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General Assembly Third Committee Background Guide 2021

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Dear Delegates,

Welcome to the 2021 National Model United Nations New York Conference (NMUN•NY)! We are pleased to introduce you to our committee, the General Assembly, Third Committee (GA3). This year's staff is: Directors Daniel Sweeney (Conference A) and Yannick Stiller (Conference B), and Assistant Directors Markus Bianchi (Conference A) and Tara A. Kwan (Conference B). Daniel holds a Master of Arts in International Development Studies and is a Program Coordinator at the George Washington University for executive and online executive education programs in the Elliott School of International Affairs. Yannick completed MSc in International Political Economy at the London School of Economics and is currently pursuing his PhD in International Relations. Markus graduated in Political Science and Sociology and is now pursuing a Master of Arts in Organisation of Social Issues at the University of Trier. Tara received her Bachelor of Arts in Political Science at Cal Poly Pomona and is currently works as a Program Manager for a non-profit.

The topics under discussion for the General Assembly Third Committee are:

- I. Rights of Indigenous People
- II. Empowering Conflict-Affected Children and Youth
- III. Implementing the Convention on the Rights of Persons with Disabilities

The General Assembly Third Committee is one of the six Main Committees of the UN General Assembly and formally, referred as the Social, Humanitarian, and Cultural Affairs Committee because of its role in establishing wholesome discussion and deliberation on such global issues. As part of the primary organ of the United Nations. The General Assembly Third Committee, embraces global discussion amongst all its Member States thru facilitation of discussion forums. The goal is to address global topics such as human rights and the fundamental freedoms in human and cultural affairs. The Third Committee deals with extensively complex topics that require deep thoughtful conversations. Delegates will have the opportunity to address multi-faceted global issues and work together to create consensus and positive resolutions. The goal is to embrace the central role the Third Committee has, in creating overarching discussion and establishing norm setting policies.

This Background Guide serves as an introduction to the topics for this committee. However, it is not intended to replace individual research. We encourage you to explore your Member State's policies in depth and use the Annotated Bibliography and Bibliography to further your knowledge on these topics. In preparation for the Conference, each delegation will submit a Position Paper by 11:59 p.m. (Eastern) on 1 March 2021 in accordance with the guidelines in the [Position Paper Guide](#) and the [NMUN•NY Position Papers](#) website.

Two resources, available to download from the [NMUN website](#), that serve as essential instruments in preparing for the Conference and as a reference during committee sessions are the:

1. [NMUN Delegate Preparation Guide](#) - explains each step in the delegate process, from pre-Conference research to the committee debate and resolution drafting processes. Please take note of the information on plagiarism, and the prohibition on pre-written working papers and resolutions. Delegates should not start discussion on the topics with other members of their committee until the first committee session.
2. [NMUN Rules of Procedure](#) - include the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure.

In addition, please review the mandatory [NMUN Conduct Expectations](#) on the NMUN website. They include the Conference dress code and other expectations of all attendees. We want to emphasize that any instances of sexual harassment or discrimination based on race, gender, sexual orientation, national origin, religion, age, or disability will not be tolerated. If you have any questions concerning your preparation for the committee or the Conference itself, please contact the Under-Secretaries-General for the General Assembly Department, Collin King (Conference A) and Leah Schmidt (Conference B), at usg.ga@nmun.org.

We wish you all the best in your preparations and look forward to seeing you at the Conference!

Sincerely,

Conference A

Daniel R. Sweeney, *Director*

Markus A. Bianchi, *Assistant Director*

Conference B

Yannick Stiller, *Director*

Tara Kwan, *Assistant Director*

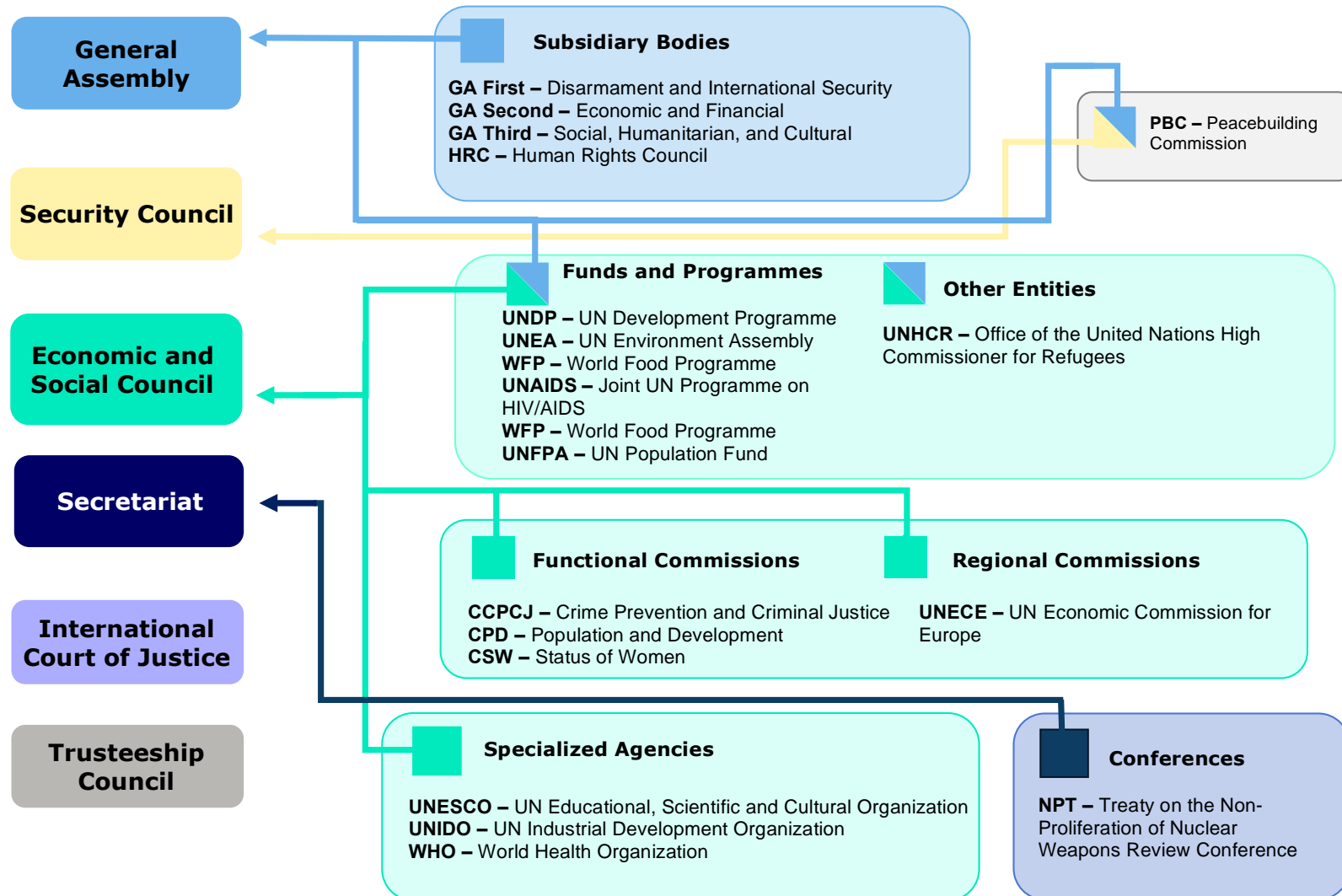


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United Nations System at NMUN•NY

This diagram illustrates the UN system simulated at NMUN•NY and demonstrates the reportage and relationships between entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose, and powers within the UN system.



Committee Overview

Introduction

Following the Second World War, the United Nations (UN) was formed, and with it the General Assembly, as one of the six principal organs established under the *Charter of the United Nations* (1945).¹ The large substantive scope of the General Assembly's mandate led the General Assembly to allocate its work to six committees, each focusing on a specific thematic area.² The General Assembly Third Committee is mandated with discussing all matters related to social, humanitarian, and cultural affairs.³ Over time, this mandate has expanded, making it the primary forum for human rights issues.⁴ In recent years, more than 50% of the resolutions adopted by the committee were submitted under the human rights agenda.⁵ This makes it the world's largest and most prominent forum for international human rights norm creation, deliberating topics such as the rights of indigenous peoples, assisting conflict-affected children and youth, and the implementation of the *Convention on the Rights of Persons with Disabilities* (CRPD) (2006).⁶ Moreover, more than 90% of the targets of the Sustainable Development Goals (SDGs) are linked to human rights and labor standards, underlining the importance of General Assembly Third Committee in ensuring international progress.⁷

Governance, Structure, and Membership

In accordance with the *Charter of the United Nations*, the General Assembly is comprised of 193 Member States, as well as the two Observer States, the Holy See and the State of Palestine.⁸ All Member States and Observers of the General Assembly can attend sessions of the Third Committee.⁹ The work of the committee is additionally supported by non-governmental and intergovernmental observers like the European Union and the International Criminal Court (ICC).¹⁰ The Third Committee meets annually for eight weeks from October to November after agenda items are allocated in September by the General Assembly Plenary depending on their theme and content.¹¹ The Secretary-General issues reports for the corresponding agenda items to inform the committee, and is at its disposal to answer questions in an allotted time for clarification.¹²

¹ *Charter of the United Nations*, 1945, Art. 55-60; UN General Assembly, *Functions and Powers of the General Assembly*, 2019.

² *Charter of the United Nations*, 1945; UN General Assembly, *Main Committees*, 2019.

³ UN General Assembly, *Third Committee*, 2019.

⁴ *Ibid.*

⁵ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2017, p. 73.

⁶ UN General Assembly, *Convention on the Rights of Persons with Disabilities (A/RES/61/106)*, 2006; UN HRC, *Institution-building of the United Nations Human Rights Council (A/HRC/RES/5/1)*, 2007; UN HRC, *Review of the Work and Functioning of the Human Rights Council (A/HRC/RES/16/21)*, 2011; Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2017, p. 73.

⁷ Danish Institute for Human Rights, *Human Rights and the 2030 Agenda for Sustainable Development*, 2018, p. 9.

⁸ UN General Assembly, *Member States*, 2019.

⁹ International Service for Human Rights, *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*, 2017, p. 7.

¹⁰ UN General Assembly, *List of non-Member States, entities and organizations having received a standing invitation to participate as observers in the sessions and the work of the General Assembly (A/INF/72/5)*, 2017.

¹¹ International Service for Human Rights, *Third Committee of the General Assembly: A Practical Guide for NGOs*, 2017, pp. 7, 11; Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2017, p. 73.

¹² Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A practical guide to the United Nations General Assembly*, 2011, pp. 37-38, 65.

Each annual session of the Third Committee begins directly with the substantive debate as there is no General Debate beforehand.¹³ The customary workflow for each item consists of an interactive dialogue between the Member States and experts, who submit reports and answer questions.¹⁴ The Third Committee recommends draft resolutions to the General Assembly Plenary committee which adopts draft resolutions through a simple majority vote.¹⁵ In the General Assembly Plenary, documents addressing agenda items that are considered important questions, like items relating to peace and security, the budget, or new members, require a two-thirds majority to pass and these important questions are considered by the Plenary and not the main committees.¹⁶ On each agenda item, the Third Committee can adopt resolutions and decisions by simple majority although approximately 70% of its resolutions were adopted by consensus between the 60th and 70th session.¹⁷ It also issues reports to the General Assembly Plenary about its work and recommendations on its decision-making.¹⁸ In December, all documents are presented to the Plenary for adoption either through a vote or by consensus, as recommended in the committee's report.¹⁹ It is customary for the Plenary to follow the recommendations and mirror the form of adoption of the committee; therefore a decision adopted by consensus in the committee is adopted by consensus in the Plenary, and similarly for adoption by vote.²⁰

The Third Committee has a Secretariat comprised of the Secretary of the Committee Mr. Ziad Mahmassani, a Deputy Secretary, an Assistant Secretary, and three Assistants.²¹ Each year ahead of the session, the committee elects a Bureau with a Chairperson, three Vice-Chairs, and a Rapporteur.²² The Bureau of the committee assists with opening and closing each meeting, managing the discussions, pronouncing decisions, assisting with drafts and documents, and ensuring compliance with the rules of procedure.²³ The Bureau of the 75th session (2020) consists of the Chairperson Katalin Bogyay from Hungary, the Vice-Chair Pilar Eugenio from Argentina, and the Rapporteur Myriam Oehri from Liechtenstein.²⁴

Given the large scope of the committee, various experts, special rapporteurs, working groups, regional organizations, and UN entities, such as the UN Volunteers program, are encouraged to participate in an interactive dialogue with the committee and assist in policy implementation.²⁵ The UN Secretariat assists

¹³ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 74.

¹⁴ *Ibid.*, pp. 73-75.

¹⁵ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, pp. 37-38, p. 62.

¹⁶ *Charter of the United Nations*, 1945, Art. 18; UN General Assembly, *About the General Assembly*, 2019; Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, pp. 37-38, 62.

¹⁷ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011; International Service for Human Rights, *Third Committee of the General Assembly: A Practical Guide for NGOs*, 2017, p. 30.

¹⁸ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, pp. 37-38, p. 62, 68.

¹⁹ *Ibid.*, p. 62.

²⁰ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 68.

²¹ UN General Assembly, *Social, Humanitarian & Cultural Issues (Third Committee): Secretariat*, 2020.

²² International Service for Human Rights, *Third Committee of the General Assembly: A Practical Guide for NGOs*, 2017, p. 12.

²³ UN General Assembly, *Rules of Procedure of the General Assembly (A/520/Rev.18*)*, p. 30-31.

²⁴ UN General Assembly, *Social, Humanitarian & Cultural Issues (Third Committee): Bureau of the 75th Session*, 2020.

²⁵ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, pp. 73-74; UN General Assembly, *Organization of the Work of the Third Committee: Note by the Secretariat (A/C.3/72/L.1)*, 2017; International Service for Human Rights, *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*, 2017, p. 15.

the Third Committee by delivering substantive and logistical support.²⁶ The Office of the United Nations High Commissioner for Refugees (UNHCR) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) contribute to the committee's work as the UN focal point for human rights bodies, reports, and other publications.²⁷ Furthermore, as a subsidiary body of the General Assembly, the UN Human Rights Council (HRC), established in 2006 by General Assembly resolution 60/251, provides an annual report to the Third Committee on its own recent sessions and discussions.²⁸ Independent Experts, Special Rapporteurs, and Working Groups that compile reports and advise the HRC also engage in interactive dialogues with the committee.²⁹

Due to the current COVID-19 pandemic, the UN has suspended all physical meetings in the UN building, including the meetings of the General Assembly Third Committee.³⁰ On 27 March 2020, the General Assembly authorized the President of the General Assembly in *Decision 74/544: Procedure for taking decisions of the General Assembly during the coronavirus disease 2019 (COVID-19) pandemic* to circulate important draft resolutions to all Member States by a silence procedure of at least 72 hours.³¹ This means that unless any one Member State objects in written form to the adoption of this draft resolution within the set time limit, the draft resolution should be considered adopted without reference to a Main Committee.³² The General Assembly will take note of each decision taken under this silence procedure at its first session after the precautionary measures that limit physical meetings end.³³ The general debate and the voting of the 75th session of the Third Committee in October and November 2020 will be held in person but the interactive dialogues, which take up most of the actual session time, will be conducted virtually.³⁴ Moreover, the Covid-19 pandemic severely limited the activities of many organizations and bodies that report to the Third Committee, which included for example the cancelation of expert group consultations on the rights of persons with disabilities.³⁵

Mandate, Functions, and Powers

The Third Committee derives its mandate from a variety of UN documents.³⁶ Articles 10 to 17 of the *Charter of the United Nations* are the principal guidelines for the substance and scope of all General Assembly committees, whereas Articles 23, 61, 86, and 97 provide the Third Committee with its mandate and the agenda items allocated to it.³⁷ In regard to the committee's work in the field of human rights, Article 1 of the *Charter of the United Nations* speaks of the promotion of human rights, and has been said to be the foundation of the *Universal Declaration of Human Rights* (UDHR) (1948).³⁸ The Third Committee used the UDHR as the groundwork to adopt additional and more specific international human rights instruments, chief among them the *International Covenant on Civil and Political Rights* (ICCPR) (1966)

²⁶ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011

²⁷ UN OHCHR, *Human Rights – New York: Mainstreaming Human Rights*, 2019; Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, pp. 75; International Service for Human Rights, *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*, 2017, p. 10.

