

**Forum:** GA6 Legal Committee

**Issue:** Protecting the Integrity of Democratic Elections

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## Introduction

Democratic elections are a cornerstone of modern governance, allowing citizens to choose their representatives and hold governments accountable. They are recognized internationally as a fundamental human right, calling for genuine, periodic elections with universal and equal suffrage.

Despite this, the integrity of elections is increasingly under threat worldwide. Instances of ballot manipulation, voter suppression, disinformation campaigns, and cyberattacks have undermined public trust in democratic processes. Advances in technology, while making elections more efficient, have also created vulnerabilities—from hacking electronic voting systems to spreading fake news on social media that sways voter behaviour.

If left unaddressed, these threats risk destabilizing governments, sparking political unrest, and eroding the rule of law. Protecting the integrity of democratic elections is therefore not only a national concern but an urgent international legal priority, critical to maintaining peace, stability, and the legitimacy of governance systems worldwide.

## Definition of Key Terms

### Democratic Elections

Elections held periodically and based on universal and equal suffrage, allowing all eligible citizens to vote and stand for office. Defined by Article 21 of the Universal Declaration of Human Rights and Article 25 of the International Covenant on Civil and Political Rights (ICCPR) as a fundamental right.

### Electoral Integrity

The compliance of an electoral process with international obligations and domestic laws, including transparency, impartiality, inclusiveness, and fairness at every stage of the election cycle.

### Voter Suppression

Policies or actions designed to prevent or discourage certain groups of eligible voters from participating in elections, including restrictive voter ID laws, disenfranchisement, or targeted intimidation.

### Rule of Law

The principle that all individuals, institutions and governments are accountable to laws that are publicly promulgated, equally enforced, and independently adjudicated—key to ensuring that election results are respected and disputes are resolved legally.

### Foreign Interference

Actions by foreign governments, entities, or individuals designed to influence or manipulate another state's electoral process, either directly (through cyberattacks, hacking voter databases) or indirectly (through funding campaigns, spreading propaganda, or disinformation).

## Sovereignty

The right of states, as guaranteed by Article 2(1) of the UN Charter, to conduct their internal affairs—including the administration of elections—free from external interference, provided they comply with international obligations under treaties such as the ICCPR.

## Election Observation

Election observation involves independent or governmental authorities monitoring elections to ensure they are free, fair, and transparent. Emphasizing impartiality and neutrality, as outlined in the Declaration of Principles for International Election Observation (2005) and OHCHR guidance, it strengthens public trust, accountability, and the overall integrity of democratic processes.

## Electoral Management Body

An Electoral Management Body is an independent or governmental authority responsible for organizing and administering elections, including voter registration, ballot management, and counting of votes. Its impartiality and independence, highlighted in the Declaration of Principles (2005) and OHCHR guidance, are essential for safeguarding election integrity and maintaining public confidence in democratic outcomes.

## Disinformation and Misinformation

False or misleading information that distorts voter perception, referenced in GA Resolution 76/227 (2021) on Countering Disinformation, which calls on member states to promote media literacy and combat information manipulation that undermines democratic processes.

## Background Information

### International Legal Basis for Democratic Elections

The right to participate in free and fair elections is firmly established in international law as a cornerstone of democratic governance. Article 21(3) of the Universal Declaration of Human Rights (UDHR) states that “the will of the people shall be the basis of the authority of government” and must be expressed in “genuine periodic elections.” Similarly, Article 25 of the International Covenant on Civil and Political Rights (ICCPR), a legally binding treaty ratified by over 170 countries, requires that states ensure the right to vote and be elected at genuine periodic elections, conducted by secret ballot and guaranteeing the free expression of the will of the electors. The UN Charter (Article 1) also commits the international community to promoting self-determination and human rights, which includes safeguarding democratic processes. These provisions collectively establish that electoral integrity is not merely a political aspiration but a legal duty of states under international law.

## Threats to Electoral Integrity

Despite these obligations, the integrity of elections faces serious threats worldwide. Electoral fraud, including ballot box stuffing, vote-buying, and falsification of results, continues to undermine democratic legitimacy, as seen in several contested elections in recent decades. Voter suppression tactics such as disenfranchisement of minority groups, restrictive voter ID laws, and intimidation at polling stations prevent full participation, violating the principle of universal suffrage under ICCPR Article 25(a). Cybersecurity threats and foreign interference have also emerged as major concerns, with cyberattacks on election infrastructure and coordinated disinformation campaigns undermining both sovereignty and public trust. In addition, weak or politically controlled electoral management bodies often lack independence, leading to biased administration and disputed results, as seen in the 2007 Kenyan elections that triggered widespread violence.

## Consequences of Compromised Elections

Compromised elections carry significant consequences for international peace and security. When electoral results are viewed as illegitimate, citizens may lose trust in democratic institutions, leading to mass protests, boycotts, and in some cases, violent conflict. In Côte d'Ivoire (2010–2011), international intervention succeeded: the UN, African Union, and ECOWAS applied diplomatic pressure and limited military support, ultimately enabling the recognition of the legitimate winner and helping restore stability. In contrast, the Belarusian presidential elections in 2020 illustrate failure of international intervention: despite widespread condemnation, sanctions, and monitoring efforts by the EU and other bodies, the Lukashenko regime retained power, and the post-election unrest persisted without resolution, highlighting the limits of external influence in entrenched authoritarian systems.

