

[Alert | GA 73rd Session Agenda for Third Committee](#)

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The General Assembly's Third Committee is now in session. Below is our outline of expected relevant reports, resolutions and events relating to human rights defenders and UN system strengthening. ISHR presents this alert as a way for civil society organisations to stay engaged in Third Committee activities so as to further their contributions to human rights initiatives worldwide.



With the UN Human Rights Council in Geneva [wrapping up](#) its final session of the year last week, the baton on human rights passes to New York. This week, the UN General Assembly's principal human rights committee - the Third Committee - kicks off its deliberations. This is a key moment in the year for UN member States to take action in support of the respect of human rights globally, through the negotiation and adoption of resolutions focused on thematic or country concerns.

This year's Third Committee - part of the 73rd session of the UN General Assembly - starts today, Tuesday 2 October, running six weeks through to 21 November 2018. This year, the Committee will be chaired by Ambassador Mahmoud Saikal of Afghanistan.

Over 50 Special Rapporteurs, independent experts, chairs of working groups and treaty bodies will present findings and recommendations to the Committee, and engage in interactive dialogues with member States. These reports and exchanges should inform the focus and shape of negotiated resolutions.

The Committee will consider over 60 resolutions, this year focusing on a range of issues from extrajudicial, summary or arbitrary executions, to the rights of indigenous peoples, and the human rights situation in Syria. Once adopted, resolutions will pass to the UN General Assembly plenary for confirmation in early December.

While opportunities for civil society to interact with the Third Committee are more limited than those available at the Human Rights Council, NGOs can attend formal sessions, follow them on [UN Web TV](#) and engage informally with individual member States. For more on the Third Committee see [here](#).

ISHR will be working to see the inclusion of positive references to human rights defenders and civil society space, in Third Committee resolutions. We will be monitoring the Third Committee closely, as well as the General Assembly plenary meetings, and reporting on key developments. Follow us on Facebook, Twitter and Instagram at [@ISHRglobal](#) and at [#UNGA73](#) for the latest updates.

Don't miss ISHR's events

ISHR will be hosting two side events during the Third Committee session.

The first event will be about [implementing commitments on human rights defenders](#), and it will be held on **Tuesday 23 October at 1:15 p.m-2.45pm**. The location of the event is to be confirmed. See [here](#) for updates.

ISHR's second event will focus on [treaty bodies and the importance of ensuring transparent elections](#). ISHR aims to facilitate dialogue about ways to improve treaty bodies and election processes moving forward. Time and date for this event to be confirmed. See [here](#) for updates.



UN Experts: Reports and dialogues

The UN Special Procedures - independent experts, Special Rapporteurs and working groups - will, in large part, report to the Third Committee and hold a 'dialogue' with member States. Several of the reports this year speak to a concern about the fate of civil society globally, and underline the critical importance of the work of human rights defenders.

Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

- Robust, independent institutions and an active civil society are essential to ensuring States effectively prevent and address torture and ill-treatment. In his report ([A/73/207](#)), Special Rapporteur Nils Melzer underlines the point by noting, "[\(a\) safe environment for civil society organizations and human rights defenders contributes decisively to protecting human rights and, specifically, preventing torture and ill-treatment.](#)" Specific steps needed to prevent and address torture and ill-treatment include bringing legislation into line with international law and establishing preventative safeguards and independent, well funded human rights infrastructures within the State. A presentation of the report and an interactive dialogue will be held on 15 October 2018.

Special Rapporteur on the right to freedom of peaceful assembly and of association - The Special Rapporteur's report on the right to freedom of peaceful assembly and of association ([A/73/279](#)) is orientated

around the 2030 Agenda which sets out means to end discrimination, inequality and exclusivity surrounding participation in human rights initiatives. Clément Nyaletsossi Voulé notes that successful implementation of the Agenda can only be achieved as long as there are safe spaces for civil society to be heard and only if the environment ["respects the fundamental freedoms to peaceful assembly, association, expression and the protection of human rights defenders."](#) The Special Rapporteur will present his report and hold an interactive dialogue with the Third Committee on 16 October 2018.