²⁸ UN General Assembly, *Report of the Human Rights Council (A/72/53)*, 2017; International Service for Human Rights, *Third Committee of the General Assembly: A Practical Guide for NGOs*, 2017, p. 19.

²⁹ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 65.

³⁰ Permanent Mission of France to the United Nations, *COVID-19: The UN is adapting its working methods*, 2020.

³¹ UN General Assembly, *Decision number: 74/544: Procedure for taking decisions of the General Assembly during the coronavirus disease 2019 (COVID-19) pandemic*, 2020.

³² *Ibid.*

³³ *Ibid.*

³⁴ UN General Assembly, *Draft Provisional Programme of Work of the Third Committee - 75th session*, 2020.

³⁵ UN General Assembly, *Rights of persons with disabilities (A/75/186)*, 2020.

³⁶ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011; *Charter of the United Nations*, 1945, art. 10-17.

³⁷ *Charter of the United Nations*, 1945, Art. 10-17, 23, 61, 86, 97.

³⁸ *Charter of the United Nations*, 1945, Art. 1; UN OHCHR, *Fact Sheet No. 2 (Rev. 1), The International Bill of Human Rights*, 1966; UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966).³⁹ These documents, along with the two optional protocols to the ICCPR make up what is known as the *International Bill of Human Rights* and they guide the work of the committee.⁴⁰

In addition to the human rights framework, the SDGs guide the work of the committee as they relate to many of the committee's issue areas.⁴¹ The SDGs are strongly linked to human rights; among others SDG 4 (quality education) and SDG 16 (peace, justice and strong institutions) relate to the protection of children from all forms of violence, abuse or exploitation and to the right to access to justice, which impacts matters of criminal justice.⁴² These are all issue areas the Third Committee engages with and strongly relate to the area of social affairs.⁴³ The General Assembly is also highly engaged in the implementation of the SDGs as it arranges the United Nations High-level Political Forum on Sustainable Development (HLPF) together with the Economic and Social Council (ECOSOC).⁴⁴ The HLPF consists of ministers or heads of state or government of Member States serves as the main United Nations platform to follow-up and review the *2030 Agenda*.⁴⁵

The Third Committee does not focus on operative tasks, but on policy recommendations, and primarily works through the initiation of studies and the creation of nonbinding recommendations.⁴⁶ Studies are then carried out by relevant bodies, like OHCHR and the United Nations Office on Drugs and Crime (UNODC).⁴⁷ Its work is of normative nature as it does not carry out operations, field work, or tasks called for in the committee's resolutions.⁴⁸ Policy recommendations are primarily delegated to the various agencies and offices of the UN Secretariat.⁴⁹ For example, for the agenda item on refugees, returnees, and displaced persons, the United Nations High Commissioner for Refugees has prepared a report for the Third Committee's 75th session and the Secretary-General submitted a report on Assistance to refugees, returnees and displaced persons in Africa.⁵⁰ The Third Committee can also call for conferences to highlight certain issues, with a notable recurring example being the World Conference on Women, originating from the Third Committee resolution 3276 (XXIX) in 1974.⁵¹ Additionally, the Third Committee examines the reports of the Special Procedures of the Human Rights Council.⁵² The Special Procedures are independent human rights experts with mandates to report and advise from a thematic or country-specific perspective.⁵³ For example, in its 74th session, the Third Committee heard from the Special Rapporteur on extrajudicial, summary or arbitrary executions, who raised special concern about the killing of activists and journalists such as the Saudi journalist Jamal Khashoggi and urged the United Nations to put in place independent accountability mechanisms to stop such killings.⁵⁴

³⁹ UN OHCHR, *Fact Sheet No. 2 (Rev.1), The International Bill of Human Rights*, 1966; UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966.

⁴⁰ UN OHCHR, *Fact Sheet No. 2 (Rev.1), The International Bill of Human Rights*, 1966; UN OHCHR, *Universal Human Rights Instruments*, 2019.

⁴¹ UNRIC, *UNRIC Library Backgrounder: Sustainable Development Goals (SDGs)*, 2019.

⁴² UN OHCHR, *Summary Table on the Linkages Between the SDGs and Relevant International Human Rights Instruments*.

⁴³ UN General Assembly, *Third Committee*, 2020.

⁴⁴ UN Department of Economic and Social Affairs, *High-Level Political Forum*, 2020.

⁴⁵ *Ibid.*

⁴⁶ UN General Assembly, *Functions and Powers of the General Assembly*, 2019.

⁴⁷ UN General Assembly, *Organization of the work of the Third Committee: Note by the Secretariat (A/C.3/72/L.1)*, 2017.

⁴⁸ UN General Assembly, *Functions and Powers of the General Assembly*, 2019.

⁴⁹ Permanent Mission of Switzerland to the UN, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2011, p. 65; UN OHCHR, *Human Rights – New York: Mainstreaming Human Rights*, 2019.

⁵⁰ UN General Assembly, *Documents per Agenda Item – 75th session*, 2019.

⁵¹ UN General Assembly, *Conference of the International Women's Year (XXIX) (A/RES/29/3276)*, 1974; UN-Women, *World Conferences on Women*, 2019.

⁵² UN General Assembly, *Third Committee*, 2020.

⁵³ OHCHR, *Special Procedures of the Human Rights Council*, 2020.

⁵⁴ UN DGC, *Amid Rising Nationalism, Global Leaders Call for Unity to Tackle Climate Emergency, Poverty, Extremism, at Opening of Seventy-Fourth General Assembly Session*, 2020.

Recent Sessions and Current Priorities

The Third Committee conducted its 74rd session in October and November 2019, which was chaired by Luxembourg.⁵⁵ The committee adopted a total of 62 draft resolutions and decisions, of which 21 required a vote whilst all others were adopted by consensus.⁵⁶ The 74th session of the General Assembly noted a global rise in nationalism and zero-sum geopolitics and this was reflected in the Committee's work.⁵⁷ One of the most intensely contested debates centered on draft resolution General Assembly 74/395 *Promotion and protection of the rights of children* (2019), that was adopted by consensus but only after two amendments brought in by the United States, which aimed to remove language pertaining to reproductive health care, were rejected.⁵⁸ The United States also criticized a draft resolution that intended to foster a more effective international response to enforced displacement by UNHCR, as they objected to a clause of the draft resolution that expressed concern over arbitrary detention of refugees by state authorities.⁵⁹

The closest vote of the 74th session of the Third Committee was recorded on General Assembly draft resolution 74/401 *Countering the use of information and communications technologies for criminal purposes* (2019), which was adopted with 88 Member States in favor and 58 against.⁶⁰ The draft resolution was presented by the Russian Federation and established an open-ended ad hoc intergovernmental committee of experts to elaborate an international convention on combating the use of new technologies for criminal purposes.⁶¹ The opposition to the draft was led by the United States, the European Union, Canada, and Australia, who argued that a new treaty would be redundant to several existing global tools such as the *Budapest Convention on Cybercrime* (2004) and the ongoing work of the Vienna-based open-ended intergovernmental expert group meeting on cybercrime already exist.⁶² Other notable decisions made by the Third Committee include the passage of a draft that establishes 18 September as International Equal Pay Day, which was observed for the first time in 2020.⁶³ The representative from Iceland, who introduced the text, announced that the Day is aimed to support reducing the gender pay gap, which remains at 20%.⁶⁴

As a majority of debates under the GA3 mandate center on human rights issues, the means of best addressing these issues in the UN system has become a prominent topic of debate in the Third Committee.⁶⁵ As part of this ongoing debate, delegates are asking whether resolutions on the human rights situation within single Member States are sufficient to address human rights issues.⁶⁶ Nevertheless, during the 74th session, five country-specific resolutions were adopted despite the opposition of some

⁵⁵ Ibid.

⁵⁶ UN General Assembly, Third Committee, *List of proposals contained in the reports of the Third Committee for consideration by the General Assembly (A/C.3/74/INF/1)*, 2019.

⁵⁷ UN DGC, *Amid Rising Nationalism, Global Leaders Call for Unity to Tackle Climate Emergency, Poverty, Extremism, at Opening of Seventy-Fourth General Assembly Session*, 2020.

⁵⁸ UN General Assembly, Department of Public Information, *Concluding Session, Third Committee Sends 17 Drafts to General Assembly as Delegates Joust over Language on Sexual, Reproductive Health, Rights*, 2019.

⁵⁹ UN DGC, *Amid Rising Nationalism, Global Leaders Call for Unity to Tackle Climate Emergency, Poverty, Extremism, at Opening of Seventy-Fourth General Assembly Session*, 2020.

⁶⁰ UN General Assembly, Third Committee, *List of proposals contained in the reports of the Third Committee for consideration by the General Assembly (A/C.3/74/INF/1)*, 2019; UN General Assembly, Third Committee, *Countering the use of information and communications technologies for criminal purposes (A/74/401)*, 2019.

⁶¹ UN DGC, *Third Committee Passes 15 Draft Resolutions on Child Rights, Rural Women, with Divisions over Sexual, Reproductive Health Care Chipping Away at Consensus*, 2019.

⁶² Ibid.

⁶³ UN DGC, *Amid Rising Nationalism, Global Leaders Call for Unity to Tackle Climate Emergency, Poverty, Extremism, at Opening of Seventy-Fourth General Assembly Session*, 2020.

⁶⁴ Ibid.

⁶⁵ Universal Rights Group, *Sibling Rivalry? Measuring and Understanding the Uneasy Relationship Between the Human Rights Council and the Third Committee of the GA*, 2017.

⁶⁶ International Service for Human Rights, *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*, 2017, p. 21; Universal Rights Group, *Sibling Rivalry? Measuring and Understanding the Uneasy Relationship Between the Human Rights Council and the Third Committee of the GA*, 2017.

Member States, which reject country-specific mandates as inherently politicized.⁶⁷ The high degree of overlap can be traced back to the HRC being established as a subsidiary organ instead of a main body, leading to a contentious hierarchy between both bodies.⁶⁸

The Covid-19 pandemic has not only affected how the General Assembly Third Committee conducts its 75th session but it also impacted nearly every issue area on its agenda.⁶⁹ The report of the Special Rapporteur on the rights of persons with disabilities describes how the pandemic is increasing already existing inequalities because persons with disabilities are not only among the most vulnerable people to be infected with SARS-CoV-2 but also suffer immensely from the pandemic-induced closure of social care institutions.⁷⁰ The Special Rapporteur on the right to education in her report outlined how the Covid-19 crisis has added a new layer of exclusion as school closures especially affected poorer and otherwise disadvantaged children and schools with insufficient access to water and sanitation.⁷¹ The Special Rapporteur on the human rights of internally displaced persons devoted an entire chapter of her annual report on the direct and indirect impacts of the pandemic, which include movement restrictions, heightened risk of infection in crowded camps, and increased discrimination and hostility by host communities fearing that displaced persons might carry the disease.⁷² Beyond human rights, the pandemic also impacts the social development part of the Third Committee's mandate as the pandemic and resulting lockdown measures have resulted in a collapse in economic activity, which threatens the livelihood of millions of people.⁷³

Conclusion

The Third Committee continues to have a central role in the UN as it provides an overarching forum of discussion for a wide variety of social, humanitarian, and cultural issues, and is the largest representative body for human right and humanitarian norms.⁷⁴ Particularly within the context of the adoption of the SDGs, the Third Committee's work continues to be integral to improving human rights situations around the world.⁷⁵ The General Assembly Third Committee's 75th session reflects the importance of human rights agenda items for the committee.⁷⁶ The Covid-19 pandemic and its effect on all aspects of human life will run through the discussions of nearly all agenda items, including the rights of children, of persons with disabilities, indigenous people, and displaced persons.⁷⁷ Moreover, the committee will extensively address the human rights situation in specific countries.⁷⁸

Annotated Bibliography

International Service for Human Rights. (2017). *Third Committee of the United Nations General Assembly: A Practical Guide for NGOs*. Retrieved 25 August 2020 from:

https://www.ishr.ch/sites/default/files/article/files/ishr_3rd_com_handbook_eng_web.pdf

This handbook by the International Service for Human Rights provides an overview of the Third Committee's work and structure. It also highlights the Third Committee's

⁶⁷ UN General Assembly, *List of proposals contained in the reports of the Third Committee for consideration by the General Assembly (A/C.3/74/INF/1)*, 2019.

⁶⁸ Universal Rights Group, *Sibling Rivalry? Measuring and Understanding the Uneasy Relationship Between the Human Rights Council and the Third Committee of the GA*, 2017.

⁶⁹ UN General Assembly, *Documents per Agenda Item -75th session*, 2020.

⁷⁰ UN General Assembly, *Rights of persons with disabilities (A/75/186)*, 2020.

⁷¹ UN General Assembly, *Right to education (A/75/178)*, 2020.

⁷² UN General Assembly, *Human rights of internally displaced persons (A/75/207)*, 2020.

⁷³ UN General Assembly, *Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (A/75/216)*, 2020.

⁷⁴ Permanent Mission of Switzerland to the United Nations, *The GA Handbook: A Practical Guide to the United Nations General Assembly*, 2017, p. 73.

⁷⁵ Damplo, *Report on the 73rd Session of the Third Committee of the UN General Assembly*, 2018.

⁷⁶ UN General Assembly, *Draft Provisional Programme of Work of the Third Committee - 75th session*, 2020.

⁷⁷ Ibid.

⁷⁸ UN General Assembly, *Documents per Agenda Item -75th session*, 2020.

relationship with other UN bodies and stakeholders, as well as the role of regional and political groups. This is a valuable source for delegates looking to familiarize themselves with the work of the Third Committee, and how it falls in the overall General Assembly and United Nations architecture.

Permanent Mission of Switzerland to the United Nations. (2017). *The GA Handbook: A Practical Guide to the United Nations General Assembly*. Retrieved 20 August 2020 from:

https://www.eda.admin.ch/dam/mission-new-york/en/documents/UN_GA_Final.pdf

The Permanent Mission to the United Nations of Switzerland published this handbook as an introductory guidance material for the General Assembly. The handbook is an ideal starting point to understand the General Assembly, gain an overview of its processes, and organizational structure. It gives strongly summarized information and provides context to better understand the functioning of the General Assembly and its committees. Furthermore, delegates should consult this source to not only better understand the General Assembly in its entirety but also to gain more information on the existing rules of procedure, structure of resolutions, and workflow to help familiarizing themselves with the formal structures of the body's work.

United Nations, Department of Global Communications. (2019). *Concluding Session, Third Committee Sends 17 Drafts to General Assembly as Delegates Joust over Language on Sexual, Reproductive Health, Rights*. Retrieved 19 July 2020 from: <https://www.un.org/press/en/2019/qashc4285.doc.htm>

This press release summarizes the concluding session of the 74th session of the Third Committee. The text gives a good overview of the various draft resolutions that were adopted and their key provisions. It also provides an interesting overview of the heated debate about reproductive rights that was going on in the committee and the arguments of various Member States. This press release represents an easy way for delegates to get a comprehensive overview of the current state of discussion in the Third Committee, the positions of various Member States, and the key fault lines between the States.

United Nations, General Assembly. (2019). *Reports to the Plenary*. Retrieved 19 July 2020 from: <https://www.un.org/en/ga/third/74/reports.shtml>

This website contains a list of all the reports adopted by the latest session of the Third Committee. Among them are reports on items that are discussed regularly like the rights of indigenous peoples or the advancement of women but also reports on the human rights situations in specific countries such as the Democratic People's Republic of Korea or the Islamic Republic of Iran. Delegates will find this list of documents useful to gain an insight into the range of topics discussed and the way the Third Committee addresses these issues.