## Major Countries and Organisations Involved

### United States of America

The United States strongly advocates for free and fair elections worldwide, frequently linking electoral integrity to the promotion of democracy and rule of law. It has passed domestic legislation such as the Foreign Agents Registration Act (FARA) and the Countering Foreign Propaganda and Disinformation Act to address external interference. The U.S. Department of State provides funding for election observation missions and technical assistance through the National Democratic Institute (NDI) and International Republican Institute (IRI). Internationally, the U.S. often supports General Assembly and Security Council resolutions condemning election-related violence or interference, though it is sensitive to accusations of interfering in other countries' internal affairs.

### Russian Federation

Russia frequently emphasizes the principle of state sovereignty, invoking Article 2(7) of the UN Charter to argue that electoral processes are an internal matter of states. Russian officials often criticize Western election observation missions as politically biased and claim that “promoting democracy” is used as a pretext for interference in domestic politics. However, Russia has been accused of sponsoring disinformation campaigns and cyberattacks targeting

elections in the United States, France, and other nations, allegations which it has denied. Russia generally opposes UN resolutions perceived to enable external monitoring of domestic electoral processes.

### People's Republic of China

China maintains that each state has the sovereign right to determine its own political and electoral system and warns against imposing “foreign models of democracy.” The Chinese government views international electoral observation with suspicion, framing it as interference in internal affairs. Beijing supports UN capacity-building programs for developing states but stresses that assistance should be provided only at the host country's request and in full respect of national sovereignty.

### European Union (EU)

The European Union is one of the strongest promoters of electoral integrity, funding observation missions through the European External Action Service (EEAS) and supporting the Declaration of Principles for International Election Observation (2005). The EU has enacted laws such as the Digital Services Act to combat online disinformation and strengthen cybersecurity for elections. Member states frequently co-sponsor General Assembly resolutions on democracy and human rights, emphasizing transparency, media freedom, and the independence of electoral management bodies.

## Relevant Treaties and Statutes

### Universal Declaration of Human Rights (UDHR, 1948)

Article 21 of the UDHR establishes the right of every citizen to take part in the government of their country, directly or through freely chosen representatives. It also guarantees periodic and genuine elections by universal and equal suffrage, held by secret vote or equivalent free voting procedures.

### International Covenant on Civil and Political Rights (ICCPR, 1966)

Article 25 of the ICCPR legally obliges state parties to ensure citizens' rights to participate in public affairs, vote, and be elected in genuine periodic elections held by secret ballot and guaranteeing the free expression of the will of the electors. The **Human Rights Committee's General Comment No. 25** further interprets these obligations, emphasizing that states must protect the integrity of electoral processes and remove discriminatory restrictions.

### UN General Assembly Resolution 46/137 (1991)

This resolution formally established the **United Nations Electoral Assistance Division (EAD)** and provides the legal basis for the UN's involvement in electoral assistance, observation, and capacity-building when requested by member states.

### Declaration of Principles for International Election Observation (2005)

Endorsed by the UN and over 40 intergovernmental and non-governmental organizations, this declaration sets standards for impartial, independent, and credible election

observation. It highlights international best practices for election monitoring missions and promotes transparency and accountability.

## Viable Solutions

Protecting the integrity of democratic elections requires a multifaceted approach that combines legal reform, institutional strengthening, international cooperation, and technological safeguards. A key component is the strengthening of electoral management bodies (EMBs) to ensure they operate independently, transparently, and without political bias, in accordance with ICCPR Article 25, UDHR Article 21, and regional instruments such as the African Charter on Democracy, Elections and Governance (2007). Well-resourced and impartial EMBs can oversee voter registration, manage election logistics, and adjudicate disputes, thereby reducing the risk of electoral fraud and enhancing public confidence. Complementing this, the invitation of impartial international observers and technical assistance through the UN Electoral Assistance Division (EAD), as well as regional organizations including the African Union, OSCE, and OAS, can provide legal guidance, logistical support, and monitoring of compliance with democratic standards, ensuring elections are genuinely free and fair.

Legal frameworks at the national level should explicitly criminalize electoral fraud, manipulation, voter suppression, and intimidation, while guaranteeing universal suffrage and the right to participate in public affairs, aligning domestic law with ICCPR Article 25 and UDHR Article 21. In addition, the rise of cyber threats and digital disinformation campaigns necessitates robust cybersecurity measures to protect voting infrastructure, voter databases, and communication networks, guided by the Budapest Convention on Cybercrime (2001) and GA Resolution 73/27 (2018), alongside the promotion of civic education and media literacy programs to help citizens critically evaluate information and resist manipulation, without infringing ICCPR Article 19 on freedom of expression.

Moreover, regional and international legal cooperation can facilitate information-sharing, coordinated investigations into cross-border electoral interference, and the establishment of sanctions for violations, balancing the principles of state sovereignty under UN Charter Article 2(7) with the international community's obligation to uphold democratic governance. These measures, when implemented together, create a comprehensive framework that addresses both the structural and emerging technological challenges facing elections, ensures accountability of both domestic and foreign actors, and ultimately fosters public trust in democratic institutions while safeguarding the universal right of citizens to participate freely and fairly in the governance of their countries.

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