### Adoption of the 2024 UN Resolution on Extrajudicial, Summary, or Arbitrary Executions

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A briefing paper by
Outright International (Outright)
International Service for Human Rights (ISHR)







#### Outright International works together for better LGBTIQ lives.

Outright is dedicated to working with partners around the globe to strengthen the capacity of the LGBTIQ human rights movement, document and amplify human rights violations against LGBTIQ people, and advocate for inclusion and equality.

Founded in 1990, with staff in over a dozen countries, Outright works with the United Nations, regional human rights monitoring bodies, governments, humanitarian and development institutions, and civil society partners. Outright holds consultative status at the United Nations, where it serves as the secretariat of the UN LGBTI Core Group.

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# Acknowledgments

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## Glossary

**Gender:** The social and cultural codes—linked to but not congruent with ideas about biological sex—used to distinguish between society's conceptions of "femininity" and "masculinity."

**Gender Identity:** A person's internal, deeply felt sense of being a woman or girl, man or boy, a combination of these, neither, or something else.

**LGBTIQ** (**lesbian**, **gay**, **bisexual**, **transgender**, **intersex**, **and queer**): An inclusive term used to categorize people whose identities or bodies do not meet cultural expectations of endosex, cisgender heteronormativity. Outright uses the term LGBTIQ as an umbrella term that includes people who may not themselves identify as lesbian, gay, bisexual, transgender, intersex, and queer but who use other terms to describe their sexual orientation, gender identity, gender expression, and/or sex characteristics, including terms from their own local, linguistic and cultural context. At the United Nations Headquarters in New York City, the United Nations LGBTI Core Group uses the term "LGBTI" in a similar vein.

United Nations Member State: One of the 193 countries that are represented at the United Nations.

**OIC (Organization of Islamic Cooperation):** An intergovernmental organization consisting of 57 member states, with 48 being Muslim-majority countries, that also operates at the United Nations as a collective group of countries with the stated aim of protecting "the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world."

**Sexual Orientation:** An individual's sexual orientation is indicated by one or more of the following: how a person identifies their sexual orientation, a person's capacity for experiencing sexual and/or affectional attraction to people of the same and/or different gender, and/or a person's sexual behavior with people of the same and/or different gender.

**SOGI (Sexual Orientation and Gender Identity):** Within the United Nations and elsewhere, the terms sexual orientation and gender identity are often used together, and the term "SOGI" is a shorthand.

**UNGA (United Nations General Assembly):** The highest decision-making body of the United Nations, with the equal participation of all 193 member states of the United Nations. The General Assembly considers and makes recommendations on any issue that falls under the scope of the United Nations Charter, including human rights, peace and security, political cooperation, and international collaboration. It meets at the United Nations Headquarters in New York in annual sessions that start each September.

**UNGA Third Committee:** The United Nations General Assembly allocates most of its work to its six main committees, which take up different issues before presenting draft resolutions and decisions to the full General Assembly. The Third Committee, officially called the Social, Humanitarian & Cultural Affairs Committee, carries out most of the human rights work that takes place through the General Assembly. Any of the 193 UN member states can propose resolutions within the scope of the Third Committee mandate. The Committee can adopt resolutions through a vote or by consensus. It then refers these resolutions to the General Assembly plenary, again for a confirmatory vote or adoption by consensus.

### 01 Introduction

On November 14, 2024, the United Nations General Assembly's Third Committee adopted a resolution on extrajudicial, summary, and arbitrary executions. The resolution is a biennial text presented by the five Nordic countries—Denmark, Finland, Iceland, Norway, and Sweden—this year, it was led by Sweden. Just over a month later, on December 17, 2024, the full General Assembly adopted the resolution in a plenary session.

The resolution promotes the right to life for all and reaffirms the duty of UN member states under international law to prevent and protect all individuals from unlawful executions, and to fight against impunity if they occur.

The text calls on UN member states to conduct investigations into all killings, including those targeted at specific groups of persons. The resolution provides a non-exhaustive list of specific groups who have been shown to be vulnerable to unlawful killings:

"racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities or because of their **sexual orientation or gender identity**, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of Indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis".

Highlighting the need to prevent and investigate unlawful killings without discrimination, the resolution further calls on member states to "bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level" including when the killings are perpetrated by "security forces, police and law enforcement agents, paramilitary groups or private forces."

This year, the resolution included a proposal to begin a process of elaborating a new international standard for the investigation of femicides, in order to help investigators and forensic experts identify cases of gender-based killings of women and girls. The resolution also included new language on the duty of member states to prevent and investigate deaths in custody.

This briefing paper provides background on the resolution. It analyzes voting patterns, highlighting member states that changed their votes or co-sponsorship status since this resolution was last presented in 2022. It then provides an annotated transcript of the session of the Third Committee when the resolution was adopted. This briefing paper also includes the text of the resolution and its proposed amendment.

### 02 Background: The Resolution and its Amendment

Since 2002, the five Nordic states have presented a resolution on extrajudicial, summary, and arbitrary executions (EJE resolution) on a biennial basis. Sweden and Finland alternate leading the process of introducing the resolution, leading negotiations, and presenting it for adoption in the United Nations General Assembly (UNGA).

The resolution on extrajudicial, summary, and arbitrary executions includes a list of groups that are vulnerable to unlawful killings. Sexual orientation has been included in the resolution since 2000, and gender identity since 2012. The inclusion of sexual orientation and gender identity was warranted by evidence that people who are perceived to be of diverse sexual orientations or gender identities are more likely to be targeted for killings due to stigma rooted in gender stereotypes and rigid patriarchal systems of power. In 2024, the base of evidence proving this trend was further developed by the United Nations Special Rapporteur on Extrajudicial, Summary, and Arbitrary Executions, who published a report on the killings of LGBTIQ+ persons.

Beyond the content of the resolution itself, the EJE resolution is also important as it is a public expression of the political will of each UN member state on the inclusion of sexual orientation and gender identity in global policies.

Historically, the resolution would be presented to the Third Committee with language on sexual orientation and gender identity, and a group of member states would propose an amendment to remove it from the text. In 2024, member states again attempted to remove this language from the resolution during the Third Committee's proceedings, bringing an amendment to replace "sexual orientation and gender identity" with "sex." The amendment was introduced by Egypt on behalf of Bahrain, Bangladesh, Burkina Faso, Burundi, Cameroon, Egypt, Iran, Libya, Niger, Nigeria, Oman, the Russian Federation, Saudi Arabia, and Uganda.

States supporting the amendment argued that "sexual orientation and gender identity" do not have agreed-upon definitions under international law, while "sex" is a more widely accepted term. These states also contended that their national laws and religious and cultural values were not aligned with the concepts of sexual orientation and gender identity, referring to it as "controversial" and "non-agreed" language.

On the other hand, member states that supported the inclusion of "sexual orientation and gender identity" in the resolution argued that protecting individuals from extrajudicial executions is not a matter of cultural, religious, or geographic differences, but a universal obligation rooted in the fundamentality of human rights. They argued that the inclusion of "sexual orientation and gender identity" in this resolution is not about advancing "controversial" language; it is about recognizing a group of people who, like everyone else, deserve equal protection under the law. These member states pointed out that omitting references to vulnerable groups suggests that some lives—those that are at heightened risk of extrajudicial, summary, and arbitrary executions—are less worthy of safeguarding than others, and that this position stands in contradiction to the principle of universality of human rights.

The amendment to remove "sexual orientation and gender identity" was called to a vote and failed to pass, with 78 votes against, 47 votes in favor, 26 abstentions, and 42 states not voting. A vote was then called on the entire resolution in the Third Committee, and it passed with 130 votes in favor, 0 against, 53 abstentions, and 10 states not voting. The resolution was once again called to a vote in the UNGA plenary session. In the plenary vote, the resolution passed with 137 votes in favor, 0 against, 47 abstentions, and 9 member states not voting.2

## 03 Voting Trends

#### **Voting Trends By The Numbers**

Votes on the amendment to replace "sexual orientation and gender identity" with "sex" at the UNGA Third Committee

In 2024, there was a significant increase in the number of member states choosing not to cast a vote on the amendment that sought to replace "sexual orientation and gender identity" with "sex." Compared to 2022, fewer member states expressed support for or opposition to the amendment, suggesting that member states were less comfortable expressing a view on SOGI-related issues than in previous years.

Vote	2022	2024
Yes (vote to <b>remove</b> "sexual orientation and gender identity" in resolution)	51	47
No (vote to <b>keep</b> "sexual orientation and gender identity" from resolution)	88	78
Abstained	26	26
Did not vote	28	42

#### Votes on the resolution as a whole in the UNGA Third Committee

In both 2022 and 2024, the number of member states voting for and against the full resolution on extrajudicial, summary, and arbitrary executions remained relatively consistent. However, in 2024, there was an increase in the number of member states that abstained from voting, while the number of member states that did not vote at all decreased.

	Vote	2022	2024
-	Yes	131	130
	No	1	0
1	Abstained	45	53
	Did not vote	16	10

#### Votes on the resolution as a whole in the UNGA Plenary

During the 2024 United Nations General Assembly plenary session, seven more member states voted in support of the resolution than in the Third Committee session. There was a small increase in support compared to the 2022 vote in plenary, as well as a decrease in the number of member states that chose not to vote.

Vote	2022	2024
Yes	133	137
No	0	0
Abstained	44	47
Did not vote	16	9

#### Number of co-sponsors of the resolution

There were 66 co-sponsors of the resolution on extrajudicial, summary, and arbitrary executions both in 2022 and 2024.

2022	2024
66	66

#### **Changing Positions of Member States**

The tables below demonstrate that between 2022 and 2024, some member states changed their votes on the amendment to remove language on "sexual orientation and gender identity" and the resolution itself in either the Third Committee or Plenary sessions.

Member states that moved in a direction favorable to maintaining language on "sexual orientation and gender identity" are highlighted in green.

- On the amendment to remove "sexual orientation and gender identity," member states highlighted in green either shifted from not voting or abstaining from voting in 2022 to voting against the amendments in 2024, or voting for the amendments in 2022 to not voting or abstaining in 2024.
- When voting on the full resolution, which contained language on sexual orientation and gender identity, member states highlighted in green either shifted from voting against the resolution in 2022 to abstaining, not voting, or voting for the resolution in 2024, or from abstaining or not voting in 2022 to voting for the resolution 2024.

Member states that moved in a direction that was unfavorable to maintaining language on "sexual orientation and gender identity" are marked in red.

- On the amendment to remove "sexual orientation and gender identity," member states highlighted in red either shifted from voting against the amendments in 2022 to not voting or abstaining, or voting for the amendment in 2024, or from not voting or abstaining in 2022 to voting for the amendment in 2024.
- When voting on the full resolution containing language on sexual orientation and gender identity, member states highlighted in red either shifted from voting for the resolution in 2022, to abstaining, not voting, or voting against the resolution in 2024, or from abstaining or not voting on the resolution in 2022 to voting against the resolution in 2024.

Member states whose votes switched from abstaining to not voting, or voting to abstaining, are marked in yellow.