United Nations, Office of the High Commissioner for Human Rights. (2019). *Universal Human Rights Instruments*. Retrieved 20 August 2020 from:

<https://www.ohchr.org/en/professionalinterest/pages/universalhumanrightsinstruments.aspx>

This website from the Office of the United Nations High Commissioner for Human Rights provides a good overview of the most important human rights instruments and the bodies that monitor them. It does not only cite source in regard to human rights in general, but furthermore includes international documents by topic areas, such as for example the rights of child, rights of persons with disabilities, and the prevention of discrimination. It provides delegates with the ideal overview to begin researching the international human rights regime, its fundamentals and specific topic areas.

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Office of the United Nations High Commissioner for Human Rights. (2019). *Human Rights – New York: Mainstreaming Human Rights*. Retrieved 20 September 2020 from: <http://www.ohchr.org/EN/NewYork/Pages/MainstreamingHR.aspx>

Office of the United Nations High Commissioner for Human Rights. (2019). *Universal Human Rights Instruments*. Retrieved 16 September 2020 from: <https://www.ohchr.org/en/professionalinterest/pages/universalhumanrightsinstruments.aspx>

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Permanent Mission of France to the United Nations. (2020). *COVID-19: The UN is adapting its working methods*. Retrieved 23 August 2020 from: <https://onu.delegfrance.org/COVID-19-The-UN-is-adapting-its-working-methods>

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United Nations, Department of Economic and Social Affairs. (2020). *High-Level Political Forum*. Retrieved 23 August 2020 from: <https://sustainabledevelopment.un.org/hlpf>

United Nations, Department of Global Communications. (2019). *Amid Rising Nationalism, Global Leaders Call for Unity to Tackle Climate Emergency, Poverty, Extremism, at Opening of Seventy-Fourth General Assembly Session*. Retrieved 23 August 2020 from: <https://www.un.org/press/en/2019/ga12236.doc.htm>

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I. Rights of Indigenous People

Introduction

There are currently 370 million indigenous peoples globally, belonging to 5,000 different groups, in 90 countries, which account for roughly 5% of the global population, however these groups also comprise roughly 15% of the world's impoverished populations.⁷⁹ According to the Office of the United Nations High Commissioner for Human Rights (OHCHR), indigenous peoples often have their rights violated and ignored, including attempts to reduce cultural preservation, land seizure and relocation, cultural marginalization, or violation of basic human rights.⁸⁰ COVID-19 has exposed existing inequalities and injustices and fatality rates have been highest among marginalized groups including indigenous people.⁸¹

Considering the diversity of indigenous peoples, an official definition of “indigenous” has not been adopted by the UN-system.⁸² Instead the system has identified indigenous groups based on the following characteristics: self-identification as indigenous peoples and acceptance by the indigenous community as their member; historical continuity with pre-colonial societies; strong link to territories and surrounding natural resources; distinct social, economic or political systems; distinct language, culture and beliefs; resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities.⁸³ The specific rights of indigenous peoples are primarily outlined in the 2007 *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) indigenous people are entitled to the same rights as all other people globally.⁸⁴ The international community has begun to increasingly recognize and understand their distinct cultural diversity, and the need to ensure that their specific rights and needs are met.⁸⁵ Even though some progress has been made in having indigenous persons' voices heard both on a national and an international level, the need to maintain indigenous rights remains pressing.⁸⁶ Still, indigenous people continue to face high levels of social, political, and economic discrimination, coming from centuries of exploitation and domination.⁸⁷

International and Regional Framework

Adopted in 1957 by the International Labour Organization (ILO), the *Convention 107 on Indigenous and Tribal Populations* was the primary foundational document providing for the protection of and integration mechanisms for indigenous peoples; however it only focused on integrating indigenous peoples into existing groups of people, rather than recognizing them as their own distinct group of people.⁸⁸ In 1966, the General Assembly adopted two guiding framework documents on human rights: the *International Covenant on Civil and Political Rights* (ICCPR) and the *International Covenant on Economic, Social, and Cultural Rights* (ICESCR), which both focused on self-determination, and outlined the rights granted to all peoples.⁸⁹ *Convention 169 on Indigenous and Tribal Peoples* (1989) further replaced Convention 107 to

⁷⁹ Cultural Survival, *The Issues*, 2018; Asia Pacific Forum of National Human Rights Institutions & UN OHCHR, *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*, 2013.

⁸⁰ Asia Pacific Forum of National Human Rights Institutions & UN OHCHR, *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*, 2013; UN DESA, *Indigenous peoples' collective rights to lands, territories and resources*, 2018.

⁸¹ UN DESA, Sustainable Development Goals Report, 2020.

⁸² UNPFII, *Who are indigenous peoples?*, 2019.

⁸³ UN DESA, *Culture*, 2019.

⁸⁴ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*, 2007.

⁸⁵ Ibid.

⁸⁶ Asia Pacific Forum of National Human Rights Institutions & UN OHCHR, *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*, 2013.

⁸⁷ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*, 2007; UN DESA, *State of the World's Indigenous Peoples: Education*, 2017, p. 3.

⁸⁸ ILO, *Indigenous and Tribal Populations Convention, 1957 (No. 107)*, 1957.

⁸⁹ UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966; UN General Assembly, *International Covenant on Economic, Social, and Cultural Rights (A/RES/2200 (XXI))*, 1966.

ensure protection mechanisms were in place to reduce marginalization against indigenous peoples.⁹⁰ Convention 169 recognized the rights of indigenous peoples, outlining that they were entitled to the same rights as the rest of humanity, as well as establishing specific rights of indigenous peoples such as cultural preservation and language.⁹¹

Following discussions within the Human Rights Council (HRC), the General Assembly officially adopted UNDRIP in 2007 as the first document to fully outline the rights of indigenous peoples.⁹² While UNDRIP focuses on reaffirming many of the rights outlined in other documents such as the *Charter of the United Nations* (1945), ICCPR, and ICESCR, it also established additional rights, such as the right to not be forced into assimilation, the right to language and cultural preservation, the rights to indigenous peoples' own forms of education and media, and protection of their land and resources.⁹³ Culture is also determined as a right through UNDRIP and as a key aspect of indigenous identity, and is specifically noted in articles 8, 11, 14, 15, and 31.⁹⁴ In 2010, the UN General Assembly established the "World Conference on the Rights of Indigenous Peoples," which was held in 2014 to further advance the ideals set forth in UNDRIP.⁹⁵ The conference reaffirmed the international community's commitment to UNDRIP and the rights of indigenous peoples, including placing specific importance on the rights of marginalized peoples within indigenous groups, as well as health, education, and the role of women and youth in indigenous leadership.⁹⁶ As an outcome of the World Conference, it was recommended that a UN System-Wide Action Plan (UN-SWAP) be created to ensure the rights of indigenous peoples as outlined in UNDRIP are fully considered in the UN system, for example through the conduction of a high-level awareness-raising initiative.⁹⁷ To further support the relationship between indigenous rights and the environment, the *Paris Agreement* was adopted in 2016 as a global convention working to reduce the effects of climate change, as part of the larger *United Nations Framework Convention on Climate Change* (UNFCCC) (1992).⁹⁸ The *Paris Agreement* specifically highlighted importance of indigenous rights and the importance of indigenous peoples' knowledge in adapting to and reducing the effects of climate change.⁹⁹

Role of the International System

The General Assembly Third Committee continues to highlight the importance of indigenous rights and issues including reiterating the importance of UNDRIP, and emphasizing the significance of culture, language, and indigenous livelihoods.¹⁰⁰ The General Assembly has previously discussed indigenous issues more generally, however in 1992, specific discussion on the issue gained significant traction when the "International Decade on the World's Indigenous Peoples" (1995-2004) was declared.¹⁰¹ The decade saw the growth of funding for indigenous activities, human rights protection, and integration of indigenous issues within the UN system.¹⁰² The decade also saw the creation of programs within the UN system that promote indigenous activities and rights, and also identified that additional in-country work needs to be

⁹⁰ ILO, *Indigenous and Tribal Peoples Convention, 1989 (No. 169)*, 1989.

⁹¹ *Ibid.*

⁹² UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*, 2007.

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ UN General Assembly, *Indigenous Issues (A/RES/65/198)*, 2010.

⁹⁶ UN General Assembly, *Outcome document of the High-Level Plenary Meeting of the General Assembly known as the World Conference on Indigenous Peoples (A/RES/69/2)*, 2014.

⁹⁷ UN ECOSOC, *System-wide Action Plan for Ensuring a Coherent Approach to Achieving the Ends of the United Nations Declaration on the Rights of Indigenous Peoples (E/C.19/2016/5)*, 2016.

⁹⁸ COP 21, *Paris Agreement*, 2016.

⁹⁹ *Ibid.*

¹⁰⁰ UN General Assembly, *Rights of Indigenous Peoples (A/RES/73/156)*, 2019.

¹⁰¹ UN DESA, *UN General Assembly Resolutions and Discussion on Indigenous peoples*, 2019.

¹⁰² UN ECOSOC, *Report of the Secretary-General on the Preliminary Review by the Coordinator of the International Decade of the World's Indigenous People on the Activities of the United Nations System in Relation to the Decade* (E/2004/82)*, 2004.

conducted to improve the rights of indigenous peoples.¹⁰³ In 2016, the General Assembly discussed the creation of “The International Year of Indigenous Languages” to be held in 2019, and partnerships with the World Health Organization (WHO), United Nations Children’s Fund (UNICEF), and other UN organizations in mitigating the prevalence of suicide amongst indigenous youth.¹⁰⁴ During the seventy-third session, the General Assembly discussed the inclusion of indigenous rights when integrating the *2030 Agenda for Sustainable Development* (2030 Agenda) (2015), and increased action required to prevent and eliminate violence against indigenous peoples, specifically marginalized groups.¹⁰⁵

Reporting to the Economic and Social Council (ECOSOC), the Permanent Forum on Indigenous Issues (UNPFII), is a high-level advisory body established in 2000 that deals with indigenous issues on “economic and social development, culture, the environment, education, health, and human rights issues” by providing advice and recommendations, raising awareness, and promoting UNDRIP.¹⁰⁶ In past sessions, the UNPFII has discussed recommendations on climate change (2008), indigenous culture and identity (2010), good governance as it relates to UNDRIP (2014), and collective land rights (2018).¹⁰⁷ Created by the HRC in 2007, the Expert Mechanism on the Rights of Indigenous Peoples works directly with indigenous peoples, civil society, intergovernmental organization, and academia, to provide expertise and guidance on the rights of indigenous peoples.¹⁰⁸ At the twelfth session of the Expert Mechanism in 2019, discussions took place regarding recognition, repatriation and reconciliation, migration, and indigenous women in power.¹⁰⁹ The main conclusions were that UNDRIP itself is an instrument to pursue recognition, reparations and reconciliation, by recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures.¹¹⁰ Another conclusion was, that any process of reparation and reconciliation must be approached from an indigenous perspective, taking into account cultural specificities, including the spiritual connection of indigenous peoples to their lands, their traditions related to identifying and healing injuries and their right to participate fully and effectively in decision-making.¹¹¹ Lastly, that recognition of the right of indigenous peoples to self-determination, their rights to autonomy and political participation, their claims to their lands and the recognition of indigenous juridical systems and customary laws should be considered an essential part of recognition, reparation and reconciliation.¹¹²

The Expert Mechanism on the Rights of Indigenous Peoples is mandated to guide policy and legislative change based on expertise to the Human Rights Council through best practices, research, studies, and recommendations.¹¹³ After the 2014 World Conference, the Expert Mechanism also began producing an annual report on the status of the rights of indigenous peoples worldwide.¹¹⁴ The 2019 report, the latest documentation, notes that the UNDRIP negotiations and the 2014 World Conference on Indigenous Peoples proved the importance and inextricability of participatory rights and substantive outcomes.¹¹⁵ Reporting to the Human Rights Council, the Commission on Human Rights, and the General Assembly, Victoria Tauli Corpuz, the current Special Rapporteur on the Rights of Indigenous Peoples, appointed in 2014, works to establish ways for indigenous peoples to overcome obstacles for protection of their rights, review alleged violations of indigenous rights, provide recommendations on improving indigenous rights, and coordinate with other relevant indigenous bodies, while simultaneously working in collaboration with

¹⁰³ Ibid.

¹⁰⁴ UN General Assembly, *Rights of Indigenous Peoples (A/RES/73/156)*, 2019.

¹⁰⁵ UN SDGs Knowledge Platform, *Indigenous Peoples*.

¹⁰⁶ UN DESA, *Permanent Forum*, 2019.

¹⁰⁷ Ibid.

¹⁰⁸ UN OHCHR, *Expert Mechanism on the Rights of Indigenous Peoples*, 2019.

¹⁰⁹ UN OHCHR, *Twelfth session of the Expert Working Group on the Rights of Indigenous Peoples*, 2019.

¹¹⁰ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*, 2007.

¹¹¹ Ibid.

¹¹² UN HRC, *Efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: recognition, reparation and reconciliation*, 2019.

¹¹³ UN ECOSOC, *State of the World’s Indigenous Peoples: Implementing the United Nations Declaration on the Rights of Indigenous Peoples*, 2019.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

the UNPFII.¹¹⁶ Outside of the UN framework, the International Work Group for Indigenous Affairs works to empower indigenous populations as well as give input into the development of the UNPFII and support related NGOs.¹¹⁷ These include the Center for World Indigenous Studies, which has been responsible for helping draft 27 laws and regulations, and the World Rainforest Movement, which works to protect the rights of indigenous peoples whose traditional lands are forested.¹¹⁸ Due to COVID-19 many programs helping indigenous people, mostly in the education sector, had to be paused and it is unclear when and if they will proceed.¹¹⁹

Indigenous People and COVID-19

COVID-19 presents a new threat to the health and survival of indigenous peoples, which fall into the most vulnerable health category in nearly all Member States.¹²⁰ They experience significantly higher rates of communicable and non-communicable diseases, high mortality rates and lower life expectancies.¹²¹ Indigenous peoples are more vulnerable to COVID-19 due to malnutrition and undernutrition, poor access to sanitation, lack of clean water, and inadequate medical services.¹²² Additionally, indigenous peoples often experience a disproportionate stigma in healthcare, including stereotyping and inconsistent access to therapeutics, thus creating additional barriers to care.¹²³ In many cases, data on rates of infections among indigenous peoples are often not available, with infections not being recorded by ethnicity, although data indicate a rising number of COVID-19 infections and high mortality rates among vulnerable groups.¹²⁴

Indigenous peoples often fall outside of existing support and healthcare systems, and as pandemic lockdowns continue, marginalized groups such as indigenous peoples who have already lost their traditional lands and territories, may also now face additional financial pressures.¹²⁵ In one example, the Maasai of Kenya have had their livestock and pastoral production systems significantly affected reducing their economic capacity.¹²⁶ Many indigenous peoples also work in the informal economy, such as in markets, handicrafts, tourism, and seasonal work, which are often neither taxed nor monitored and have been significantly impacted by the pandemic.¹²⁷ The UN Department of Economic and Social Affairs (DESA) has made several recommendations designed to respond to this challenge, most notably to include indigenous leaders in both the response and reconstruction activities.¹²⁸

Indigenous peoples are seeking their own solutions to this pandemic.¹²⁹ They are taking action, and using traditional knowledge and practices such as voluntary isolation, and sealing off their territories, as well as preventive measures, by their own means.¹³⁰ For example, indigenous people in the province of Quebec, Canada, are using traditional medicine such as herbal tea made with cedar leaves to help stave off COVID-19 infections or the Mbya-Guarani indigenous leaders in Paraguay are sharing their traditional knowledge on how to produce natural and homemade disinfectants.¹³¹ Indigenous peoples are three times more likely to be living in extreme poverty, making access to food and medicines or treatment

¹¹⁶ UN OHCHR, *Mandate of the Special Rapporteur on the Rights of Indigenous Peoples*, 2019; UN OHCHR, *Special Rapporteur on the Rights of Indigenous Peoples*, 2019; UN OHCHR, *Annual Reports*, 2019.

¹¹⁷ International Work Group for Indigenous Affairs, *About Us*.

¹¹⁸ Center for World Indigenous Studies, *What we do*, 2019; WRM, *About WRM*.