Working Group on the issue on human rights and transnational corporations and other business enterprises - The report of the Working Group on the issue of human rights and transnational corporations and other business enterprises ([A/73/163](#)) hones in on State and corporate action to fulfil the requirement businesses have to exercise human rights due diligence in their operations. The Group foregrounds the importance of creating 'platforms for national dialogue' involving ['affected communities and workers, human rights defenders, civil society organizations and business enterprises and associations'](#) to look at business-related risks to human rights and how to better identify, address and mitigate them. Interactive dialogue and presentation of report: 16 October 2018.

Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism - In her report, the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism ([A/73/45453](#)) surveys the UN counter-terrorism architecture, noting criticism of its failure to pay attention to the human rights implications of counterterrorism. Fionnuala Ní Aoláin notes that she and other mandate holders ['are increasingly finding that multiple communications to our offices involve the use of counterterrorism law and administrative practice against civil society and human rights defenders.'](#) She concludes that ['\[h\]uman rights violations do not make the world safer or more secure, they undermine the security of all.'](#) Aoláin will present her report and hold an interactive dialogue on 17 October 2018.

Special Rapporteur on the right to development - In the report of the Special Rapporteur on the right to development ([A/73/271](#)), Saad Alfarargi connects engagement with civil society with effective implementation. Focusing on South-South cooperation processes, he expresses concern that civil society and affected members are continuously excluded - particularly in countries ['where civil society lacks capacity or where civic space has increasingly been constrained' - hindering their active participation in broader local and national level policy discussions and decision-making processes.](#) Failure to create multi-stakeholder institutions results in ineffective implementation of human rights initiatives that benefit the elite and are to the detriment of the population at large. The Special Rapporteur will present his report and hold an interactive dialogue on 17 October 2018.



Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity - Independent Expert Victor Madrigal-Borloz focuses his report [\(A/73/152\)](#) on abandoning the classification of some forms of gender as a pathology and examines the State duty to respect and promote gender recognition as a part of identity. In addition, Madrigal-Borloz recommends States adopting measures to protect defenders and supporters of trans and gender-diverse persons from attacks, intimidation and other abuses. The Special Rapporteur will present his report and hold an interactive dialogue with the Third Committee on 25 October 2018.

Report of the Special Rapporteur in the field of cultural rights - The Special Rapporteur in the field of cultural rights, Karima Bennouna, focuses her report [\(A/73/227\)](#) on the importance of strengthening and defending the concept of the universality of human rights, in the face of attacks. She describes the increasing attacks on human rights defenders, including cultural rights defenders, and cites the case of Mozn Hassan, an Egyptian defender, who was targeted for what was termed “inciting the irresponsible liberation of women in society.” Bennouna writes, [“\(i\)f we are to achieve universal human rights, we need more Mozn Hassans and we need them to be able to do their work unimpeded.”](#) The Special Rapporteur will present her report and hold an interactive dialogue with the Third Committee on 23 October 2018.

Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance - The Special Rapporteur’s latest report [\(A/73/305\)](#) focuses on the threat of nationalist populism to racial equality, highlighting the plight of human rights defenders in this area. The Rapporteur, Tendayi Achiume, cites examples of defenders and civil society organisations representing racially subordinated groups facing death, assassination and other grave challenges, due to populist laws and narratives. Achiume adds, [“\(i\)nternational human rights law requires States to respect, protect and fulfil the rights of defenders, including those fighting for racial equality and on behalf of migrants.”](#) The Special Rapporteur will present her report and hold an interactive dialogue with the Third Committee on 29 October 2018.

