

Re: Joint Civil Society Appeal Concerning Human Rights-Related Proposals under Consideration by the UN General Assembly's Fifth (Budget) Committee

18 December 2019

The undersigned 26 organizations attach great value to the UN human rights mechanisms and bodies in New York and Geneva. We write to draw your urgent attention to a number of worrying proposals presently under consideration by the Fifth Committee.

It is our understanding that the UN General Assembly's Fifth Committee is presently considering a number of proposals concerning the regular UN budget for 2020. Some proposals would ensure that key UN human rights activities continue to receive appropriate support, including from the UN's regular budget. However, some of the proposals would undermine the quality of the work and the effectiveness of critical human rights mechanisms, in contravention of decisions previously agreed upon by the UN's substantive decision-making bodies, or would threaten civil society's ability to engage with, participate in, and have information about, key UN proceedings.

We are aware that these proposals concerning UN human rights mechanisms and issues have been made in the context of broader negotiations concerning the UN budget for 2020 as a whole, and that Member States are under great pressure to reach a consensus agreement on this UN financing resolution, as is customary.

Nevertheless, we call on Member States to offer strong support to the proposals that would adequately fund and otherwise ensure the proper functioning of the UN's human rights bodies and mechanisms; to reject those proposals that would undermine their effectiveness; and to resist pressure to accept compromise agreements that would have an overall negative effect on the UN's human rights activities.

We identify the proposals, both positive and negative, about which we are most concerned below.

1. Proposals that would specifically impact the UN human rights treaty body system

NGOs have previously expressed concern that the Secretary-General did not request an adequate number of staff of the Office of the High Commissioner for Human Rights (OHCHR) to provide support for the treaty bodies in his proposed budget for 2020. Specifically, the Secretary-General did not ask Member States to correct a deficit in staff support that has existed since 2018 as a result of Member States' rejection of a 2018-2019 request for resources for the treaty bodies derived from the formula contained in GA resolution 68/268 of April 2014, according to which the Secretary-General is instructed to calculate the staff support and meeting time required by the treaty bodies. We are pleased to see **several proposals to enhance the staff support provided by OHCHR to the treaty bodies, in line with the formula for resourcing them agreed upon by the General Assembly in resolution 68/268.**

- **We encourage Member States to endorse proposals to reaffirm that General Assembly resolution 68/268 provides the legislative basis for the resource requirements of the treaty bodies and ensure they have adequate overall funding.**

- **Member States should endorse proposals that will ensure that the treaty bodies have adequate travel funding to allow the treaty body experts to meet as scheduled in 2020, as requested by the SG.**

Conversely, we are very troubled to see that States have put forward several proposals that would undermine the effectiveness of the treaty bodies; including ones that would arbitrarily cut the travel budget for treaty body members; that would deny funding for the UN staff posts needed to webcast the meetings of the treaty bodies, as agreed by the GA resolution 73/162; and that would radically increase their use of costly UN conference services, increasing the overall cost of the treaty body system in a manner contravening the resolution 68/268 agreement.

- **Member States should reject proposals that would deny funding for webcasting the treaty body sessions, which the GA agreed to provide in resolution 73/162. [US]**
- **Member States should reject overarching proposals to reduce "non-post resources" and funding for the "travel of representatives," as cuts to these travel budgets could result in cancellation of future meetings of treaty bodies given that the treaty experts are not regular UN employees and must travel to attend and participate in each treaty body session. [Russia, US, G77 and China]**
- **Member States should reject a proposal to dramatically increase the resource needs of the treaty bodies by requiring them to carry out all of their work in all six official UN languages. This would violate the compromise agreement in resolution 68/268 that the treaty bodies should carry out their work in three UN languages (four in exceptional circumstances) in order to free up the resources needed to allow them to meet for a sufficient amount of time annually without increasing the overall cost to Member States of the treaty body system. [Russia]**

2. *Proposals that would weaken the Office of the High Commissioner for Human Rights*

We understand that several proposals under consideration by the Fifth Committee would place significant limits on the ability of the OHCHR to carry out its work to promote and protect human rights around the world. In particular, we understand that a series of new proposals aimed at more closely regulating the use of extrabudgetary resources would have an outsized and negative impact on OHCHR, which presently receives only 3.7 percent of the UN budget. In 2018, extrabudgetary resources accounted for around 59 per cent of OHCHR's income. Another proposal is to simply abolish all presently vacant OHCHR staff posts. These proposals are particularly inappropriate given the resource challenges currently facing the UN as a whole.

