



UN Monitor: COVID-19 & UN Silence Procedure - 17/04/2020

The **UN General Assembly** (UNGA) Member States have adopted by consensus a Resolution ([A/RES/74/270](#)) on COVID-19 that calls for “international cooperation” and “multilateralism”. The resolution recognizes the “unprecedented effects of the pandemic, including the severe disruption to societies and economies, as well as to global travel and commerce, and the devastating impact on the livelihood of people”. It calls for “intensified international cooperation to contain, mitigate and defeat the pandemic, including by exchanging information, scientific knowledge and best practices”. It stresses “the need for full respect for human rights” and states that “there is no place for any form of discrimination, racism and xenophobia in the response to the pandemic”.

UNGA resolutions normally result after rounds of face-to-face negotiations narrowing disagreement towards consensus. But this is not possible as the virus has closed UNHQ premises. Engagements and operations have moved to cyberspace, with ambassadors and diplomats working from their missions or from home.

Days before the adoption of this resolution the Member States had [adopted a procedure for decision-making](#) based on what is known as a “silence procedure”.

The General Assembly President (PGA), [Tijjani Muhammad-Bande](#), or designated co-facilitators now circulate draft resolutions to Member States under this “silence procedure”. Ambassadors have 72 hours to respond, allowing time to consult with their capitals.

Under this procedure, if a country supports a resolution, it does nothing. If it opposes a resolution, it sends an email breaking silence; just one such action stops the adoption of the resolution, and could trigger an extension of time for revisions or to resolve the objections.

Ms. Skåre, PGA chief of staff has clarified that under normal conditions, the General Assembly would vote on a resolution if a Member State calls for it. Currently, this is technically impossible.

“We do not have any voting procedures in place under such an extraordinary regime,” she said, adding that “we are exploring, and we will discuss with Member States and consult because there could be different views on whether that will be necessary or not.”

There were two General Assembly resolutions addressing the COVID-19 crisis: one, co-sponsored by Ghana, Indonesia, Liechtenstein, Norway, Singapore and Switzerland, which [received no objections and as such was adopted](#) and one sponsored by Russia with the Central African Republic, Cuba, Nicaragua and Venezuela. An extension of time was granted to address objections to the [Russian draft](#) but no resolution was reached.

From PGA [step-by-step letter](#):

“If there are objections, the President of the General Assembly will circulate a letter informing that the silence has been broken.

The President of the General Assembly may choose to refer the draft decision/resolution and the objections to the sponsors, the co-facilitators of the General Assembly mandated processes for the 74th session, the Chair of the originating Committee, his Office, or a facilitator designated by him, to undertake further consultations.

If there is a revised draft, that can be put to another round of silence procedure either (1) as Rev.1 to the L document or (2) in a form of an “oral revision” that describes the change from the original L document. The same procedure set out in paragraphs 2 to 5 above would be followed.”

New procedures have also been adopted by the **Economic and Social Council (ECOSOC)** as detailed in the [letter of the ECOSOC President](#).

The letter also includes concerns regarding what should and shouldn't be done through silence procedure:

".. the Philippines can support the draft decision. At the same time, we wish to underline that the silence procedure is the appropriate method to deal only with procedural issues or matters on which there is clear consensus. For matters that clear require discussion or negotiations, consideration of said matters should be deferred until an appropriate time when an agreed procedure for negotiations or informal consultations can be agreed upon, when delegations can return to the UN and conduct face-to-face meetings."

The new procedures have amplified the role of the so-called 'pen-holders' of draft resolutions during the consensus-building process. In addition to the PGA and President of ECOSOC, these pen-holders include co-facilitators appointed by the respective Presidents.

Silence procedure - UN75 and FfD Forum processes

For the UN's 75th Anniversary (UN 75) process, the appointed co-facilitators are Alya Ahmed bin Saif Al-Thani of Qatar and Anna-Karin Eneström of Sweden. [Their communication](#) details the process and next steps including an email consultation process, followed by a zero draft of a political declaration under silence procedure.

For the Financing for Development (FfD) Forum 2020, the co-facilitators are Elizabeth Thompson of Barbados and Andrejs Pildegovičs of Latvia. The [latest ECOSOC directive](#) mandates the co-facilitators to prepare draft conclusions and recommendations, facilitate consultations and build consensus among Member States, "with a view to reaching an intergovernmental agreement on that draft".

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