

# **Organizational Structure of the United Nations**

The Part of the United Nations established six principal organs of the United Nations, namely the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the Secretariat. The United Nations family, however, is much larger; it encompasses 15 agencies and several programmes and bodies.

## **1. General Assembly**

The General Assembly (G.A) of the United Nations is the main deliberative organ of the Organization. It is a forum where states put forward their ideas and debate issues.

### **Composition and Voting**

The General Assembly is composed of representatives of the members of the United Nations; it is made up of all 193 member states. Each member of the General Assembly has one vote.

The General Assembly can discuss and make recommendations on any issue covered by the U.N Charter. The recommendations are not binding and the Assembly has no authority to enforce them, however, they carry the weight of world opinion, as well as the moral authority of the world community.

Decisions of the General Assembly on important questions, such as those on peace and security, admission of new members, election of members to other U.N organs, suspension or expulsion of a member, and budget, require a two-thirds majority. Decisions on other questions are made by a majority of the members present and voting.

### **Functions and Powers**

Under the Charter, the functions and powers of the General Assembly include:

1. To consider and make recommendations on the principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and arms regulation.
2. To discuss any question relating to international peace and security and, except where a dispute or situation is being discussed by the Security Council, to make recommendations on it.
3. To discuss and, with the same above exception, make recommendations on any question within the scope of the Charter or affecting the powers and functions of any organ of the United Nations.
4. To initiate studies and make recommendations to promote international political cooperation, the development and codification of international law, the realization of human rights and fundamental freedoms for all, and international collaboration in economic, social, cultural, educational and health fields.
5. To make recommendations for the peaceful settlement of any situation, regardless of origin, which might impair friendly relations among nations.
6. To receive and consider reports from the Security Council and other United Nations organs.
7. To consider and approve the United Nations budget and to apportion the contributions among members.
8. To elect the non-permanent members of the Security Council, the members of the Economic and Social Council and those members of the Trusteeship Council that are elected; to elect jointly with the Security Council the Judges of the International Court of Justice; and, on the recommendation of the Security Council, to appoint the Secretary-General.

The “Uniting for Peace” Resolution adopted by the General Assembly in 1950 provides an additional function to the General Assembly. The General Assembly is granted the power to act in place of the Security Council if the latter fails to discharge its primary responsibility in maintaining international peace and security. Under this resolution, the General Assembly may do by recommendations anything that the Security Council can do by decisions under

Chapter VII. The Assembly can make appropriate recommendations to members for collective measures, including the use of armed force, if the Council in any case where there appears to be a threat to the peace, breach of the peace or act of aggression fails to exercise its responsibility, because of the lack of unanimity of its permanent members.

## **Sessions**

The General Assembly meets in regular annual sessions. Its regular session usually begins each year on the third Tuesday in September. At the start of each regular session, the Assembly elects its new President, its 21 Vice-Presidents and the Chairpersons of the Assembly's six main committees. To ensure equitable geographical representation, the presidency of the Assembly rotates each year among five groups of states: African, Asian, Eastern European, Latin American, and Western European and other states.

In addition to its regular sessions, the Assembly may meet in special sessions at the request of the Security Council, of a majority of member states, or of one member if the majority of members concur. It may meet in emergency special session under the "Uniting for Peace" Resolution. Emergency special sessions may be called within 24 hours of a request by the Security Council on the vote of any nine Council members, or by a majority of the United Nations members, or by one member if the majority of members concur.

At the beginning of each regular session, the General Assembly holds a general debate, often addressed by heads of state and government, in which member states express their views on a wide range of international matters. Issues are then discussed by the Assembly. Some issues are considered only in the Assembly's plenary meetings, while others are allocated to one of the Assembly's six main committees:

- First Committee (Disarmament and International Security).
- Second Committee (Economic and Financial).
- Third Committee (Social, Humanitarian and Cultural).
- Fourth Committee (Special Political and Decolonization).

- Fifth Committee (Administrative and Budgetary).
- Sixth Committee (Legal).