Report of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment - Four environmental defenders are killed each week, on average, because of their work, says John Knox in his report [\(A/73/188\)](#) focusing on promoting the

right to the enjoyment of a safe, clean, healthy and sustainable environment. Those working on ‘greening’ human rights [‘are among the human rights defenders most at risk.’](#) notes the Special Rapporteur who will present his report and hold an interactive dialogue with the Third Committee on 25 October 2018.

Special Rapporteur on violence against women, its causes and consequences - Environmental human rights defenders are also the subject of the attention of Dubravka Šimonović, who points to the assassination of Honduran environmental activist Berta Cáceres, in her report (A/73/301) on women in the public space, and violence unleashed against them. [‘\(T\)he intersection of gender, race and participation in public life can imperil activist women.’](#) notes the Special Rapporteur, further referencing the killing of human rights defender Marielle Franco in Brazil as an example. The Special Rapporteur will present her report and hold an interactive dialogue with the Third Committee on 5 October 2018.

Special Rapporteur on the rights of indigenous peoples - Special Rapporteur Victoria Tauli-Corpuz’s report (A/73/176) centers on the self-governance of indigenous peoples and its central role in indigenous peoples’ lives. Her report also focuses on her country visits to Mexico and Guatemala and attacks against indigenous defenders. Regarding the attacks, Tauli-Corpuz explains, [“\(v\)iolations increasingly arise when indigenous leaders and community members voice concerns over extractive and investment projects, such as mining, agribusiness or hydroelectric dams.”](#) She emphasizes the challenges indigenous defenders face in accessing justice in the face of these attacks, from physical distance to judicial institutions and fear of reprisals. The Special Rapporteur will present her report and hold an interactive dialogue with the Third Committee on 12 October 2018.

Resolutions

Through its resolutions, the Third Committee regularly considers specific thematic issues and country-specific situations, either annually or biennially. The Committee agenda also allows for the presentation of resolutions on issues not previously addressed. This year, the right to freedom of association and peaceful assembly will be examined for the first time.



RESOLUTIONS TO WATCH

THEMATIC	COUNTRY
Extrajudicial, summary or arbitrary executions <i>Lead Sponsor: Finland</i>	Democratic People’s Republic of Korea <i>Lead Sponsor: European Union</i>
Death Penalty <i>Lead Sponsor: Brazil</i>	Iran <i>Lead Sponsor: Canada</i>
Right to Privacy <i>Lead Sponsor: Germany & Brazil</i>	Syria <i>Lead Sponsor: Saudi Arabia</i>
Freedom of Association and Peaceful Assembly <i>Lead Sponsor: United States</i>	Crimea <i>Lead Sponsor: Ukraine</i>
Protecting children from bullying <i>Lead Sponsor: Mexico</i>	Myanmar <i>Lead Sponsor: Saudi Arabia</i>
Treaty Body Strengthening <i>Lead Sponsor: Iceland</i>	
Cybercrime <i>Lead Sponsor: Russia</i>	

Thematic

Extrajudicial, summary or arbitrary executions (Lead Sponsor: Finland) - The Third Committee will consider its biennial resolution on extra-judicial killings which works ‘to ensure the effective protection of the

right to life of all persons'. This resolution has historically included a paragraph that refers to a number of groups that are vulnerable to extrajudicial killings. This paragraph urges States to protect against and investigate killings committed because of discrimination, including discrimination on the basis of sexual orientation and gender identity. ISHR and colleagues will be working to ensure this language is maintained.

Death Penalty (Lead Sponsor: Brazil) - Brazil will lead negotiations on a resolution on a moratorium on the use of the death penalty. The resolution calls for States to establish a moratorium on executions, with a view to abolishing the death penalty. Of concern this year is the possible proposal of language on sovereignty by Singapore - as happened last year - that limits restrictions on the death penalty worldwide. ISHR and others will continue efforts to ensure sovereignty language is not included in the text.

