

ISHR Fact Sheet: Main Committees of the GA

1. Introduction

When the General Assembly (GA) commences its annual session in September, the first couple of weeks are set aside for the **high-level meetings** and the **general debate** that occur in the GA plenary. At the close of the general debate, the GA begins consideration of the substantive items on its agenda.

Because of the great number of questions it is called upon to consider, the GA allocates the bulk of its substantive work among its **six main committees**. The Committees discuss the items, seeking where possible to harmonize the various approaches of States. Usually in December, the Committees present their recommendations, in the form of draft resolutions and decisions, to a plenary meeting of the GA for its consideration and adoption. The GA generally adopts around 250 resolutions each session.

Each Committee consists of all the members of the GA (i.e. 193 member states). Each elects a Chairperson, three Vice-Chairpersons, and a Rapporteur in advance of the upcoming GA session, which collectively are referred to as the Bureau.

The six main committees are:

- First Committee (Disarmament and International Security Committee) - concerned with disarmament and related international security questions;
- Second Committee (Economic and Financial Committee) - economic questions;
- Third Committee (Social, Humanitarian and Cultural Committee) – human rights and humanitarian issues;
- Fourth Committee (Special Political and Decolonization Committee) - deals with a variety of political subjects not dealt with by the First Committee;
- Fifth Committee (Administrative and Budgetary Committee) - administration and budget of the UN; and
- Sixth Committee (Legal Committee) - international legal matters.

On a number of agenda items, however, such as the question of Palestine and the situation in the Middle East, the GA acts directly in its plenary meetings.

Some of the GA's Committees continue to meet to deal with matters throughout the year (e.g. the Fifth Committee dealing with budgetary matters hold three sessions per year).

Allocation of the GA's agenda amongst the main committees

The GA's agenda is divided into nine subject areas:

1. International Peace and Security
2. Economic Growth and Sustainable Development
3. Development of Africa
4. Human Rights
5. Humanitarian and Disaster Relief Assistance
6. Justice and International Law
7. Disarmament
8. Drugs, Crime, International Terrorism
9. Organizational and Administrative Matters.

Portions of these agenda items are allocated to the six main committees according to their area of expertise (e.g. human rights, budgetary matters). Discussions on a topic of the agenda can continue across separate meetings months apart.

2. The Third Committee

This is the committee that deals with the substantive human rights matters on the GA's agenda. The main tasks of the Third Committee are to:

- consider relevant reports (e.g. reports on specific topics prepared by the Secretary-General, Special Rapporteurs, and the Human Rights Council),
- negotiate and adopt/vote on resolutions on key issues (about 60 each session),
- make decisions, and
- hold interactive debates with relevant UN experts (such as Special Rapporteurs, Chairpersons of treaty bodies).

The Third Committee serves as an important link between the Geneva-based work of the Human Rights Council and UN Headquarters in New York. Some of its work is generated by the Human Rights Council in Geneva which makes recommendations to the GA, such as the consideration of the annual Report of the Council. Most of the special procedures (Special Rapporteurs or independent human rights experts) of the Human Rights Council report to and participate in interactive dialogues with the Third Committee. This serves to update and promote discussion with the member states based at UN Headquarters on the latest trends, concerns and developments in human rights around the world. Other aspects of the Third Committee's work are initiated by its member states, such as the development of new resolutions on emerging themes relevant to the promotion and protection of human rights. However a significant amount of the Committee's time is spent considering amendments to old resolutions that are considered each year, or every second year, sometimes with only the most minor changes to the text.

2.1 The agenda of the Third Committee

The agenda of the Third Committee¹ includes the following items, which are drawn from the GA's overall agenda, not just section D on 'Promotion of Human Rights':

Item 27: Social development:

- (a) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly
- (b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family
- (c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing

Item 28: Advancement of women

- (a) Advancement of women
- (b) Implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly

Item 62: Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Item 64: Report of the Human Rights Council

Item 65: Promotion and protection of the rights of children:

- (a) Promotion and protection of the rights of children;
- (b) Follow-up to the outcome of the special session on children.

Item 66: Rights of indigenous peoples:

- (a) Rights of indigenous peoples;
- (b) Second International Decade of the World's Indigenous People.

