



Permanent Mission of Pakistan to the UN

Geneva

Draft Resolution A/HRC/45/L.46/Rev.1, as orally revised, “Promoting, protecting and respecting women’s and girls’ full enjoyment of human rights in humanitarian situations” at 45th Session of the Human Rights Council

Explanation of Vote made by Pakistan on behalf of OIC except Albania

(07 October 2020)

Madam President,

The OIC countries have deep respect for rights of women and girls in humanitarian situations. We believe that promoting and protecting their rights help ease the complexities and challenges of a humanitarian situation. We, therefore, express our unwavering commitment for the protection, promotion and respect of the rights of women and girls in humanitarian situations.

A number of OIC countries are exposed to various challenging humanitarian situations. Currently, the OIC States are hosting more than 70% of global refugees and displaced people. Not a single OIC country has closed its doors to people on the move fleeing from conflicts or calamities. One-fourth of the people residing in the OIC countries are exposed to various natural and climate-induced disasters, including floods, epidemics, and earthquakes.

As donors, OIC countries have been generous in providing mostly un-earmarked humanitarian funding. Zakat financing is one of the major emerging sources of private sector humanitarian funding. The OIC countries are also in the fore front dealing with various humanitarian situations compassionately and generously following the great traditions of Islamic faith.

Madam President,

Humanitarian situations vary in nature, background, reasons, actors and complexity with different set of applicable legal instruments, thus requiring very context-specific human rights responses.

People facing suffering and deprivation need our collective support. We, therefore, call upon the Council to reaffirm the principles of humanitarian work, international cooperation, burden and responsibility sharing, and solidarity to provide assistance and relief to all, particularly to women and girls in humanitarian situations both to mitigate human suffering and to enable enjoyment of their rights and a dignified life. At the same time, the OIC underlines the urgent need for addressing the root causes of humanitarian situations, and calls upon the Council not to politicize the issue of rights in humanitarian situations.



Permanent Mission of Pakistan to the UN Geneva

Madam President,

As regards the draft resolution as orally revised and the concept of ‘accountability’, mentioned in PP 13, the OIC wishes to emphasize that the primary responsibility of promoting and protecting human rights, including provision of access to justice, lies with the State.

In line with the principles and purposes of the UN Charter, particularly Article 1 and Article 55, the main mandate of the Human Rights Council is to promote and protect human rights for all.

In the absence of any internationally agreed legal instrument or system empowered to conduct ‘accountability’ with regard to ‘ensuring’ human rights in humanitarian situations, the OIC is of the view that the Council should refrain from pronouncing, itself on a concept that lacks clarity, legal precision and mandate.

With regard to using the terms “multiple” and “intersecting” in PP 13, we note with particular concern that these are not treaty-based terms. These notions are still vague in nature and concept, and are often used for purposes beyond the recognized human rights principles and standards. The OIC recognizes that overlapping different forms of discrimination, based on the grounds specifically mentioned in most of the human rights instruments, including in particular the ICERD, is an aggravating factor to the human rights violation resulting from discrimination. Consequently, the OIC does not recognize the terms “multiple” and “intersecting” as giving specific rights or creating new rights holders which are not recognized by the human rights treaties to which OIC countries are parties.

As regards the issue of inputs from “women and girls in humanitarian situations”, mentioned in OP1, the OIC underscores that this should be in full consideration of the situation on the ground.

Madam President,

The OIC Group remained constructively engaged with the Core Group to improve the text of the draft resolution L.46.

The OIC acknowledges the constructive approach and flexibility shown by the Core Group as evidenced by a much improved orally revised draft. It has enabled the OIC to withdraw the tabled amendments. This is in line with the spirit of cooperation and positivity that ought to guide the work of this Council.

Thank you.