#### Vote on Amendment to Remove "Sexual Orientation and Gender Identity" from the Resolution

The table below shows the member states whose votes on the amendment to replace "sexual orientation and gender identity" with "sex" in the resolution changed from 2022 to 2024. The most notable shift was the number of member states choosing not to cast a vote. Many member states that had voted yes, no, or abstained in 2022 opted to refrain from voting in 2024.

Member State	2022 vote to remove SOGI (yes = remove SOGI, no = keep SOGI)	2024 vote to remove SOGI (yes = remove SOGI, no = keep SOGI)
Antigua and Barbuda	Yes	Did not vote
Democratic Republic of Congo	Yes	Did not vote
Gambia	Yes	Did not vote
Guinea-Bissau	Yes	Did not vote
Saint Kitts and Nevis	Yes	Did not vote
Saint Vincent and the Grenadines	Yes	Did not vote
Uzbekistan	Yes	Did not vote
Mauritius	Did not vote	No
Argentina	No	Did not vote
Haiti	No	Did not vote
Federated States of Micronesia	No	Did not vote
Samoa	No	Did not vote
Sierra Leone	No	Did not vote
Turkey	No	Did not vote
Bhutan	No	Abstained
El Salvador	No	Abstained
Panama	No	Abstained
Papua New Guinea	No	Yes
Timor Leste	No	Yes
Comoros	Did not vote	Yes

Botswana	Abstained	Did not vote
Central African Republic	Abstained	Did not vote
Equatorial Guinea	Abstained	Did not vote
Madagascar	Abstained	Did not vote
Maldives	Abstained	Did not vote
Rwanda	Abstained	Did not vote
Tunisia	Abstained	Did not vote
Ghana	Did not vote	Abstained
Myanmar	Did not vote	Abstained
Solomon Islands	Did not vote	Abstained
Tonga	Did not vote	Abstained

#### Votes on Complete Resolution in the Third Committee

In the Third Committee vote on the complete resolution, which included language on sexual orientation and gender identity, nine member states shifted their votes from 2022 in a direction favorable to the resolution's passage, while nine shifted in an unfavorable direction. Five changed from not voting to abstaining, or vice versa. Countries in the African region represented the biggest change in voting trends from 2022 to 2024.

Member State	2022 vote to remove SOGI (yes = remove SOGI, no = keep SOGI)	2024 vote to remove SOGI (yes = remove SOGI, no = keep SOGI)
Botswana	Abstained	Yes
Central African Republic	Abstained	Yes
Comoros	Did not vote	Yes
Grenada	Did not vote	Yes
Saint Kitts and Nevis	Did not vote	Yes
Sri Lanka	Abstained	Yes
Vanuatu	Did not vote	Yes
Zambia	Abstained	Yes
Burundi	No	Abstained
Burkina Faso	Yes	Did not vote
Eritrea	Yes	Abstained
Guinea-Bissau	Yes	Abstained
Kiribati	Yes	Abstained
Lesotho	Yes	Abstained
Mali	Yes	Abstained
Senegal	Yes	Abstained
Somalia	Yes	Did not vote
United Republic of Tanzania	Yes	Abstained

Azerbaijan	Did not vote	Abstained
Democratic Republic of Congo	Abstained	Did not vote
Pakistan	Did not vote	Abstained
Solomon Islands	Did not vote	Abstained
Tonga	Did not vote	Abstained

#### Votes on the Complete Resolution in Plenary

In the plenary vote on the complete resolution, which included language on sexual orientation and gender identity, twelve member states shifted their votes in a direction favorable to the resolution's passage, eight shifted in an unfavorable direction, and seven changed their votes from not voting to abstaining or vice versa. Of the twelve member states voting more favorably towards the resolution in 2024, most were in the African region, but there was also significant representation of Caribbean member states. Six of the eight member states voting less favorably on the resolution were from the African region.

Member State	2022 Plenary Vote	2024 Plenary Vote
Botswana	Abstained	Yes
Comoros	Did not vote	Yes
Djibouti	Abstained	Yes
Dominica	Did not vote	Yes
Mozambique	Abstained	Yes
Papua New Guinea	Abstained	Yes
Saint Kitts and Nevis	Did not vote	Yes
Saint Lucia	Did not vote	Yes
Seychelles	Did not vote	Yes
Sri Lanka	Abstained	Yes
Tuvalu	Did not vote	Yes
Zambia	Abstained	Yes

Afghanistan	Yes	Did not vote
Aignanistan	162	Did flot vote
Burkina Faso	Yes	Did not vote
Central African Republic	Yes	Did not vote
Guinea	Yes	Abstained
Guinea-Bissau	Yes	Abstained
Kiribati	Yes	Abstained
Liberia	Yes	Did not vote
Uganda	Yes	Abstained
Azerbaijan	Did not vote	Abstained
Burundi	Did not vote	Abstained
Democratic Republic of Congo	Did not vote	Abstained
Niger	Did not vote	Abstained
Solomon Islands	Did not vote	Abstained
Syrian Arab Republic	Abstained	Abstained
Tonga	Abstained	Abstained

#### 2024 Votes in the Third Committee and Plenary

The following member states voted differently on the complete resolution in the Third Committee and the plenary sessions. There was an overall increase in support for the resolution in the plenary, with 137 member states voting "yes," compared to 130 member states voting for the resolution in the Third Committee.

Member State	Vote in Third Committee	Vote in Plenary
Djibouti	Abstained	Yes
Dominica	Did not vote	Yes
Eritrea	Abstained	Yes
Lesotho	Abstained	Yes
Mozambique	Abstained	Yes
Saint Lucia	Did not vote	Yes
Senegal	Abstained	Yes
Seychelles	Did not vote	Yes
United Republic of Tanzania	Abstained	Yes
Central African Republic	Yes	Did not vote
Liberia	Yes	Did not vote
Democratic Republic of Congo	Did not vote	Abstained
Syrian Arab Republic	Abstained	Did not vote

#### Co-sponsorship

While the overall number of co-sponsors of the resolution stayed the same in 2022 and 2024, four countries that did not co-sponsor in 2022 showed support for the resolution by co-sponsoring in 2024, while four other countries that co-sponsored in 2022 did not renew this support in 2024. Interestingly, two of the new supporters are members of the UN LGBTI Core Group (Japan and South Africa), and two of the countries that did not co-sponsor in 2024 are also UN LGBTI Core Group members (Argentina, which shifted towards the right in its national politics, and Peru).3

Member State	Co-sponsored resolution in 2022	Co-sponsored resolution in 2024
Japan	No	Yes
Myanmar	No	Yes
North Macedonia	No	Yes
South Africa	No	Yes
Argentina	Yes	No
Liberia	Yes	No
Paraguay	Yes	No
Peru	Yes	No



### 04 Annotated Transcript of UNGA Third Committee Session Adopting the Resolution on Extrajudicial Executions

#### **Presenting the Resolution**

**Chair:** We turn to draft resolution A/C3/79/L.47., entitled Extrajudicial, Summary, or Arbitrary Executions, and the amendment to the draft resolution contained in document A/C3/79/L.62. I would like to inform the committee that draft resolution L.47. and the amendment contained in document L.62. contain no program budget implications. I now give the floor to the representative of Sweden to make a statement on behalf of the Nordic countries.

Sweden introduced the biennial resolution on Extrajudicial, Summary, or Arbitrary Executions. The draft resolution can be found in Annex A.

**Sweden:** Thank you, Chair. Sweden is honored to introduce this draft resolution on Extrajudicial, Summary or Arbitrary Executions. It's a biannual text tabled on behalf of the five Nordic countries. Two key elements are at the core of this resolution: the right to life and the fight against impunity. The central premise is simple: everyone has the right to life, and no one should have to live in fear of being illegally executed on any grounds. To this end, the resolution reaffirms the duty of States under international law to protect all individuals from unlawful executions without discrimination or distinction of any kind, to investigate all unlawful killings, and to bring the perpetrators of this crime to justice. By supporting this resolution, we keep our promise of leaving no one behind and of securing everyone's right to life.

Chair and colleagues, we would like to thank delegations for their active and constructive participation throughout the process of preparing this resolution. It's a difficult text to negotiate, and we recognize that there are aspects of the text that are challenging. Despite this, as the facilitator of the text, we have been met with a cordial and constructive approach from all, and this is highly appreciated. As a result, we now have a resolution that includes a proposal to begin elaborating a new international standard for the investigation of gender-based killings of women and girls. This will help investigators and forensic experts in better identifying cases of extrajudicial killings of women and girls, and for the justice system to respond. This year's resolution also includes more detailed language on the duty of States relating to preventing and investigating deaths in custody.

Colleagues, by adopting this resolution, this committee will highlight the crucial need to combat extrajudicial executions in all their forms, wherever and whenever they take place. We hope that this committee will express strong support to this important and timely issue. Thank you, Chair.



**Photo:** The representative of Sweden presents the draft resolution on Extrajudicial, Summary or Arbitrary Executions.

**Chair:** I thank the distinguished representative of Sweden and give the floor to the Secretary. Thank you.

**Secretary:** Thank you Mr. Chair. I would like to announce that since the submission of the draft resolution, and in addition to those delegations listed on the L. document, the following countries have also become co sponsors of draft resolution L.47: Australia, the Plurinational State of Bolivia, Bosnia and Herzegovina, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Greece, Guatemala, Hungary, Italy, Japan, Lithuania, Marshall Islands, Mexico, Myanmar, New Zealand, Palau, Panama, Poland, Republic of Korea, Samoa, San Marino, Serbia, Slovakia, South Africa, Switzerland and Uruguay. If any other countries wish to co-sponsor draft resolution L.47, please signify by pressing the microphone button. I see Côte D'Ivoire, and I see no further requests. Thank you.

#### **Presentation of Amendments**

One amendment was presented to the draft of this resolution. The amendment was presented by Egypt on behalf of Bahrain, Bangladesh, Burkina Faso, Burundi, Cameroon, Libya, Niger, Nigeria, Oman, Russian Federation, Saudi Arabia and Uganda. The amendment presented by Egypt can be found in Annex B.

**Chair:** I thank the Secretary, and I give the floor to the distinguished representative of Egypt, who will make a statement on the amendment to L.62.

**Egypt:** Thank you, Mr. Chair. Mr. Chair, my delegation delivers this statement on behalf of Bahrain, Bangladesh, Burkina Faso, Burundi, Cameroon, Libya, Niger, Nigeria, Oman, Russian Federation, Saudi Arabia, Uganda and my country, Egypt, to introduce the amendment contained in document L.62 to the draft resolution entitled Extrajudicial, Summary or Arbitrary Executions contained in document L.47. We thank the delegation of Sweden for their professional role as facilitator of the negotiations on this biennial resolution.

We uphold the right to life and express condemnation of all incidents of extrajudicial, summary, or arbitrary executions which are punishable by law, regardless of the identity of the victim, and emphasize that the perpetrators must be brought to justice in accordance with due legal process. However, we regret that consensus on this important resolution cannot be attained, the reason being the insistence to maintain a reference to the controversial term of "sexual orientation and gender identity", which has never gained neither international consensus nor legitimacy, and falls outside the purview of the provisions of international human rights law as agreed by Member States. Against this backdrop, the delegations referenced above introduce the current amendment.

