OVERVIEW OF UNITED NATIONS’ STRUCTURE WITH PARTICULAR REGARD TO INDIGENOUS PEOPLES

THE UNITED NATIONS

· Established on October 24, 1945 by 51 countries committed to preserving peace through international cooperation and collective security.
· Membership today totals 192 countries.
· UN Members are sovereign countries. As such the UN is not a world government, and it does not make laws itself, but rather its members do.
· Member states agree to accept the obligations of the UN Charter. The Charter, an international treaty, has four purposes: to maintain international peace and security, to develop friendly relations among nations, to cooperate in solving international problems and in promoting respect for human rights, and to be a center for harmonizing the actions of nations.
· It has six main organs: the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the Secretariat, and the International Court of Justice.

THE SECRETARIAT

· Carries out the substantive and administrative work of the UN as directed by the General Assembly, the Security Council, and the other organs.
· Consists of departments and offices with a total staff of about 8,900.
· The Secretary-General is its head. Current Secretary-General: Ban Ki-moon of the Republic of Korea.
· Functions: (i) to bring to the attention of the Security Council any problems s/he feels may threaten world peace; (ii) to propose issues to be discussed by the General Assembly or any organ of the UN; (iii) to act as a “referee” in disputes between Member States.

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (OHCHR)

· The OHCHR is a Department of the Secretariat.
· Mandated to promote and protect all rights established in the Charter of the United Nations and in international human rights law and treaties.
· OHCHR works with governments, legislatures, courts, national institutions, civil society, regional and international organizations to develop and strengthen capacity for the protection of human rights.
· OHCHR provides support and works closely with UN entities to ensure that human rights obligations are met and to strengthen the UN human rights system.
· The High Commissioner is the principal UN official responsible for UN human rights activities, and the High Commissioner performs his/her duties under the direction and authority of the Secretary-General. The current High Commissioner is Ms. Louise Arbour of Canada.

THE SECURITY COUNCIL


- Responsible for maintaining international peace and security; can convene at any time, whenever peace is threatened.
- Member States are obligated to carry out the Council's decisions.
- (15) Council members. Five of these - China, France, the Russian Federation, the United Kingdom and the United States - are permanent members. The other 10 are elected by the General Assembly for two-year terms (Belgium, Congo, Ghana, Indonesia, Italy, Panama, Peru, Qatar, Slovakia, South Africa).
- Decisions of the Council require nine “yes” votes. Except in votes on procedural questions, a decision cannot be taken if there is a “no” vote, or veto, by a permanent member.

**THE GENERAL ASSEMBLY**

- A kind of parliament of nations which meets to consider the world's most pressing problems.
- Holds annual regular session from September to December; when not in session, its work is carried out by its (6) main committees, other subsidiary bodies, and the UN Secretariat.
- The General Assembly is composed of all 192 UN Member States.
- Each Member State has one vote. Decisions on "important matters," such as international peace and security, admitting new members, the UN budget, and the budget for peacekeeping, are decided by two-thirds majority. Other matters are decided by simple majority. In recent years, a special effort has been made to reach decisions through consensus, rather than by taking a formal vote.
- It cannot force action by any State, but its recommendations are an important indication of world opinion and represent the moral authority of the community of nations.

**ECONOMIC AND SOCIAL COUNCIL (ECOSOC)**

- Coordinates the economic and social work of the UN
- Central forum for discussing international economic and social issues and for formulating policy recommendations; plays a key role in fostering international cooperation for development; also consults with non-governmental organizations (NGOs), thereby maintaining a vital link between the UN and civil society.
- 54 members, elected by the General Assembly for three-year terms. The United States is a current member (its term ends in 2009).
- Meets throughout the year and holds a major session in July, during which a special meeting of Ministers discusses major economic and social issues.
- Council's subsidiary bodies meet regularly and report back to it (ie. Subsidiary bodies include the Permanent Forum on Indigenous Peoples).

**PERMANENT FORUM ON INDIGENOUS ISSUES**

- Advisory body that reports to ECOSOC and deals solely with indigenous issues.
- Composed of 16 independent experts on indigenous issues: (8) indigenous members appointed by the President of ECOSOC after consultation with governments and indigenous peoples, and (8) members nominated by governments and elected by the ECOSOC Council; all hold 3-year terms.
- General mandate is to address indigenous issues related to economic and social development, culture, environment education, health, and human rights.
- Meetings held annually for ten working days; decisions are made by consensus.

