

The United Nations Human Rights System

Introduction

The United Nations (UN) has created a global structure for protecting human rights, based largely on its Charter, non-binding declarations, legally binding treaties and on various activities aimed at advancing democracy and human rights throughout the world.

The UN often finds it necessary to define rights in a cautious manner, as it is host to an extremely diverse group of member states, with varying economic, social, cultural and political histories. Subsequently, the UN must accommodate these differences in its mechanisms for protecting the human rights it has outlined in treaties and declarations. Thus, these methods may be less substantive or lack in strict enforcement as compared to those of regional institutions. Broad agreements allow the UN to accommodate a spectrum of different viewpoints. The UN thus affects more nations and many more individuals than any regional institution could.

The UN's system of human rights protection has three main components: first, it establishes international standards through its Charter, legally binding treaties, non-binding declarations, agreements, and documents; next, it mandates Special Rapporteurs and experts, and groups, such as working groups, committees and treaty bodies, to work in various manners for the promotion and protection of human rights; finally, it offers technical assistance through the Voluntary Fund for Advisory Services and Technical Assistance in the field of Human Rights.

History

International legal agreements and organizations pre-date the formation of the United Nations. At the International Peace Conference in The Hague in 1899 over 25 nations met for ten weeks to codify the laws of war, both on land and at sea. In addition to this monumental agreement, they also formulated instruments for peaceful crisis settlement and war prevention. This formal statement on the desirability of international peace laid the foundation for such organizations as the League of Nations and the United Nations.

Twenty years later, the League of Nations was founded. At the Treaty of Versailles in 1919, the victors of the First World War convened to negotiate a peace settlement. At this conference, the League, the UN's predecessor, was formed "to promote international cooperation and to achieve peace and security" throughout the world. Member states agreed not to go to war with one another without first submitting complaints to any offending state; and for offending states who were not members of the League, its members pledged not to go to war without an enquiry to the state. The League had originally been proposed by the president of the United States (US) Woodrow Wilson, but domestic pressure prevented the US from ever joining. The League of Nations lasted only until 1946; it dissolved after it failed to prevent the outbreak of World War II.

The trauma and violence of World War II (WWII) inspired the Allied Nations to try to establish a peace-keeping organization for the prevention of the recurrence of such horrors. On June 12, 1941, a preliminary move toward the establishment of the United Nations occurred with the signing of the Inter-Allied Declaration. Signed in London, the Inter-Allied Declaration pledged that the Allied powers would "work together, with other free peoples, both in war and in peace".

Two months later, President of the United States Franklin Delano Roosevelt of the United States and Prime Minister of the United Kingdom Winston Churchill agreed upon a doctrine upon which to base international cooperation. The two main principles behind the UN, the establishment of both world peace and global security, are found in the Atlantic Charter. Roosevelt and Churchill signed this document while on board the HMS Prince of Wales on August 14, 1941. The signing signaled that the Allied Powers intended to form a stronger, more effective organization than the League of Nations had proven to be.

On January 1, 1942, representatives from the 26 Allied nations gathered in Washington, DC to sign the Declaration by United Nations. This document reaffirmed the goals set by the Atlantic Charter. It also first contained the term "United Nations", which had been suggested by President Roosevelt.

In 1943, two conferences were held during which nations recognized that the goals set forth in the Declaration by United Nations regarding international peace and security should be upheld within an international organization. The governments

of the Soviet Union (USSR), the UK, the US and China signed such an agreement to this end in Moscow on October 30; leaders of the US, the USSR and the UK renewed this intention at Teheran on December 1, 1943.

From these agreements, leaders from the United States, the United Kingdom, the Soviet Union and China met for several months in the fall of 1944 in Washington, DC, to determine the goals, structure, and methods of functioning for the United Nations. These meetings held between September 21 and October 7 became known as the Dumbarton Oaks Conference.

On February 11, 1945, President Roosevelt, Prime Minister Churchill and Premier Joseph Stalin met at Yalta and announced their resolution to form "a general international organization to maintain peace and security".