Item 67: Elimination of racism, racial discrimination, xenophobia and related intolerance:

- (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.

Item 68: Right of peoples to self-determination

Item 69: Promotion and protection of human rights:

¹ Organisation of work – A/C.3/67/L.1, Allocation of agenda items (to be issued). See also the Schedule of Special procedure mandate-holders <http://www.un.org/en/ga/third/67/dialogues.pdf> and Calendar of Meetings http://www.un.org/en/ga/third/67/meetings_chart.pdf

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

Item 107: Crime prevention and criminal justice

Item 108: International drug control

Item 121: Revitalization of the work of the General Assembly

Item 135: Programme planning

2.2 Third Committee resolutions

Negotiations: Much of the Third Committee's time and energy is absorbed by the process of negotiating resolutions on aspects of its agenda. A lot of this work is very time-consuming and at times tedious as delegates debate the finest points of language. As a result, these negotiations take place in informal meetings ('informals') outside the formal meetings of the Third Committee. These meetings are generally chaired by the State that drafted the resolution, and attended by representatives of the States that have an interest in sponsoring or changing the text. Although officially 'closed' meetings, some States do not object to NGOs attending these meetings to follow the debate.

Thematic and country specific: Most resolutions focus on thematic topics, such as the advancement of women or the right to food. However, there are also a few country specific resolutions that seek to highlight grave and persistent human rights violations by a State against its people. For example, the 66th session of the GA considered four country resolutions: Iran, Myanmar, Syria and DPRK (North Korea). These are always very contentious resolutions as some States argue that the GA should not single out States for criticism, rather political dialogue and technical cooperation is the way to resolve human rights violations (e.g. China). Others argue that now that the Human Rights Council has the universal periodic review process, there is no need for these kinds of resolutions (e.g. Cuba and Egypt). However, some States argue the GA and the Third Committee have a different mandate to the Council and a responsibility to address serious human rights violations wherever they occur (e.g. US, EU).

New and recycled resolutions: Some resolutions are tabled every second year and referred to as biennial (e.g. cultural diversity), others occur annually (e.g. the right to food). In some years there may be one or two completely new topics. For example, at the 62nd session there were three new topics: obstetric fistula, rape and a moratorium on the death penalty. Because new topics may address new or emerging aspects of international human rights law, they tend to be more controversial and spark considerable interest among member states. Sometimes the adoption of these resolutions prompts States who opposed them to propose a 'counter resolution' the following year. For example, in response to the resolution on the death penalty at the 62nd

session, some opposing States warned they might bring a resolution on the right to life (ie abortion) at the 63rd session (in this case, no such resolution was proposed).

2.3 The Bureau of the Third Committee

This session, the Chair of the Third Committee fell to the GRULAC Group.

Chairperson:

- H.E. Mr Henry L. Mac-Donald (Suriname)

Vice-Chairs: Ms. Fatima Alfeine (Comoros)

Ms. Dragana Šćepanović (Montenegro) Mr. Georg Sparber (Liechtenstein) Mr. Marghoob Saleem Butt (Pakistan)

- Ms. Donnette Critchlow (Guyana)
- Ms. Carolina Popovici (Republic of Moldova)
- Mr. Luca Zelioli (Italy)

Rapporteur:

- TBA

3. General Committee of the GA

The General Committee is a supervisory committee entrusted with ensuring that the whole meeting of the GA goes smoothly. At the beginning of each session, the General Committee assists the President and the GA to draw up the agenda for each plenary meeting. It then meets periodically throughout the session to review the progress of the GA and its committees, and to make recommendations as procedural questions and other controversies that are referred to it. The General Committee also makes recommendations to the GA about the closing date of the session.

The Committee is composed of the President and 21 Vice-Presidents of the GA and the Chairmen of the GA's six main committees (ie 28 members). It is *not* authorised to make decisions on political questions.