All issues are voted on through resolutions passed in plenary meetings, usually towards the end of the regular session, after the committees have completed their consideration of them and submitted draft resolutions to the plenary Assembly. Voting in Committees is by a simple majority. In plenary meetings, resolutions may be adopted by acclamation, without objection or without a vote, or the vote may be recorded or taken by roll-call. While the decisions of the Assembly have no legally binding force for governments, they carry the weight of world opinion, as well as the moral authority of the world community.

The work of the United Nations year-round derives largely from the decisions of the General Assembly. That work is carried out:

- By committees and other bodies established by the Assembly to study and report on specific issues, such as disarmament, peacekeeping, development and human rights.
- In international conferences called for by the Assembly.
- By the Secretariat of the United Nations, the Secretary General and his staff of international civil servants.

## **2. Security Council**

The Security Council (S.C) of the United Nations is the most important organ in the Organization. It has primary responsibility for the maintenance of international peace and security.

### **Composition and Voting**

The Security Council is composed of 15 members: 5 permanent members, namely China, France, the Russian Federation, the United Kingdom and the United States; and 10 non-permanent members elected by the General Assembly for two-year terms.

Each member of the Council has one vote. Decisions of the Council on procedural matters are made by an affirmative vote of at least 9 of the 15 members. Decisions on all other matters (substantive matters) are made by an affirmative vote of nine members including the concurring votes of the five permanent members. This is the rule of “Great Power Unanimity”, often referred to as the “veto” power. If a permanent member does not agree with a decision, it can cast a negative vote, and this act has power of veto. If a permanent does not support a decision but does not wish to block it through a veto, it may abstain from voting. The Charter provides an exception to the unanimity requirement on substantive matters. Whenever a member of the United Nations is a party to a dispute, the continuance of which is likely to endanger the maintenance of international peace and security, that member shall abstain from voting on decisions arising under Chapter VI of the Charter (Pacific Settlement of Disputes). This exception has been explained on the ground that nobody shall be judge in his own case.

The decisions of the Security Council are binding on all member states of the United Nations, because under the Charter, these members agree to accept and carry out the decisions of the Security Council. The Security Council alone has the power to take decisions which member states are obliged under the Charter to carry out, while other organs of the United Nations make recommendations which have no binding force on member states of the United Nations.

## **Functions and Powers**

Under the Charter of the United Nations, the functions and powers of the Security Council are:

1. To maintain international peace and security in accordance with the principles and purposes of the United Nations. In this respect it can:
  - (a) investigate any dispute, or situation which may lead to international friction or give rise to a dispute.
  - (b) recommend methods of adjusting any dispute or terms of settlement.
  - (c) determine the existence of a threat to the peace or act of aggression and to recommend what action should be taken.

(d) call on members to apply economic sanctions and other measures not involving the use of force to prevent or stop aggression.

(e) take military action against an aggressor.

2. To formulate plans for the establishment of a system to regulate armaments.

3. To recommend the admission of new Members.

4. To exercise the trusteeship functions of the United Nations in "strategic areas".

5. To recommend to the General Assembly the appointment of the Secretary General and, together with the Assembly, to elect the Judges of the International Court of Justice.

6. To recommend to the General Assembly the suspension or expulsion of a member state from the United Nations.

## **Meetings**

The Security Council is organized in a way to be able to function continuously. The representatives of its members must be present at all time at the United Nations Headquarters. The Security Council may meet elsewhere than at Headquarters; in 1972, it held a session in Addis Ababa, Ethiopia, and the following year it met in Panama City.

The Security Council holds periodic meetings at which each of its members may, if it so desires, be represented by a member of its government or by a designated representative. Periodic meetings are held twice a year, at such times determined by the Council.

The Council holds meetings at the call of its president at any time he deems necessary, at the request of any of its members, at the request of any member of the United Nations, at the request of the General Assembly, or at the request of the Secretary General.