The San Francisco Conference of 1945 propelled the United Nations into reality. On April 25, delegates from fifty nations across the globe gathered in San Francisco, where they negotiated and drew up the 111-article Charter of the United Nations; the Charter was then unanimously adopted on June 25 and signed on June 26. Poland was not represented at the conference, but soon signed the Charter to become the 51st and last original member state.

The Charter's preamble states the purpose in founding such an institution: "We the peoples of the United Nations determined...to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small ..." The Charter itself includes the following goals: "...To achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion..."

The United Nations officially became an institution with the ratification of the UN Charter on October 24, 1945. From then on, it quickly became an active international body. On January 10, 1946, the first General Assembly met at Westminster, London. There were 51 nations represented at this first meeting. One week later, on January 17, the Security Council first met, also in London. The following week, on January 24, the General Assembly adopted its first resolution, focusing on peaceful uses of atomic energy and the elimination of weapons of mass

destruction. February 1 of that year saw the appointment of the first Secretary-General, Trygve Lie, from Norway. The UN Headquarters were first established in New York City on October 24, 1949.

Main Bodies of the United Nations

The United Nations is composed of six major bodies: the General Assembly, the Secretariat, the Security Council, the International Court of Justice, the Trusteeship Council and the Economic and Social Council. Although the United Nations was divided into these six spheres, they are of unequal size (some possess many subsidiary bodies and committees while others have very few), status (some are quite powerful while others have become almost obsolete), and relevance to human rights (some focus extensively on the issue while others bear little or no relevance for the protection and promotion of human rights).

General Assembly

The General Assembly is the legislative body of the UN. It currently consists of 191 member states, all of which must take part in its sessions and none of which may have more than five representatives. The General Assembly has established Permanent Committees, such as the seven Main Committees, the Procedural Commissions and the Permanent Commissions, that meet between General Assembly sessions. It is also responsible for appointing the Secretary-General, upon recommendation from the Security Council, to a renewable five year term.

Secretariat

The Secretariat is headed by the UN Secretary-General, who is recommended by the Security Council and then appointed to a five-year term by the General Assembly. It is in charge of carrying out programs designed by other branches of the United Nations, such as peacekeeping missions, international dispute mediation, and studying economic, cultural, human rights, or social trends. It also handles administrative details, such as speech and documents translations, UN

news and information releases, and international conference co-ordinations. The Secretariat hosts around 9,000 staff members.

Security Council

The Security Council possesses the power to draft resolutions providing for the use of force against states, with an emphasis on non-violent conflict resolution and preventative measures. In order to pass a resolution permitting the use of arms against a state, it must gain at least nine "yea" votes from its fifteen members with no vetoes. Only its permanent members hold veto power. Its composition was established in the UN Charter, and consists of five permanent members, China, France, Russia, the United Kingdom and the United States. Additionally, ten non-permanent members serve on the Council who are elected to two year terms. Non-members may participate in hearings and meetings, but may not vote. The Security Council is an important branch of the UN, developed for the maintenance of peace and security in the world.

International Court of Justice

The International Court of Justice (ICJ), the judicial branch of the UN, is based in the Hague, the Netherlands, and was established in 1945 by the Charter of the United Nations. All states that have signed the UN Charter are members of the ICJ. Its jurisdiction extends to international conflicts, with the exception of political ones. Its responsibilities include: giving opinions on concrete topics; ruling on cases; and clarifying international legal norms.

The ICJ is the latest step in the continuing evolution of international courts. The first such court, Permanent Court of Arbitration, was founded in 1899 and still exists today. The Permanent Court of International Justice was created by the League of Nations and existed between 1922 and 1946. It served as the model on which the International Court of Justice is based.

Economic and Social Council (ECOSOC)

The Economic and Social Council (ECOSOC) makes recommendations to the General Assembly on human rights issues. It reviews the reports submitted by the Commission on Human Rights and submits the amended versions to the General Assembly. ECOSOC is composed of 54 members serving three year terms; members meet twice a year. Additionally, it oversees several committees and commissions, such as the Commission on Human Rights, the Sub-Commission on the Promotion and Protection of Human Rights, the Commission on the Status of Women and the Commission on Crime Prevention and Criminal Justice, as well as UN specialized agencies, such as the International Labor Organization (ILO) and the World Health Organization (WHO).