¹¹⁹ OHCHR, *COVID-19 and indigenous people' rights*, 2020.

¹²⁰ UN DESA, *The Impact of COVID-19 on Indigenous Peoples*, 2020, p. 1.

¹²¹ *Ibid.*

¹²² *Ibid.*

¹²³ *Ibid.*

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

¹²⁶ *Ibid.*

¹²⁷ *Ibid.*, p. 3.

¹²⁸ UN DESA, *The Impact of COVID-19 on Indigenous Peoples*, 2020, p. 3.

¹²⁹ *Ibid.*, p. 1.

¹³⁰ ECOSOC, *COVID-19 and Indigenous peoples*.

¹³¹ OHCHR, *COVID-19 and indigenous people' rights*, 2020.

harder, and making it harder to sustain themselves whilst they are unable to work.¹³² UN DESA has highlighted the importance of ensuring accessible clean water sources in order for these solutions to be viable.¹³³

Indigenous Peoples and Human Rights

Indigenous Self-Determination

Indigenous peoples' right to self-determination confirms their ability to have control over their land, natural resources, or environment, as well as effects on health, social issues, and education.¹³⁴ Indigenous peoples regard self-determination as a fundamental and inherent right and as a prerequisite for the full achievement of human rights.¹³⁵ However, many indigenous peoples who experience multigenerational trauma from past colonial practices such as residential schools, cultural repression, and assimilation often experience challenges like marginalization, low quality education, and poverty, which impact indigenous peoples ability to achieve full self-determination.¹³⁶ As outlined in the 2009 *State of the World's Indigenous Peoples* report, these challenges can lead to various systemic social challenges such as increased rates of high-risk behaviors, which inhibit their ability to achieve self-determination or social advancement.¹³⁷ In recent years, various indigenous actors have worked to increase indigenous representation politically for example in the New Zealand Parliament, which has dedicated specific seats for the Maori peoples, based on the population eligible for voting.¹³⁸ Further, Burundi has assigned six seats for the Batwa peoples in their National Assembly and Senate; and the Parliament of India designated seats for indigenous tribes as stated in the Indian Constitution.¹³⁹

Gender equality in indigenous communities

While indigenous women are entitled to the same rights as men under international human rights standards, indigenous women continue to face additional obstacles towards equality.¹⁴⁰ Additionally, indigenous women are recognized as playing a key role in improving, maintaining, preserving, and passing down cultural knowledge and language.¹⁴¹ The UN Commission on the Status of Women (CSW) identified the importance of respecting traditional knowledge of indigenous women, including their rights and contributions to social, economic, political, cultural, and environmental advancement and protection.¹⁴² However, because indigenous women often deal with multiple levels of discrimination, they face disproportionate levels of poverty, health issues, reduced educational opportunities, and hindered economic prosperity.¹⁴³ Indigenous women also continue to face marginalization and violence, and adequate laws protecting the traditional knowledge that women possess are lacking, which impacts the ability for multi-generational knowledge transmission.¹⁴⁴ COVID-19 has heightened this challenge, as social distancing and increased stress on support systems has diminished the number of opportunities for indigenous women to escape domestic violence.¹⁴⁵

The Special Rapporteur on Violence Against Women, Dubravka Šimonović, stated that indigenous women in Canada, for example, face a multitude of systemic challenges, like poverty and marginalization,

¹³² ECOSOC, *COVID-19 and Indigenous peoples*.

¹³³ UN DESA, *The Impact of COVID-19 on Indigenous Peoples*, 2020, p. 3.

¹³⁴ UNDG, *United Nations Development Group Guidelines on Indigenous Peoples' Issues*, 2008.

¹³⁵ UN DESA, *State of the World's Indigenous Peoples*, 2009, pp. 192-193.

¹³⁶ *Ibid.*, p. 148.

¹³⁷ *Ibid.*, p. 148.

¹³⁸ Asia Pacific Forum of National Human Rights Institutions & UN OHCHR, *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*, 2013, p. 23.

¹³⁹ *Ibid.*, p. 23.

¹⁴⁰ UNDG, *United Nations Development Group Guidelines on Indigenous Peoples' Issues*, 2008, p. 2.

¹⁴¹ UN ECOSOC, *Interactive Dialogue on the Focus Area: Empowerment of Indigenous Women*, 2017.

¹⁴² UN CSW, *Social Protection Systems, Access to Public Services and Sustainable Infrastructure for Gender Equality and the Empowerment of Women and Girls*, 2019, p. 13.

¹⁴³ UNDG, *United Nations Development Group Guidelines on Indigenous Peoples' Issues*, 2008, p. 22.

¹⁴⁴ Quebec Native Women Inc., *The Role of Indigenous Women in the Protection of Traditional Knowledge*.

¹⁴⁵ UN DESA, *The Impact of COVID-19 on Indigenous Peoples*, 2020, p. 2.

and that existing social protection measures are not sufficient for indigenous peoples, particularly indigenous women.¹⁴⁶ In the *Report of the Special Rapporteur on the Rights of Indigenous Peoples* (2015), the Special Rapporteur on the Rights of Indigenous Peoples identified that overall challenges for meeting indigenous women's rights globally included existing monitoring systems being ineffective, lack of data, progressive economic policies, and social stigma to be some of the largest contributing factors.¹⁴⁷

Conclusion

The General Assembly Third Committee plays a critical role in ensuring the issues of indigenous marginalization are addressed, and indigenous rights continue to be met.¹⁴⁸ Culture, language, and traditional knowledge are just a few of the important rights indigenous people are entitled to as outlined in UNDRIP.¹⁴⁹ With institutions like UNPFII, the Expert Mechanism on the Rights of Indigenous Peoples, and UNDRIP, there are increasing avenues available for discussing and reaffirming the rights of indigenous peoples.¹⁵⁰ Despite the fact that the COVID-19 pandemic is disproportionately affecting indigenous peoples, the reaction of states to addressing this disproportionate impact, the underlying structural inequalities, and pervasive discrimination facing indigenous communities has varied greatly, from targeted support to failure to adopt any specific policies.¹⁵¹

Further Research

When researching this topic further, delegates should be guided by the following questions: How can the rights of indigenous peoples be further implemented and achieved within Member States? How can the voices and opinions of indigenous peoples be better represented at the local, national, and regional levels? How can indigenous peoples better preserve their culture within non-indigenous political and social systems? Through which methods can traditional knowledge such as language and cultural practices continue to be preserved? What can be better done to achieve indigenous human rights? How can women and youth play a larger role in ensuring the achievement of indigenous rights? How can the UN support the rights and political representation of indigenous women? How can indigenous peoples be protected against COVID-19 and its following consequences without harming their cultures and traditions?

Annotated Bibliography

Asia Pacific Forum of National Human Rights Institutions & Office of the United Nations High Commissioner for Human Rights. (2013). *The United Nations Declaration on the Rights of Indigenous Peoples: A Manual for National Human Rights Institutions*. Retrieved 23 September 2020 from: <https://www.ohchr.org/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf>

This manual provides an in-depth overview on the UN Declaration on the Rights of indigenous peoples, including a historical review overview of the challenges and rights of indigenous peoples. The manual aims to identify the importance of indigenous rights, provides an overview of UNDRIP including its implementation, and how human rights institutions work with indigenous peoples and their rights. Delegates will find this report particularly beneficial as it provides an excellent thematic overview of the challenges indigenous people face in terms of the achievement of indigenous rights.

United Nations, Department of Economic and Social Affairs. (2018). *Indigenous peoples' collective rights to lands, territories and resources*. Retrieved 22 September 2020 from:

¹⁴⁶ UN HRC, *Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences*, 2018.

¹⁴⁷ UN General Assembly, *Report of the Special Rapporteur on the Rights of Indigenous Peoples*, Victoria Tauli Corpuz, 2015, pp. 17-19.

¹⁴⁸ UN General Assembly, *Social, Humanitarian, and Cultural Issues (Third Committee)*, 2019; UN DESA, *Permanent Forum*, 2019.

¹⁴⁹ UN General Assembly, *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*, 2007.

¹⁵⁰ UN DESA, *Indigenous Peoples at the UN*, 2019; UN General Assembly, *UNDRIP (A/RES/61/295)*, 2007.

¹⁵¹ OHCHR, *COVID-19 and indigenous people' rights*, 2020.

<https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/04/Indigenous-Peoples-Collective-Rights-to-Lands-Territories-Resources.pdf>

This document provides an overview of where indigenous peoples have had their lands and territories recognized, what challenges remains, and the relevant frameworks. It describes the scale of the problem as well, which is considered one of the more important priorities for indigenous peoples. Delegates should use this to understand how land rights for indigenous peoples are viewed globally and what more can be done by the UN system.

United Nations, Department of Economic and Social Affairs. (2019). *State of the World's Indigenous Peoples: Implementing the United Nations Declaration on the Rights of Indigenous Peoples*. Retrieved 19 July 2020 from: <https://social.un.org/unpfii/sowip-vol4-web.pdf>

This edition of the State of the World's Indigenous Peoples (SOWIP) offers a perspective on how the Declaration on the Rights of Indigenous Peoples has been utilized as a formal United Nations document defining and elaborating aspirations, duties and obligations but also as a source of inspiration and a tool for advocacy and awareness. This report highlights trends and good practices in the application of the Declaration but also identifies gaps and challenges hindering full and effective implementation. This offers delegates a good overview on the current state of indigenous rights.

United Nations, Department of Economic and Social Affairs. (2020). *COVID-19 and Indigenous peoples*. Retrieved 19 July 2020 from: <https://www.un.org/development/desa/indigenouspeoples/covid-19.html>

This policy brief from DESA highlights some of the challenges indigenous peoples have faced as a result of COVID-19. It also discusses some potential solutions that both Member States and the UN system should consider in resolving these challenges. Many of its findings discuss that the global pandemic has served to exacerbate existing inequalities and diminishing the number of opportunities for indigenous peoples to escape poverty. Delegates should look to this document to understand some of the considerations the UN is already considering to resolve this issue and what inequalities have been exacerbated.

United Nations, General Assembly, Sixty-first session. (2007). *United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295)*. Retrieved 7 November 2020 from:

https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

This declaration provides an excellent opportunity for delegates to understand exactly which rights are guaranteed for indigenous peoples. This document is the culmination of years of work to internationally recognize the rights of indigenous peoples. Some important examples that the declaration defines include the right to self-determination, having the right to a nationality, and to not be forced into assimilation. This resolution will be particularly important for delegates as they work to research the advancement of the rights of indigenous peoples.

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II. Empowering Conflict-Affected Children and Youth

Introduction

With more than 50 ongoing armed conflicts worldwide, 1.8 billion young people currently live in conflict-affected areas, representing over 20% of the global youth population.¹⁵² The United Nations (UN) *Convention on the Rights of the Child* (CRC) (1990) defines a child as anyone under the age of 18, and youth as 18-24, though in some cases up to 30 years old without prejudice to definitions by individual Member States.¹⁵³ Children and adolescents are vulnerable by nature, and in the case of conflict, young people are even more critically vulnerable than others.¹⁵⁴ The COVID-19 pandemic has created greater vulnerability as crucial services for young people have been closed or made inaccessible because of public health risks.¹⁵⁵ Healthcare systems in conflict settings, which are already overstretched, have been more so as a result of the pandemic, making them increasingly inaccessible to vulnerable groups such as children.¹⁵⁶ The pandemic has also led to school closures, which makes children more likely to be coerced into becoming active participants in violent conflicts.¹⁵⁷ In addition to the pandemic, children and youth tend to be the main civilian casualties of armed conflict because they are under the age of legal independence.¹⁵⁸ The Security Council Working Group on Children and Armed Conflict identifies six grave violations against children in conflict, including: recruitment and use of children in conflict; killing and maiming of children; rape and sexual violence, particularly of girl children; attacks on schools and hospitals; abduction of children; and denial of humanitarian services access.¹⁵⁹ More than 170,000 grave violations against children in conflict have been identified since 2010, tripling in frequency since the decade began and occurring at the greatest rate since records were kept.¹⁶⁰ Despite knowing of these grave violations, violence against children in conflict is underreported making the scale of this public health crisis difficult to truly know.¹⁶¹ In 2018 there were grave violations in 64 conflict settings from 55 non-state and nine state actors in 14 countries, displaying the global nature of this challenge.¹⁶²

Conflict is defined as a perceived divergence in interest between two or more parties, while violent conflict involves actions taken to inflict physical or psychological damage on individuals or groups.¹⁶³ The UN Global Compact broadly determines that conflict areas are those experiencing high levels of armed violence, and political or social instability; where there are serious concerns about abuses of human rights and political and civil liberties; and where there is violent conflict, including interstate and civil war.¹⁶⁴ The UN and General Assembly Third Committee, supported by the international community, has put in substantial effort to develop the global standards on protecting children in armed conflict, supporting reintegration programs, and conducting activities to mainstream children's rights.¹⁶⁵ However, with the

¹⁵² UN General Assembly & UN Security Council, *Children and Armed Conflict: Report of the Secretary-General (A/72/865-S/2018/465)*, 2018, p. 2; Save the Children, *Stop the War on Children*, 2019, p. 9; UN DPI, *Young People Powerful Agents for Resolving, Preventing Conflict, Speakers Tell Security Council Open Debate amid Calls to Change Negative Stereotypes*, 2018.

¹⁵³ UN General Assembly, *Convention on the Rights of the Child (A/RES/44/25)*, 1989.

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¹⁵⁶ UN Sustainable Development Group, *Policy Brief: The Impact of COVID-19 on children*, 2020, p. 4.

¹⁵⁷ *Ibid.*, p. 8.

¹⁵⁸ ICRC, *Children Affected by Armed Conflict and Other Situations of Violence*, 2011, p. 9.

¹⁵⁹ UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *20 Years to Better Protect Children Affected by Conflict*, 2017.

¹⁶⁰ UNICEF, *2019 concludes a 'deadly decade' for children in conflict, with more than 170,000 grave violations verified since 2010*, 2019.

¹⁶¹ UN News, *Sexual violence against children during armed conflict, vastly under-reported*, 2020.

¹⁶² United Nations, Special Representative of the Secretary-General for Children and Armed Conflict, *The Six Grave Violations*.

¹⁶³ Snodderly, *Peace Terms*, 2014, pp. 14, 53.

¹⁶⁴ UN Global Compact, *Doing Business While Advancing Development and Peace*, 2010.

¹⁶⁵ UN HRC, *Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/HRC/40/49)*, 2018, pp. 1-5.

increasing number of violations of human rights in areas of conflict, the third committee has noted a need to further empower and support conflict-affected children and youth.¹⁶⁶

International and Regional Framework

The *Universal Declaration of Human Rights* (UDHR) (1948), the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966), and the *International Covenant on Civil and Political Rights* (ICCPR) (1966) laid the foundation for the global protection of the rights of children and youth.¹⁶⁷ Article 25 of the UDHR recognizes that children are vulnerable persons who should be provided special care and specific rights, while article 10 of ICESCR proclaimed that children and young people should be protected from economic and social exploitation to participate fully in their communities.¹⁶⁸ ICCPR also provides a framework of administrative, judicial, and legislative measures for protecting the rights and dignity of each individual, including children.¹⁶⁹ Specifically, article 24 of ICCPR states that children should not be discriminated against based on race, color, gender, or national origin, and should enjoy the right to protection, which is particularly relevant in conflict-affected areas.¹⁷⁰

In 1965, the UN General Assembly adopted the *Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples*.¹⁷¹ It introduced six principles on empowerment of youth, including human rights, education, dignity, cultural exchanges, role of youth organizations, and the family.¹⁷² This document became the first legal instrument on mainstreaming the empowerment of young people worldwide, and provides a key piece to the framework for children's rights globally.¹⁷³

The CRC continues to provide the key framework on children's rights internationally.¹⁷⁴ According to the CRC, empowering children includes learning about human rights through education (articles 28 and 29), creating conditions for children to be able to express their views freely (articles 12 and 13) and engaging into social and political life of their communities (article 15).¹⁷⁵ Since armed conflicts often interrupt activities of social institutions, cause displacement of people, and undermine the state protection system of human rights, violence against children and youth is increasing.¹⁷⁶ Articles 38 and 39 of CRC refer to children in armed conflicts and require states to promote physical and psychological recovery of conflict-affected children.¹⁷⁷ The CRC launched the process of enhancing the environment and the social setting of the affected population.¹⁷⁸ Currently 196 countries are party to the treaty, including every Member State of the United Nations, except the United States, and four observer parties, making it a powerful document ensuring children's rights.¹⁷⁹

¹⁶⁶ Ibid.. 1-5.

