

UNGA72 | Third Committee takes action on key resolutions – a detailed overview

After seven weeks of work, the UN General Assembly Third Committee has completed its 2017 meeting. This session we have seen the use of tactics that are disruptive to the negotiating process; the return of a country-specific resolution despite many States expressing objection to such resolutions, and consensus on two resolutions related to the protection and participation of non-State actors.

Resolution outcomes

a. National human rights institutions (lead sponsor: Germany)

The Third Committee once again passed its biennial resolution on [national human rights institutions](#) (NHRIs) by consensus calling on 'all relevant UN forums and meetings' to provide for the engagement of 'A' status national human rights institutions. This builds upon the advances made in some bodies – particularly the Open-Ended Working Group on Ageing – inviting national human rights institutions fully compliant with the Paris Principles to participate in their work. Importantly, the advances in the processes of the Open-Ended Working Group were prompted by the [UN General Assembly landmark resolution](#) two years earlier, which encouraged the participation of national human rights institutions in UN bodies and processes.

'This latest resolution is a further step towards opening the UN up to expert opinion. States have acknowledged that national human rights institutions' participation enriches debates. Now they must take steps to enable their involvement' said ISHR's Eleanor Openshaw.

b. Human rights defenders (lead sponsor: Norway)

Encouraged by the focus of this year's resolution on the 20th Anniversary of the Declaration on Human Rights Defenders, the Third Committee adopted this year's resolution on human rights defenders by consensus. For a detailed analysis see our web article [here](#).

c. [Safety of journalists and the issue of impunity](#) (lead sponsor: Greece)

The Third Committee also past a most comprehensive and significant resolution on the safety of journalists and the issue of impunity. This is a major step considering that there has been a 90% impunity rate for the killing of journalists over the last decade. While the resolution passed by consensus with an increased number of co-sponsors, there was a disappointing lack of co-sponsorship from States from the Asia Pacific and African region.

For the first time, the Third Committee calls on States to 'immediately and unconditionally release' arbitrarily arrested and arbitrarily detained journalists. It puts a particular focus on the safety of women journalists, and reiterates States' commitments to cease Internet shutdowns, and end the forced closure of media outlets. It also integrates strong language on protecting digital security, confirming that confidentiality of communications is key to journalists and their sources' safety.

d. Country resolutions

Several States that have taken principled objections to country-specific resolutions, were prepared to put their concerns aside to support a resolution on **Myanmar**. After the EU discontinued its traditional resolution on Myanmar last year, this year saw the Organisation of Islamic Cooperation (OIC) introduce a [resolution](#) that was passed by 135 - 10 with 26 abstentions. The critical situation of the Rohingya

people was the prompt for action. It is understood that the OIC reached out widely in negotiations to ensure broad support. The resolution expresses concern about the situation in Myanmar and underlines ‘the need for the armed forces of Myanmar to take immediate steps to protect all civilians, including those belonging to the Rohingya community’. Furthermore, it calls for ‘unrestricted and unmonitored access for the fact-finding mission’ established by the Human Rights Council in March.

The resolution on **the autonomous Republic of Crimea and city of Sevastopol** (lead sponsor: Ukraine) which passed by 71 -25, with 77 abstentions, showed little difference from the vote count a year ago. Through the resolution, the Third Committee requests Russia to fulfil its obligations as an occupying power. It also requests the Office of the United Nations High Commissioner for Human Rights to prepare a second thematic report dedicated to the situation of human rights in the region. In discussions on this resolution, Russia dismissed the Third Committee as ‘the theatre of the absurd.’

The resolution on the [Islamic Republic of Iran](#) (lead sponsor: Canada) saw little change when compared to the text a year ago. Despite a slight change in the voting pattern, there is steady support within the Third Committee for this resolution: 83 – 30, with 68 abstentions.

In its [resolution](#) on the human rights situation in the **Syrian Arab Republic**, introduced by Saudi Arabia, the Third Committee foregrounded the role of Member States in creating ‘conditions for continued negotiations for a political solution to the Syrian conflict, under the auspices of the United Nations’. The Committee commended the work of the UN joint investigation mechanisms on its findings related to the use of chemical weapons. ISHR is also happy to see the protection of human rights defenders continue to be highlighted in the text.