The amendment aims to replace the phrase "sexual orientation and gender identity", which appears in OP 8b, with the word "sex." The term "sex" is a well-established term in the Universal Declaration of Human Rights and the principal international human rights instruments, as agreed by States. As such, we consider that this amendment contributes to the adoption of this resolution by consensus, and therefore call on Member States to vote in its favor. I thank you.



**Photo:** The representative of Egypt proposes an amendment to the draft resolution to remove language on "sexual orientation and gender identity" from the resolution and replace these terms with the term "sex."

**Chair:** I thank the distinguished representative of Egypt, and I give the floor to the Secretary.

**Secretary:** Thank you, Mr. Chair. I would like to announce that since the submission of the amendment, the following countries have also become co-sponsors of L.62: Belarus, Brunei Darussalam, Kuwait, Malaysia, Mali, Qatar, Somalia, United Arab Emirates, and Yemen. If any other countries wish to co-sponsor the amendment contained in document L.62, please signify by pressing the microphone button. I see Syrian Arab Republic, Iraq, Mauritania, Islamic Republic of Iran, Mali, and Senegal. I see no further requests. Thank you.

#### **Pre-Vote Statements on the Amendments**

Before member states voted on the proposed amendments to the draft resolution, as is the general practice, they were given an opportunity to make a general statement or explanation of their vote.

**Chair:** I thank the Secretary. In accordance with Rule 130 of the Rules of Procedure of the General Assembly, the Committee will first take a decision on the amendment. A recorded vote has been requested on the amendment to draft resolution L.47, contained in document L.62. Does any delegation wish to make a general statement or an explanation of vote before the vote on the amendment to the draft resolution in document and the amendment to L.47 and L.62? The representative of Hungary has the floor.

**Hungary:** Merci, Mr. President. I have the honor to speak on behalf of the European Union and its Member States. We strongly support this resolution. The aim of this resolution is to promote the protection of the individual against all unfair killings, as well as to investigate and bring the perpetrators of such killings to justice. We therefore deeply regret the decision of certain Member States to present an amendment on long-established language in this important resolution. In our view, such amendments are contrary, not only to effective multilateralism, but also to the very purpose of the UN and its institutions, as well as the core values the United Nations is meant to protect, uphold, and represent.

The paragraph that now has come under attack focuses on the obligation of States to conduct prompt, exhaustive, and impartial investigations into extrajudicial killings, including when they happen to individuals belonging to vulnerable groups that are more likely to be victims of extrajudicial, summary, and arbitrary executions than others. Investigations should aim to ensure effective protection for all without discrimination. The resolution places no obligation on States to in any way change their domestic laws regarding the specific groups, but rather to investigate all killings in a prompt, exhaustive, and impartial manner.

It is of utmost importance that the paragraph and the list containing the most vulnerable groups is kept in the resolution as it has been in past years. For these reasons, we will consistently vote against amendments presented, and we call on all Member States to do the same and vote no. Merci.



**Photo:** The representative of Hungary speaks on behalf of the EU in opposition to the proposed amendment and in support of the resolution as it stands with the inclusion of language regarding "sexual orientation and gender identity."

**Chair:** I thank the distinguished representative of Hungary, and I now give the floor to the distinguished representative of Sweden.

**Sweden:** Thank you, Chair. Sweden, on behalf of the Nordic countries, strongly opposes the proposal to amend operative paragraph 8b. Allow me to reiterate a very basic point: this is a resolution about extrajudicial, arbitrary, or summary executions. We are talking here about intentional and unlawful killings—murder, really—with the involvement, impunity, or inaction of the state. This is an important point to make because it is often claimed that this is a vote on a so-called controversial issue. No, it's a vote, very simply, on the right to life and whether we want to protect it for everyone, even those that belong to vulnerable groups.

The Special Rapporteur on Extrajudicial Executions has repeatedly reported that certain groups of individuals are more likely than others to become victims of extrajudicial executions. They are also more likely to be victims of impunity. These many different groups have been specifically mentioned in this resolution for over 20 years. The list in OP 8b is very long and includes, for example, persons belonging to a national, ethnic, religious and linguistic minorities, refugees, internally displaced persons, migrants, street children, members of indigenous communities, lawyers, journalists, demonstrators and, yes, the list also includes unlawful executions that are committed because of someone's real or perceived sexual orientation or gender identity.

This is not a matter of values or opinions. On every single example in OP 8b, the evidence is clear as day, and in the case of SOGI, the data shows that unlawful killings on this basis are recorded in all regions of the world, and that homophobic and transphobic violence has a high incidence of death. One source of data is the "Trans Murder Monitoring report", which over the past 15 years has recorded more than 4,600 killings of transgender persons worldwide. So this happens regardless of how quote-unquote "controversial" we think the term is.

Let me also be clear about what paragraph 8b does not say. It does not say that groups of individuals included in the list are more deserving of protection than others. It does not say that any new rights for persons belonging to these groups need to be created. It does not make any judgment or commentary on broader social or cultural debates. OP 8b is purely about the duty of States to protect all individuals from being unlawfully killed without discrimination or distinction of any kind. The full listing in this paragraph mirrors reality on the ground and the pretext used by perpetrators. Lives of all these people need protection, and it would give a dangerous signal to persons belonging to these vulnerable groups mentioned in the resolution if this committee decides that some of them no longer deserve attention, despite their lives being under threat. Likewise, we believe it's important that States, as part of their duty to protect all individuals from unlawful killings, have an evidence-based understanding of who the victims are most likely to be. The Nordic countries will therefore vote against the amendment, and we respectfully urge others to do the same. By voting no, we can collectively assert the right of life applies to everyone without exceptions. Thank you, Chair.



Photo: The representative of Sweden speaks on behalf of Nordic countries in opposition to the proposed amendment, presenting data to show why LGBT persons are especially vulnerable and need to be explicitly protected against extrajudicial, summary, or arbitrary executions.

**Chair:** I thank the distinguished representative of Sweden, and I give the floor to the distinguished representative of Mexico.

**Mexico:** Thank you, Mr. Chairman. Mexico thanks the delegation of Sweden for presenting the resolution on Extrajudicial, Summary, or Arbitrary Executions, and for the excellent conduct of the process, which was characterized by open, transparent, and inclusive negotiations. As a traditional co-sponsor of the resolution, Mexico is pleased that the draft contains elements which strengthen the text in favor of human rights and in favor of preventing extrajudicial, summary, or arbitrary executions.

We regret that the draft resolution has not been able to take in more elements from the report submitted this year by the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, which is focused on the investigation and prevention of illicit killings of lesbian, gay, and others of diverse genders. We regret the deaths motivated by groups targeting those in vulnerable situations, including sexual orientation or gender identity. This listing which refers to persons which are in situations of risk and violence, among them, LGBTI persons. In our opinion, the paragraph 8b recognizes that they are at greater risk of suffering lethal violence due to sexual orientation or gender identity, and to change that language to a more restrictive term, such as "sex", would undermine that specific protection. For Mexico, it is essential to have inclusive and precise language in resolutions of this nature. We think that it is controversial not to protect all persons, especially when we speak about protecting the right to life. This language is ruled by the principles of universality and non-discrimination in Article One of the Universal Declaration of Human Rights, which States that all human beings are born free and equal in dignity and rights.

In view of the above, my delegation supports the resolution as drafted, and will vote against the amendment, and invite other delegations to vote against the amendment. Thank you.



**Photo:** The representative of Mexico speaks in opposition to the proposed amendment on the draft resolution.

**Chair:** I thank the distinguished representative of Mexico, and I give the floor to the distinguished representative of New Zealand.

**New Zealand:** Thank you, Chair. I have the honor to deliver this explanation of vote on behalf of Australia, Canada, Liechtenstein, Switzerland, and my own country, New Zealand. Extrajudicial, summary, or arbitrary executions are a violation of the right to life. This resolution contains a list of persons vulnerable to this egregious act, including, inter alia, persons belonging to ethnic, religious, and linguistic minorities, internally displaced persons, persons living under foreign occupation, migrants, indigenous peoples, and those targeted because of their sexual orientation or gender identity. It is of the utmost importance to our delegations that this listing be kept in this resolution in its entirety.

Let's be clear: no one, in no place, at no time, should be subjected to an extrajudicial, summary, or arbitrary execution. Yet, we know that those listed individuals are in particularly vulnerable positions, are more likely to suffer deadly violence than others, and are more often victims of impunity. That's why this listing is crucially important. Killings of individuals targeted because of their sexual orientation or gender identity are well documented in the reports of the human rights treaty bodies and special procedures and cannot be condoned. These efforts to erase SOGI issues from UN documents will neither deny their importance, nor dissuade us from advocating for human rights for all individuals.

Operative paragraph 8b focuses on the obligation of States to conduct prompt, exhaustive, and impartial investigations into the killings of persons belonging to the vulnerable groups listed. It focuses on the application of existing laws and is a statement against impunity for crimes under domestic laws. The paragraph is not concerned with the differences in cultural or other values, nor does this resolution ask for any State to change their domestic laws or policies regarding the specific groups in this paragraph. The paragraph is instead focused on ensuring the effective protection of those targeted specific groups of persons for discriminatory reasons on any basis, and to bring those responsible to justice before a competent, independent, and impartial judiciary, and to ensure that such killings are neither condoned nor sanctioned by State officials or personnel.

We want to take this opportunity to thank Sweden, who, on behalf of the Nordic countries, runs a fair, inclusive, and transparent process. The deletion of sexual orientation and gender identity from this text would send a wrong and dangerous message to all of the vulnerable groups mentioned in the text if the General Assembly decided that one specific vulnerable group no longer warranted special attention against extrajudicial killings. We will therefore vote against the amendment, and we ask other delegations to do the same. Thank you.



**Photo:** The representative of New Zealand speaks on behalf of Australia, Canada, Liechtenstein, and Switzerland in opposition to the proposed amendment.

**Chair:** I thank the distinguished representative of New Zealand, and now give the floor to the distinguished representative of the United Kingdom.

**United Kingdom:** Thank you, Chair. The United Kingdom welcomes the tabling of this resolution on extrajudicial, summary, and arbitrary executions. We support this resolution as proposed by Sweden, and thank the facilitators for their constructive approach. The UK strongly condemns all instances of extrajudicial, summary, and arbitrary executions. They are grave violations of human rights, and we cannot allow these abhorrent practices to continue unchecked. We stand in solidarity with the families of victims around the world and continue to work publicly and privately to demand accountability.

The UK is committed to upholding and promoting the rule of law and putting it at the heart of our work. The resolution before us encompasses references to a wide range of people who are at particular risk, whether from racially motivated violence or because of their national, ethnic, religious, linguistic identity, or their sexual orientation and gender identity. This is an inclusive text, and it rightly identifies individuals who may be at greater risk.

Therefore, the UK, along with many others, is deeply concerned by the proposed amendment to remove sexual orientation and gender identity. This language has been in the resolution for years, and we regret having to vote on it yet again. Furthermore, human rights must be enjoyed on an equal basis by all. Members in this room have a responsibility to ensure that this is the case. We therefore strongly urge States to vote against the amendment, but for the resolution. Thank you.

**Chair:** I thank the distinguished representative of the United Kingdom, and now give the floor to the distinguished representative of Albania.