**HUMAN RIGHTS COUNCIL**

- Established in 2006, the Human Rights Council replaces the previous Commission on Human Rights;
largest and most important human rights forum at the UN; it is the principal policy-making body for human rights within the UN System.
· The Human Rights Council answers directly to the General Assembly and is the body responsible for universal respect for the protection of all human rights.
· Mandated to examine, monitor and publicly report on human rights situations in specific countries and territories. It is assisted by the Sub-Commission (see below), a number of working groups and a network of individual experts, representatives, and rapporteurs.
· The Human Rights Council is comprised of 47 Member States (elected for three-year terms), and the United States is not a member of the Council.
· Meets regularly three times per year for no less than ten weeks to: review human rights issues, develop and codify new international norms, and make recommendations to governments.
· Operates a complaints mechanism (known as the “1503 Procedure”) by which information about human rights violations can be considered by the Council.

**SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**

· The Sub-Commission was established as a subsidiary body to the previous Commission on Human Rights. Its mandate is currently under review by the Human Rights Council. The Human Rights Council established a Working Group to review and make recommendations for a new Human Rights Expert body that would replace the Sub-Commission.
· The Human Rights Council is expected to make a decision regarding the suggested Human Rights Expert Body at its 6th session meeting in December 2007.
· Former Functions: To undertake studies, particularly in the light of the Universal Declaration of Human Rights; to make recommendations to the Council concerning the prevention of discrimination of any kind relating to human rights and fundamental freedoms and the protection of racial, national, religious and linguistic minorities; and to perform any other functions which may be entrusted to it by the Council.
· Adopted the Draft Declaration on the Rights of Indigenous Peoples in 1994 and submitted the text to the Commission (which referred the Draft Declaration to the newly established Human Rights Council, which approved the Declaration by majority vote in June 2006).

**WORKING GROUP ON INDIGENOUS POPULATIONS (WGIP)**

· Subsidiary body of the Sub-Commission; first meeting held in 1982; until now, the focal point in the UN system for the promotion of indigenous peoples’ rights.
· As with the Sub-Commission, the future mandate of the Working Group on Indigenous Peoples is under review. The Human Rights Council requested that the Office of the High Commissioner on Human Rights convene an informal meeting to exchange views on the most appropriate mechanisms to continue the work of the Working Group on Indigenous Populations. This meeting will take place in Geneva on December 6-7, 2007.
· Until the Human Rights Council makes a decision with regard to the Working Group’s future, it will not have further meetings.
· Former Functions: Reviewed developments throughout the world on indigenous peoples and engaged in “standard setting”, and produced studies.
· Began drafting the Draft Declaration in 1985 and completed the draft in 1993. The draft was adopted by the Sub-Commission in 1994.

**UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)**

· Specialized UN agency founded in 1945.
· Purpose: “to contribute to peace and security by promoting collaboration among nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights
and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.”

· UNESCO is comprised of 191 member states, including the United States. The organization is governed by a General Conference which is made up of representatives of each member state. It meets every two years. NGO attendance is allowed at General Conference meetings.
· The Executive Board ensures the overall management of UNESCO. It is made up of 58 member states elected by the General Conference, with four year terms. The United States is not currently on the Executive Board.

**UNITED NATIONS COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (CERD)**

· One of seven UN human rights treaty bodies. CERD monitors state compliance with and implementation of the Convention on the Elimination of All Forms of Racial Discrimination.
· CERD is made up of 18 independent experts elected by state parties for a term of four years.
· All state parties must submit reports to CERD every two years on how the rights outlined in the Convention are being implemented. CERD examines each report and submits recommendations to the state party through concluding observations.
· CERD meets two times per year in Geneva.
· CERD has various complaint procedures, whereby states or individuals can petition CERD regarding violations of the Convention by state parties.

**UNITED NATIONS HUMAN RIGHTS COMMITTEE (HRC)**

· One of seven UN human rights treaty bodies. The Human Rights Committee monitors state compliance with and implementation of the International Covenant on Civil and Political Rights.
· The Human Rights Committee is made up of 18 independent experts elected by state parties for a term of four years.
· All state parties must submit reports to HRC every four years on how the rights outlined in the Covenant are being implemented. The HRC examines each report and submits recommendations to the state party through concluding observations.
· HRC meets three times per year in Geneva and New York.
· The HRC entertains inter-state and individual complaints against state parties alleged to be in violation of the Covenant. However, the United States has not signed onto the individual complaint procedure.