



International Service for Human Rights

ISHR Fact Sheet: the UN General Assembly

1. The General Assembly

The General Assembly (GA) is one of the UN's principal organs, and according to the UN Charter, the 'chief deliberative, policy-making and representative organ of the United Nations.' It comprises all 192 member states and serves as a forum for intergovernmental discussion and negotiation on all of the international issues covered by the UN Charter. It also plays a significant role in the process of standard-setting and the codification of international law.

Role and functions

According to the UN Charter, the GA can amongst other things:

- Discuss any question relating to international peace and security and, except where a dispute or situation is currently being discussed by the Security Council, make recommendations on it;
- Discuss, with the same exception, and make recommendations [in the form of GA resolutions] on any questions affecting the powers / functions of any organ of the UN;
- Initiate studies and make recommendations to promote the development and codification of international law and the realization of human rights;
- Make recommendations for the peaceful settlement of any situation that might impair friendly relations among nations;
- Receive and consider reports from the Security Council and other UN organs;
- Consider and approve the UN budget;
- Elect the ten non-permanent members of the Security Council and the members of other UN organs (eg Human Rights Council), and
- On the recommendation of the Security Council, appoint the Secretary-General.

The GA can only make **non-binding recommendations to States** on international issues within its competence. Nonetheless, it has initiated actions which have affected the lives of millions of people throughout the world, such as the adoption of the Millennium Development Goals in

2000, and the 2005 World Summit Outcome Document. Further, given the universal membership of the GA, its resolutions are generally regarded as indicative of customary international law.

Note: **internal resolutions may be binding** on the operation of the GA itself, for example those dealing with budgetary and procedural matters.

1.1 The key segments of the GA session

The GA meets in the Great Hall of UN Headquarters in New York, and this is referred to as the **GA plenary**. When the GA commences its annual session in September, the first couple of weeks are set aside for **high-level meetings** on particular themes (in the 63rd session: Africa's Development Needs and progress on the Millennium Development Goals) and the **general debate** (where States can discuss any matters covered by the mandate of the GA). These initial meetings are attended by Heads of State, Ministers, Ambassadors etc and are subject to intense security arrangements. It is very difficult even for UN accredited NGOs to access these meetings in person, although they are usually webcast. At the close of the general debate, the GA begins consideration of the substantive items on its agenda.

Because of the breadth of the GA's mandate, it delegates much of its work to its **six main committees**, which meet from October through to December, negotiating draft resolutions and decisions. These draft documents are brought back to the GA plenary (usually in December) for consideration and sometimes further debate, prior to adoption by either consensus or (where they are more controversial), a vote in the plenary. See ISHR Fact Sheet: *The Main Committees of the GA* for more detail.

The GA plenary and some of its Committees (such as the Fifth Committee dealing with budget matters) continue to meet, negotiate and make decisions from January through to the end of the session in early September. This is discussed later in the Fact Sheet.

Annexure 1 contains an overview of the complete agenda of the 63rd session of the GA.

2. Voting in the GA

Each of the 192 member states in the GA has one vote. Voting on designated 'important issues' (such as recommendations on peace and security, the election of Security Council members, and budgetary matters) requires a two-thirds majority of member states. Otherwise most other questions are decided by simple majority (50% of all votes plus one), or adopted without a vote.

In recent years, a special effort has been made to achieve consensus on issues, rather than deciding by a formal vote. A notable exception to this trend towards consensus decision-making in the human rights field are the country-specific resolutions (e.g. Iran and Myanmar), which are generally subject to a vote.

2.1 The politics of the GA

In 1945, the UN had 51 members. It now has 192, of which more than two-thirds are developing countries. Because of their numbers, regional groups of States (eg the African Group) or political groupings (such as the Non-Aligned Movement [NAM] and G77) are often able to influence the character of debates and the voting patterns of the plenary and the six main committees. For many developing countries, the UN is the source of much of their diplomatic influence and the principal outlet for their foreign relations initiatives.

2.2 The five regional groups

All but two of the UN's current member states have arranged themselves into the following regional groups:

1. African Group - 53 members
2. Asian Group - 53 members (Asia Pacific, including much of the Middle East)
3. Eastern European Group - 23 members
4. GRULAC - 33 members (Latin America and the Caribbean)
5. WEOG - 28 members (Western European and Others – EU [plus Turkey], Australia, Canada, New Zealand, Israel [subject to renewal every four years]).

One exception is Kiribati (geographically in Asia), which does not participate in any regional grouping within the UN. The other special case is the US, which is not a member of any group but attends meetings of the WEOG as an observer and is considered a member of this group for electoral purposes.