Trusteeship Council

This council was originally established to preside over the so-called "dependent areas" within the international Trusteeship System, under Article 75 of the UN Charter. However, the goals for and tasks of the Council have largely been fulfilled, and it is therefore now mostly obsolete. Currently, the Trusteeship Council only meets if and when a scenario requires it.

Charter-Based Mechanisms for Human Rights Protection and Promotion

The type of protection provided by the United Nations on issues of human rights is based on either Charter-based or treaty-based mechanisms. Those mechanisms based on the UN Charter include: the Universal Declaration of Human Rights; the Commission on Human Rights; and the Sub-Commission on the Promotion and Protection of Human Rights.

Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is one of the first international documents to be based on the idea that rights are guaranteed to each human being. Most previous international declarations and treaties were based on the idea of positivism, whereby rights are only recognized once they have been set forth in national legislation. Like the UN itself, the UDHR was written with the aim of establishing world peace by promoting human rights. Originally, the UDHR brought together 58 distinct geographic, cultural and political backgrounds in the formation of one universal document. Although the UDHR is not legally binding it has created international human rights standards that are codified in various international treaties.

The Universal Declaration of Human Rights was drafted between January 1947 and December 1948. Its text was composed by the then eight-member Commission on Human Rights headed by Eleanor Roosevelt, and sought to include the whole spectrum of human rights: from cultural, social and economic to civil and political rights. Following over 1,400 votes modifying the document's text, the UN General Assembly unanimously passed the Declaration on December 10, 1948, with eight abstentions to the vote, coming from Belarus, Czechoslovakia, Poland, Saudi Arabia, South Africa, the Soviet Union, Ukraine, and Yugoslavia.

The UDHR consists of 30 articles specifying basic rights guaranteed to each individual. The first two articles establish the document's premise, that all humans share universal equality, and that this equality is based on the fundamental dignity bestowed upon humanity. This equality of human dignity translates to universality of human rights. Included in the notion of universality is the idea that these rights are automatically extended to everyone and may not be denied for any reason or because of any action an individual may commit.

Article 1 states: "[A]ll human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

Article 2 continues: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind such as race, colour, sex, language,

religion, political or other opinion, national or social origin, property, birth or other status."

Articles 3 through 21 specify civil and political rights. In these articles, rights set forth include the right to life, liberty, a fair trial, free speech, privacy, of personal security, and of movement, as well as freedom from slavery, torture, and arbitrary arrest.

Articles 22 through 27 provide for economic, social and cultural rights. These rights are specified as an indispensable aspect of an individual's life, being necessary for one's dignity and personal development, and include economic rights such as the right to social security, economic work-related rights, fair payment and leisure; social rights such as the right to an adequate standard of health, well-being and education; and cultural rights, such as the right to participate in cultural life.

Finally, Articles 28 through 30 establish a general framework to provide for the enjoyment of human rights: the recognition of the right to a social and international system that promotes human rights; a statement that humans have obligations to the community along with fundamental rights; and a reminder that no state or individual may utilize the Declaration to promote goals contrary to the mission or goals of the UN.

Commission on Human Rights

Composed of 53 member states, the Commission on Human Rights is the Charter-based body that most directly deals with the area of human rights. It is assisted by the Sub-Commission on the Promotion and Protection of Human Rights, individual experts, representatives, and Special Rapporteurs. The Commission on Human Rights meets for six weeks each year in Geneva, although it may also meet in majority-endorsed "Special Sessions" in order to provide the most expeditious manner of dealing with human rights abuses. In evaluating a situation, the Commission may choose to monitor a situation itself or may request for an outside body to do so. Its jurisdiction of human rights protection was expanded by ECOSOC in the 1970s to include the entire globe.