Right to Privacy (Lead Sponsors: Germany and Brazil) - The Third Committee will consider a resolution calling for the protection of the right to privacy. This resolution will be influenced by the second report of the High Commissioner for Human Rights, as well as the 2016 General Assembly resolution and the 2017 Human Rights Council resolution. In previous years this resolution has noted with concern that the right to privacy of those defending human rights can be undermined. We hope to see this language remain in the text, as well as strengthened language from the High Commissioner's report, such as on State surveillance.

Protecting children from bullying (Lead Sponsor: Mexico) - Mexico will present the biennial resolution on protecting children from bullying. During the 2014 and 2016 GA sessions, the language on protecting children based on sexual orientation and gender identity was disappointingly removed during negotiations. We understand that this session the zero draft will not contain this language. This resolution will be focused on the content of the [Secretary General's report](#) on evidence-based technologies. ISHR supports the protection of all children against violence in school environments and communities.

Treaty Body Strengthening (Lead Sponsor: Iceland) - Iceland is expected once again to present a resolution on treaty body strengthening, for negotiation at the Third Committee. It is expected to be largely procedural, drawing heavily on the [text presented two years ago](#). ISHR urges all States to maintain support for the strengthening of the treaty body system, to ensure that it is working effectively to protect rights holders on the ground.

Freedom of association and peaceful assembly (Lead Sponsor: United States) - The United States will present a draft resolution on freedom of association and peaceful assembly. The United States has indicated that this resolution intends to re-affirm previously agreed language and call attention to attacks on these freedoms in particular those occurring within the last few months. ISHR hopes this resolution will incorporate advances on the topic recently agreed at the Human Rights Council, and hopes civil society will be consulted on the text.

Cybercrime (Lead Sponsor: Russia) - Russia will present a draft resolution on cybercrime to the Third Committee for consideration. This resolution aims to establish an internationally accepted definition of cybercrime, as it often varies from one State to another. In doing so, certain forms of cyber activity that defenders use to perform their jobs may be outlawed. ISHR is concerned with this resolution as it may include language that criminalizes human rights defenders' online activity.

Language across various resolutions

A number of resolutions will likely encourage discussion on **sexual reproductive health and rights**, including references to comprehensive sexual education. This language has been problematic in the past, in particular in the resolution on the rights of the child brought by the EU and GRULAC, and on female genital mutilation and obstetric fistula brought by the Africa Group.

As we have seen in previous years we are expecting language on **sovereignty** to form part of the discussions on a number of resolutions at this session. Sovereignty is increasingly being used as a basis to weaken commitments at the international level.

We are concerned that language coming out of the **'win/win'** resolution presented by China at the Human

Rights Council earlier this year will be proposed across a number of resolutions. While the language is innocuous on its face, the text steps away from a rights-based approach and risks reducing constructive engagement on human rights violations.

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Country Resolutions

A number of country resolutions will be tabled this session. Canada will lead on a draft resolution putting a spotlight on human rights abuses in **Iran**. A resolution on **Syria** will call for a Committee of Inquiry to brief the UN General Assembly - something that has taken place at the Human Rights Council, but not at the General Assembly. The European Union will present a resolution on the **Democratic People's Republic of Korea** (DPRK) which, it is hoped, will establish consensus around key calls. Ukraine will also present a draft resolution to condemn Russia's actions in **Crimea**, including the attempted annexation of Crimea as well as severe curtailment of fundamental freedoms in the country.

A resolution is expected to be presented on **Myanmar** by the Organisation of Islamic Cooperation. A resolution on Myanmar was adopted at the last session of the Third Committee, and since then things have only gotten worse. This resolution an important opportunity to advocate for international accountability for crimes under international law. We hope to see the establishment of an international accountability mechanism with a mandate to collect and preserve evidence and identify individuals responsible for crimes under international law - including in Rakhine, Kachin and Shan States - with a view to bringing them to justice.

*Photos 1 & 2: ISHR
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