The resolution on the **Democratic People’s Republic of Korea** (lead sponsor: Japan and Estonia (on behalf of the EU)) passed once again by consensus. In the resolution, States call on North Korea to implement recommendations made by the Commission of Inquiry on the country in 2014.

e. Resolutions related to terrorism

Several resolutions related to terrorism were adopted by the Third Committee including on ‘Protection of human rights and fundamental freedoms when countering terrorism’ (lead sponsors: Argentina, Japan, Liechtenstein and Mexico) and ‘Effects of Terrorism on the Enjoyment of Human Rights’ (lead sponsors: Egypt, Jordan, Morocco, Saudi Arabia).

The latter resolution recalls a resolution on the radar of the Human Rights Council since 2016, which has been criticised within that body for references that could encourage restrictions to the right to freedom of expression. Notable, this concern was not voiced at the Third Committee. While the European Union noted the openness of co-sponsors to take on board State views, they abstained from voting on the resolution, on the basis that they did not support a proliferation of resolutions on a similar theme.

When the resolution was presented to the Third Committee, South Africa openly criticised the lack of reference in the text to national liberation movements and the need to distinguish them from terrorist activities. It proposed an amendment to the text to include agreed UN General Assembly language on this. In response, Egypt argued that this went beyond the scope of the text. South Africa’s amendment was voted down in the end. South Africa stated that the denial of agreed UNGA language in the text is tantamount to equating ‘the fight for freedom to terrorism’. The vote on the text overall passed by 104 - 1 with 63 abstentions.

f. Sexual and reproductive health

In resolutions concerning sexual and reproductive health repeated attempts were made to alter agreed language. The question of parental guidance in regard to the provision of education related to sexual and reproductive health for adolescents and young people, became an obstacle of several draft resolutions. Amendments seeking the inclusion of references to the need for 'parental guidance' were introduced orally for draft resolutions on the Girl Child, the Rights of the Child, and the Implementation of the Convention on the Rights of Persons with Disabilities (which also focused on the situation of girls and women with disabilities).

In the case of the resolution on the **rights of the child**, Egypt introduced an amendment in the name of the Africa Group. Gabon and Nigeria were strong voices calling for 'solidarity, support, partnership and cooperation' by fellow African States on the amendment. In response, Uruguay noted that it hoped support for the amendment was not solely informed by regional 'solidarity'. The EU, lead sponsor of the resolution, noted that the paragraph being amended was the result of careful negotiation over a number of years, informed by a desire to find a balance between interests and concerns.

South Africa distanced itself from the initiative. The proposed amendment, in name of 'all African States except South Africa', passed by 90 – 76 with 8 abstentions. The resolution – traditionally passed by consensus – was then put to a vote; a procedural requirement following a vote on an amendment. It passed by 180 – 0 with no abstentions. Several States – including co-sponsors of the text – disassociated themselves from the amended paragraph noting that the paragraph would not be considered to have any standing in future negotiations.

The resolution focusing on **the situation of women and girls with disabilities** also faced a similar amendment. Several States, including Argentina, expressed concern that in doing so the Third Committee was sending the message to the world that in 2017 there were lingering doubts about the equality of people with disabilities.

Sudan introduced an amendment to the same text to withdraw references to the ICC. In doing so the delegate noted that the ICC's focus on Sudan had been an obstacle to stability within the country. Sudan's amendment was rejected by 19 – 102, with 39 abstentions.

Burundi

The [threats made against members of the Commission of Inquiry](#) on Burundi during their interactive dialogue with the Third Committee were roundly criticised by the High Commissioner on Human Rights.

It is regrettable that no State, nor the Chair of the Third Committee or President of the General Assembly made any statement in defence of Commission members during the dialogue. Threats and attacks against UN independent experts – as described by the High Commissioner – show that States' silence simply encourages perpetrators to feel emboldened. States must stand up for the independent experts they mandate to carry out essential human rights work.

Dynamics at Third Committee

At this session, several States employed the tactic of 'disassociation' to distance themselves from particular paragraphs in adopted texts. This occurred most frequently where lead sponsors introduced

oral revisions to texts on the day of adoption without – apparently – consulting other co-sponsoring States.

‘The process of negotiations on human rights within multilateral spaces is weakened by both – disassociation and last minute oral revisions. The incentive to seek common understanding and compromise is undermined if States consider that they can ultimately step away from elements they don’t agree with’, said ISHR’s Eleanor Openshaw.

Mexico emerged this session as a voice in favour of common sense approaches. They called out parallel conversations held in different UN bodies – including on issues related to social development and Agenda 2030 – and requested greater coherence and less duplication.

In the coming month, the UN General Assembly Plenary will consider resolutions adopted by all its Committee’s including those of the Third Committee.