From its inception, the Commission has influenced international human rights standards, working to set as well as to enforce rights standards. It helped author the Universal Declaration of Human Rights in 1948. Since then, it has formed standards relating to the right to development, civil and political rights, economic, social and cultural rights, the elimination of racial discrimination, torture, the rights of the child and the rights of human rights defenders.

Monitoring Human Rights

The Commission on Human Rights also devotes much time to monitoring the implementation of the standards it has set. It may turn to any number of permanent or special procedures when examining a specific area of human rights. Its two permanent procedures are the 1503 Procedure and the 1235 Procedure; its special procedures include fact-finding missions, thematic mechanisms or mandates and advisory services.

The 1503 Procedure is a confidential procedure named after ECOSCO Resolution 1503 by which it was established. It is activated when the Commission receives a communication about a consistent pattern of gross human rights violations. Violations considered under this procedure include genocide, apartheid, racial or ethnic discrimination, torture, forced mass migrations and mass imprisonment without a trial. The report of consistent gross human rights violations to the Commission may not be an anonymous one, yet does not require the consent of the state concerned for an investigation to take place. This regulation gives the Commission great leeway in deciding how to best approach a situation. Following its investigation, the Commission then decides what action to take. When a 1503 Procedure has failed to stop a human rights violation it has investigated, the Commission on Human Rights may invoke the 1235 Procedure under which it can hold an annual public debate about the gross violations of human rights in question. If this also fails to adequately affect the situation, the Commission may move to have ECOSOC pass a resolution condemning the violators. This public condemnation tarnishes the reputation of the leaders in the state in question and discredits their legitimacy as political elites.

Among the special procedures available to the Commission on Human Rights, fact-finding missions are a useful tool. In a fact-finding mission, an expert or group of experts studies the human rights situation and looks for violations in a given state with the purpose of gathering information for a 1503 or a 1235 procedure. However, a fact-finding mission may only occur with the consent of the state whose human rights record is being questioned. As of April 2003, 47 countries had extended standing invitations to the Thematic Special Procedures of the United Nations Commission on Human Rights to investigate human rights issues, meaning that the Commission may initiate a fact-finding mission to any one of those countries at any time. For all other nations, the Commission must first seek and gain approval before dispatching its experts to the country.

Another special procedure available to the Commission on Human Rights is a thematic mechanism or mandate. Working groups and/or Special Rapporteurs investigate human rights violations and the problems they have caused on a multi-state level. Recently, there has been an increase in the number of Special Rapporteurs investigating human rights issues.

Lastly, the Commission on Human Rights offers advisory services to nations that request it. The Commission provides educational and informational assistance to states in order to help them observe a high level of human rights protection. Additionally, the Commission on Human Rights may request assistance from the Office of the High Commissioner for Human Rights in the form of seminars, training courses, and clinics as well as advice from experts.

Sub-Commission on the Promotion and Protection of Human Rights

The Sub-Commission was established by the Commission on Human Rights at its first meeting in 1947, and was titled the Sub-Commission on Prevention of Discrimination and Protection of Minorities before a 1999 vote to change its name. It serves as the main subsidiary body to the Commission on Human Rights.

The Sub-Commission is comprised of 26 member experts acting independently, without affiliation to their state of origin, though they are elected by the

Commission proportionally according to geographical population distribution. Presently, member experts are divided as follows: seven from Africa, six from Western Europe and other States, five from Asia, five from Latin America and three from Eastern Europe. Each member has one alternate; half the members and their alternates are elected every two years and each serves for a term of four years. The Sub-Commission meets for three weeks each year in Geneva; government officials, staff of UN specialized agencies and NGO observers may also attend their meetings.

The Sub-Commission's mission is to undertake studies under the guidance of the UDHR and to make recommendations to the Commission on Human Rights 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. The Sub-Commission also undertakes work assigned to it by the Commission or ECOSOC, and distributes these assignments between its six working groups: the Working Group on Communications (which considers complaints regarding a consistent pattern of gross and verifiable violations of human rights within the scope of communications, together with any existing replies from governments), the Working Group on Contemporary Forms of Slavery, the Working Group on Indigenous Populations, the Working Group on Minorities, the Working Group on Administration of Justice and the Working Group on Transnational Corporations.