2.3 Political groupings

The four most powerful and influential political groupings operating at the UN are:

- **Organization of the Islamic Conference (OIC)** which was established in 1969 to strengthen solidarity and cooperation among its membership, and now includes 57 Islamic States which span four continents (29 percent of the GA). It describes itself as 'the collective voice of the Muslim world ...espousing all causes close to the hearts of over 1.5 billion Muslims.' Its Charter contains a pledge in 'support of the struggle of the people of Palestine, to help them regain their rights and liberate their land' and as a result, OIC members are strong critics of Israel. Uganda currently represents the OIC at UNHQ. Uganda is the Coordinator of the OIC Group in New York Group during this year's Third Committee.
- **Non-Aligned Movement (NAM)** was founded in 1961 to ensure 'the national independence, sovereignty, territorial integrity and security of non-aligned countries' in their 'struggle against imperialism, colonialism, neo-colonialism, racism, Zionism, and all forms of foreign aggression, occupation, domination, interference or hegemony as well as against great power and bloc politics.' Very much a product of the Cold War, its members sought to distance themselves from the US and the Soviet Union. In reality, most NAM members were sympathetic, if not aligned, with the Soviet Union.¹ With the end of the Cold War, NAM (particularly Iran, North Korea, Sudan, Venezuela, and current NAM Chair, Cuba) has rallied its members around opposition to US foreign policy. Its current membership stands at about 118 States (61 percent of the GA).

¹ Brett D. Schaefer, *Who leads the United Nations?*, Heritage Lecture Series No. 1054, The Heritage Foundation, 4 December 2007, available at <http://www.heritage.org/Research/internationalorganizations/hl1054.cfm>

- **Group of 77 (G-77)** was established in 1964 by 77 developing countries. Its aim is to coordinate, articulate, and promote the economic interests of developing countries by leveraging their 'joint negotiating capacity on all major international economic issues within the United Nations system.' Its current membership stands at 130 States (67 percent of the GA). Like the OIC, the G-77 offers resolutions and decisions in the GA, its committees, and various U.N. bodies and specialized agencies. The G77 will be represented by Antigua Barbuda during this year's Third Committee.

Over the course of 2008 in the GA, the G77 and NAM have increasingly begun to operate as a single block, which they refer to as the **JCC** (Joint Coordinating Committee of the G77 and NAM). When they do so, their combined membership is sufficient to pass resolutions in the GA. It remains to be seen whether they will continue this alliance in the Third Committee, or operate as two separate blocs.

- The **European Union (EU)** is an international organization that coordinates cooperation among member states on issues such as human rights, trade, development and security. It includes 25 UN member states. In the Third Committee, the EU historically has addressed country specific issues, and undertaken efforts with regard to the abolition of the death penalty. It works on the implementation of human rights standards, and is active across a number of Committee thematic issues, including women's rights, children's rights, rights of peoples with disabilities.

3. The President of the GA – role and functions

The President presides over the official four-month agenda of the GA's regular session, and he/she also oversees any remaining issues to be dealt with in the remainder of the session (January-September). The term of office is one year, beginning at the opening of the session and running until the end of the session. As a matter of practice (but not formal rule), the President may not be a national of any of the Permanent Five members of the Security Council.

The powers of the President are set out in the *Rules of Procedure of the General Assembly* (Rules 35-37). The President does not vote on GA decisions but has control over all other aspects of the discussions including time limitations for speakers, closure of the list of speakers, suspension and adjournment of debate, and ruling on points of order. In addition to these formal duties the President also has an informal facilitative role to play by consulting bilaterally with delegations to assess differences in position, propose solutions, and build consensus for proposals.

During its first decades, the GA President's role was mostly part-time and honorific. However, in the past several years the Presidency has become a full-time position, requiring great expertise, the highest diplomatic skills, and sufficient staff and resources to fulfil these responsibilities. Unfortunately, the GA has not updated its procedures for selecting the President, in line with its evolving role. No formal criteria or candidate profile for the President exists in the Charter or the GA's Rules of Procedure.

Recent GA presidents have overseen discussion and some progress on complex and contentious UN reform issues, including:

- enlargement of the Security Council *
- review of mandate holders throughout the UN system*
- management and oversight reforms*
- system-wide coherence*
- preparing for and presiding over the 2005 Summit,
- the establishment of the new Human Rights Council and Peacebuilding Commission,
- formal election of the Secretary-General.

The time required to debate and foster consensus on these matters means that a majority of the most important issues are not finished in the regular session and must be addressed by the GA throughout the remaining months of the year (January – September). As a result those reform initiatives listed above with an asterix are on-going.

3.1 Selection of the President – background to the political process

The President of the GA follows an unwritten system of regional rotation. Each year one of the regional groups nominates an individual, who is then elected by the entire GA membership about three months before the new session. If action is taken by a vote, election would require a simple majority of member states. The regional rotation since 1963 has been: GRULAC; African Group; WEOG; Asian Group; Eastern Europe Group.