¹⁶⁷ UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966; UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966.

¹⁶⁸ UN General Assembly, *International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI))*, 1966.

¹⁶⁹ UN General Assembly, *International Covenant on Civil and Political Rights (A/RES/2200 (XXI))*, 1966.

¹⁷⁰ Ibid.

¹⁷¹ UN General Assembly, *Convention on the Rights of the Child (A/RES/44/25)*, 1989; UN General Assembly, *Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (A/RES/2037 (XX))*, 1965.

¹⁷² UN General Assembly, *Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (A/RES/2037 (XX))*, 1965.

¹⁷³ Ibid.

¹⁷⁴ UN General Assembly, *Convention on the Rights of the Child (A/RES/44/25)*, 1989.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

Additional documents further support the work of the CRC, including the UN *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* (1972), which recognized women and children as the most vulnerable members of the population and noted that they must be subject to specific protection in times of armed conflict.¹⁸⁰ Provisions in the *First Additional Protocol to the Geneva Conventions* (1977) enshrined the global framework to prevent children from taking a direct part in hostilities.¹⁸¹ Article 77 of this Protocol proclaims that in conflict areas children should be respected and protected from violence, and should not be recruited into armed forces.¹⁸² Article 78 further prevents international displacement of children by prohibiting the evacuation of children to foreign countries by people that do not share the same nationality as them.¹⁸³

To establish the *2030 Agenda for Sustainable Development* (2015), the General Assembly adopted resolution 70/127 (2015), which created the current global framework for development, peace and security, and human rights.¹⁸⁴ The Sustainable Development Goals (SDGs), established in the 2030 Agenda, are 17 goals to ensure global economic prosperity and equality.¹⁸⁵ The 2030 Agenda reiterated several key issues of importance to children and youth, including emphasizing access to services and opportunities to improve capacity building skills, employability and entrepreneurial development of the young population.¹⁸⁶ In particular, SDG 3 (good health and well-being), SDG 4 (quality education), SDG 8 (decent work and economic growth), and SDG 16 (peace, justice and strong institutions) aim to address issues related to the lack of education and employment of disadvantaged societies, ensure availability of social infrastructure in the conflict areas, and increase the voice of children and youth within their communities.¹⁸⁷

The first guidelines for Member States to ensure the rights of young people and enhance their role in society was introduced by the UN General Assembly in 1995, when its resolution 50/81 adopted the “World Programme of Action for Youth” (WPAY).¹⁸⁸ WPAY recommended Member States to work within the framework of fifteen youth priority areas, such as education, employment, women empowerment, participation, and intergenerational issues in armed conflict.¹⁸⁹ Priorities set in the WPAY impacted national plans, priorities and laws, as well as contributed to the development of the multi-level mechanisms for consultation, mainstreaming, coordination, monitoring and evaluation of the national initiatives.¹⁹⁰ The Programme contributed to the system of communication and cooperation between national, regional and international actors on the empowerment of youth.¹⁹¹

More recent key framework documents establishing children’s rights include the *Buenos Aires Declaration on Child Labor, Forced Labor and Youth Employment*, which was adopted at the IV Global Conference on the Sustained Eradication of Child Labor in 2017, and first called upon the international community to conduct research on child labor and forced labor in the context of armed conflict, emphasizing high risk

¹⁸⁰ UN General Assembly, *Declaration on the Protection of Women and Children in Emergency and Armed Conflict (A/RES/3318 (XXIX))*, 1974.

¹⁸¹ ICRC, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1977.

¹⁸² Ibid.

¹⁸³ Ibid.

¹⁸⁴ UN General Assembly, *Policies and Programmes Involving Youth (A/RES/70/127)*, 2015, pp. 3-5.

¹⁸⁵ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, p. 13.

¹⁸⁶ UN General Assembly, *Policies and Programmes Involving Youth (A/RES/70/127)*, 2015, pp. 3-5.

¹⁸⁷ Zerrougui, *Harnessing the Potential of Boys and Girls to Fulfil the Promise of the Sustainable Development Goals*, *UN Chronicle*, 2015.

¹⁸⁸ UN General Assembly, *World Programme of Action for Youth to the Year 2000 and Beyond (A/RES/50/81)*, 1996, pp. 4-6.

¹⁸⁹ Ibid.

¹⁹⁰ UN DESA, *World Programme of Action for Youth to the Year 2000 and Beyond*, 2010.

¹⁹¹ Ibid.

sectors and support capacity building measures.¹⁹² The Declaration also encourages Member States to strengthen activities to eradicate child labor in crisis situations arising from conflicts.¹⁹³

Role of the International System

Within the UN system, the General Assembly Third Committee shapes global policies on human rights, social issues, and humanitarian affairs, and specifically supports the efforts of Member States in protecting and empowering conflict-affected children and youth.¹⁹⁴ Since 2015, each UN General Assembly Third Committee session included items devoted to the rights of the child, empowerment of youth, protection of victims of armed conflicts, and rights of the girl child.¹⁹⁵ In its most recent resolution 73/155 (2018) on the “Rights of the Child,” the General Assembly expressed deep concern that as a result of armed conflicts in many parts of the world, the status of the rights of children and youth remains critical.¹⁹⁶ It also calls upon Member States to respect and promote the right of girls and boys; to involve children, including children with disabilities, in decision-making processes; and to support children’s organizations and child-led initiatives.¹⁹⁷

The Special Representative of the Secretary-General (SRSG) for Children and Armed Conflict, whose current holder is Virginia Gamba, promotes the protection of children impacted by armed conflict.¹⁹⁸ In the 2020 *Report of the Special Representative of the Secretary-General for Children and Armed Conflict on Promotion and Protection of the Rights of Children*, the SRSG outlined key aspects of ensuring the rights of children in armed conflict, highlighted that grave violations against children in conflict have steeply risen in the past year.¹⁹⁹ Though the report also notes that COVID-19 has made it difficult to conduct reporting and verification missions, which has impacted the ability to get accurate reporting.²⁰⁰ Despite the pandemic, the SRSG has still identified that partnerships throughout the UN system can be successful in protecting youth in conflict.²⁰¹ While recognizing the additional challenges which COVID-19 has created, the special representative’s report identifies that the work of supporting youth in conflict remains both crucial and attainable.²⁰²

The UN Children’s Fund (UNICEF) sets out best practices to support Member States in developing their reintegration programs for children and youth following armed conflict.²⁰³ These programs involve psychosocial support, and education and training for the conflict-affected young people.²⁰⁴ Reintegration programs contribute to breaking the cycle of violence, reducing risk of recruitment of children and youth to the armed forces, and increasing resilience of communities.²⁰⁵ For example, UNICEF implements the “Armed Violence Prevention and Reduction Programme in nine countries of Latin America and the Caribbean.”²⁰⁶ This program aims to enhance community participation, public awareness and school-

¹⁹² Global Conference on the Sustained Eradication of Child Labour, *Buenos Aires Declaration on Child Labour, Forced Labour and Youth Employment*, 2017.

¹⁹³ *Ibid.*

¹⁹⁴ UN General Assembly, *Social, Humanitarian & Cultural Issues (Third Committee)*, 2019.

¹⁹⁵ *Ibid.*

¹⁹⁶ UN General Assembly, *Rights of the Child (A/RES/73/155)*, 2019, pp. 1-3.

¹⁹⁷ *Ibid.*

¹⁹⁸ UN General Assembly, *The Rights of the Child (A/RES/51/77)*, 1997, p. 7.

¹⁹⁹ UN General Assembly, *Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/75/203)*, 2020, p. 3.

²⁰⁰ *Ibid.*, p. 2.

²⁰¹ UN SRSG for Children in Armed Conflict, *Seizing Opportunities to Better Protect Conflict-Affected Children is Critical as the World Responds to COVID-19*, 2020.

²⁰² *Ibid.*

²⁰³ UN General Assembly & UN Security Council, *Report of the Secretary-General on Children and Armed Conflict (A/73/907–S/2019/509)*, 2019, p. 4.

²⁰⁴ UN Special Representative of the Secretary-General for Children and Armed Conflict, *Global Coalition for the Reintegration of Former Child Soldiers*, 2019; United Nations Children’s Fund, *Annual Report*, 2018.

²⁰⁵ *Ibid.*

²⁰⁶ UNICEF, *A Familiar Face, Violence in the Lives of Children and Adolescents*, 2017, p. 70; United Nations Children’s Fund, *Annual Report*, 2018.

based initiatives for conflict-affected children and youth.²⁰⁷ Activities of UNICEF in conflict-affected areas encompass, among others, carrying out development of life skills programs for adolescents and establishing mediation centers for positive parenting and peaceful conflict resolution.²⁰⁸

Relatedly, in 2016 the United Nations Development Programme (UNDP) launched the “Youth Global Programme for Sustainable Development and Peace,” which focuses on addressing challenges faced by young people worldwide by improving capacities to enhance youth empowerment at different levels.²⁰⁹ The Programme contributed to the implementation of the “UNDP Youth Strategy 2014-2017 ‘Empowered Youth, Sustainable Future’” (2013) by providing recommendations for the strategic engagement of young people and relevant actors in promoting youth empowerment globally.²¹⁰ The Strategy encourages supporting capacity development of youth organizations, engaging youth-related questions in all spheres of development planning, and supporting national youth policy development and implementation activities.²¹¹

The work of the UN is also supported at the regional level, where Intergovernmental-Organizations (IGOs) such as the European Union (EU) and the African Union (AU), among others, can help set norms and standards for protecting the rights of children and youth.²¹² In the 1990 *African Charter on the Rights and Welfare of the Child* adopted by the African Union, articles 7-11 established a regional framework on ensuring their freedom of expression and association, freedom of thought, protection of privacy and the right to education, while the article 22 contains provisions on protecting children in armed conflicts.²¹³

Supporting the work of the UN and regional bodies, Civil Society Organizations (CSOs) advocate for the empowerment of children and youth, including Search for Common Ground (SFCG).²¹⁴ The work of SFCG is funded by a number of foundations, corporations, governments, and UN bodies, such as UNICEF, the World Bank, the UN Entity for Gender Equality and the Empowerment of Women (UN-Women), and the International Organization for Migration (IOM).²¹⁵ SFCG implements programs by using the media, policy, education, and action-focused programming to enable children and youth to transform their communities and be recognized as peacemakers.²¹⁶

Empowering Children and Youth in Post-Conflict Decision-Making

A key right of young people, as outlined in Security Council Resolution 2250 (2015), is that of political representation and civil empowerment.²¹⁷ This is considered not just a right, but an important aspect of post-conflict rebuilding as developing trust between young people and governments is crucial for creating resilient institutions.²¹⁸ However, as stated in the 2018 *Report of the Special Representative of the Secretary-General for Children and Armed Conflict on Promotion and Protection of the Rights of Children*, in addition to social and gender disparity between youth, many children and youth feel disempowered

²⁰⁷ UNICEF, *A Familiar Face, Violence in the Lives of Children and Adolescents*, 2017, p. 70.

²⁰⁸ UNICEF, *Annual Results Report on Child Protection*, 2017, p. 39.

²⁰⁹ UNDP, *Youth Global Programme for Sustainable Development & Peace 2016-2020*, 2016, p. 1.

²¹⁰ UNDP, *UNDP Youth Strategy 2014-2017*, 2014, p. 32.

²¹¹ Ibid.

²¹² UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Working with Member States*, 2019.

²¹³ African Union, *African Charter on the Rights and Welfare of the Child*, 1990.

²¹⁴ SFCG, *About Us*, 2019.

²¹⁵ SFCG, *International Partners*, 2019.

²¹⁶ SFCG, *About Us*, 2019.

²¹⁷ Global Partnership for Children and Youth in Peacebuilding, *Evaluation of Child and Youth Participation in Peacebuilding*, 2015; World Vision International, *Leading the Way: Guidance on the Participation of Children & Young People in Global Engagements*, 2017; UN Security Council, *Resolution 2250 (2015)*, 2015.

²¹⁸ UN DPI, *Young People Powerful Agents for Resolving, Preventing Conflict, Speakers Tell Security Council Open Debate amid Calls to Change Negative Stereotypes*, 2018.

over their post-conflict future representing a trust gap between institutions and young people.²¹⁹ The United Nations Committee on the Rights of the Child also specifies that many adults do not consider children as human rights defenders and do not believe in their capacities, which creates one of the fundamental obstacles to the empowerment of children and youth.²²⁰ Additionally, in many societies, children and youth are not allowed to speak politically or vote, as they are still viewed as legal minors, which can lead to less investment in political processes and post-conflict rebuilding.²²¹ For this reason, states will often prioritize child protection frameworks, over child empowerment programs.²²²

CSOs such as the Global Partnership for Children and Youth in Peacebuilding have noted that empowering children and youth provides an opportunity to express their influence on political and social decisions that impact them, learn new skills, and develop a closer connection to their community, and it gives them increased autonomy by being involved in decision-making.²²³ Empowered children are also more likely to have the ability to respond appropriately to risks by becoming active citizens, and support positive change towards a violence-free environment through stopping cycles of violence.²²⁴ Additionally, when children belong to peer-led local organizations such as those at school, religious and cultural organizations, or community groups, they are more likely to build awareness of the risks of violence, and increase their ability to provide peer-support to others at risk.²²⁵ Such organizations have the ability to conduct training on child rights, sexuality and reproductive health education, communication and negotiation skills, and gender equity.²²⁶ However, the application of programming and policy for children's empowerment can also be expanded to include training and opportunities for political and civic life at all levels, including electoral activities, participation in government and non-governmental decision-making, building skills and capacities for governing and carrying out civil service functions, participation in village child protection committees to prevent and respond to violence; government accountability and information.²²⁷

Some national laws and policies have been adapted to align with the CRC and UN recommendations on children's empowerment.²²⁸ For example, Nepal, who is recovering from armed conflict, adopted legal and policy frameworks in 2011 that support the participation of disadvantaged children and youth, and their representation in decision-making processes concerning them.²²⁹ Nepal's *Child Friendly Local Governance National Strategy* (2010) contains indicators ensuring children aged 12 to 18 years participate in the decision-making processes of local bodies through the development of institutional

²¹⁹ UN General Assembly, *Report of the Special Representative of the Secretary-General for Children and Armed Conflict on Promotion and Protection of the Rights of Children (A/73/278)*, 2018, p. 2.

²²⁰ UN Committee on the Rights of the Child, *Report on Protecting and Empowering Children as Human Rights Defenders*, 2018; UN HRC, *Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict*, 2017.

²²¹ Global Partnership for Children and Youth in Peacebuilding, *Evaluation of Child and Youth Participation in Peacebuilding*, 2015; World Vision International, *Leading the Way: Guidance on the Participation of Children & Young People in Global Engagements*, 2017.

²²² UN General Assembly, *Report of the Special Representative of the Secretary-General for Children and Armed Conflict on Promotion and Protection of the Rights of Children (A/73/278)*, 2018, p. 2; UN HRC, *Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict*, 2017; World Vision International, *Leading the Way: Guidance on the Participation of Children & Young People in Global Engagements*, 2017.

²²³ Global Partnership for Children and Youth in Peacebuilding, *Evaluation of Child and Youth Participation in Peacebuilding*, 2015; Commissioner for Children Tasmania, *Involving Children in Decision Making*, 2015, p. 5.

²²⁴ Global Partnership for Children and Youth in Peacebuilding, *Evaluation of Child and Youth Participation in Peacebuilding*, 2015, p. 122.

²²⁵ Ibid.

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Dharel & Srestha, *Child Friendly Local Governance in Nepal: Practices, Learning and Opportunities*, *World Vision International*, 2018, p. 5.