High Commissioner for Human Rights

The position of the High Commissioner for Human Rights was established by the General Assembly of the United Nations in December 1993. The High Commissioner carries out the Secretary-General's "good offices" duties relating to human rights, and is accountable to the Economic and Social Council as well as the Secretary-General. The Commissioner holds the principal position of promoting human rights and dealing with human rights activities in the UN, and must also maintain dialogue with all member states on the subject of human rights. Responsibilities of the High Commissioner include: crisis management; prevention and early warning of abuses; assistance to states in periods of political transition;

promotion of substantive rights to governments; and coordination and rationalization of human rights programs.

The Commissioner is assisted by a Deputy to the United Nations High Commissioner for Human Rights, a staff for dealing with substantive issues, and an administrative staff. The Deputy, who assists the Commissioner in fulfilling assignments, is the Officer-In-Charge when the Commissioner is absent. The policies of the High Commissioner are implemented by the Office of the High Commissioner for Human Rights (OHCHR), is "to protect and promote human rights for all." OHCHR fulfills its goals through a variety of activities, including: emphasizing the significance of human rights globally and locally; providing education and resources regarding human rights; supporting human rights organs and treaty monitoring bodies; and responding to serious human rights violations.

The post of High Commissioner for Human Rights was first held by Mr. José Ayala-Lasso of Ecuador.

Treaty-Based Mechanisms for Human Rights Protection and Promotion

International law takes precedence over the domestic law of a state. Thus, when a nation signs a treaty, it is pledging to adopt the provisions set forth within the treaty into the domestic law of a state. In this way, treaty-based mechanisms vary from Charter-based ones. Whereas the UN Charter's mechanisms are at times either not legally binding or require permission to be executed, treaties are backed by the norms regulating international law and are therefore legally binding.

International legal instruments take the form of a treaty (also called agreement, convention, protocol) which may be binding on the contracting states. When negotiations are completed, the text of a treaty is established as authentic and definitive and is "signed" to that effect by the representatives of states. There are various means by which a state expresses its consent to be bound by a treaty. The most common are ratification or accession. A new treaty is "ratified" by those states who have negotiated the instrument. A state which has not participated in the negotiations may, at a later stage, "accede" to the treaty. The treaty enters into

force when a pre-determined number of states have ratified or acceded to the treaty.

When a state ratifies or accedes to a treaty, that state may make reservations to one or more articles of the treaty, unless reservations are prohibited by the treaty. Reservations may normally be withdrawn at any time. In some countries, international treaties take precedence over national law; in others, a specific law may be required to give an international treaty, although ratified or acceded to, the force of a national law. Practically all states that have ratified or acceded to an international treaty must issue decrees, amend existing laws or introduce new legislation in order for the treaty to be fully effective on the national territory.

The UN currently has seven human rights treaties: the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); the Convention on the Rights of the Child (CRC); and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Each of these seven human rights treaties has a monitoring body, composed of independent experts who examine the reports that signatory nations submit under the treaty. These committees are also in charge of issuing "concluding observations/comments", where they summarize their concerns about certain states and also give recommendations for the future.

Four of the treaty committees have mechanisms to deal directly with individual complaints of human rights violations under their respective treaties. These four bodies are: the Human Rights Committee, for the ICCPR; the Committee on the Elimination of Racial Discrimination, for the ICERD; the Committee on the Elimination of all forms of Discrimination against Women, for CEDAW; and the Committee against Torture, for CAT. Strict regulations exist regarding when an individual may formally issue a complaint to one of the monitoring bodies. All domestic options for settling the violation must have been previously exhausted. Additionally, the individual issuing the complaint must be under the jurisdiction of

a state that is a party to the relevant treaty. No complaint may be made anonymously; it must come from either the victim, a representative of the victim, or, in rare circumstances in which it is impossible for either of these people to complain, a third, non-anonymous party may issue a complaint. The event in question must have occurred on or after the later date of either the treaty's entrance into force or the date the state in question signed the treaty.