**Albania:** Thank you, Mr. Chair. At the outset, I would like to thank Sweden for their work and for bringing a balanced text. Mr. Chair, the purpose of this resolution is to enhance the protection of individuals from unlawful killings and ensure that the perpetrators of such acts are held accountable through thorough investigations. The paragraph we are talking about now highlights the importance of States carrying out prompt, comprehensive, and unbiased investigation into extrajudicial killings, including when these involve individuals from vulnerable groups who are at a higher risk of being targeted for such executions. It is our understanding that the resolution does not mandate any changes to domestic laws regarding specific groups, but rather emphasizes the need for all killings to be thoroughly investigated in a timely and impartial manner. This being said, in our view, it is crucial that the paragraph and the list of vulnerable groups remain included in the resolution, as has been the case in previous years. For these reasons, Albania will vote against the amendment. Thank you.



**Photo:** The representative of Albania speaks in opposition to the proposed amendment to the draft resolution.

**Chair:** I thank the distinguished representative of Albania, and now give the floor to the distinguished representative of Colombia.

Colombia: Thank you, Chair. Colombia thanks Sweden for introducing this resolution, and wishes to congratulate the delegation for the conduct of the transparent, participatory, and constructive negotiating process. My delegation rejects categorically this document because it includes a drafting proposal which negates a fundamental element. It is a fact that people's right to life is attacked based on their sexual orientation. There is a greater risk given specific circumstances, and there are elements which make some persons more vulnerable to summary or extrajudicial executions. The language recognizes the fundamental international commitments of human rights, especially with regard to the responsibility of states to protect the right to life without discrimination of any kind, including LGBTI persons. So for these reasons, Colombia will vote against the amendment, and we wish to invite other delegations to vote in the same way. Thank you.



**Photo:** The representative of Colombia speaks in opposition to the proposed amendment to the draft resolution.

#### **Voting on the Amendment**

The proposed amendment to paragraph 8b of the proposed resolution regarding "sexual orientation and gender identity" as a protected class against extrajudicial, summary, or arbitrary killings was voted on.

**Chair:** I thank the distinguished representative of Colombia. The committee will now commence with the process of voting on the amendment contained in document L.62. in accordance with Rule 128, no representative may interrupt the voting, except on a point of order in connection with the actual process of voting. Delegations are kindly requested to indicate their votes.

**Secretary:** The committee is now voting on the amendment to draft resolution L.47 as contained in document L.62. Will all delegations confirm that their votes are correctly reflected on the screen? The voting has been completed. Please lock the voting machine.

**Chair:** The result of the vote is as follows: 47 votes in favor. Votes against 78. 26 abstentions. The amendment to Draft resolution L.47 as contained in document L.62 is rejected.

Since the amendment contained in document L.62 has been rejected, we shall proceed to take a decision on draft resolution L.47 as a whole. A recorded vote has been requested on draft resolution L.47 entitled Extrajudicial, Summary, or Arbitrary Executions. Does any delegation wish to make a general statement or an explanation of vote before the vote, in connection with draft resolution L.47? I give the floor to the distinguished representative of Sweden.



Image: Vote on proposed amendment to remove "sexuality and gender identity" from paragraph 8b of the proposed resolution. The amendment did not pass.

#### Pre-Vote Statements on the Draft Resolution

**Sweden:** Thank you, Chair. I just wanted to inquire who has requested for the vote. Thank you.

**Chair:** Egypt and the Russian Federation have requested the vote. I now give the floor to the distinguished representative of Finland.

**Finland:** Thank you, Chair. On behalf of the Nordic countries, allow me to thank all member states for the strong engagement you have shown in the work of this resolution. As a result, we have a text with further improved language, for instance, on the right to life and strengthening references related to the manual on the effective prevention and investigation of extrajudicial, arbitrary, and summary executions, and encouraging its further elaboration. We must not lose sight of this key fact.

With the adoption of this text, we will together repeat our demand that the practice of extrajudicial, summary, or arbitrary executions must be brought to an end, and that effective action needs to be taken to prevent, combat, and eliminate the phenomenon in all its forms and manifestations. Given this context of broad agreement, we are disappointed that some delegations felt it necessary to call the resolution as a whole to a vote. This sends a wrong message. We are particularly disappointed, since the reason for this decision appears to be the presence of five words in a long and exhaustive list of groups that suffer as victims of extrajudicial executions. We strongly urge delegations to read the language of the paragraph in question. It calls on Member States to conduct thorough investigations in instances where persons belonging to these vulnerable groups have been targeted by extrajudicial executions. Every person deserves this.

Mr. Chair, this resolution aims at protecting individuals from unlawful executions, promoting the right to life, and to fight against impunity. The text makes a very straightforward plea, that everyone should be able to live freely without the fear of being illegally executed on any grounds. For this reason, Finland and Nordic countries will vote yes to the resolution, and we strongly urge others to do the same. I thank you.

**Chair:** I thank the distinguished representative of Finland, and now give the floor to the distinguished representative of Iraq, followed by France, Iran, and the Russian Federation.

**Iraq:** I thank you, Chair. My country wishes to thank the delegations who worked on this draft resolution. However, this resolution includes polemic concepts and terminology that are not in line with our national legislation. Any controversial or polemic text in this resolution will be interpreted under our national legislation.



Photo: The representative of France speaks in favor of the resolution including language on "sexuality and gender identity" and explains France's decision to vote in favor of the draft resolution.

**Chair:** I thank the distinguished representative of France. I now give the floor to the distinguished representative of the Islamic Republic of Iran.

**Islamic Republic of Iran:** Thank you very much, Mr. Chair. My delegation would like to underscore its concern over the proliferation of non-consensus-based and non-agreed-upon terminologies that lack clear and uniform understanding among the Member States throughout the text of the draft resolution on extrajudicial, summary, or arbitrary executions. My delegation is compelled to disassociate itself from those terminologies, particularly in operative paragraph 8.

Today's amendment was co-sponsored by my delegation, and we voted in favor of it. We strongly believe that this amendment would be essential in ensuring that all Member States have the same understanding of the text. In light of the above-mentioned issues, Iran will abstain from voting on the entire resolution. Iran reserves its right to interpret and implement the provisions contained in the present resolution, consistent with its national laws and development priorities, with full respect for the various religious and ethical values and cultural backgrounds of its people, and in conformity with its obligations under the universally recognized human rights. I thank you, Mr. Chair.



**Photo:** The representative of the Islamic Republic of Iran explains Iran's decision to abstain from voting on the draft resolution.

**Chair:** I thank the distinguished representative of the Islamic Republic of Iran, and now give the floor to the distinguished representative of the Russian Federation.

**Russian Federation:** Thank you, Chair. We are grateful to the delegation of Sweden for preparing the draft, holding consultations, and for their constructive approach. Unfortunately, many of our concerns were not included. As a result, the draft retains many provisions that give us reasons for concern. In particular, this is regarding the creation of artificial hierarchies, and not universally agreed neoliberal concepts. We're also particularly concerned by those paragraphs that contain baselessly positive assessments of the ICJ. We believe that this is not the appropriate instrument to carry out justice, even if the resolution's crimes could hypothetically fall under their jurisdiction. First, the ICJ must establish its authority and refrain from political and double standards. Because of the above, our delegation will abstain from the vote on this draft resolution. Thank you.



**Photo:** The representative of the Russian Federation explains Russia's decision to abstain from voting on the draft resolution.

**Chair:** I thank the distinguished representative of the Russian Federation, and now give the floor to the distinguished representative of the Kingdom of Netherlands.

**Kingdom of the Netherlands:** The Netherlands reaffirms its support for this resolution. As was stated, the central aim of this resolution is to reaffirm the duty of States to protect all individuals from extrajudicial, summary, or arbitrary executions without discrimination or distinction of any kind, to investigate all potentially unlawful killings, and to bring the perpetrators to justice.

The Kingdom of the Netherlands highlights that this resolution has been adopted by the UN General Assembly every two years since 1997, and has a paragraph that urges States to investigate extrajudicial killings, including when they are targeted at specific groups of individuals. The paragraph lists possible groups or persons executed because of discrimination, including on the basis of sexual orientation and gender identity. The resolution does not require any State to adopt legislation regarding any or all of the groups mentioned. It's purely about the duty of States to prevent and investigate all potentially unlawful deaths without distinction or discrimination of any kind, in accordance with their obligations under international law, and this is why we vote in favor of this resolution. Thank you.

#### **Vote on the Draft Resolution**

The draft resolution, as a whole, was put to a vote upon request of Egypt and the Russian Federation.

**Chair:** I thank the distinguished representative of the Kingdom of the Netherlands. The Committee will now commence with the process of voting on draft resolution L.47. In accordance with Rule 128, no representative may interrupt the voting except on a point of order in connection with the actual process of voting. Delegations are requested to indicate their votes.

**Secretary:** The committee is now voting on draft resolution L.47 entitled Extrajudicial, Summary, or Arbitrary Executions. Will all delegations confirm that their votes are correctly reflected on the screen? The voting has been completed. Please lock the voting machine.



Image: Vote on draft resolution on "extrajudicial, summary, or arbitrary executions" as a whole. The draft resolution is adopted.

#### Post-Vote Statements on the Draft Resolution

As is the general practice, member states were given an opportunity to make an explanation of their votes or a general statement.

**Chair:** The result of the vote is as follows. In favor, 130. Against, 0. Abstentions, 53. The draft resolution A/C.3/79/L.47 is adopted. Does any delegation wish to make an explanation of vote or a general statement after the vote on the draft resolution? I give the floor to the distinguished representative of Niger, followed by Argentina, Australia, Cuba and Yemen.

**Niger:** Sentences, including capital punishments, are pronounced in an equitable manner where the person has all those rights that are linked to their defense. We wish to note that the guarantee to the right of defense does not exist for abortion, which is something that is not considered extrajudicial, as it threatens life from the very conception. Our country has not aligned itself with any legally binding international resolution that includes the prohibition of the death penalty. Thus we are unable to support the following language, "the prevalence of arbitrary detention under the rule of law" in paragraph 8b. My delegation expresses its rejection of the terms "sexual orientation or gender identity." We claim the right to interpret all controversial texts in line with our national legislation.



Photo: The representative of Niger wishes to note that "the guarantee to the right of defense (against extrajudicial, summary, or arbitrary killings) does not exist for abortion."

**Chair:** I thank the representative Niger and now give the floor to the distinguished representative of Argentina.

**Argentina:** Thank you, Mr. Chairman. Argentina reaffirms its commitment to the protection of the dignity of all human persons, especially those who, given their sexual orientation or gender identity or any other reason, suffer from discrimination. However, we are surprised and concerned over the absence of the extrajudicial executions of women, which are omitted in operative paragraph eight, when the executions of women are regrettably frequent. The defense of other victims should not preclude the defense of women in international law. With regard to the expression "gender perspective" and with regard to the 2030 agenda and its meaning and internal legislation, Argentina refers you to previous explanations. Thank you.

**Chair:** I thank the distinguished representative of Argentina, and now give the floor to the distinguished representative of Australia.