An important question that in recent years has routinely been referred to the General Committee is which part or parts of the GA will receive **the Report of the Human Rights Council**. The resolution establishing the Council requires that it report each year to the GA, but does not specify whether the report should be received by the GA plenary or the Third Committee. Because member states hold strong views either way, the matter has been referred to the General

Committee for a decision. A pattern is emerging whereby the General Committee recommends the report first be sent to the Third Committee, which is mandated to consider only the recommendations, after which the GA plenary considers and endorses the report as a whole. During its review of the Human Rights Council in 2011, the GA decided to continue its practice of allocating the Council's report to its plenary and Third Committee, with the understanding that the President of the Council would present the report to those bodies. The annual report would cover the 1 October to 30 September period, including the regular September session.

4. Fifth Committee

No resolution involving expenditure can be recommended to the GA by one of its main committees unless the Secretary-General has prepared an estimate of how much it will cost. The GA cannot vote on any such resolution until the Fifth Committee has considered the effect of the proposal upon the budget estimates of the UN. In addition, the main committees need to ensure that there is time for the ACABQ to consider the Secretary-General's estimates (the ACABQ is explained below).

The Fifth Committee seeks to operate by consensus. This process often requires lengthy negotiations. Only on very rare occasions has the Fifth Committee adopted a proposal by vote.

The work of the Fifth Committee is very fluid, often having to accommodate last minute additions of urgent reports.

Over the past 10 years, the Fifth Committee has held at least three sessions a year. During the main part of the session of the GA the Committee considers items that are time bound. Other items are postponed until the first part of the resumed session (March); and administrative and budgetary aspects of the financing of peacekeeping operations and any other questions or items that the Committee needs to consider are dealt with in May.

The current Chair of the Fifth Committee is Germany.

For more detail about the Fifth Committee and its relationship with the ACABQ, see the 'Frequently asked questions' page on the Fifth Committee's website, available at <http://www.un.org/ga/fifth/faq.shtml>

5. ACABQ Committee

The Advisory Committee on Administrative and Budgetary Questions (ACABQ) is responsible for the expert examination of the programme budget of the UN and assists the Fifth Committee in its work. The ACABQ makes observations, conclusions and recommendations on the proposals made by Secretary-General. The conclusions and recommendations of the ACABQ often form the basis of the draft resolutions and decisions recommended by the Fifth Committee.

The Fifth Committee may accept, curtail or reject the recommendations of the ACABQ.

The ACABQ is made up of 16 expert members, including at least three financial experts of recognized standing. Its members are elected by member states on the basis of broad geographical representation, personal qualifications and experience and serve for a period of three calendar years. The members for 2011 are: Botswana (Chair), Argentina, (Vice-Chair), Jamaica, Jordan, Nigeria, Belgium, Morocco, Italy, Russian Federation, Croatia, Japan, India, United Kingdom, Mexico, and China.

6. Committee for Programme and Coordination (CPC)

This is the main subsidiary organ of the GA for planning, programming and coordination. One of its most important responsibilities is to review the UN's Strategic Framework. The Strategic Framework is developed by the UN Secretariat on behalf of the S-G and outlines the UN's entire work plan over a two year period, covering programme planning, budgeting, monitoring and evaluation. This 34 member committee also reviews the programmatic aspects of proposals/draft resolutions of the GA.

Case study: How the OHCHR budget is agreed at the GA

The Secretary-General is responsible for proposing a budget to the UNGA. The budget is then analysed by the ACABQ and the CPC. The recommendations of the ACABQ and the CPC go to the Fifth Committee of the UNGA, comprising all 193 member states. If approved by the Fifth Committee, the budget then goes before the GA plenary and is generally adopted by consensus.

7. UN Budgetary Jargon

PBI

PBI stands for programme budget implication. A PBI is a statement detailing the administrative, financial and programmatic changes that the adoption of a draft resolution would entail. Once a PBI is issued, the ACABQ will also provide their observations for the Fifth Committee to consider. At least 48 hours are required before action can be taken on a draft resolution containing budgetary implications so that the Secretary-General can prepare the PBI and the ACABQ can consider it. For this reason, there is a deadline of no later than 1 December for draft resolutions with financial implications to be submitted to the Fifth Committee.

Revised estimate

This is an estimate of additional resources submitted by the Secretary-General relating to: (a) items not included in the proposed programme budget owing to the unavailability of information at the time of preparation of the proposed programme budget; (b) items that were included in the

proposed programme budget but on which the GA did not act but requested further information; and (c) developments that took place after the preparation of the proposed programme budget.