



LAGOS MODEL UNITED NATIONS (LMUN) 2020

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Documentation of the Work of the United Nations General Assembly Third Committee

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General Assembly Third Committee (GA3)

Committee Staff

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Agenda

- I. Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity
- II. Protecting the Economic, Social and Cultural Rights of Refugees

Resolutions adopted by the Committee

Code	Topic	Vote
GA3 1/1	Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity	Adopted by Acclamation
GA3 1/2	Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity	Adopted by Acclamation

Summary Report

The General Assembly Third Committee held its annual sessions to consider the following topics:

- I. Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity
- II. Protecting the Economic, Social and Cultural Rights of Refugees

The session was attended by representatives of 18 Member States. Committee session started at 2 pm on Monday, 21st of September, 2020 and after much deliberations by the delegates, the committee adopted the agenda as it is, beginning discussions on the topic “Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity.”

After the agenda was set, delegates began discussing their topics and giving speeches on their countries position as regards the said topic. These speeches were engaging and enlightening and allowed delegates know which Member States they wanted to work with to proffer solutions to the topic at hand. Two blocs were formed; the Rainbow bloc and the Green bloc. These two blocs began inputting solutions into their working papers whilst taking corrections from the Dias.

By Friday, the Dias approved 2 draft resolutions, none of which had any amendments. The committee further adopted these 2 draft resolutions as resolutions by acclamation. The resolutions suggested a wide range of solutions including: encouraging all nations to adopt a curriculum of education that focuses not only on heterosexual persons but also LGBTIQ persons, there should be equal access to health care facilities irrespective of sexual orientation or gender identity, that all employees should be entitled to the same benefits whether heterosexual or homosexual, that unlawful corrective practices should be abolished, etc.

Above all, the overall work of the committee throughout the conference was collaborative and all delegates put in a tremendous amount of effort into deliberating and proffering solutions.

Code: GA3 1/1

Committee: The General Assembly Third Committee

Topic: Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity

The General Assembly Third Committee

Guided by Articles 1, 2, and 7 of the Universal Declaration of Human Rights (UDHR) (1948) which states that all human beings are born free and equal in dignity and rights and that everyone is entitled to equal protection against any discrimination and incitement to such discrimination,

Having considered the Sustainable Development Goal (SDG) 10 which aims to reduce inequality within and among countries, and eliminate all discriminatory laws, policies, and practices,

Noting with deep concern that the rights of members of the LGBTI community are still being violated and they are still victims at large of discrimination based on sexual orientation and gender identity,

Recognizing the General Assembly resolution 69/182 (2014) in which all States were urged to “ensure the effective protection of the right to life of all persons” and to ensure proper investigations into killings driven by sexual orientation and gender identity (SOGI) and other forms of discrimination,

Taking into consideration the Yogyakarta Principles, which highlights the right to protection from violence, discrimination, including the responsibility of preventing, investigating, prosecuting, and providing remedies for civil and criminal wrongs against persons on the basis of SOGI,

Emphasizing Resolution A/HRC/RES/32/2 (2016) adopted by the Human Rights Council with the aim to protect against violence and discrimination based on sexual orientation and gender identity,

Guided by General Comment No. 2 of the Committee against Torture which emphasizes that States should prevent torture and punishments based on “sexual orientation” and “transgender identity”,

Acknowledging the role of the coronavirus (Covid-19) pandemic in the increase of domestic violence and discrimination against LGBTQI persons,

- 1. Affirms that all human beings have an equal right to a life free from violence, persecution, discrimination, and stigmatization based on sexual orientation and gender identity;*
- 2. Calls upon Member States to end the discrimination of persons based on sexual orientation and gender identity;*
- 3. Recommends that the legal and policy frameworks of Member States be completely inclusive of the LGBTQI Community enabling equality and normalcy for LGBTQI persons by;*