²²⁹ Ibid.

participation mechanisms, such as child club networks.²³⁰ In addition, the *National Youth Policy* (2010) in Nepal covers women, men, and third gender persons aged between 16 and 40 years, and establishes a full range of rights, including the right to livelihood, education, health, family welfare, employment, and social security, and to participation, empowerment, and leadership opportunities.²³¹ While policies such as these, and the work of bodies such as the Tunisian Youth Leadership Council, represent excellent progress towards empowering youth, some parents, community members, or local government officials remain unaware of relevant laws and policies, while there can also be insufficient implementation and monitoring of laws and policies due to the weak political process, especially at the local levels and where conflict has further weakened existing infrastructure.²³²

Improving Employment Opportunities for Conflict-Affected Children and Youth

Since the impact of armed conflict and violence on children and youth can include a wide range of psychological consequences, the reintegration of conflict-affected children and youth into society is an important stage of supporting these vulnerable groups.²³³ Often in armed conflict, children's educational pathways are also interrupted, preventing them from participating in social interactions and opportunities for personal development.²³⁴ Non-governmental organizations (NGOs) have noted that in conflict-affected societies, less than 1% of displaced youth have access to tertiary education, while young populations living in conflict-affected areas face increased difficulty with acquiring necessary personal and professional skills.²³⁵ Additionally, in conflict-affected areas the lack of employment opportunities for youth may become a reason or catalyst for a new round of violence.²³⁶ For example, thousands of unemployed urban youth contributed to the continued upheaval in the Democratic Republic of Timor-Leste, which has been in the process of recovering from conflict since 2006.²³⁷

Programs such as UNDP's and the Department of Political Affairs' "Joint Programme on Building National Capacities for Conflict Prevention (2013 – 2015)" have been highly effective in mitigating some of the long-term impacts of reskilling a reintegrating youth population.²³⁸ Having determined youth employment is a means of conflict prevention, the program focused on enhancing government capacities in generating youth employment, improving livelihoods, supporting contribution of youth in creating social enterprises, and expanding financial services to youth.²³⁹ Within the program, Youth Results Group provided critical input to governments, contributed to the National Youth Strategy, and facilitated the process of raising awareness on youth issues in Timor-Leste.²⁴⁰

As another example of work being done to support re-integrating children and youth to employment post-conflict, in partnership with the ING Group, a Europe-based global bank, UNICEF launched the "Power for Youth" project.²⁴¹ This project aims to empower young people by providing them with the skills and tools they need to support them becoming future leaders, entrepreneurs, and participants in society.²⁴² Participating children and youth worked to improve their critical thinking, collaboration, and leadership skills to create a social change.²⁴³ The main focus of this project was to help adolescents develop into

²³⁰ Ibid.

²³¹ Nepal Law Commission, *National Youth Policy*, 2010.

²³² Ibid.

²³³ Dudenhoefer, *Understanding the Recruitment of Child Soldiers in Africa, African Centre for the Constructive Resolution of Disputes*, 2016.

²³⁴ Educate a Child, *Conflict-affected Situations, Insecurity and Instability*, 2012.

²³⁵ Ibid.

²³⁶ UNDP, *Conflict Prevention and Peacebuilding Work in Asia Pacific*, 2016, pp. 58-59.

²³⁷ Ibid.

²³⁸ Ibid.

²³⁹ Ibid.

²⁴⁰ Ibid.

²⁴¹ ING, *ING and UNICEF*, 2019.

²⁴² UNICEF, *Annual Report on Private Fundraising and Partnerships*, 2016.

²⁴³ Ibid.

problem-solvers, peacebuilders, and decision-makers in a variety of fields.²⁴⁴ Additionally, UNICEF and the Antonio Restrepo Barco Foundation supported the Government of Colombia in creating a multi-purpose fund providing child and youth groups and organizations with crucial support to develop sustainable and income-generating projects in the post-conflict period.²⁴⁵ In a region highly affected by poverty and unemployment, these initiatives had a positive impact by supporting recycling and trash collection youth brigades, creating a playground for children with disabilities, creating music schools, and by offering economic opportunities for children and youth.²⁴⁶

Conclusion

As armed conflict continues to negatively impact already vulnerable children and youth, the UN has established a comprehensive framework to protect these populations and to support Member States in adhering to international human rights standards.²⁴⁷ The lack of empowered children and youth has continued to be an obstacle to building sustainable peace and helping societies holistically recover from armed conflict.²⁴⁸ Ways to increase the participation of conflict-affected children and youth have been widely discussed within the UN system, and the General Assembly Third Committee leads the international discourse on various approaches achieving rights of children and youth.²⁴⁹ The challenges being discussed have been amplified by the COVID-19 virus, and have created barriers to children accessing services.²⁵⁰ However, given the progress that still needs to be achieved, the international community continues to look to the General Assembly Third Committee to lead the conversation on, among other issues, opportunities of increasing employment opportunities, and expanding the participation of children and youth in the decision-making process.²⁵¹

Further Research

In their research, delegates should look at how the General Assembly Third Committee can increase the participation of children and youth in activities related to peace processes, social and political aspects of their communities, and contributing to the sustainable peace and development. Delegates may consider ways of improving international legal instruments and measures to raise awareness on the rights of the conflict-affected children and youth, including: What is the role of adults in involving children in youth into the decision-making processes in the conflict-affected countries? How can the General Assembly Third Committee foster collaboration among Member States, international and regional organizations, the private sector, and civil society to increase the participation of children and youth in decision-making processes? What best practices of empowering conflict-affected children and youth can be shared among the various actors? How can children and youth be politically empowered and actively involved in post-conflict processes? How can humanitarian services designed for youth in conflict be made more accessible considering the COVID-19 pandemic? How do other disparities, such as gender, ability, or cultural background, impact children's access to existing post-conflict resources, and how can these disparities be mitigated through best practices?

Annotated Bibliography

²⁴⁴ Ibid.

²⁴⁵ Global Partnership for Children and Youth in Peacebuilding, *Evaluation of Child and Youth Participation in Peacebuilding*, 2015, p. 122.

²⁴⁶ Ibid.

²⁴⁷ UN General Assembly & UN Security Council, *Children and armed conflict: Report of the Secretary-General (A/72/865-S/2018/465)*, 2018, p. 2.

²⁴⁸ ICRC, *Global Trends of war and their Humanitarian Impacts*, 2018.

²⁴⁹ UN General Assembly, *Social, Humanitarian & Cultural Issues (Third Committee)*, 2019.

²⁵⁰ UN Sustainable Development Group, *Policy Brief: The Impact of COVID-19 on children*, 2020.

²⁵¹ UN General Assembly, *Report of the Special Representative of the Secretary-General for Children and Armed Conflict on Promotion and Protection of the Rights of Children (A/73/278)*, 2018.

United Nations, General Assembly, Seventy-second session & Security Council, Seventy-third year. (2018). *Children and Armed Conflict: Report of the Secretary-General (A/72/865-S/2018/465)*. Retrieved 16 August 2020 from: <https://undocs.org/s/2018/465>

This report describes the current situation of children and armed conflict, emphasizing efforts made by the international community since 2017. The document will be useful for analyzing effectiveness of the UN's response in preventing violations against children in the regional context. Delegates are advised to explore recommendations of the Secretary-General on strengthening global partnerships in promoting rights of children in armed conflict. It would also be helpful for delegates to understand which regions are marked with the highest risk of violence against children, as well as those states with significant progress left to achieve in protecting children.

United Nations, General Assembly, Seventy-Fifth Session. (2020). *Report of the Special Representative of the Secretary-General for Children and Armed Conflict (A/75/203)*. Retrieved 21 September 2020 from: <http://undocs.org/a/75/203>

This report from the SRSG for Children and Armed Conflict details recent trends in grave violations against youth in conflict. It also highlights opportunities for improvement within the international system in addition to how COVID-19 has impacted you in conflict settings. It points to the key challenges which COVID-19 have created are increasingly limited access to humanitarian access making children more vulnerable to become actors in conflict and increasing the number of grave violations. Delegates should use this to understand what the most current situation as it relates to youth in armed conflict as being discussed in the UN system.

United Nations, Human Rights Council, Thirty-fourth session. (2016). *Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict*. Retrieved 16 August 2020 from: https://www.un.org/ga/search/view_doc.asp?symbol=A/HRC/34/44&Lang=E&Area=UNDOC

This report outlines key aspects of ensuring the rights of children in armed conflict, including addressing violations against children, the impact of conflict on girls, and reoccurring challenges related to the grave violations against children. Delegates are recommended to use this resource to understand the existing cooperation mechanisms between global and regional actors on protecting the rights of children, as well as to consider the Special Representative's key recommendations on working with UN human rights mechanisms and regional organizations. Additionally, this resource will be helpful for delegates to learn about the current status of girls in armed conflict to find case studies on Afghanistan, Sudan, Colombia and Cuba, and Somalia.

United Nations, Office of the Special Representative of the Secretary-General for Children and Armed Conflict. (2016). *20 Years to Better Protect Children Affected by Conflict*. Retrieved 16 August 2020 from: https://childrenandarmedconflict.un.org/wp-content/uploads/2017/06/Twenty-Years-of-Work-Updated-Booklet_web.pdf

This report gives a comprehensive overview of the most significant international projects and legal instruments launched by the UN on protecting children affected by conflict since 1996. This document will help delegates in understanding the complex approaches to protecting the rights of the child in armed conflict, as well as the relationship between various actors on this topic. This publication also lists major achievements on improving the status of children in the world and provides insights of the key actors involved in this process globally. Importantly, the report also sets priorities for the international community for the third decade of the Children and Armed Conflict mandate.

United Nations, Sustainable Development Group. (2020). *Policy Brief: The Impact of COVID-19 on children*. Retrieved 20 September 2020 from: https://www.un.org/sites/un2.un.org/files/policy_brief_on_covid_impact_on_children_16_april_2020.pdf

This report details broadly how COVID-19 has impacted youth globally, including children in conflict. It also points out some of the significant threats to youth as a result of COVID-19. Primarily, it concludes that the threats created by COVID-19 are not inherently new,

but rather have exacerbated existing challenges. This publication can be used to gain a broad understanding of how COVID-19 has impacted the youth population globally.

World Vision International. (2017). *Leading the Way: Guidance on the Participation of Children & Young People in Global Engagements*. Retrieved 16 August 2020 from:

<https://www.wvi.org/sites/default/files/WV-Leading-the-Way-2017-04-11.pdf>

This document is designed to recommend a basic system for child participation in global initiatives. It outlines formats for engaging children and young people in national or global events as well as actions and procedures for the participation of children and young people in global engagements. The guidelines also draw attention to the most important steps of preparing potential participants and supporting children's involvement in the planning process. Delegates may utilize this publication as a useful example of guidelines and national action plans for empowering children post-conflict.

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III. Implementing the Convention on the Rights of Persons with Disabilities

Introduction

The *Convention on the Rights of Persons with Disabilities* (CRPD) (2006) defines persons with disabilities as those “who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.”²⁵² Persons with disabilities make up about 15% of the world’s population, more than one billion people.²⁵³ The Office of the United Nations High Commissioner for Human Rights and United Nations (OHCHR) defines minorities as a group of people which is numerically inferior to the rest of the population of a State and in a non-dominant societal position; thus persons with disabilities are the largest minority in the world, and the number is expected to increase due to the aging of global populations and increases in chronic health conditions.²⁵⁴

While documents such as *The Universal Declaration of Human Rights* (UDHR) (1948) and the CRPD guarantee all human rights and freedoms to all human beings, persons with disabilities are still disproportionately affected by poverty and violence, as well as unequal access to education, health care services, employment, and other areas which can result in a lower standards of living.²⁵⁵ Globally, the proportion of persons with disabilities living under the national or international poverty line is higher, and even double in some cases, than people without disabilities, and more than 80% of persons with disabilities are unable to receive the welfare services that they need to thrive in certain States.²⁵⁶

Disability inclusion is critical to ensure the rights of peoples with disabilities, and may include: being accepted and recognized as an individual beyond the disability; having personal relationships with family, friends and acquaintances; being involved in recreation and social activities; having appropriate living accommodation; having employment; having appropriate formal and informal support or essentially empowering persons with disabilities to fully participate in society by being their own advocates and remove any barriers.²⁵⁷ The UN General Assembly Third Committee works to support disability-inclusive social policies and promote accessibility for persons with disabilities, in areas such as health care, education, and technology.²⁵⁸ The United Nations Disability Inclusion Strategy qualifies “inclusive” as the meaningful participation of persons with disabilities in all relevant institutions.²⁵⁹ The Human Rights Council (HRC) further supports the Third Committee’s work by establishing the Special Rapporteur on the Rights of Persons with Disabilities in 2014.²⁶⁰

International and Regional Framework

The UDHR (1948) protects the rights of all persons, and Article 1 enshrined that “all human beings are born free and equal in dignity and rights,” regardless of ability.²⁶¹ Article 2 of the UDHR states that

²⁵² UN General Assembly, *Convention on the Rights of Persons with Disabilities* (A/RES/61/106), 2006, p. 4.

²⁵³ The World Bank, *Disability Inclusion*, 2020.

²⁵⁴ WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, p. 2; Priddy, Disability and Armed Conflict, *The Geneva Academy of International Humanitarian Law and Human Rights*, 2019, p. 13; UN OHCHR, *Minorities Under International Law*

²⁵⁵ UN General Assembly, *Universal Declaration of Human Rights* (A/RES/217 A (III)), 1948; UN General Assembly, *Convention on the Rights of Persons with Disabilities* (A/RES/61/106), 2006; UN General Assembly, *Inclusive Development for and with Persons with Disabilities* (A/RES/73/142), 2018; WHO & World Bank, *World Report on Disability*, 2011, p. 10.

²⁵⁶ UN OHCHR, *Realization of the Sustainable Development Goals by, for and with Persons with Disabilities: UN Flagship Report on Disability and Development*, 2018, p. 25-26.

²⁵⁷ GSDRC, *Disability Inclusion: Topic Guide November 2015*, p. 6.

²⁵⁸ UN General Assembly, *Social Development: Report of the Third Committee* (A/73/581), 2018.

²⁵⁹ UN Disability Inclusion Strategy, *United Nations Disability Inclusion Strategy*, 2018.

²⁶⁰ UN HRC, *Special Rapporteur on the Rights of Persons with Disabilities* (A/HRC/RES/26/20), 2014; UN HRC, *Special Rapporteur on the Rights of Persons with Disabilities* (A/HRC/RES/35/6), 2017.

²⁶¹ UN General Assembly, *Universal Declaration of Human Rights* (A/RES/217 A (III)), 1948.

everyone is entitled to all rights and freedoms, and that no distinction is made based on age, sex, or any other kind of status.²⁶² To further emphasize the need to protect the rights of persons with disabilities and promote their well-being, the General Assembly adopted the *Declaration on the Rights of Disabled Persons* (1975).²⁶³ Article 4 of the Declaration highlights that persons with disabilities “have the same civil and political rights as other human beings.”²⁶⁴ The General Assembly further adopted with resolution 37/52 on the “World Programme of Action concerning Disabled Persons” (WPA) (1982) a global strategy on promoting the prevention of disability, rehabilitation, and the equalization of opportunities.²⁶⁵ The WPA was significant in that it demonstrated that the UN system no longer saw persons with disabilities as “objects” in need of care and as burdens to their families, but as autonomous “subjects” with inherent rights and dignity.²⁶⁶

The General Assembly Third Committee helped initiate the process of adopting the CRPD by establishing the “Ad-Hoc Committee for a comprehensive international convention to protect and promote the rights and dignity of persons with disabilities” in General Assembly resolution 56/168 (2002) which highlighted that persons with disabilities have the right to development and needed to be given specific inclusion in these processes.²⁶⁷ Prior to the adoption of the CRPD, the Third Committee continuously reported on the progress of the Ad-Hoc Committee and encouraged Member States to contribute to the work of the committee with the end of creating an international convention to guarantee the rights and dignity of persons with disabilities.²⁶⁸ The protection of the rights of persons with disabilities was then enshrined in the CRPD and its 2006 *Optional Protocol*.²⁶⁹ The core of the CRPD form eight principles, including the respect for inherent dignity, and the full and effective participation and inclusion in society.²⁷⁰ The CRPD highlights the importance of accessibility to the physical, economic, and social environment, and requires State parties to take measures to ensure accessibility.²⁷¹ State parties are also required to collect appropriate data and statistics on disability so that effective policies can be designed and implemented, and the rights of persons with disabilities can be guaranteed.²⁷² In situations of risk, the CRPD obliges State parties to take the necessary measures to guarantee the particular safety and protection of persons with disabilities.²⁷³

HRC also established the Special Rapporteur on the Rights of Persons with Disabilities in 2014.²⁷⁴ The previous Special Rapporteur was Ms. Catalina Devandas Aguilar of Costa Rica, who served as one of the central United Nations (UN) figures for the rights of persons with disabilities by addressing the barriers and challenges faced by these persons in her regular reports, and by working towards strengthening the rights of persons with disabilities in all parts of the world.²⁷⁵ In her mandate, the Special Rapporteur is tasked with recognizing where persons with disabilities are excluded from and cannot participate effectively in development processes due to existing societal barriers, including legislative and physical

²⁶² UN General Assembly, *Universal Declaration of Human Rights (A/RES/217 A (III))*, 1948.