- **Member States should reject proposals to place additional limitations on the UN's ability to use extrabudgetary resources. [G77 and China]**
- **Member States should reject proposals to abolish all presently vacant staff posts at OHCHR. [Russia]**

3. *Proposals that could limit civil society activity at the UN and reduce transparency and accessibility of UN proceedings*

We understand that the Fifth Committee is considering several proposals that appear to be aimed at limiting the ability of civil society to engage with the UN Human Rights Council and Universal Periodic Review, as well as to place limitations on civil society access to and participation at the UN in Geneva that would bring these in line with procedures and practice at the UN headquarters in New York. Presently, a diverse group of civil society actors from around the world engage in UN meetings in Geneva, and particularly in meetings of the UN Human Rights Council. Limiting the access of these civil society actors would deprive UN human rights mechanisms of essential information and analysis and deeply undermine their effectiveness and relevance. Member States should be aiming to bring practices in New York with respect to civil society access in line with those in Geneva, not the other way around.

- **Member States should reject proposals that would decline to allow OHCHR to dedicate a staff person to supporting civil society engagement with the Human Rights Council and Universal Periodic Review in Geneva. [G77 and China]**
- **Member States should reject proposals suggesting that access to and use of UN premises around the world (especially Geneva) should be regulated in the same manner as at UNHQ and that would place greater limitations on access to UN premises worldwide by non-accredited NGOs and individuals. [G77 and China]**

4. Proposals to radically limit or eliminate support for UN mechanisms intended to promote accountability for serious human rights violations

In recent years, UN Member States have created innovative mechanisms aimed at promoting accountability for serious crimes committed in Syria and Myanmar. We understand that several proposals under consideration by the Fifth Committee would seriously undermine the capacity of these mechanisms and their ability to support accountability efforts for grave abuses.

- **Member States should accept proposals to ensure adequate staff support for the International, Impartial and Independent Mechanism for Syria (IIIM) and the Independent Investigative Mechanism for Myanmar (IIMM).**
- **Member States should reject proposals to eliminate UN regular budget funding for the IIIM. [Russia, Belarus, Burundi, China, Cuba, DPRK, Equatorial Guinea, Iran, Kazakhstan, Myanmar, Nicaragua, Syria]**
- **Member States should reject proposals to eliminate or discontinue significant portions of the staff support and other resources envisaged for the IIMM. [China, Russia, Syria, Nicaragua, DPRK]**

Signatories

1. Advocates for Human Rights
2. African Centre for Democracy and Human Rights Studies (ACDHRS)
3. Amnesty International

4. Asian Forum for Human Rights and Development (FORUM-ASIA)
5. Centre for Civil and Political Rights
6. Center for Reproductive Rights
7. Child Rights Connect
8. CIVICUS
9. Commonwealth Human Rights Initiative
10. Conectas Direitos Humanos
11. Geneva for Human Rights (GHR)
12. Global Initiative for Economic, Social and Cultural Rights
13. Human Rights in China
14. Human Rights Watch
15. Jacob Blaustein Institute for the Advancement of Human Rights
16. Impact Iran
17. International Federation of Settlements and Neighborhood Centers
18. International Movement Against All Forms of Discrimination and Racism (IMADR)
19. International Rehabilitation Council for Torture Victims (ICRT)
20. International Service for Human Rights (ISHR)
21. MENA Rights Group
22. Open Society Justice Initiative
23. OutRight Action International
24. Urgent Action Fund for Women's Human Rights
25. Validity Foundation – Mental Disability Advocacy Centre
26. World Organisation Against Torture (OMCT)