Australia: Thank you, Chair. I have the privilege of delivering this statement on behalf of Canada, Liechtenstein, New Zealand, Switzerland, and my own country, Australia. We are disappointed and concerned that the General Assembly again could not reach consensus on such an important topic. Extrajudicial, summary, or arbitrary executions are a violation of the right to life. The fundamental aim of the resolution is to reaffirm the duty of states to protect all individuals from extrajudicial, summary, or arbitrary executions without discrimination or distinction of any kind, to investigate any potentially unlawful killings, and to hold the perpetrators accountable. The resolution acknowledges that groups of persons can be specifically targeted for killings, including national or ethnic, religious and linguistic minorities, indigenous peoples, or other persons on the basis of their sexual orientation or gender identity. The resolution highlights these groups and others referenced because of the discrimination and other factors that create situations of vulnerability and lead to a higher likelihood of their suffering of deadly violence and lack of justice. We should not overlook the reality on the ground by seeking to exclude particular groups; doing so would send a dangerous signal to the perpetrators of this appalling violence. Nor should we allow it to divert from the fundamental aim of the resolution. That is why we supported the resolution, and we thank Sweden, on behalf of the Nordic countries, for their considered and effective facilitation of this critical text. I thank you.



Photo: The representative of Australia, on behalf of their country, as well as Canada, Liechtenstein, New Zealand, and Switzerland, affirms their support for the resolution and its text as a whole. **Chair:** I thank the distinguished representative of Australia, and I now give the floor to the distinguished representative of Cuba.

**Cuba:** Thank you, Mr. Chairman. Cuba shares the noble purpose pursued by this resolution. Thus, we have voted in favor of L.47 despite having concerns with regard to some of the content which were expressed to the facilitators. My delegation must disassociate itself from preambular paragraphs 18 and operative paragraphs 16 and 23, and wishes to state that we don't think this is agreed language. We are not obliged by it.

Cuba does not support references to the Rome Statute of which we are not a party, nor the International Criminal Court, for its jurisdiction we do not recognize. Nor do we support the reference to the so-called "responsibility to protect," a term with which we have serious concerns, which can be easily politically manipulated to justify violations of the sovereignty and territorial integrity of states, in particular countries of the South.

We recall that in adopting Resolution 61 of the General Assembly, Cuba reserved its position on paragraph 139 of that document. Also, this resolution recognizes a presumed role for the Special Rapporteur on extrajudicial, summary, or arbitrary executions, and this does not appear in the resolution of the mandate, nor the ones that have extended it. Our country believes that preventing extrajudicial, arbitrary, or summary executions, and to protect persons from these acts or any other violations of human rights is exclusively of the purview of the authorities of every State based on national legislation, and the obligations entered into on the basis of international instruments to which it is party. My country is committed to the collective efforts of the international community on the promotion and protection of all human rights for all, including the elimination of extrajudicial, summary, or arbitrary executions. Thank you.

**Chair:** I thank the distinguished representative of Cuba, and I now give the floor to the distinguished representative of Yemen.

**Yemen:** I thank you, Chair. We thank Sweden, on behalf of the Nordic countries, for having facilitated this draft resolution. We place great importance on bolstering criminal justice mechanisms by bolstering the work of tribunals. The government of my country wishes to express its concern when it comes to those who are missing or have been arbitrarily detained in Houthi presence. There are also minorities and journalists who were subject to the capital punishment against the law. There are many concepts that are far from consensus in this draft, and they run counter to our religious values and our national legislation. We disassociate ourselves from those terms "sexual orientation and gender identity," which are included in paragraph 8b. Thank you.



**Photo:** Representative of Yemen expresses reservations to the terms "sexual orientation and gender identity" in paragraph 8b of the resolution.

**Chair:** I thank the distinguished representative of Yemen, and I now give the floor to the distinguished representative of Nicaragua.

**Nicaragua:** Mr. Chairman. We thank the delegation of Sweden for introducing this resolution in the Third Committee. Nicaragua is not a State Party to the Rome Statute. In this regard, we disassociate ourselves with decisions of the Criminal Court referred to in the text of the resolution. Nicaragua believes in independent and impartial, non-selective, international justice, which complements national justice systems without politicization or double standards.

We also refer to the concept of responsibility to protect. The concept of responsibility to protect is a cause of serious doubts for many countries, especially small and developing countries, given the ambiguity of some elements, which are easily manipulated for the political interests of the colonialist powers. This concept continues to be manipulated by interventionists who try to justify interference in the internal affairs of states, as well as the use of force to destabilize and change legitimate governments. Thank you.

**Chair:** I thank the distinguished representative of Nicaragua, and now give the floor to the distinguished representative of Japan.

Japan: Thank you, Mr. Chair. My delegation welcomes the adoption of draft resolution L.47. My delegation would also like to thank Sweden for facilitating and tabling this draft resolution, which is important for the prevention of extrajudicial, summary, or arbitrary executions from the perspective of protecting human rights and human dignity. Ensuring the effective protection of the right to life of all persons is important. The amendment proposal L.62 to amend the agreed language on points related to this year's devised parts would bring it a step back from the previous resolution. My delegation, therefore, voted in favor of this draft resolution and voted against the amendment proposal. I thank you.

**Chair:** I thank the distinguished representative of Japan, and I give the floor to the distinguished representative of Montenegro.

Montenegro: Thank you, Mr. Chair. Montenegro remains steadfast in its commitment to uphold and protect the right to life for all individuals, a cornerstone of international human rights law. We acknowledge that the resolution of extrajudicial summary, and arbitrary executions reinforces the fundamental obligations of all States to protect vulnerable groups, including minorities, human rights defenders, journalists, and individuals from diverse sexual orientation and gender identities who often face heightened risks of violence and impunity. By voting against the amendment, Montenegro reaffirmed that all individuals deserve equal protection under international law. We believe that omitting references to specific vulnerable groups would diminish our collective responsibilities to safeguard those most at risk and weaken the resolution's intent to address violence without discrimination. We therefore fully support the resolution in its original form, as it stands as a crucial affirmation of human rights and the essential duty of all States to protect and promote the right to life without exceptions. Thank you.



**Photo:** Representative of Montenegro speaks in favor of the text of the resolution in its entirety.

**Chair:** I thank the distinguished representative of Montenegro, and I now give the floor to the distinguished representative of the United States.

**United States of America:** Thank you, Chair. The United States extends its thanks to Sweden for facilitating this important text on extrajudicial, summary, or arbitrary executions. In particular, we welcome the strengthening or retention of references to linkages between arbitrary deprivation of life and systemic discrimination, such as gender-based and racial discrimination, and the disproportionate targeting of Indigenous women and girls, women and girls with disabilities, and people because of their sexual orientation or gender identity.

We express our deep concern with the amendment tabled on this text. Removing this reference to sexual orientation and gender identity would have had the impact of stripping away protections for a group that is more likely to be the victim of extrajudicial, summary, and arbitrary executions. The U.S. believes that no one should be subjected to extrajudicial, summary, or arbitrary executions. No one.

While the resolution addresses a number of important issues, the United States continues to have concerns regarding the language related to the use of force and the application of international humanitarian law, in addition to other legal concerns. The United States notes that the ICCPR does not prescribe measures that each state party must adopt to give effect to the right to life, and does not contain any express language requiring State parties to regulate private, nongovernmental conduct of non-state actors in relation to the deprivation of life. Further clarification of those concerns will be articulated in the U.S. general statement available on the website of the U.S. mission to the UN, and published in the digest of the United States practice in international law. Thank you.



Photo: The representative of the United States expresses support for language regarding "sexual orientation and gender identity," and notes reservations about language related to the "use of force" and the application of international humanitarian law.

**Chair:** I thank the distinguished representative of the United States and give the floor to the distinguished representative of Indonesia.

Indonesia: Thank you, Mr. Chair. Indonesia would like to express its explanations of vote to the adoptions of the draft resolution on extrajudicial, summary, or arbitrary executions. At the outset, Indonesia strongly condemns all forms of extrajudicial killings and arbitrary executions. We believe member states must take decisive steps to combat these abuses, including holding perpetrators accountable and thoroughly investigating suspected cases. Toward this commitment, our government has launched multiple initiatives, including comprehensive anti-torture training for law enforcement nationwide, enhancing oversight mechanisms, and strengthen accountability measures to prevent and address extrajudicial killings. These steps demonstrate Indonesia's resolve to safeguard human rights and end impunity.

However, we regret that the attempt at this resolution, of which our delegation supports the underlying proposal, was compromised by a reference that does not enjoy consensual support and does not address the other concerns of many delegations. We recognize that efforts to protect people from extrajudicial, summary, and arbitrary execution must be made indiscriminately, regardless of the different backgrounds and contexts of every individual. Our constitution upholds the right to life and security for every citizen, a commitment that drives Indonesia's ongoing efforts to prevent and address extrajudicial executions. In this regard, Indonesia voted in favor of the amendment tabled today by Egypt and other co-sponsors and voted to abstain on the resolution. My delegation does not recognize the reference to "sexual orientation or gender identity" as relevant to be included in OP 8 of this resolution, and we reserve our positions on this paragraph and concur that it should not be considered "agreed" language. I thank you.

**Chair:** I thank the distinguished representative of Indonesia and give the floor to the distinguished representative of Pakistan.

**Pakistan:** I thank you, Mr. Chair. My delegation is expressing its position on the draft resolution entitled "Extrajudicial, Summary, or Arbitrary Executions" contained in document A/C3/79/L.47. Pakistan is committed to protecting human rights in general, and the right to life in particular. The domestic laws of Pakistan prohibit arbitrary executions without a fair trial, and have especially provided for judicial trial processes that respect the life rights of defendants. Mr. Chair, we firmly believe that states have the responsibility and obligation to ensure that no person or group of persons are subject to violence and arbitrary executions. We condemn extrajudicial killings and arbitrary executions of all kinds and emphasize the imperative of establishing accountability justice to victims and guaranteeing non-recurrence.

We remain concerned that extrajudicial killings are arbitrary. Executions continue to happen with impunity in many parts of the world, in particular in situations of arms conflicts and foreign occupation, as duly noted in the draft resolution. We also worry that the use of less lethal weapons can also result in risk to life or serious injury in some circumstances. In particular, the use of metal pellets against peaceful protesters have resulted in numerous deaths and superfluous injuries in recent years. Therefore, the draft text rightly underscores the need to develop a mechanism for regulating the use of such so-called "less lethal" weapons.

Mr. Chair, while we support the fundamental premise of the resolution, we continue to remain concerned about certain elements in the draft text, which for years have alluded consensus on this resolution in the Third Committee. Firstly, reference to the concept of "sexual and gender identity" in operative paragraph 8b continues to remain problematic for many delegations. These concerns were also raised during the informal consultations on the draft resolution. While the right to life should be protected for all persons and against all killings with no discrimination whatsoever, it is irrevertible that the text has been used by some countries to impose their value systems onto others. In this regard, categories and terminologies that do enjoy universal recognition must be provided. Secondly, we reject the inclusion of legitimate results of states' death penalty with extrajudicial killings. We hope that in future, the sponsor of this resolution will address these long-standing concerns so that consensus can be achieved on it. I thank you.

**Chair:** I thank the distinguished representative of Pakistan and give the floor to the distinguished representative of Belarus.