²⁶³ UN General Assembly, *Declaration on the Rights of Disabled Persons (A/RES/3447 (XXX))*, 1975.

²⁶⁴ *Ibid.*

²⁶⁵ UN General Assembly, *World Programme of Action concerning Disabled Persons (A/RES/37/52)*, 1982.

²⁶⁶ UN DESA, *Backgrounder: Disability Treaty Closes a Gap in Protecting Human Rights*, 2008.

²⁶⁷ UN General Assembly, *Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities (A/RES/56/168)*, 2002.

²⁶⁸ *Ibid.*

²⁶⁹ UN General Assembly, *Convention on the Rights of Persons with Disabilities (A/RES/61/106)*, 2006.

²⁷⁰ *Ibid.*, pp. 4-5.

²⁷¹ *Ibid.*, p. 4.

²⁷² *Ibid.*, p. 19.

²⁷³ *Ibid.*, p. 9.

²⁷⁴ UN HRC, *Special Rapporteur on the Rights of Persons with Disabilities (A/HRC/RES/26/20)*, 2014; UN HRC, *Special Rapporteur on the Rights of Persons with Disabilities (A/HRC/RES/35/6)*, 2017.

²⁷⁵ UN OHCHR, *Special Rapporteur on the Rights of Persons with Disabilities: Introduction*, 2019.

barriers.²⁷⁶ Her term ended in August 2020 and the mandate was renewed in HRC's 44th session in July 2020.²⁷⁷

In order to assess the situation of persons with disabilities and the progress on the implementation of the CRPD, the Special Rapporteur emphasizes the importance of monitoring and data.²⁷⁸ Especially in disaster situations, data on the accessibility of aid and information helps to ensure the protection of the rights of persons with disabilities.²⁷⁹

The *2030 Agenda for Sustainable (2030 Agenda)* (2015) recognizes the need to promote human rights for all, and foster inclusive, peaceful societies.²⁸⁰ The overarching principle of the 2030 Agenda to leave no one behind aims at building a better future for all while reducing inequalities and poverty, especially for minority groups such as persons with disabilities.²⁸¹ The 2030 Agenda further recognizes the need to take additional measures to protect and promote the rights of vulnerable groups, including persons with disabilities, and to strengthen support in humanitarian crises, including disaster situations.²⁸² While disability is a cross-cutting issue across the Sustainable Development Goals (SDGs), SDGs 4, 8, and 11, on “inclusive and quality education,” “sustained, inclusive and sustainable economic growth,” and “making cities and human settlements inclusive, safe and sustainable” respectively, particularly emphasize specifics on how the UN system can strengthen their work on disability issues.²⁸³

On a regional level, the European Commission introduced the *European Disability Strategy 2010-2020* (2010) with a focus on eliminating social and administrative barriers to the full participation of persons with disabilities, and initiating data collection through special surveys to achieve the European Union's policy framework's goal of a barrier-free Europe with sustainable, inclusive growth.²⁸⁴ Aligning with the core principles of CRPD, the African Commission on Human and Peoples' Rights adopted the *Protocol to the African Union Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa* (2018) requiring States parties to ensure that persons with disabilities are guaranteed all human rights and freedoms on the African continent.²⁸⁵ Similarly, the Organization of American States (OAS) members committed to fully integrating persons with disabilities into society through its *Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities* (1999) which called for government authorities and private entities to be providing equal access to goods, services, and facilities along with eliminating architectural, transportation, and communication obstacles.²⁸⁶ The OAS' *Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2016-2026)* (2018) details its plan with 15 goals, 15 actionable steps, and 12 strategies.²⁸⁷ In Asia, the Association of Southeast Asian Nations (ASEAN) created the *Masterplan 2025*:

²⁷⁶ UN General Assembly, *Rights of Persons with Disabilities: Report by the Special Rapporteur on the Rights of Persons with Disabilities (A/71/314)*, 2019.

²⁷⁷ UN HRC, *Special Rapporteur on the rights of persons with disabilities (A/HRC/RES/44/10)*, 2020.

²⁷⁸ UN General Assembly, *Rights of Persons with Disabilities: Report by the Special Rapporteur on the Rights of Persons with Disabilities (A/71/314)*, 2019.

²⁷⁹ UNDRR, *Global Assessment Report on Disaster Risk Reduction*, 2019.

²⁸⁰ UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015.

²⁸¹ *Ibid.*

²⁸² *Ibid.*, p. 7.

²⁸³ UN OHCHR, *Realization of the Sustainable Development Goals by, for and with Persons with Disabilities: UN Flagship Report on Disability and Development*, 2018.

²⁸⁴ European Commission, *European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe*, 2010.

²⁸⁵ African Commission on Human and Peoples' Rights, *Protocol to the African Union Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa*, 2018.

²⁸⁶ Organization of American States, *Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities*, 1999.

²⁸⁷ Organization of American States, *Program of Action for the Decade of the Americas for the Rights and Dignity of Persons with Disabilities (2016-2026)*, 2018.

Mainstreaming the Rights of Persons with Disabilities (2018) to develop sustainable policies and programs for persons with disabilities.²⁸⁸

Role of the International System

The General Assembly's 74th session oversaw the adoption of General Assembly resolution 74/144 (2019) on "The Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: Accessibility" which calls for improving accessibility for persons with disabilities such as by supporting existing or creating new organizations helping people with disabilities, providing inclusive access to education, and reviewing State accessibility standards and laws.²⁸⁹ The adoption of General Assembly resolution 72/162 (2017) on the "Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: Situation of women and girls with disabilities" emphasized the impact of gender on persons with disabilities.²⁹⁰ The progress that has been made by Member States, the UN system, and other relevant stakeholders in adopting and implementing the CRPD is further acknowledged in General Assembly resolution 73/142 on "Inclusive development for and with persons with disabilities" (2018).²⁹¹ The work of the Third Committee is also consistently supported by regular reports from HRC on the progress that has been made on implementing the CRPD.²⁹²

HRC further contributes to the work of the Third Committee with the Special Rapporteur on the Rights of Persons with Disabilities who addresses the barriers to equal participation for persons with disabilities.²⁹³ The Special Rapporteur's mandate includes developing a dialogue with Member States, UN agencies, other actors, and persons with disabilities in order to promote best practices, to make recommendations on improving the implementation of the CRPD, and to raise awareness of the rights of persons with disabilities.²⁹⁴ The Special Rapporteur publishes and presents annual reports to the General Assembly.²⁹⁵ HRC's response to the COVID-19 pandemic included a joint discussion with the Coordination Committee of Special Procedures, which bridges mandate holders, OHCHR, and the broader UN human rights framework, and stressed that persons without disabilities should not be left behind in government responses to the crisis and created a COVID-19 webpage which has resources for mandate holders.²⁹⁶

The United Nations Department of Economic and Social Affairs (UN DESA) issued its first ever *Policy and Action Plan for Disability Inclusion 2020 – 2021* (2020) which provides guidance to the department regarding disability inclusion in its work, signaling a move to continue prioritizing disability inclusion in the United Nations.²⁹⁷ The United Nations High-Level Political Forum on Sustainable Development (HLPF) is the UN authority on sustainable development and reviews the implementation of the 2030 Agenda and SDGs by providing high-level political leadership and guidance.²⁹⁸ In 2019, HLPF's theme was "Empowering people and ensuring inclusiveness and equality" and included the topic of disability in all of

²⁸⁸ Association of Southeast Asian Nations, *ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities*, 2018.

²⁸⁹ UN General Assembly, *Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: accessibility (A/RES/74/144)*, 2019.

²⁹⁰ UN General Assembly, *Implementation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto: situation of women and girls with disabilities (A/RES/72/162)*, 2017.

²⁹¹ UN General Assembly, *Inclusive Development for and with Persons with Disabilities (A/RES/73/142)*, 2018.

²⁹² UN General Assembly, *Report of the Human Rights Council (A/67/53)*, 2012.

²⁹³ UN HRC, *Special Rapporteur on the Rights of Persons with Disabilities (A/HRC/RES/26/20)*, 2014; UN OHCHR, *Special Rapporteur on the Rights of Persons with Disabilities: Introduction*, 2019.

²⁹⁴ UN OHCHR, *Special Rapporteur on the Rights of Persons with Disabilities: Introduction*, 2019.

²⁹⁵ UN Special Rapporteur on the Rights of Persons with Disabilities, *Rights of Persons with Disabilities (A/74/186)*, 2019; UN Special Rapporteur on the Rights of Persons with Disabilities, *Rights of Persons with Disabilities: Report of the Special Rapporteur on the Rights of Persons with Disabilities (A/HRC/40/54)*, 2019, p. 7.

²⁹⁶ UN Geneva, *Human Rights Council Discusses Human Rights Implications of the COVID-19 Crisis with its Special Procedures Mandate Holders*, 2020

²⁹⁷ UN DESA, *Policy and Action Plan for Disability Inclusion 2020 – 2021*, 2020.

²⁹⁸ UN DESA, *High-Level Political Forum on Sustainable Development*, 2020.

its thematic sessions.²⁹⁹ The HLPF Stakeholder Group of Persons with Disabilities (SGPwD), which works towards the implementation of the SDGs in respect to disabilities, ensured there was representation of persons with disabilities, presented a side event on “Reducing inequalities: a look at persons with disabilities,” and delivered four interventions and five statements related to disabilities.³⁰⁰ The interventions included a call for the participation and representation of persons with disabilities in the drafting of Member States’ national laws as seen most recently in the Philippines, and ensuring compliance of the three “A”s: availability, affordability and accessibility with emerging technology and innovations.³⁰¹

The UN Educational, Scientific, and Cultural Organization (UNESCO) pursues the implementation of the Agenda 2030 through cooperation in education, sciences, and culture.³⁰² This includes supporting the work of the General Assembly Third Committee by presenting reports with a focus on women, girls, and children with disabilities.³⁰³ UNESCO joined the Global Action on Disability (GLAD) Network to raise awareness of learners with disabilities who are disproportionately affected by the COVID-19 pandemic and least likely to benefit from online learning by recommending five principles such as considering the needs of all types of learners and blended learning approaches.³⁰⁴ UNESCO also released a guide *Life in the Times of COVID-19: A Guide for Parents of Children with Disabilities* (2020) to explain the different aspects that a parent/caregiver must take into account while taking care of children with disabilities and how to maintain their mental health during this stressful time.³⁰⁵

The World Health Organization (WHO) is dedicated to improving the well-being, health, and functioning of persons with disabilities, and works on rehabilitation, assistive technology, and data on disability.³⁰⁶ In 2015, WHO published the *WHO Global Disability Action Plan 2014-2021* focusing on improving health care access, which can be limited due to the costs of treatment or inaccessible buildings.³⁰⁷ WHO has been on the forefront of the response to the COVID-19 pandemic and has addressed an inclusive response for persons with disabilities by creating an “AskWHO Video on the World Health Organization answering questions on disability considerations during COVID-19” (2020) featuring the director of communications and expert on persons with disabilities.³⁰⁸ WHO also issued the *Disability considerations during the COVID-19 outbreak* (2020) guide on the actions that persons with disabilities, governments, health care providers, disability service providers, institutions, and communities can take to protect and uplift persons with disabilities during this pandemic.³⁰⁹ For persons with intellectual, cognitive and psychosocial disabilities, WHO created the *Mental health and psychosocial considerations during the COVID-19 outbreak* (2020) to support their mental and psychosocial well-being.³¹⁰

The International Disability Alliance (IDA) is an umbrella civil society organization that brings together organizations of persons with disabilities in global and regional networks.³¹¹ The IDA contributes expert knowledge in the Third Committee of the General Assembly to make the language of UN resolutions

²⁹⁹ International Disability Alliance, *2019 High-level Political Forum Report*, 2019.

³⁰⁰ Ibid.

³⁰¹ Ibid.

³⁰² UNESCO, *UNESCO in Brief, Mission and Mandate*, 2019.

³⁰³ UNESCO Institute for Lifelong Learning, *The United Nations General Assembly discusses literacy and education for democracy*, 2018.

³⁰⁴ UNESCO, *Including learners with disabilities in COVID-19 education responses*, 2020.

³⁰⁵ UNESCO, *Another COVID-19 Front line: Parents of children with disabilities*, 2020.

³⁰⁶ WHO, *Disability*, 2019; WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, p. 2.

³⁰⁷ WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, p. 3 and p. 15.

³⁰⁸ WHO, *AskWHO Video on the World Health Organization answering questions on disability considerations during COVID-19*, 2020.

³⁰⁹ WHO, *Disability considerations during the COVID-19 outbreak*, 2020.

³¹⁰ WHO, *Mental health and psychosocial considerations during the COVID-19 outbreak*, 2020.

³¹¹ International Disability Alliance, *Who We Are*.

disability-inclusive.³¹² The alliance published the introductory toolkit *The 2030 Agenda: The Inclusion of Persons with Disabilities* (2016), which focused on demonstrating how persons with disabilities can influence the implementation of the Agenda 2030, for example by forming effective regional networks.³¹³ The introductory toolkit also highlights that persons with disabilities shall be included into all DRR programs and that data needs to be collected to measure the progress on implementing the 2030 Agenda and the CRPD.³¹⁴ As a result of the COVID-19 pandemic, the IDA advocated on behalf of persons with disabilities by sending letters to UN entities such as WHO to ensure that there would be a disability inclusive response, compiled stories from persons with disabilities about their pandemic experiences, launched accessibility, end to discrimination, inclusive future for all campaigns, and shared resources and tools.³¹⁵ Most notably, the IDA launched a COVID-19 Disability Rights Monitor where governments, organizations of persons with disabilities and all relevant stakeholders were invited to complete a survey to highlight issues faced by persons with disabilities during the pandemic to support the global understanding of consequences of these challenges on persons with disabilities with the report expected to be released in October 2020.³¹⁶

Disaster Risk Reduction and Persons with Disabilities

Disaster Risk Reduction (DRR) aims to reduce the damage and risks caused by disasters through systematically analyzing and reducing the causal factors of disasters.³¹⁷ The CRPD obliges State parties to undertake all necessary measures to protect the rights of persons with disabilities, especially during natural disasters like floods, droughts, earthquakes, and cyclones.³¹⁸ In the event of a disaster, essential infrastructure and services might be destroyed, resulting in persons with disabilities potentially facing extreme difficulties escaping the disaster area or even being left behind entirely, let alone receiving appropriate medical and therapeutic treatment.³¹⁹ The Third Committee therefore recognizes that as persons with disabilities are disproportionately affected by the impact of disasters, there remains a need for targeted protection and safety measures.³²⁰

In regards to the COVID-19 pandemic specifically, the United Nations Office for Disaster Risk Reduction (UNDRR) states that the current COVID-19 pandemic reflects its *Global Assessment on Risk 2019* (2019) estimates, in which disasters, including biological hazards, become deadlier, and these same disasters continue to affect persons with disabilities disproportionately.³²¹ The Secretary-General's report to the General Assembly "Inclusive development for and with persons with disabilities: Report of the Secretary-General" (2020) detailed how COVID-19 has exacerbated pre-existing inequalities faced by persons with disabilities, and made relevant recommendations to mitigate this impact.³²² The Secretary-General also released a policy brief entitled "A Disability-Inclusive Response to COVID-19" focused specifically on the impact of COVID-19 on persons with disabilities.³²³ The brief identifies four overarching areas of actions namely: mainstreaming disability in all COVID-19 response actions, accessibility, consultation with persons with disabilities, and accountability mechanisms; and also provides further recommendations on

³¹² International Disability Alliance, *UN General Assembly*.

