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 65th session: a high-level summit 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, 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 65th 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.

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)

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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.

2.2 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. **Morocco** is coordinating the OIC this session.

- **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 Cuba, Iran, North Korea, Sudan, Venezuela, and Egypt) has rallied its members around opposition to US foreign policy. Its current membership stands at about 118 States (61 percent of the GA). **Egypt** will coordinate the NAM this session.

- **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 specialised agencies. **Yemen** is coordinating the G77 this session.

Since 2008 in the General Assembly plenary, 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

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[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

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the GA. However, in the Third Committee they still tend to initiate resolutions as two separate entities. For example, the G77 + China sponsors the annual resolution on follow-up to the Durban Declaration and Plan of Action on racism, whereas the NAM sponsors the resolution on the right to development.

- 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. **Belgium** will coordinate the EU this session.

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 in June. 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 sessions are:

- 66th GA (2011): Asian Group
- 67th GA (2012): Eastern Europe
- 68th GA (2013): GRULAC
- 69th GA (2014): African Group
- 70th GA (2015): WEOG

3.2 The President of the 65th session – Mr Joseph Deiss of Switzerland

11th June 2010: The GA formalised the election of Mr Deiss of Switzerland as President of the GA's 65th session. Endorsed by the WEOG, whose turn it was to put forward the nominee for President, Mr Deiss was the only candidate. In accordance with accepted practice, he was elected by acclamation.

In his acceptance speech, Mr Deiss commented that: "The search for lasting solutions to the world's challenges will require governance that better reflects the new balances of power in the world, as well as a more efficient work by the United Nations for the benefit of each individual."

Mr. Deiss pledged to work with and respect all Member States, whose rights were equal, to make the Assembly's work effective and ensure that "Swiss sobriety" guaranteed that relationships were based on specifics, a positive approach and friendship.

Among the priorities that he identified for his presidency were:
- Inspiring collective and urgent responses to new global challenges that were caused by advances in information technology and the increasing flow of people, goods, services and capital. "More than ever before, we need to act together to be effective"
- achievement of the Millennium Development Goals and sustainable economic growth
- address climate change
- work to achieve food security
- reconstruction and strengthening of fragile and post-conflict States
- human rights
- humanitarian aid and the ideals of the International Red Cross

- disarmament.

During the opening meeting of the 65th session of the GA (14 September 2010), Mr Deiss identified his top three priorities, explaining that "Our efforts in the three areas will make essential contributions towards peace and security, international cooperation and friendship between peoples":

1. Ensure the Millennium Development Goals (MDGs) are achieved;
2. Reinstate the United Nations and the General Assembly at the center of global governance, thereby making global governance more representative; and
3. Promote sustainable development.

Mr Joseph Deiss - Biography highlights:

Born 18 January 1946 in Fribourg, Mr Deiss is an economist and politician.

In 1991 he was elected to the National Council. From 1995 to 1996 Deiss was vice president of the Foreign Affairs Committee of the National Council. In 1996 he was made president of the committee in charge of the total revision of the Swiss Constitution.

From 1999 to 2006, he was a member of the Swiss Federal Council, an executive council made up of seven members, which constitutes the government of Switzerland. Initially he headed the Federal Department of Foreign Affairs (1999–2002), and during this time, led the successful campaign for Switzerland's membership of the UN. He subsequently headed the Federal Department of Economic Affairs (2003–2006).

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Annexure 1

The GA's agenda for the 65th session

Annexure 1 contains a summary of the main topic areas covered by the provisional agenda of the 65th 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 65th session is contained in UN doc A/65/150, available at
http://www.un.org/ga/search/view_doc.asp?symbol=A/65/150

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

A. 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 9 – 28. Includes the adoption of the report of the Economic and Social Council (ECOSOC), a broad range of social development topics (sustainable development, globalisation, eradication of poverty, advancement of women), and follow up on UN conferences such as the World Summit on Sustainable Development.

B. Maintenance of international peace and security

Agenda items 29 – 62. 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 situations in Haiti, the Middle East and Afghanistan.

C. Development of Africa

Agenda item 63 focuses on New Partnership for Africa's Development (NEPAD): progress in implementation and international support.

D. Promotion of human rights

64. Report of the Human Rights Council
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.
66. Indigenous issues:
    (a) Indigenous issues;
    (b) Second International Decade of the World's Indigenous People.

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67. 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
68. Right of peoples to self-determination.
69. 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;
    (d) Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action.

E. Effective coordination of humanitarian assistance efforts

Agenda item 70. Focuses on strengthening coordination of humanitarian and disaster relief assistance of the United Nations.

F. Promotion of justice and international law

Agenda items 71-88. 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 89-106. 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 anti-personnel mines.

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

Agenda items 107-109, which are self-explanatory.

I. Organizational, administrative and other matters

Agenda items 110-163. 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.