Any member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Council whenever the latter considers that the interests of that member are specifically affected. Any member of the United Nations which is not a

member of the Security Council or any state which is not a member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The participation of a non-member of the United Nations will be according to the rules and conditions determined by the Security Council.

### **3. Economic and Social Council**

The Economic and Social Council (ECOSOC) is the principal organ of the United Nations which coordinates the economic and social work of the United Nations and the specialized agencies and institutions, known as the United Nations family organizations.

#### **Composition and Voting**

The Economic and Social Council of the United Nations is composed of 54 members elected by the General Assembly for three-year terms. Membership on the Council are allotted based on geographical representation; fourteen allocated to African States, eleven to Asian States, six to Eastern European States, ten to Latin American and Caribbean States, and thirteen to Western European and other States.

Each member has one vote. Decisions of the Economic and Social Council are made by a majority of the members present and voting.

#### **Functions and Powers**

The functions and powers of the Economic and Social Council are:

1. To serve as the central forum for the discussion of international economic and social issues, and for the formation of policy recommendations on those issues addressed to member states of the United Nations and to the United Nations itself or any of its family.
2. To make or initiate studies and reports and make recommendations on international economic, social, cultural, educational, health and related matters.
3. To promote respect for, and observance of, human rights and fundamental freedoms.

4. To call international conferences and prepare draft conventions for submission to the General Assembly.
5. To coordinate the activities of the specialized agencies, through consultations with and recommendations to them, and through recommendations to the General Assembly and member states of the United Nations.
6. To perform services, approved by the General Assembly, for members of the United Nations and, on request, for the specialized agencies.
7. To consult with non-governmental organizations concerned with matters with which the Council deals.

## **Sessions**

The Economic and Social Council generally holds one five-week long substantive session each year, alternating between New York and Geneva. The session includes a high-level special meeting, attended by ministers and high officials, to discuss major economic and social issues. The Council also holds at least two organizational sessions each year in New York.

The year-round work of the Economic and Social Council is carried out in its subsidiary bodies, commissions and committees, which meet at regular intervals and report back to the Council. The subsidiary system of the Council includes:

- Nine functional commissions, which are deliberative bodies whose role is to consider and make recommendations on issues in their areas of responsibilities and expertise.
- Five regional commissions (for Africa, Asia and the Pacific, Europe, Latin America and the Caribbean, and Western Asia) whose role is to initiate measures and promote the economic development of each region and strengthening the economic relations of the countries in that region, both among themselves and with other countries of the world.
- Four standing committees: for Programme and Coordination, on Human Settlement, on Non-Governmental Organizations, and on Negotiations with International Agencies.



- A number of expert bodies on subject such as development planning, natural resources, and economic, social and cultural rights.
- The executive committees and boards of various United Nations bodies such as United Nations Children's Fund, Office of the United Nations High Commissioner for Refugees, United Nations Development Programme, and World Food Programme.

## **Relations with Non-Governmental Organizations**

The Charter of the United Nations authorizes the Economic and Social Council to consult with non-governmental organizations (NGOs) concerned with matters within its competence. Over 1,500 NGOs have consultative status with the Economic and Social Council. NGOs with consultative status may send observers to attend the meetings of the Council and its subsidiary bodies. Because NGOs possess special experience and technical knowledge of value to the Council's work, they may express their views to the Council. They may submit written statements relevant to the Council's work. They may also consult with the United Nations Secretariat on matters of mutual concern.

Over the years, the relationship between the United Nations and the NGOs with consultative status has developed significantly. Increasingly, NGOs act as partners consulted on policy and programme matters, and as valuable links to civil society. NGOs around the world are increasing in number. They are working daily with the United Nations to help achieve the objectives of this Organization.

## **4. Trusteeship Council**

The Trusteeship Council is one of the principal organs of the United Nations. It is entrusted to supervise the administration of Trust Territories placed under the Trusteeship System. The Trusteeship System was established under the Charter of the United Nations, replacing the Mandate System established under the Covenant of the League of Nations, to promote the advancement of the inhabitants of the 11 original trust Territories and their progress towards self-government or independence. The Trusteeship Council is composed of the five permanent members of the Security Council, namely China, France, the Russian Federation, the United Kingdom and the United States.