International Covenant on Economic, Social and Cultural Rights (ICESCR)

This International Covenant on Economic, Social and Cultural Rights (ICESCR) was adopted by the United Nations in 1966 and entered into force one decade later, in 1976. Along with the International Covenant on Civil and Political Rights, the amount of time that it took the ICESCR to enter into force may be partly attributed to the Cold War, in which Communist regimes, who advocated for economic, social and cultural rights, stood squarely against Western capitalist democracies, who embraced the civil and political rights codified in the International Covenant on Civil and Political Rights. The ICESCR is monitored by the Committee on Economic, Social and Cultural Rights.

Committee on Economic, Social and Cultural Rights

The Covenant itself did not provide for the creation of a monitoring body, so in the early days of ICESCR, states that had ratified the treaty reported to a working group of ECOSOC. In 1986, the Committee on Economic, Social and Cultural Rights (CESCR) took over the role as an independent expert committee to monitor the implementation of the Covenant. Currently, the Committee does not have a mechanism for processing individual complaints, although in 1996, CESCR sent to the Commission on Human Rights a draft of a proposed optional protocol that would provide for this kind of complaints procedure. It meets three times a year in Geneva.

International Covenant on Civil and Political Rights (ICCPR)

The International Covenant on Civil and Political Rights, like the ICESCR, was adopted by the UN in 1966, but did not enter into force until 1976. Also like the ICESCR, the ICCPR saw a great deal of delay in its ratification due to the Cold War conflicts. These two treaties were signed separately because of the thought that political and civil rights could and must be guaranteed from the moment a nation signs on to the Covenant listing them, but that, while it was desirable for the same to be true of economic, social and cultural rights, it was not feasible. Implementation of social and economic rights was expected to take much time and thus could not be forced upon a nation merely because it has ratified the Covenant.

This application theory is recognized in the respective second articles of each Covenant: In Article 2, paragraph 1 of the ICCPR, the Covenant obliges a state "...to respect and to ensure to all individuals...the rights recognized in the present Covenant." Meanwhile, a state "undertakes to take steps...to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant...", according to Article 2, paragraph 1 of the ICESCR. The ICCPR is monitored by the Human Rights Committee.

These two treaties account for most of the provisions listed under the Universal Declaration of Human Rights; further, they make the provisions binding for those nations who are parties to the covenants. The two covenants along with their optional protocols and the Universal Declaration of Human Rights are known as the International Bill of Human Rights.

Human Rights Committee

The Human Rights Committee was established to ensure that the rights listed under the ICCPR were protected. It is composed of 18 elected representatives, who serve four-year terms as independent and not representatives of their state of origin, and is based in Geneva. Its role is comprised of four main duties: to review reports submitted by states on their domestic actions taken to comply with the treaty; to consider information submitted from one member state accusing another member state of violating the treaty in some manner; to consider

individuals' complaints against states that have signed the treaty, as well as reports written also by NGO; and to issue "General Comments".

Each member state of the ICCPR is required to submit a report to the Human Rights Committee each year "on the measures they have adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights." (ICCPR, Article 40). These reports must contain both a general and a specific component to them. The general aspect of the report must include data and statistics on the nations' frameworks in place that protect the rights listed in the treaty, whereas the report's specific aspect must include information addressing each article in the ICCPR as well as information about court rulings and the extent to which rights are being enjoyed in the member state.

Member states may report on other member states not abiding by the treaty's provisions. If such a circumstance were to arise, the report would first be sent to the offending state. Then, if it were not addressed adequately by the state, it could be sent to the Human Rights Committee for review. Despite the availability of this mechanism, it has never been utilized.

In the case of the ICCPR, the state in question must be a party to the treaty's optional protocol, which allows for the registering of individual complaints. If all these preconditions are met, the complaint proceeds through three stages: the registration of the complaint, an examination of whether or not the complaint satisfactorily meets the preconditions, and a communication on whether the complaint falls under the ICCPR and may therefore be given consideration. When the Human Rights Committee considers a complaint, the Committee will submit "views" on the issue in an annual publication. Although these views may condemn a government or state sector, the Committee has no means of sanctioning the guilty party nor of enforcing its views.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

The International Convention on the Elimination of All Forms of Racial Discrimination was adopted in 1965 and entered into force in 1969. It seeks to

eliminate all forms of racial discriminations, and is monitored by the Committee on the Elimination of Racial Discrimination.