**Belarus:** Chair, we wish to express our deep regret with the fact that the sponsor of the draft, despite being informed repeatedly that the use of non-consensus terminology was unacceptable to many UN member states, deliberately included the language in the final text of the document. Belarus, like many other countries, has long maintained a firm and clear position on this issue, and remains unchanged in its rejection of such language. Taking into account the fact that the text kept this language that does not enjoy universal support, the delegation of Belarus abstained on this draft resolution and is forced to disassociate itself from OP 8b. Thank you for your attention.

**Chair:** I thank the distinguished representative of Belarus, and I now give the floor to the distinguished representative of Malaysia.

**Malaysia:** Thank you, Mr. Chair. Malaysia rejects extrajudicial, summary, or arbitrary executions, as such acts constitute a serious violation of human rights, including the fundamental right to life. Impunity for such violations erodes accountability and the rule of law, and therefore, these practices must be prevented at all costs.

Domestically, Malaysia remains committed to advancing and safeguarding human rights. A significant step in this direction is the landmark decision to abolish the mandatory death penalty. Additionally, the government has enacted the "Revision of Sentences of Death and Imprisonment for Natural Life Temporary Jurisdiction of the Federal Court Act of 2023," which ensures that all individuals sentenced to death and natural life imprisonment will have their sentences reviewed by the federal court. This provision offers the possibility for resentencing, reflecting Malaysia's ongoing commitment to justice and the protection of human dignity.

Malaysia is also committed to furthering its human rights efforts by collaborating with the Special Rapporteur on Extrajudicial Killings and Arbitrary Executions, with a focus on training and capacity building on the use of the Minnesota Protocol. We are pleased to announce that an academic workshop on the Minnesota Protocol will be held in Kuala Lumpur on the fifth and sixth of December 2024, and we look forward to the valuable discussions and outcomes it will generate.

Mr. Chair, in light of the importance of addressing this issue, Malaysia has decided to vote in favor of the resolution as a whole. Malaysia had also voted in favor of the amendment to OP 8b as contained in document L.62, as a number of delegations, including Malaysia, had expressed strong reservations on the term "sexual orientation and gender identity." As the phrase continues to feature in the resolution, Malaysia therefore disassociates itself from the phrase "sexual orientation and gender identity" as contained in OP 8b, and does not recognize this term as agreed language. I thank you.



Photo: The representative of Malaysia explains that while Malaysia voted to approve the resolution as a whole, Malaysia expresses strong reservations about the terms "sexual orientation and gender identity" included in the text, and does not recognize these terms as agreed language.

**Chair:** I thank the distinguished representative of Malaysia, and I now give the floor to the distinguished representative of Senegal.

**Senegal:** Thank you, Mr. Chairman. Senegal is concerned over the use of terms which are non-consensual. We always work to protect the right to life. Our respect for the right to life is embodied in our fundamental documents and inspire our politics and our policies. The use of non-consensus terminology should not be used if the purpose here is to have consensus to preserve such a fundamental right. For this reason, my country abstained from the vote on the resolution and disassociates itself from the terms "sexual orientation and gender identity." Thank you.

**Chair:** I thank the distinguished representative of Senegal, and I now give the floor to the distinguished representative of Uganda.

**Uganda:** Thank you, Mr. Chair. My delegation is taking the floor in explanation of position after the adoption of the resolution contained in document L.47. My delegation regrets the inclusion of "sexual orientation and gender identity" on operative paragraph 8b of said resolution. As a co-sponsor of the amendment contained in the document L.62, the Republic of Uganda believes these terms are not in line with our religious, social, and cultural values. We strongly oppose the inclusion of these contentious terms of a fluid and subjective character that is not internationally agreed and, more importantly, does not align with our national legislation. Therefore, my delegation disassociates from OP 8b. Thank you.

**Chair:** I thank the distinguished representative of Uganda and give the floor to the distinguished representative of Libya.

Libya: Thank you, Mr. Chair. At the outset, we thank Sweden, the sponsor of the draft resolution on behalf of Nordic States, for the efforts made in tabling this draft resolution. We commit to safeguarding human rights of all without any exception. We are working towards the promotion of the right to life, and we are committed to the implementation of the death sentence through a fair trial and in very limited cases. We fully reject extrajudicial, summary, or arbitrary executions for all people and without any distinction. However, our delegation regrets that once more, there was an insistence to include contentious terminology that goes against our national legislation. Like other delegations, therefore, we have abstained from voting on this resolution, and we call upon all States to respect the specificities of States and peoples. We reject any attempt to dictate policies and values that do not coincide with ours. Therefore, my country's delegation wishes to disassociate itself from paragraph 8b of the draft resolution, and we wish to point out that we interpret the term "gender" as male and female strictly.

**Chair:** I thank the distinguished representative of Libya, and I now give the floor to the distinguished representative of Mali.

Mali: I thank you, Ambassador, I'm pleased to see you presiding over our work. The delegation of Mali commends the work undertaken by Sweden. The sanctity of human life is fundamental from the very beginning of life. This is enshrined in Article One of the Convention on Human Rights. The Malian Constitution states that all Malians have the same rights upon birth without discrimination for race, ethnicity, sex, religion, or political views. In Article Two of the Constitution, it states that all have the right to life, to freedom, and the sanctity of their person. Thus, my delegation supported the amendment and would like to disassociate itself from paragraph 8b. It rejects all non-consensual terminology and will interpret such terms in full accordance with its national laws.

**Chair:** I thank Mali and give the floor to the distinguished representative of Egypt, followed by Cameroon, Burkina Faso, and the Holy See.

**Egypt:** Thank you. Mr. Chair, we express our appreciation for the professionalism with which Sweden led the negotiations around the adopted resolution, which deals with a very important issue. We uphold the right to life as a fundamental human right which leads to exercising all fundamental rights and freedoms. We condemn all extrajudicial killings, regardless of the perpetrators and the identity of the victims.

The principle of the provision of protection without discrimination is established in international human rights law, and this is then translated into domestic legislation. Extrajudicial executions are legally criminalized and to deal with these cases, we have to ensure the rule of law by respecting judicial justice systems and provide mediation to hold the perpetrators accountable and prevent impunity.

We also believe in the universality of human rights and the principle of nondiscrimination as established in international human rights law. However, holding on to the inclusion of controversial concepts under the pretext of providing protection for more vulnerable groups is just a backdoor to legitimize recognition of certain groups which do not enjoy international consensus. Therefore, a number of States have presented the amendment to take out "sexual orientation and gender identity."

In addition to this, the text which has been approved has other controversial references, especially in OP 3a and OP 4 regarding gender-related killings of women and girls. We emphasize that "gender-related killing" is already targeting women and children. Therefore, it does not need any additional explanation to refer to that, just to expand on a concept so that it no longer refers to its established explanation in international work. Therefore, we condemn also all forms of violence against women, including those based on gender.

We also have a reservation regarding OP 16, which welcomes the ICC, as we are not party to the Rome Statute. Therefore, we abstained to this resolution, and we also disassociate ourselves with any reference to "sexual orientation and gender" identity in OP8b and any reference to "gender-related killings of women and girls" and OP16 and as a whole. Thank you.



**Photo:** The representative of Egypt expresses Egypt's reservations to the terms "gender related killings" and "sexual orientation and gender identity."

**Chair:** I thank the representative of Egypt and give the floor to the distinguished representative of Cameroon.

Cameroon: We thank the facilitator, Sweden, for presenting this year again the resolution on extrajudicial, summary, and arbitrary killings. It is unfortunate that such an important issue is being overshadowed by non-consensual language maintained in the text. It is my delegation's view that maintaining consensus on this resolution must always have precedence over advancing a particular agenda. Therefore, my delegation co-sponsored the amendment aiming at inserting "sex" in the listing of OP 8b. We regret that this amendment was not adopted. As a result, my delegation disassociates itself from the reference to SOGI in the paragraph 8b. My country also dissociates itself from the reference to the Rome Statute, which Cameroon is not a party to. Finally, Mr. Chair, Cameroon understands gender as a biological sex, referring only to female and male in accordance with Annex IV of the Beijing Declaration. Cameroon wishes to reaffirm its strong attachment to the protection of life, including by combating extrajudicial killing, regardless of the identity of the victim. I thank you, Mr. Chair.

**Chair:** I thank the distinguished delegate of Cameroon, and I now give the floor to the distinguished representative of Burkina Faso.

**Burkina Faso:** Mr. Chairman, my delegation believes that life is sacred. My delegation regrets the inclusion of terms which are not the object of consensus in this resolution, and my delegation therefore disassociates itself from any controversy, and in particular the concept of "sexual orientation and gender identity" in paragraph 8b. Thank you.

**Chair:** I thank the distinguished representative of Burkina Faso and give the floor to the distinguished representative of the Syrian Arab Republic.

**Syrian Arab Republic:** This discussion is just to disassociate ourselves from the non-agreed terms. Thank you.

**Chair:** I thank the distinguished representative of the Syrian Arab Republic and give the floor to the distinguished representative of the Holy See.

Holy See: Thank you, Mr. Chair. The Holy See would like to thank the delegation of Sweden, acting on behalf of the Nordic countries, for facilitating this year's negotiation on the draft resolution. Extrajudicial, summary, or arbitrary executions, the deliberate killing of individuals, is a violation of the most fundamental right, the right to life. This includes extrajudicial executions, which are, in the words of Pope Francis, "homicides deliberately committed, often passed off as clashes with criminals or presented as the unintended consequences of the reasonable, necessary and proportionate use of force in applying the law." In light of this, the Holy See appreciates that this year's resolution affirms the obligation of States to protect the right to life of all persons, including those deprived of their liberty in all circumstances, and qualifies extrajudicial executions as flagrant violations of the right to life. The Holy See also appreciates the clear call to take steps in order to decrease the need to use weapons of any kind. Furthermore, my delegation welcomes this year's inclusion of the need not only to identify and protect bodies and human remains, but also ensure dignified search, recovery, collection, documentation, preservation, and traceability.

While appreciating these positive aspects, my delegation is obliged to express its disappointment with the retention in OP 8b of the reference to "sexual orientation and gender identity." While firmly condemning all forms of unjust discrimination and reaffirming the equal dignity of every human person, the Holy See stresses that the concepts of sexual orientation and gender identity lack definitions under international law and do not enjoy consensus. In this regard, the Holy See further stresses that gender identity is not independent of personal sexual identity. Indeed, with reference to gender and its derivatives, the Holy See understands the term to be grounded in the biological sexual identity and difference that is male or female. Regrettably, the retention of such contentious language impedes the possibility of achieving consensus around this important text. Thank you, Mr. Chairman.



Photo: The Holy See expresses concerns with the inclusion of "sexual orientation and gender identity" and notes that the Holy See views gender identity the same as "personal sexual identity" and biological sex.

**Chair:** I thank the distinguished representative of the Holy See, and I now give the floor to the distinguished representative of Nigeria.

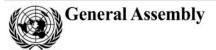
**Nigeria:** Thank you, Mr. Chair. Nigeria expresses gratitude to Sweden for facilitating this resolution. Nigeria would like to state that we joined in the presentation of the amendment due to the inclusion of some non-consensual language, particularly in paragraph 8b. As we explained in the morning, reference to gender means biological, male and female, and other terminologies that do not get consensus will be interpreted based on our national priorities and international applications. Thank you.

**Chair:** Thank you to the distinguished representative of Nigeria. Ladies and gentlemen, representatives, we have completed our program of work for this meeting.