Candidatures for the next several sessions are:

- 64th GA (2009): The **Libyan** Mission to the UN has confirmed that Ali Abdessalam Triki, the Secretary for African Union Affairs and Special Advisor to Libyan Head of State Muammar Qaddafi, is the African Group's endorsed candidate for the position.
- 65th GA (2010): **Belgium** has announced it will present a candidate for WEOG.
- 66th GA (2011): **Nepal** and **Qatar** announced their candidacies for the Asian Group.

3.2 The President of the 63rd session

4 June, 2008: The GA formalized the election of d'Escoto Brockmann of Nicaragua as President of the GA's 63rd Session. Endorsed by GRULAC, whose turn it was to put forward the nominee for President, Mr. d'Escoto was the only candidate. The outgoing President, Srgjan Kerim of Macedonia (Eastern European Group), did not take a vote or ask for comments but announced that he was declaring Mr. d'Escoto **elected by acclamation**.

D'Escoto, a former foreign minister of Nicaragua, a harsh critic of the USA and once ordained as a Catholic Priest, will take over the presidency when the 63rd Session opens: 16 Sept, 2008.

Miguel d'Escoto Brockmann - Biography highlights: A controversial figure in international politics since the 1980s, d'Escoto Brockmann served as Foreign Minister in the Sandanista Government that ruled Nicaragua from 1979 to 1990, during which time it battled a US-backed Contra insurgency. He has leveled harsh criticism at U.S. policy in Latin America, successfully taking the US to the ICJ in the Hague for arming Contra rebels. In 2004 he told a U.S. news program that former President Ronald Reagan was "the butcher of my people" and called President George W. Bush Reagan's "spiritual heir".

More recently, d'Escoto Brockmann voiced support for a 2007 referendum in Venezuela that would have removed the constitutional term limits on Hugo Chavez's presidency (the referendum was defeated). D'Escoto Brockmann is also an ordained Catholic priest, although he was suspended by the Pope as a result of his political activities. He was active in the Liberation Theology movement. In February 2007 he was appointed special adviser on foreign policy to the current President Daniel Ortega.

3.3 Highlights of d'Escoto's Acceptance Speech

- The President elect called for unity based on the principle of sovereign equality.
- Spoke of the need to democratize the UN.
- Cited UNESCO's constitution, which says that peace is based on moral solidarity, not only on political and economic arrangements of governments.
- Lamented individualism, hunger and poverty, while wasting so much money on "luxury items, superfluous things, and ... wars." Mentioned selfishness as the cause of many problems, including climate change.
- Noted that signing the UN Charter meant obligations for all, not some.
- Referred to "some member states" whose behavior has caused the loss of the UN's credibility, preventing it from ending war and eradicating poverty.
- Spoke of reconciliation and overcoming memories of the past. Said he believes in the revitalizing power of love. The better world we all yearn for is possible. "I firmly believe in the revitalizing power of love, and that an alternative and better world that each and every one of us yearns for is possible."
- He planned to support President Kerim's Working Group on Revitalization of the GA and to carry on the long efforts to strengthen the GA's functioning and efficacy, towards reaffirming the leadership role assigned to it in the Charter.
- He said his presidency would devote priority attention to the fight against **hunger and poverty**, climate change, terrorism, **human rights**, disarmament and nuclear control, **cultural diversity, the rights of women and children**, and the protection of biodiversity, among other important issues on the UN's agenda.

3.4 Highlights of D'Escoto's Inaugural Speech to the GA

- The overarching theme of his speech was '**democratisation of the UN**', so that the 'voices of a few' do not overwhelm the views of the majority.