- a. reviewing laws that criminalize homosexuality;
 - b. repealing the death penalty as a punishment for those that identify as lesbian, gay, bisexual, transgender, and intersex;
 - c. ensuring legal recognition of the different gender identities;
 - d. outlawing harmful procedures like forced sterilization, corrective rape and conversion therapy;
4. *Invites* Member States to work with national and international Non-Governmental Organizations (NGOs) and cross-regional bodies/actors such as Special Rapporteurs and Independent experts, in the monitoring and evaluation of the policies in their territories; This monitoring mechanism would monitor and evaluate;
- a. the nature, prevalence, and impact of homophobic and transphobic violence;
 - b. the effectiveness and impact of interventions;
5. *Encourages* all nations to adopt a curriculum of education that focuses its effort to reconstruct the foundation of tolerance and bring society to sustainable positive peace; This policy change would touch on six critical areas;
- a. inclusion of sexual orientation and gender identity and expression in curricula and learning materials to ensure that teachers address these issues in the classroom;
 - b. the provision of training and support to teachers and other staff from school management to enable them to address the issue of homophobic and transphobic violence, and to avoid inadvertently conveying negative messages about sex and gender diversity;
 - c. the provision of measures, such as school counsellors and report boxes, in educational institutions, which will provide practical support to students who are the targets of homophobic and transphobic violence as well as to their families;
 - d. creation of partnerships between the education sector and other actors which can enhance the quality and effectiveness of interventions to prevent and address homophobic and transphobic violence in schools;
 - e. the creation of Gender-Sexuality Alliance extra-curricular clubs/societies at the school levels to encourage further discourse amongst youth;
6. *Suggests* Member States conduct surveys to assess the views and feelings of the LGBTQI community, about national legislation affecting LGBTQI persons, to aid the review of discriminatory laws;
7. *Encourages* that essential staff like public workers, health care workers, law enforcement agents be educated against biases and discrimination based on SOGI;

- a. civilian complaint review boards with investigators and adjudicators specifically trained to address the types of profiling and abuse experienced by LGBTQI persons, including sexual harassment and assault in government agencies and private institutions;
 - b. prohibiting discrimination based on gender, sexual orientation or gender identity by all federal, state, and private agencies including law enforcement personnel, healthcare;
 - c. adopting and enforcing;
 - i. non-discriminatory requirements in Federal/State grants and contracts;
 - ii. new federal profiling prohibitions, that targets persons based on sexual orientation and gender identity, and expansion of those provisions to government agencies and;
 - iii. increased data collection through anonymous surveys on police searches and seizures to analyze the scope of bias-based profiling practices and identify target regions and agencies in need of non-discrimination training and policies;
8. *Requests* that Member States should have a forum or an independent body where violence and discrimination based on SOGI is reported to increase data about the number and nature of assaults, assess the extent of homophobic and transphobic crime, and adopt appropriate policies to prevent and tackle it;
9. *Further Recommends* that there should be regular campaigns and public advocacy by Member States to spread awareness on the rights of the LGBTQI community;
10. *Strongly Advises* that nations create national policies prohibiting all forms of workplace discrimination based on sexual orientation and gender identity to ensure that all workplaces have;
 - a. equal opportunities to prevent discrimination or harassment against any employee or job applicant;
 - b. authorities to handle all reports of alleged sexual orientation-based violence in the workplace;
 - c. the same healthcare and insurance benefits for both heterosexual and homosexual employees;
 - d. mechanisms set in place to monitor and ensure none of the staff are discriminated against through their employment and working conditions;
 - e. mechanisms provided for staff to report any form of discrimination;
11. *Recommends that* in the wake of the Covid-19 pandemic and in case of future pandemics, Member States prioritize protecting the rights of the LGBTQI community by;

- a. placing measures that ensure LGBTQI persons are guaranteed critical and emergency healthcare services.
- b. creating an easy line of communication between LGBTQI individuals stuck with abusive families and appropriate authorities;
- c. making provision for specific health issues that affect the LGBTQI community such as hormone treatments;

12. *Strongly Advises* all Member States to actively work together and collaborate with other countries and prevent discrimination against LGBTQI persons.