## 05 Annex A: Resolution

**United Nations** 

A/C.3/79/L.47



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Seventy-ninth session Third Committee Agenda item 71 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the

effective enjoyment of human rights and fundamental freedoms

Albania, Andorra, Armenia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Iceland, Ireland, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, Netherlands (Kingdom of the), North Macedonia, Norway, Portugal, Republic of Moldova, Romania, Slovenia, Spain, Sweden, Ukraine,

United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

## Extrajudicial, summary or arbitrary executions

The General Assembly,

Recalling the Universal Declaration of Human Rights, 1 which guarantees the right to life, liberty and security of person, the relevant provisions of the International Covenant on Civil and Political Rights<sup>2</sup> and other relevant human rights conventions,

Reaffirming the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary executions, as set out in Human Rights Council resolution 53/4 of 12 July 2023,<sup>3</sup>

Welcoming the universal ratification of the Geneva Conventions of 12 August 1949, 4 which, alongside international human rights law, provide important legal frameworks of accountability in relation to extrajudicial, summary or arbitrary executions during armed conflict,

Recalling all its resolutions on the subject of extrajudicial, summary or arbitrary executions as well as the resolutions of the Commission on Human Rights and the Human Rights Council on the subject, and emphasizing the importance of their full and effective implementation,

<sup>&</sup>lt;sup>4</sup> United Nations, Treaty Series, vol. 75, Nos. 970-973.





<sup>1</sup> Resolution 217 A (III).

<sup>&</sup>lt;sup>2</sup> See resolution 2200 A (XXI), annex.

<sup>&</sup>lt;sup>3</sup> See Official Records of the General Assembly, Seventy-eighth Session, Supplement No. 53 (A/78/53), chap. VII, sect. A

Recognizing the positive role that governments, regional human rights systems, national human rights institutions, civil society and human rights defenders play in the protection against arbitrary deprivation of life,

Acknowledging the importance of the 2030 Agenda for Sustainable Development<sup>5</sup> and its implementation for the promotion and protection of the enjoyment by all persons of human rights, gender equality and the empowerment of all women and girls, access to justice for all and democracy, including effective, accountable and inclusive institutions at all levels,

Recognizing the work of the treaty bodies and special procedure mandate holders that have addressed human rights issues related to extrajudicial, summary or arbitrary executions within the framework of their respective mandates,

Noting with deep concern that impunity continues to be a major cause of the perpetuation of violations of human rights, including extrajudicial, summary or arbitrary executions, especially with regard to the gender-related killing of women and girls, also known as femicide,

Recalling the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions <sup>6</sup> and the Revised United Nations Manual on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions, <sup>7</sup>

Noting the importance of prompt, effective, exhaustive, thorough, independent, impartial and transparent investigations of all potentially unlawful deaths, including determining the identity of victims, and the importance of protecting bodies and human remains, ensuring their proper and dignified search, recovery, collection, documentation, preservation and traceability, in line with international standards and best practices.

Noting also that enforced disappearances can end in extrajudicial, summary or arbitrary executions, recalling the importance in this regard of the International Convention for the Protection of All Persons from Enforced Disappearance, 8 and calling upon all States which have not yet done so to consider signing and ratifying or acceding to the Convention,

Acknowledging that international human rights law and international humanitarian law are complementary and mutually reinforcing,

Noting with alarm the growing number of civilians and persons hors de combat killed in situations of armed conflict and internal strife and strongly condemning such killings when they take place, and that women and girls and persons with disabilities are disproportionately affected by conflict, as recognized in Security Council resolution 1325 (2000) of 31 October 2000 on women and peace and security and Security Council resolution 2475 (2019) of 20 June 2019 on the protection of persons with disabilities in conflict and other resolutions on the matter,

Noting with deep concern the continuing instances of the arbitrary deprivation of life, resulting from, inter alia, the imposition and implementation of capital punishment when carried out in a manner that violates international law,

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<sup>&</sup>lt;sup>5</sup> Resolution 70/1.

<sup>&</sup>lt;sup>6</sup> Economic and Social Council resolution 1989/65, annex.

<sup>&</sup>lt;sup>7</sup> The Minnesota Protocol on the Investigation of Potentially Unlawful Death (2016): The Revised United Nations Manual on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions (United Nations publication, Sales No. E.17.XIV.3).

<sup>8</sup> United Nations, Treaty Series, vol. 2716, No. 48088.

Recalling the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)<sup>9</sup> and the adoption of the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), <sup>10</sup>

Deeply concerned about acts that can amount to extrajudicial, summary or arbitrary executions committed against persons exercising their rights to peaceful assembly, freedom of religion or belief and freedom of expression and against human rights defenders in all regions of the world,

Deeply concerned also about extrajudicial, summary or arbitrary killings, including killings of children, committed by non-State actors, including terrorist groups and criminal organizations, which may amount to abuses of international human rights law and violations of international humanitarian law,

Acknowledging that extrajudicial, summary or arbitrary executions may under certain circumstances amount to genocide, crimes against humanity or war crimes, as defined in international law, including in the Rome Statute of the International Criminal Court, <sup>11</sup> and recalling in this regard that each individual State has the responsibility to protect its populations from such crimes, as set out by the General Assembly in its resolutions 60/1 of 16 September 2005 and 63/308 of 14 September 2009,

Underlining the need to ensure that the development and use of new technologies, including artificial intelligence, contribute to the promotion and protection of and respect for human rights, including the right to life, and that their use does not result in discriminatory outcomes or constitute a violation of human rights,

Convinced of the need for effective action to address the root causes of, prevent, combat and eliminate the abhorrent practice of extrajudicial, summary or arbitrary executions, which represent flagrant violations of international human rights law, particularly the right to life, as well as of international humanitarian law, as applicable,

- Reiterates its strong condemnation of all the extrajudicial, summary or arbitrary executions that continue to occur throughout the world;
- Demands that all States ensure that the practice of extrajudicial, summary
  or arbitrary executions is brought to an end and that they take effective action to
  prevent, combat and eliminate the phenomenon in all its forms and manifestations;
  - 3. Reiterates that all States:
- (a) Must conduct prompt, effective, exhaustive, thorough, independent, impartial and transparent investigations, exercising due diligence, in line with international standards and forensic best practices, and in this regard takes note of the Revised United Nations Manual on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions, with reference to as much forensic expertise as necessary, into all suspected cases of extrajudicial, summary or arbitrary executions, identify and bring to justice those responsible, while ensuring the right of every person to a fair hearing by a competent, independent and impartial tribunal established by law, grant adequate compensation within a reasonable time to the victims or their families and adopt all measures, including legal and judicial measures, as recommended in the Principles on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions, and fully consistent with their obligations under international law;

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<sup>9</sup> Resolution 65/229, annex.

<sup>10</sup> Resolution 70/175, annex.

<sup>11</sup> United Nations, Treaty Series, vol. 2187, No. 38544.

- (b) Must conduct such investigations bearing in mind the need for gender equality in access to justice, necessary to put an end to impunity, particularly with regard to the gender-related killing of women and girls, also known as femicide, in this regard takes note of the reports submitted to the Human Rights Council at its thirty-fifth session<sup>12</sup> and the General Assembly at its seventy-eighth session<sup>13</sup> regarding the need for a gender-responsive approach to extrajudicial, summary or arbitrary killings, which point to the links between the arbitrary deprivation of life and systemic discrimination, such as gender-based and racial discrimination, and the greater rates of homicide perpetrated against Indigenous women and girls, and women and girls with disabilities, and extrajudicial, summary or arbitrary executions of refugees and migrants and humanitarian workers, and underlines the need for further measures in order to prevent the further occurrence of such executions;
- 4. Encourages the Office of the United Nations High Commissioner for Human Rights, in collaboration with relevant experts, particularly the Special Rapporteur on extrajudicial, summary or arbitrary executions, to initiate an expert-led process towards the elaboration of an addendum to the Revised United Nations Manual on the Effective Prevention and Investigation of Extralegal, Arbitrary and Summary Executions, providing specific guidance to all professionals with investigation responsibilities on properly identifying, investigating, prosecuting and reliably documenting gender-related killings of women and girls, also known as femicide, and to allocate adequate resources for this purpose;
- 5. Calls upon Governments, and invites intergovernmental and non-governmental organizations, to actively support and pay greater attention to the work of national-level commissions of inquiry into extrajudicial, summary or arbitrary executions, with a view to ensuring the effective contribution of these commissions to accountability and to combating impunity;
- 6. Calls upon all States, in order to prevent extrajudicial, summary or arbitrary executions, to comply with their obligations under the relevant provisions of international human rights instruments, and also calls upon States which retain the death penalty to pay particular regard to the provisions contained in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights, articles 37 and 40 of the Convention on the Rights of the Child <sup>14</sup> and articles 12, 13 and 14 of the Convention on the Rights of Persons with Disabilities, <sup>15</sup> bearing in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989 and taking into account the recommendations of the Special Rapporteur on extrajudicial, summary or arbitrary executions in reports to the Human Rights Council and the General Assembly, including the report submitted to the Assembly at its sixty-seventh session, <sup>16</sup> regarding the need to respect all safeguards and restrictions, including limitation to the most serious crimes, stringent respect of due process and fair trial safeguards and the right to seek pardon or commutation of sentence;
- 7. Emphasizes that to prevent extrajudicial, summary or arbitrary executions, States should take necessary steps to adopt such laws or other measures as may be necessary to give effect to the right to life in accordance with international law and that everyone has the right to recognition everywhere as a person before the law;

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<sup>12</sup> A/HRC/35/23.

<sup>13</sup> A/78/254.

<sup>&</sup>lt;sup>14</sup> United Nations, Treaty Series, vol. 1577, No. 27531.

<sup>15</sup> Ibid., vol. 2515, No. 44910.

<sup>16</sup> A/67/275

## 8. Urges all States:

- (a) To take all measures required by international human rights law and international humanitarian law to prevent loss of life, in particular that of children, during detention, arrest, public demonstrations, internal and communal violence, civil unrest, public emergencies or armed conflicts and to ensure that the police, law enforcement agents, armed forces and other agents acting on behalf of or with the consent or acquiescence of the State, including private security providers, act with restraint and in conformity with international human rights law and international humanitarian law, including the principles of proportionality and necessity, and in this regard to ensure that police and law enforcement officials are guided by the Code of Conduct for Law Enforcement Officials<sup>17</sup> and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials; <sup>18</sup>
- (b) To ensure the effective protection of the right to life of all persons, to conduct, when required by obligations under international law, prompt, exhaustive and impartial investigations into all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities or because of their sexual orientation or gender identity, killings of persons affected by terrorism or hostage-taking or living under foreign occupation, killings of refugees, internally displaced persons, migrants, street children or members of Indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour and killings committed for discriminatory reasons on any basis, to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;
- 9. Encourages States, taking into account the relevant recommendations of the United Nations and of regional human rights systems, to review, where necessary, their domestic laws and practices with regard to the use of force in law enforcement in order to ensure that these laws and practices are in conformity with their international obligations and commitments;
- 10. Emphasizes that, to prevent extrajudicial, summary or arbitrary executions, States should take effective measures to ensure that the use of force by law enforcement officials is in conformity with international obligations and the principles of legality, precaution, necessity, proportionality and accountability, as well as their national legislation;
- 11. Reaffirms that the same human rights that people have offline must also be protected online, in order to help to prevent extrajudicial, summary or arbitrary executions;
- 12. Encourages States, in order to support the protection of the right to life, to make appropriate protective equipment and less-lethal weapons available to their officials exercising law enforcement duties, in order to decrease their need to use weapons of any kind, while pursuing efforts to regulate and establish protocols for the training and use of less-lethal weapons and in this regard strengthening

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<sup>17</sup> Resolution 34/169, annex.