- He began the speech with a video emphasizing that we are all ‘brothers and sisters and stewards of Mother Earth ...with love we can construct a just and non-violent world’. He later reiterated language from the video: we have turned into arrogant land lords believing that we have absolute rights over what has been entrusted to our care.
- ‘The GA has been relegated to relative insignificance in recent years. ...The logic of selfishness has at times crippled the ability of the GA to fulfil its mandate under the Charter ...and can only lead to death and the extinction of our species. ...it must be replaced by the logic of love, inclusiveness and solidarity ...this is the principal endeavour of this Presidency.
- The UN must be restored as the indispensable organisation for achieving peace and security, the right to life and development.
- To eradicate extreme poverty and hunger, we need to address the inequity between countries – governments must address the market distortions caused by the agricultural subsidies of developed countries, the impact of speculation in futures markets on food security, the impact of climate change and biofuels on food production, and the problematic development model pushed on developing countries by the IMF and WB.
- Action needs to be taken to address the increasing power of the Security Council and the Bretton Woods Institutions (WB and IMF), the growing tendency to deprive the GA of any real power, and the marginalization of ECOSOC to a peripheral body.
- To facilitate democratization within the UN, the GA will hold **three high level segments over five days**. The objective of these segments will be decentralize the power that is concentrated in the hands of a few and reallocate it to the GA.
 - i. **Coordination of Bretton Woods Institutions and other IFIs with ECOSOC and the GA.** The Bretton Woods Institutions are basically controlled by the US and Europe and used as instruments of domination. They have only made poverty worse. Although they are not strictly UN bodies, they are specialised agencies referred to in the Charter. They need to be brought into a relationship with the UN on terms defined by agreement with ECOSOC and the GA.
 - ii. **Revitalization and empowerment of the GA.** Transfer to the GA the power wrongly accumulated in the SC, Bretton Woods Institutions and the UN bureaucracy. For example, when 95% of UN member states do not support the US embargo on Cuba – how can their views be so casually ignored, what use is the GA?? *All resolutions of the GA must be made binding.*
 - iii. **Reform of the Security Council.** Serious breaches of the peace and threats to international peace and security are being perpetrated by some members of the Security Council that seem unable to break what appears to be an addiction to war. In the case of some of those members, the veto privilege seems to have gone to their heads and has confused them to the point of making them think they are entitled to do as they please without consequences.

Other major themes of the 63rd session, which are also related to the lack of democracy within the UN are: climate change, water, terrorism and human rights; and nuclear disarmament.

Annexure 1

The GA's agenda for the 63rd session

Annexure 1 contains a summary of the main topic areas covered by the provisional agenda of the 63rd session of the GA. It indicates the broad scope of issues it covers, and to what extent it deals with human rights matters.

The full provisional agenda of the 63rd session is contained in UN doc A/63/150, available at http://www.un.org/ga/search/view_doc.asp?symbol=A/63/251

Introductory elements: Agenda items 1-8, which includes the election of office bearers and the general debate.

A. Maintenance of international peace and security

Agenda items 9 – 39. Includes the adoption of the report of the Security Council and the Peacebuilding Commission, as well as a broad range of thematic and country-specific issues ranging from ‘the role of diamonds in fuelling conflict’ to the human rights situation in Haiti.

B. Promotion of sustained economic growth and sustainable development in accordance with the relevant resolutions of the General Assembly and recent United Nations conferences

Agenda items 40 – 56. Includes the adoption of the report of the Economic and Social Council (ECOSOC), a broad range of social development topics (sustainable development, globalization, eradication of poverty, advancement of women), and follow up on UN conferences such as the 2002 International Conference on Financing for Development.

C. Development of Africa

Agenda item 57, which focuses on New Partnership for Africa's Development (NEPAD): progress in implementation and international support.

D. Promotion of human rights

58. Report of the Human Rights Council

59. Holocaust remembrance

60. Promotion and protection of the rights of children:

(a) Promotion and protection of the rights of children (resolutions 44/25 and 62/141);

(b) Follow-up to the outcome of the special session on children (decision 62/535).

61. Indigenous issues:

(a) Indigenous issues (decision 62/535);

(b) Second International Decade of the World's Indigenous People (decision 62/535).

62. Elimination of racism and racial discrimination:

(a) Elimination of racism, racial discrimination, xenophobia and related intolerance;

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

63. Right of peoples to self-determination.

64. Promotion and protection of human rights:

(a) Implementation of human rights instruments;

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms;

(c) Human rights situations and reports of special rapporteurs and representatives representatives;

(d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action;

(e) Convention on the Rights of Persons with Disabilities.

E. Effective coordination of humanitarian assistance efforts

Agenda item 65. Focuses on strengthening coordination of humanitarian and disaster relief assistance of the United Nations.

F. Promotion of justice and international law

Agenda items 66 - 79. Includes the report of the International Criminal Court, the ICJ and the Special Tribunals for Rwanda and the Former Yugoslavia, as well as the law of the sea and strengthening the rule of law internationally.

G. Disarmament

Agenda items 80 - 96. Includes the report of the IAEA and a host of initiatives to contain the use of nuclear weapons, the spread of small arms and the use of personnel mines.

H. Drug control, crime prevention and combating international terrorism in all its forms and manifestations

Agenda items 97 - 99, which are self-explanatory.

I. Organizational, administrative and other matters

Agenda items 100 - 153. This is a 'catch-all' for a range of issues that don't fit under existing agenda items, including: the S-G's report on the UN, UN elections to its main bodies and their Committees, follow-up to the outcome of the 2005 Millennium Summit, revitalization of the work of the GA, the question of increasing in membership of the Security Council, and a host of budgetary and auditing matters, such as financing UN Missions.