Committee on the Elimination of Racial Discrimination

The Committee on the Elimination of Racial Discrimination (CERD) exists to monitor state parties to the CERD. It has 18 independent experts who are elected to CERD by state parties to the Convention. They meet in Geneva each year for two three-week sessions.

CERD's four main duties are the same as Human Rights Committee's: to review reports submitted by states on their domestic actions taken to comply with the treaty; to consider information submitted from one member state accusing another member state of violating the treaty in some manner; to consider individuals' complaints against states that have signed the treaty; and to issue written "General Comments".

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

The Convention on the Elimination of All Forms of Discrimination against Women was adopted 1979 and entered into force in 1981. It focuses on the areas of education, employment, health, marriage, and the family as each area relates specifically to women. CEDAW calls for the elimination of discrimination against women within society as well as the adoption of legislation to further women's rights. It is monitored by the Committee on the Elimination of all forms of Discrimination against Women.

Committee on the Elimination of all forms of Discrimination against Women

The Committee on the Elimination of all forms of Discrimination against Women (the CEDAW Committee) monitors the CEDAW treaty. It consists of 23

independent experts who are elected by those states that are parties to the Convention. It is one of the four monitoring committees that may undertake confidential inquiries into individual complaints.

As the Committee on the Elimination of Racial Discrimination and the Human Rights Committee, the CEDAW Committee has four main duties: to review reports submitted by states on their domestic actions taken to comply with the treaty; to consider information submitted from one member state accusing another member state of violating the treaty in some manner; to consider individuals' complaints against states that have signed the treaty; and to issue Committee written "General Comments" on each state's compliance with the treaty, taking into account reports written also by NGOs, to present to the Secretary General.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was adopted in 1984 and entered into force in 1987. Among other provisions, it bans torture and rape as weapons during wartime. It is monitored by the Committee against Torture.

Committee against Torture

The Committee against Torture exists to monitor the Convention against Torture treaty. Its membership includes ten independent experts, elected by parties to the Convention. The Committee meets twice a year in Geneva for two to three weeks at a time, and submits an annual report to the UN General Assembly.

The Committee against Torture shares four of its five main duties with the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the CEDAW Committee. Its mission includes: reviewing reports submitted by states on their domestic actions taken to comply with the treaty; considering information submitted from one member state accusing another member state of violating the treaty in some manner; considering individuals' complaints against

states that have signed the treaty; issuing Committee written "General Comments" on each state's compliance with the treaty, taking into account reports written also by NGOs, to present to the Secretary General. In addition to these four shared goals, CAT also investigates into allegations of general systematic forms of torture.

Convention on the Rights of the Child (CRC)

The Convention on the Rights of the Child was adopted in November of 1989 and entered into force less than a year later, in September of 1990. It is the UN's most universally ratified human rights convention. It protects children from economic and sexual exploitation, among other things, and is monitored by the Committee on the Rights of the Child.

Committee on the Rights of the Child

The Committee on the Rights of the Child monitors the Convention on the Rights of the Child. While the Committee engages in many of the same practices as do other committees, there is no individual complaints mechanism associated with the Convention, nor is there one associated with either of its two optional protocols, the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. However, the Committee still examines state reports submitted and makes general recommendations to the General Assembly on state parties and their compliance with the Convention.

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

The latest of the UN's human rights treaties, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, was adopted in 1990 and entered into force July 1, 2003. It is monitored by the

Committee on the Protection of the Rights of All Migrant Workers and Members of their Families.

Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families monitors the treaty under the same name. It is composed of 10 members, and its roles are: to examine state reports submitted and to make general recommendations. Under the treaty, it will be possible to address individual complaints once a minimum of ten states have agreed to the practice.