<sup>&</sup>lt;sup>18</sup> See Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990: report prepared by the Secretariat (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.

international cooperation, bearing in mind that even less-lethal weapons can result in risk to life or serious injury;

- 13. Also encourages States to accelerate the work on fulfilling the 2030 Agenda for Sustainable Development, bearing in mind the importance of the full enjoyment of human rights and access to justice for all and effective, accountable and inclusive institutions at all levels, as well as the systematic mainstreaming and integration of a gender perspective;
- 14. Urges all States to ensure that all persons deprived of their liberty are treated humanely and with full respect for international law and that their treatment, including judicial guarantees and conditions, conforms to, as appropriate, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), as well as the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and, where applicable, the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977, 19 as well as other pertinent international instruments;
- 15. Affirms the obligation of States to protect the right to life of all persons, including those deprived of their liberty, in all circumstances, and to take appropriate measures to prevent unlawful deaths and to promptly, effectively and impartially investigate all deaths in custody, including in institutions, and to ensure that those responsible for any unlawful death are brought to justice, and further calls upon States to reliably compile disaggregated, accurate and credible data on deaths in custody;

## 16. Welcomes:

- (a) The International Criminal Court as an important contribution to ending impunity concerning extrajudicial, summary or arbitrary executions, and, noting the growing awareness of the Court worldwide, as highlighted during the twenty-fifth anniversary of the adoption of the Rome Statute of the Court, calls upon those States that are under an obligation to cooperate with the Court to provide such cooperation and assistance in the future, in particular with regard to arrest and surrender, the provision of evidence, the protection and relocation of victims and witnesses and the enforcement of sentences;
- (b) The fact that 125 States have ratified or acceded to and 31 States have signed, but not yet ratified, the Rome Statute, and calls upon all those States that have not ratified or acceded to the Rome Statute and the Agreement on the Privileges and Immunities of the International Criminal Court<sup>20</sup> to give serious consideration to doing so;
- 17. Acknowledges the importance of ensuring the protection of witnesses for the prosecution of those suspected of extrajudicial, summary or arbitrary executions, urges States to intensify efforts to establish and implement effective witness protection programmes or other measures, and in this regard encourages the Office of the United Nations High Commissioner for Human Rights to develop practical tools, including gender-responsive tools, designed to encourage and facilitate greater attention to the protection of witnesses;
- 18. Encourages Governments and intergovernmental and non-governmental organizations to organize training programmes and capacity-building and to support projects with a view to training or educating military forces, law enforcement officers, government officials and forensic specialists, as well as private personnel acting on behalf of the State, in international humanitarian and human rights law connected with their work, to include a gender, disability and child rights perspective, as well as information on the role of journalists and media workers, in such training and to require,

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<sup>19</sup> United Nations, Treaty Series, vol. 1125, Nos. 17512 and 17513.

<sup>&</sup>lt;sup>20</sup> Ibid., vol. 2271, No. 40446.

where appropriate, that all private security providers have vetting and training procedures in place, including mandatory appropriate weapons training, that include human rights norms and principles, and appeals to the international community and requests the Office of the High Commissioner to support endeavours to that end;

- 19. Urges States to promote and apply an approach that respects human rights obligations and is gender-responsive in the design, development and use of new technologies on the basis of a multi-stakeholder approach and to regulate new and existing technologies in a manner that ensures that the development and use of such technologies promote, protect and respect human rights, including the right to life, and to make sure that new technologies are not discriminatory and they are not used to violate human rights;
- 20. Strongly urges all States to take the necessary measures to ensure the safety and security of national and international humanitarian personnel;
- 21. Requests the Secretary-General to continue, in close collaboration with the High Commissioner and in conformity with the mandate of the High Commissioner, established by the General Assembly in its resolution 48/141 of 20 December 1993, to ensure that personnel specialized in international humanitarian and human rights law, including in provisions related to gender equality and the empowerment of all women and girls, form part of United Nations missions, where appropriate, in order to deal with serious violations of human rights, such as extrajudicial, summary or arbitrary executions;
- 22. Takes note with appreciation of the reports of the Special Rapporteur to the General Assembly<sup>21</sup> and the Human Rights Council, and invites States to take due consideration of the recommendations contained therein;
- 23. Commends the important role that the Special Rapporteur plays in the elimination and prevention of extrajudicial, summary or arbitrary executions, and encourages the Special Rapporteur to continue, within the mandate, to collect information, including data disaggregated by sex, age and disability, from all concerned, to respond effectively to reliable information that comes before the Special Rapporteur, to follow up on communications and country visits and to seek the views and comments of Governments and to reflect them, as appropriate, for example, in reports, as well as to identify relevant issues, provide advice and recommendations and share experiences and best practices to prevent extrajudicial, summary and arbitrary executions;
- 24. Acknowledges the important role of the Special Rapporteur in identifying cases where extrajudicial, summary or arbitrary executions could amount to genocide and crimes against humanity or war crimes, and urges the Special Rapporteur to collaborate with the United Nations High Commissioner for Human Rights and, as appropriate, the Special Adviser to the Secretary-General on the Prevention of Genocide in addressing situations of extrajudicial, summary or arbitrary executions that are of particularly serious concern or in which early action might prevent further deterioration;
- 25. Welcomes the cooperation established between the Special Rapporteur and other United Nations mechanisms and procedures in the field of human rights, and encourages the Special Rapporteur to continue efforts in that regard;
- 26. Urges all States, in particular those that have not done so, to cooperate with the Special Rapporteur so that the mandate can be carried out effectively, including by favourably and rapidly responding to requests for visits, mindful that country visits are one of the essential tools for the fulfilment of the mandate, and by

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<sup>21</sup> See A/76/264, A/77/270 and A/78/254.

responding in a timely manner to communications and other requests transmitted to them by the Special Rapporteur;

- 27. Expresses its appreciation to those States that have received the Special Rapporteur, asks them to examine the Special Rapporteur's recommendations carefully, invites them to inform the Special Rapporteur of the actions taken on those recommendations, and urges other States to cooperate in a similar way;
- 28. Once again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standards of legal safeguards provided for in articles 6, 9, 14, 15 and 16 of the International Covenant on Civil and Political Rights appear not to have been respected;
- Requests the Secretary-General to provide the Special Rapporteur with adequate human, financial and material resources to enable the mandate to be carried out effectively, including through country visits;
- 30. Requests the Special Rapporteur to submit to the General Assembly, at its eightieth and eighty-first sessions, a report on the situation worldwide with regard to extrajudicial, summary or arbitrary executions and recommendations for more effective action to combat this phenomenon;
- 31. Decides to continue its consideration of the question at its eighty-first session.

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## 06 Annex B: Amendment

**United Nations** 

A/C.3/79/L.62



**General Assembly** 

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Original: English

Seventy-ninth session Third Committee

Agenda item 71 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Bahrain, Bangladesh, Burkina Faso, Burundi, Cameroon, Egypt, Iran (Islamic Republic of), Libya, Niger, Nigeria, Oman, Russian Federation, Saudi Arabia and Uganda: amendment to draft resolution A/C.3/79/L.47

Extrajudicial, summary or arbitrary executions

In operative paragraph 8 (b), replace "sexual orientation or gender identity" with "sex".





# 07 Annex C: Vote on Amendment in Third Committee

Yes: Algeria, Bahrain, Bangladesh, Belarus, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, China, Comoros, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Libya, Malaysia, Mali, Mauritania, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Qatar, Russian Federation, Saudi Arabia, Senegal, Somalia, Sudan, Syrian Arab Republic, Tajikistan, Timor-Leste, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Zambia, Zimbabwe.

No: Albania, Andorra, Armenia, Australia, Austria, Barbados, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cabo Verde, Canada, Chile, Colombia, Costa Rica, Croatia Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Nepal, Netherlands, New Zealand, North Macedonia, Norway, Palau, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Thailand, Tuvalu, Ukraine, United Kingdom, United States of America, Uruguay.

Abstain: Angola, Bahamas, Bhutan, Congo, Côte d'Ivoire, El Salvador, Eswatini, Ghana, Guinea, Guyana, Kazakhstan, Kenya, Kiribati, Lao People's Democratic Republic, Lebanon, Lesotho, Mozambique, Myanmar, Namibia, Panama, Paraguay, Philippines, Solomon Islands, Sri Lanka, Togo, Tonga.

Did not vote: Afghanistan, Antigua and Barbuda, Argentina, Azerbaijan, Benin, Botswana, Cambodia, Central African Republic, Chad, Cuba, Democratic Republic of Congo, Dominica, Equatorial Guinea, Gabon, Gambia, Grenada, Guinea-Bissau, Haiti, Kyrgyzstan, Madagascar, Malawi, Maldives, Micronesia (Federated States of), Morocco, Nauru, Nicaragua, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Seychelles, Sierra Leone, South Sudan, Tunisia, Turkey, Turkmenistan, Uzbekistan, Vanuatu, Venezuela, Vietnam.

# 08 Annex D: Vote on Resolution in Third Committee

Yes: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Eswatini, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, United States of America, Uruguay, Vanuatu, Zambia.

## No: N/A

Abstain: Algeria, Azerbaijan, Bahrain, Belarus, Brunei Darussalam, Burundi, Cameroon, China, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libya, Lesotho, Madagascar, Mali, Mauritania, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Rwanda, Saudi Arabia, Senegal, Solomon Islands, Sudan, Syrian Arab Republic, Tajikistan, Togo, Tonga, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Vietnam, Yemen, Zimbabwe.

Did not vote: Afghanistan, Burkina Faso, Central African Republic, Democratic Republic of Congo, Dominica, Saint Lucia, Sao Tome and Principe, Seychelles, Somalia, South Sudan, Venezuela.

## 09 Annex E: Vote on Resolution in Plenary

Yes: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cabo Verde, Cambodia, Canada, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Eswatini, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Latvia, Lebanon, Lesotho, Liechtenstein Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, Mozambique, Myanmar, Namibia, Nauru, Nepal, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Zambia.

## No: N/A

Abstain: Algeria, Azerbaijan, Bahrain, Belarus, Brunei Darussalam, Burundi, Cameroon, China, Democratic People's Republic of Korea, Democratic Republic of Congo, Egypt, Ethiopia, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Iraq, Israel, Kenya, Kiribati, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libya, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Rwanda, Saudi Arabia, Solomon Islands, Sudan, Tajikistan, Togo, Tonga, Uganda, United Arab Emirates, Uzbekistan, Vietnam, Yemen, Zimbabwe.

Did not vote: Afghanistan, Burkina Faso, Central African Republic, Liberia, Sao Tome and Principe, Somalia, South Sudan, Syrian Arab Republic, Venezuela.



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