new.jersey.elections.2.842765.html>

Research consistently stresses the new and serious threats that these systems pose to the right to vote.⁴³ Growing concerns, over these electronic voting machines have led to several lawsuits in the U.S. and have prompted a growing number of states to ban their use. In fact, now over thirty states, including large states such as California, New York, Illinois, and Ohio, require electronic voting machines to produce a voter-verified paper trail.⁴⁴ Electronic voting machines should not be used anywhere until these problems have been resolved. In particular, effective standards must be developed to include some form of verifiable paper records for manual auditing.

VII. Recommendations

HRA urges all nations to take necessary legislative measures to comply with all relevant international instruments mandating the protection of the right to vote, including the UDHR, ICCPR, CERD, CEDAW, ACHR, ACHPR, and ECHR.

HRA urges the Council to appoint a Special Rapporteur to investigate derogations of the right to vote. HRA also urges the Council to include in the mandate a study of election-related norms, in order to define meaningful parameters for commitments, principles, and best practices for protecting the right to vote.

⁴³ Andrew Appel, et. al., *Insecurities and Inaccuracies of the Sequoia AVC Advantage 9.00H DRE Voting Machine*, October 17, 2008. <http://citp.princeton.edu/voting/advantage/>

⁴⁴ *Mandatory Manual Audits of Voter-Verified Paper Records*, Verified Voting. <http://www.verifiedvoting.org/>



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Reaffirming article 21, as well as other relevant provisions of the Universal Declaration of Human Rights,

Recalling article 25 of the International Covenant on Civil and Political Rights, as well as General Comment 25 of the Human Rights Committee,

Recalling article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling article 7 of the Convention on the Elimination of All Forms of Discrimination against Women,

Recalling that the World Conference on Human Rights reaffirmed the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues,

Affirming that the right to vote at fair, free, transparent, and accountable periodic elections by universal and equal suffrage and by secret ballot is a prerequisite for progress in setting up a lasting order of peace, security, justice, and cooperation, and is the basis of the authority and legitimacy of all government,

Recognizing the need to establish meaningful parameters of election-related norms, commitments, principles, and good practices, in light of the derogation of the right to vote both by operation of law and fraudulent means,

1. *Urges* all States:

(a) To give full effect to the right to vote and to take all necessary legislative measures to prohibit discrimination and any distinction in the right to vote on the basis of race, colour, descent, national, ethnic or social origin, gender, language, religion, political or other opinion, property, disability, or other status which has the purpose or effect of nullifying or impairing equal and universal suffrage;

(b) To guarantee a person the right to vote once he or she reaches the age of majority;

(c) To recognize that the need to provide more effective representation for women, national minorities, persons with disabilities, or other groups, may justify measures to provide them enhanced voting rights;

(d) Not to suspend or withdraw a person's right to vote except for reasons of legal incapacity (e.g., based on mental incapacity) or conviction for a serious criminal offence. Suspension or withdrawal of a person's right to vote shall be objective and reasonable, based on judicial action, and in the case of criminal conviction, proportionate to the nature of the offence and the sentence, and limited in time;

(e) To accomplish the registration of voters in an accurate, timely, and transparent manner, and to give individuals effective opportunity to understand their rights, check the accuracy of their registration, and ensure that errors are corrected;

(f) To guarantee that votes are cast by secret ballot

(g) To implement procedures that safeguards the integrity of ballots and other sensitive election materials before, during and after the vote;

(h) To ensure that all voting is conducted in a secure, orderly, personal, and secret manner at regular polling places, as well as in other special locations;

(i) To implement procedures to ensure the unbiased administration of polling places and counting of ballots and ensuring that officials administering such polling places are non-partisan and selected through a uniform, transparent and competitive process.

(j) To ensure a calm and orderly atmosphere within all polling places and to the extent possible, in the immediate vicinity, such that voters are not subjected to any form of harassment, intimidation, or coercive influence;

(k) To ensure that, inside the polling place, there is no display of party symbols, photographs of officials affiliated with a particular party, or political paraphernalia of any sort or broadcasting of news or other programming with political relevance;

(l) To ensure that all voting is personal, except when a voter who is not able to cast a ballot requires personal assistance in order to do so, and the assistance is provided by someone of the voter's own choosing or by another person chosen in a neutral manner, who shall be obligated to respect the secrecy of the vote;

(m) To ensure absolute secrecy of voting in all aspects of operations at the polling place including with respect to the issuance of ballot papers, arrangement and number of voting booths or screens, and casting of ballots;

(n) To ensure that votes are reported honestly with the official results made public;

(o) To ensure that any new technology such as electronic voting is safeguarded with appropriate security measures and paper trails essential to maintaining the integrity of the vote;

(p) To ensure that the media reports on elections objectively and reasonably towards all candidates without state interference and ensure that voters receive all information possible to enable them to vote effectively;

(q) To ensure the safety and security of all candidates;

2. *Decides* to establish a Special Rapporteur on the right to vote to investigate cases of derogation of voting rights in a manner inconsistent with the relevant international standards set forth in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, or in the relevant international legal instruments accepted by the States concerned, who may commence by authorizing a study on meaningful parameters of election-related norms, commitments, principles, good practices, and the interrelationship with other rights

3. *Decides* to continue its consideration of this question at its thirteenth session under the relevant agenda item.