Code: GA3 1/2

Committee: The General Assembly Third Committee

Topic: Preventing Violence and Discrimination based on Sexual Orientation and Gender Identity

The General Assembly Third Committee,

Acknowledging Article 2(1) of the Charter of the United Nations (1945) that is based on the principle of the sovereign equality of all members and allows Individual states to make their laws without external interference,

Reaffirming Article 1 of the Universal Declaration on Human Rights (UDHR) (1948) which implores all States to recognize our shared capacity for reason and conscience and to act towards one another in a spirit of brotherhood,

Guided by the UDHR and the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (1985) which guarantees the inherent dignity, freedom and equal status of all humans,

Affirming our commitment to the International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966) of all Member States that promotes the preservation of Member States' culture,

Aware of our broader moral responsibility under ICESCR to end human rights violations against all those who are marginalized; addressing discrimination in all its forms and recognizing the efforts of the international community towards protecting the rights of the LGBTQI community in the Middle East, Europe and Africa,

Deeply concerned about the coronavirus (Covid-19) outbreak and its devastating effects on every person particularly minority groups,

Taking into account Sustainable Development Goals (SDGs) 5, 10 and 16 proposing a safer environment for the LGBTQI community,

Fully aware of A/HRC/RES/17/19 passed by the Human Rights Council expressing concern on the violence on LGBTQI persons; commissioning the first-ever United Nations study focused on LGBTQI issues,

Recognizing the Yogyakarta Principles which advocates against discrimination and violence based on SOGI,

Alarmed by the continued evidence of violence and discrimination against the LGBTQI community in different regions,

Taking into consideration Report A/HRC/38/43 of the Independent Expert on protection against violence and discrimination based on SOGI of persons identifying as Lesbians, Gay, Bisexual and Transgender, Queer and Intersex (LGBTQI),

Bearing in mind the independent and legal rights of nations to preserve their cultural and moral values by refusing to adopt new customs,

1. *Requests* that Member States who are welcoming to the LGBTQI community allow victims of violence and discrimination seek asylum within their territories while guaranteeing their economic well-being by providing healthcare, housing, counselling and good jobs;
2. *Encourages* Member States who recognize the rights of the LGBTQI community to;
 - a. implement national policies to investigate threats against the LGBTQI individuals and punish perpetrators to eliminate impunity for these crimes;
 - b. implement laws to prevent and warn homophobic persons from committing any wrongful acts against the LGBTQI community;
 - c. improve the welfare of LGBTQI individuals already in the state by ensuring equal and non-discriminatory access to testing, treatment and care;
 - d. maximize technological advancements to further advocate for the rights of sexual minorities in Member States by educating the masses on empathy;
 - e. improve domestic violence services and psychological helplines for the LGBTQI community in providing easy and quick access to help for victims of violence;
3. *Further* proclaims that only Member States can punish perpetrators of crime, other non-state actors who take justice into their own hands be punished accordingly;
4. *Encourages* that sex education be included in preparatory and secondary schools' curriculum to teach students not just the heterogeneity of sex but as a spectrum to help people learn about the LGBTQI community at an early stage;
5. *Calls* for the creation of an international emergency relief fund supervised by the United Nations and sponsored by NGOs, Corporate Organizations, financial institutions and other willing bodies for members of the LGBTQI community who were segregated in the sharing of COVID-19 funds and are forced to live with the harsh realities of the pandemic;
6. *Recommends* that Member States authorize all employers and business owners to employ qualified individuals regardless of their sexual orientation or gender identity;
7. *Further* requests the creation of awareness and enlightenment programmes in Member States to educate the masses on the effects of all forms of violence;
8. *Further* recommends that all forms of hate speech either verbal, written, or communicated through any form be it online or offline be prohibited;
9. *Emphasizes* that the principle of legality and rule of law must be guaranteed at all times and effective domestic remedies be put in place to allow discriminated victims enforce their rights before independent and impartial domestic courts;
10. *Further* reminds Member States to ensure that all healthcare procedures are provided with the patient's informed consent;
11. *Trusts* that member states enact a better system of law enforcement that incorporates respect for human rights by taking specific measures which builds confidence in the system and guarantees accountability;

12. *Enjoins* international aid organizations to integrate planning policies bordering on the LGBTQI community through monitoring and evaluation programs.