³¹³ International Disability Alliance, *The 2030 Agenda: The Inclusion of Persons with Disabilities, Introductory Toolkit*, 2016.

³¹⁴ *Ibid.*

³¹⁵ International Disability Alliance, *COVID 19 and the disability movement*, 2020.

³¹⁶ *Ibid.*

³¹⁷ UNDRR, *Our Work*, 2019.

³¹⁸ UN General Assembly, *Convention on the Rights of Persons with Disabilities (A/RES/61/106)*, 2006, p. 9; UNDRR, *Disaster Risk Reduction*, 2020.

³¹⁹ UN Security Council, *Protection of Civilians in Armed Conflict: Report by the Secretary-General (S/2019/373)*, 2019, p. 11.

³²⁰ UN General Assembly, *Social Development: Report of the Third Committee (A/73/581)*, 2018, p. 27.

³²¹ UNDRR, *Prevention Saves Lives*, 2020.

³²² UN General Assembly, *Inclusive development for and with persons with disabilities: Report of the Secretary-General (A/75/187)*, 2020.

³²³ UN DESA, *Policy Brief: A Disability-Inclusive Response to COVID-19*, 2020.

key sectors such as health and education.³²⁴ The UN also developed pandemic checklists for disability inclusive funding and socio-economic response and recovery, along with disability inclusive messaging for the UN Country Teams providing support during the COVID-19 pandemic.³²⁵ Promising progress has been made as 65% of countries reported having rehabilitation access since the beginning of the pandemic, but COVID-19 has also introduced new challenges that still need to be addressed, such as access to testing sites and ensuring accessibility of COVID-19 information for persons with disabilities.³²⁶ Furthermore, lockdowns during the pandemic spurred increased reliance on remote learning and work, when these might present accessibility or design obstacles for persons with disabilities.³²⁷

Accessibility is one of the key principles of the CRPD and of DRR in order to leave no one behind.³²⁸ However, ensuring accessibility to both information and support is one of the main challenges in implementing the CRPD in disaster situations, as protection mechanisms such as early warning systems and evacuation procedures may rapidly become inaccessible to persons with disabilities.³²⁹ The Third Committee urges Member States to implement policies and programs that specifically include persons with disabilities in humanitarian response plans and programs so that the CRPD can be fully implemented.³³⁰ The Third Committee further supports the exchange of information, best practices, and tools between Member States, UN entities, and other stakeholders so that the specific needs and challenges faced by persons with disabilities are included in DRR measures.³³¹

Additionally, there is a lack of reliable, comparable, high-quality data that provide insights into the insufficient existing assistance and support services, and the continued social and physical barriers faced by persons with disabilities.³³² The Washington Group on Disability Statistics (WG) emphasizes that the mechanisms of data collection need to be strengthened to leave no one behind and to effectively implement effective Disaster Risk Reduction (DRR) policies.³³³ The UNDRR Regional Office for the Americas and the Caribbean, ONG Inclusiva and the Latin America, and the Caribbean Network for Disability Inclusive Disaster Risk Management (LAC DiDRR Network) attempted to partially address this by organizing a webinar in April 2020 which focused on people with disabilities in the face of COVID-19 and the need for relevant data.³³⁴ The seminar reevaluated the need for inclusive disaster risk reduction from a survey on people with disabilities and made key recommendations for actions to address their needs during a pandemic.³³⁵

³²⁴ UN DESA, *Policy Brief: A Disability-Inclusive Response to COVID-19*, 2020.

³²⁵ UN DESA, *A Disability-Inclusive Response to COVID-19*, 2020.

³²⁶ UN General Assembly, *Inclusive development for and with persons with disabilities: Report of the Secretary-General (A/75/187)*, 2020.

³²⁷ *Ibid.*

³²⁸ UN General Assembly, *Social Development: Report of the Third Committee (A/73/581)*, 2018; World Humanitarian Summit, *Charter on Inclusion of Persons with Disabilities in Humanitarian Action*, 2019, pp. 1-2.

³²⁹ Priddy, *Disability and Armed Conflict*, *The Geneva Academy of International Humanitarian Law and Human Rights*, 2019, pp. 12-13; WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, p. 6.

³³⁰ UN General Assembly, *Social Development: Report of the Third Committee (A/73/581)*, 2018.

³³¹ *Ibid.*, p. 30.

³³² UN General Assembly, *Inclusive Development for and with Persons with Disabilities (A/RES/73/142)*, 2018, p. 5; WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, pp. 15, 22.

³³³ Washington Group on Disability Statistics, *Report of Ability of Countries to Disaggregate SDG Indicators by Disability*, 2018, p. 1.

³³⁴ UNDRR Regional Office for the Americas and the Caribbean, *UNDRR Americas & Caribbean COVID-19 Brief: People with disabilities in the face of COVID-19 in the Americas and the Caribbean*, 2020.

³³⁵ *Ibid.*

Data and the Rights of Persons with Disabilities

Statistics and data collection are an integral part of implementing the CRPD and the SDGs.³³⁶ UN DESA specifies data disaggregation as part of the foundation for a disability-inclusive COVID-19 response and recovery.³³⁷ The data is critical in understanding the different ways in which people with disabilities are impacted by COVID-19 and to monitor of policies to ensure accountability from governments and UN agencies.³³⁸ Additionally, the *Disability and Development Report* (2018) by the UN DESA is the first global compilation and analysis of internationally comparable data using the Washington Group on Disability Statistics short set of questions which makes data collection on disability easier.³³⁹ It was established by the UN Statistical Commission to address the need for comparable, high-quality data on persons with disabilities on a global level.³⁴⁰

In its *Report of Ability of Countries to Disaggregate SDG Indicators by Disability* (2016), the Working Group states that only 39 countries provided data because the remaining Members' national censuses do not include disability-related questions.³⁴¹ Additionally, persons with disabilities are often underrepresented in national and international statistics, as they are not included in trials and research since the eligibility criteria often view disabilities as compounding factors that would affect research.³⁴² Also, the availability of national statistics varies to a great extent due to the unavailability of financial support, educational standards, and training.³⁴³ For example, people have different definitions of what constitutes a disability and it is more difficult to collect data in developing countries due to the lack of resources.³⁴⁴

In response to this gap in comparable data, the Working Group has developed a set of standardized questions that can be included in national surveys.³⁴⁵ The *WHO Global Disability Action Plan 2014-2021* (2015) illustrates pathways to improving data collection and availability, for example by providing technical support and assisting in the development of standardized methodologies and data collection mechanisms.³⁴⁶

The continuing lack of data is also recognized as a concern by the General Assembly in resolution 73/142 (2018), "Inclusive Development for and with Persons with Disabilities".³⁴⁷ As a result, the General Assembly has requested the UN system to provide assistance in collecting data and asks for support by the Special Rapporteur on the Rights of Persons with Disabilities to regularly include data on disability in its publications.³⁴⁸ The Third Committee encourages Member States and the UN system to include disability into official statistics and data collection tools and provide the information in regular reports so that progress can be monitored.³⁴⁹

³³⁶ UN General Assembly, *Transforming our World: the 2030 Agenda for Sustainable Development (A/RES/70/1)*, 2015, p. 12; UN General Assembly, *Convention on the Rights of Persons with Disabilities (A/RES/61/106)*, 2006, p. 19.

³³⁷ UN DESA, *Policy Brief: A Disability-Inclusive Response to COVID-19*, 2020.

³³⁸ *Ibid.*

³³⁹ UN DESA, *Disability and Development Report: Realizing the Sustainable Development Goals by, for and with Persons with Disabilities*, 2018.

³⁴⁰ Washington Group on Disability Statistics, *Washington Group on Disability Statistics*, 2019.

³⁴¹ Washington Group on Disability Statistics, *Report of Ability of Countries to Disaggregate SDG Indicators by Disability*, 2018, p. 1; WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, p. 22.

³⁴² WHO & World Bank, *World Report on Disability*, 2011, p. 80.

³⁴³ *Ibid.*, p. 110.

³⁴⁴ *Ibid.*, p. 110.

³⁴⁵ World Bank, *Disability Inclusion and Accountability Framework*, 2018, p. 8.

³⁴⁶ WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015.

³⁴⁷ UN General Assembly, *Inclusive Development for and with Persons with Disabilities (A/RES/73/142)*, 2018, p. 5.

³⁴⁸ *Ibid.*, pp. 8-9.

³⁴⁹ UN General Assembly, *Social Development: Report of the Third Committee (A/73/581)*, 2018, p. 32.

Conclusion

Despite the progress made in implementing the CRPD, challenges remain regarding its full implementation, including in respect to the availability and quantity of data on disabled persons, the inclusion of persons with disabilities into DRR policies and programs, and the impact of the unexpected disasters, such as the COVID-19 pandemic.³⁵⁰ In the 74th session of the General Assembly, the global situation of persons with disabilities and their social development was discussed at-length, but gaps to support and representation were also acknowledged.³⁵¹ However devastating, the 2020 COVID-19 pandemic does present the international community with a unique opportunity to promote the implementation of the CRPD by closing the data gap and by including persons with disabilities in DRR policies and programs.³⁵²

Further Research

In their research and preparation, delegates should address how the Third Committee can contribute to strengthening the rights of persons with disabilities and the implementation of the CRPD, including: How can remaining social and physical barriers to full access be addressed? How can persons with disabilities be more effectively included in decision and policy making? Which factors can be identified that hinder the establishment of a global standard for collecting data on disability? What kind of instruments and guidelines are in place to include persons with disability into measures of DRR? What can the UN do to further implement the CRPD? How have persons with disabilities been affected by the COVID-19 pandemic and how can the UN improve its response? What steps can be taken to ensure a more disability inclusive response to future disasters in the aftermath of the COVID-19 pandemic?

Annotated Bibliography

United Nations, Department of Economic and Social Affairs. (2018). *Disability and Development Report: Realizing the Sustainable Development Goals by, for and with Persons with Disabilities*. Retrieved 20 July 2019 from: https://read.un-ilibrary.org/economic-and-social-development/disability-and-development-report-2018_a0b1b1d1-en_page1

This report is an excellent source detailing the connection between the SDGs and the rights of persons with disabilities. It first gives an overview of the history of the rights of persons with disabilities and then goes into details regarding all 17 SDGs, the connection to these rights, the current situation, and possible measures to be taken. Additionally, the report contains many figures and key data regarding the situation of persons with disabilities. For delegates, the report will likely be a helpful resource as it gives very detailed information, and will serve as a useful starting point to research.

United Nations, General Assembly, Sixty-first session. (2006). *Convention on the Rights of Persons with Disabilities (A/RES/61/106)*. Retrieved 20 July 2019 from: <https://undocs.org/A/RES/61/106>

The CRPD is the central document for this topic. In order for delegates to know about the possibilities and constraints, as well as possible courses of action to pursue in the General Assembly Third Committee, the CRPD serves as the starting point. Key definitions and topic-specific and topic-sensitive language are also provided in the CRPD, which is invaluable to understanding of this topic. It ultimately serves as the foundational entry into the topic as it discusses the central aspects of the rights of persons with disabilities and implementation mechanisms.

³⁵⁰ UN General Assembly, *Inclusive Development for and with Persons with Disabilities (A/RES/73/142)*, 2018, p. 5; WHO, *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*, 2015, pp. 15, 22.

³⁵¹ UN General Assembly, *Agenda of the Seventy-Fourth Session of the General Assembly (A74/251)*, 2019.

³⁵² World Humanitarian Summit, *Charter on Inclusion of Persons with Disabilities in Humanitarian Action*, 2019.

United Nations, General Assembly, Seventy-fifth session (2020). *Inclusive development for and with persons with disabilities: Report of the Secretary-General (A/75/187)*, Retrieved 13 September 2020 from: www.undocs.org/A/75/187

This recent Secretary General's report on inclusive development for persons with disabilities reviews the progress made by Member States, the UN system, and other stakeholders in respect to the 2030 Agenda for Sustainable Development. The report identifies opportunities to improve and barriers to overcome to continue implementing the SDGs and provides policy recommendations. The challenges that COVID-19 presents to persons with disabilities and actions that have been taken are also discussed. This helps provide delegates with an overview and update on the state of disability inclusion and the UN's COVID-19 response, as well as very recent actions that have been taken by the UN on the topic.

United Nations, Human Rights Council, Fortieth session. (2019). *Rights of Persons with Disabilities: Report of the Special Rapporteur on the Rights of Persons with Disabilities (A/HRC/40/54)*. Retrieved 21 July 2019 from: <https://undocs.org/A/HRC/40/54>

This report is published annually with a different thematic focus each year. The focus in this report is on the right to liberty and security, and it shows which activities were undertaken by the Special Rapporteur in 2018, as well as what can be done to improve the situation of persons with disabilities. Since the report is published annually with varying thematic focuses, delegates can get a detailed overview on the different aspects of the CRPD and the Special Rapporteur's efforts. This resource will help delegate learn more about the application of the CRPD, and to gain insight into how remaining gaps can be effectively tackled.

United Nations, Office for Disaster Risk Reduction. (2019). *Global Assessment Report on Disaster Risk Reduction*. Retrieved 27 October 2019 from:

https://gar.undrr.org/sites/default/files/reports/2019-05/full_gar_report.pdf

This is the most recent publication on DRR on a global level. The first part provides the background on the evolution of DRR and how the Sendai Framework for Disaster Risk Reduction 2015-2030 (2015), the current DRR framework, is linked to the 2030 Agenda. Chapter 5 of Part I names the four key challenges to change in the perception of disaster and risk: mindset, political, technological, and resource challenges. Part II then goes into detail about progress made in implementing the Sendai Framework and reviews efforts made by Member States such as disaster loss databases and the development of national disaster-related statistics. Concrete challenges on national level, for example the quality, accessibility, and application of data, are described. Each part provides conclusions and recommendations so that the most important aspects can be reviewed at a glance. This report is a fundamental publication for the topic of DRR and provides delegates with insight into the global and national challenges of promoting DRR.

World Health Organization. (2015). *WHO Global Disability Action Plan 2014-2021: Better Health for all People with Disability*. Retrieved 25 August 2019 from:

https://apps.who.int/iris/bitstream/handle/10665/199544/9789241509619_eng.pdf?sequence=1

This action plan provides a global roadmap on improving the health of persons with disabilities in line with the CRPD and the Agenda 2030. The action plan sets out three clear objectives: to remove barriers and improve access to health care services and programs, to strengthen and extend rehabilitation, habilitation, assistive technology, assistance and support services, and community-based rehabilitation, and to strengthen the collection of relevant and internationally comparable data on disability and support research on disability and related services. Recommendations on how these objectives can be achieved are also provided. A comprehensive list of actions and proposals on how to measure their accomplishment accompanies every objective. These detailed lists serve as a useful source to find possible solutions to strengthening the implementation of the CRPD.

World Health Organization & World Bank. (2011). *World Report on Disability*. Retrieved 16 July 2019 from: https://www.who.int/disabilities/world_report/2011/en/

The World Report on Disability by WHO and the World Bank is the most comprehensive report on disability on a global scale. It describes the definition and dimensions of disability and gives an overview of the global situation. It provides detail about different facets of disability, including general health care, rehabilitation, assistance, and support. For every section, recommendations are provided, such as on how to tackle resource and policy barriers. This source will be useful to delegates since it describes all aspects of disability in detail, as well as comprehensive information and statistics.

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