



# info sheet Human Rights

## THE UN SYSTEM: CHARTER AND TREATY BODIES

The United Nations system is made of two main types of bodies that work to promote and protect human rights.

### **CHARTER BODIES:**

- Derive their establishment from provisions contained in the Charter of the United Nations
- Hold broad human rights mandates
- Address an unlimited audience
- Take action based on majority voting

Charter bodies include the Human Rights Council (HRC), the Universal Periodic Review (UPR), the Special Procedures and the Human Rights Council Complaint Procedure (HRCCP).

1. The HRC is an intergovernmental body composed of 47 elected United Nations Member States empowered to prevent abuses, inequity and discrimination, protect the most vulnerable, and expose perpetrators. The Council also has an Advisory Committee which functions as a think-tank for the Council and work at its direction.
2. The UPR is a unique process. It consists of reviewing the achievements of all UN Member States in the field of human rights. It is a state-led process under the auspices of the Human Rights Council. It provides each State with the opportunity to present the measures it has taken to improve the human rights situation in its territory and fulfill its obligations in this regard. The UPR is designed to ensure equal treatment for each country.
3. Special Procedures is the general name given to the mechanisms established by the Human Rights Council to address either specific country situations or thematic issues in all parts of the world. Special Procedures are either an individual -a special rapporteur or independent expert- or a working group. They are prominent, independent experts working on a voluntary basis, appointed by the Human Rights Council.
4. The HRCCP addresses communications submitted by individuals, groups, or non-governmental organizations that claim to be victims of human rights violations or that have direct, reliable knowledge of such violations.

### **TREATY BODIES:**

- Derive their existence from provisions contained in a specific legal instrument;
- Hold more narrow mandates: the set of issues codified in the legal instrument;
- Address a limited audience: only those countries that have ratified the legal instrument; and
- Base their decision-making on consensus.

There are currently 9 treaty-based bodies who deal with each of the 9 core UN human rights conventions. These bodies oversee the implementation of the treaty provisions. The treaty bodies are composed of independent experts and meet to consider State parties' reports as well as individual complaints or communications. They may also publish general comments on human rights topics related to the treaties they oversee. The treaty-based bodies include:

1. the Committee on the Elimination of Racial Discrimination monitors State Parties compliance with ICERD;
2. the Human Rights Committee monitors State Parties compliance with the ICCPR;
3. the Committee on Economic, Social and Cultural Rights monitors State Parties compliance with the ICESCR;
4. the Committee against Torture monitors State Parties compliance with CAT [Note: there is also the Subcommittee on Prevention of Torture (SPT) created under the the Optional Protocol to the Convention];
5. the Committee on Migrant Workers monitors State Parties compliance with the ICMW;
6. the Committee on the Elimination of Discrimination against Women monitors State Parties compliance with CEDAW;
7. the Committee on the Rights of the Child monitors State Parties compliance with the CRC.
8. the Committee on the Rights of the Persons with Disabilities monitors State Parties compliance with CRPD;
9. the Committee on the Protection of All Persons from Enforced Disappearance monitors State Parties compliance with CPED.

The treaty bodies monitor both the treaty itself as well as the Optional Protocols to these treaties.

## Structure of the UN Human Rights Bodies and Mechanisms

Note: This diagram is not exhaustive. It highlights the major human rights bodies and mechanisms.