The Charter of the United Nations authorizes the Trusteeship Council: to examine and discuss reports from the Administering Authority on the political, economic and educational advancement of the peoples of Trust Territories; to examine petitions from the Territories; and to undertake special missions to the Territories.

The objective of the Trusteeship Council has been fulfilled. All the trust Territories have attained self-government or independence, either as separate states or by joining neighboring independence countries. The Trusteeship Council by amending its rules of procedure will now meet as and where occasion may require.

## **5. International Court of Justice**

The International Court of Justice (ICJ), whose seat is at The Hague (Netherlands), is the principal judicial organ of the United Nations. Its Statute is an integral part of the United Nations Charter.

### **Parties to the ICJ**

The ICJ is open to the parties to its Statute, which automatically includes all members of the United Nations. A state which is not a member of the United Nations may become a party to the Statute of the ICJ, as is the case for Switzerland, on conditions determined in each case by the General Assembly on the recommendation of the Security Council. The Court is not open to private individuals.

### **Functions of the ICJ**

The ICJ has two functions: Judiciary and advisory functions.

#### **1. Judiciary Function:**

The Court has the power to settle legal disputes between states; only states can be parties in cases before the Court. All states which are parties to the ICJ Statute can be parties to cases before the Court. Other states can refer cases to the Court under conditions determined by the Security Council.

## 2. Advisory Function:

The Court has the power to give advisory opinions on any legal questions. Both the General Assembly and the Security Council can request the Court to give advisory opinions on legal questions. Other organs of the United Nations and specialized agencies, when authorized by the General Assembly, can request advisory opinions of the Court on legal questions within the scope of their activities.

## 3. Jurisdiction of the ICJ

The jurisdiction of the ICJ covers:

- (1) All cases which states refer to it;
- (2) All matters provided for in the Charter of the United Nations; and
- (3) All matters provided for in treaties or conventions in force.

The Court is competent to entertain a dispute only if the States concerned have accepted its jurisdiction in one or more of the following ways:

- (1) By the conclusion between them of a special agreement to submit the dispute to the Court.
- (2) By signing a treaty or convention which provides for referral to the Court. Usually a treaty or a convention includes a jurisdictional clause, i.e., a provision providing that in the event of any dispute over its interpretation or application, one of them may refer the dispute to the Court. Several hundred treaties or conventions contain such a clause.
- (3) By making a declaration accepting the compulsory jurisdiction of the Court in the event of a dispute with another State having made a similar declaration. The Statute of the Court provides that the states parties to the Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning: (a) the interpretation of a treaty; (b) any question of international law; (c) the existence of any fact which, if established, would constitute a breach of an international obligation; (d) the nature

or extent of the reparation to be made for the breach of an international obligation. Such a declaration may exclude certain classes of cases.

The Statute provides that in case of doubt as to whether the Court has jurisdiction, it is the Court itself which decides.

## **Rules applied by the ICJ**

In accordance with Article 38 of its Statute, the Court, in deciding disputes submitted to it, applies:

- (1) International conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- (2) International customs, as evidence of a general practice accepted as law;
- (3) The general principles of law recognized by civilized nations;
- (4) Judicial decisions and the teachings of the most highly qualified publicists of various nations, as subsidiary means for the determination of rules of law;

The Court may decide a case *ex aequo et bono* (on the basis of equity), if the parties agree thereto.

## **Decisions of the ICJ**

The decision of the ICJ has no binding force except between the parties and in respect of that particular case. The judgment is final and without appeal. Each member of the United Nations must comply with the decision of the Court in any case to which it is a party. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

## **Composition of the ICJ**

The Court is composed of 15 judges elected by the General Assembly and Security Council, voting independently. The judges are chosen on the basis of their qualifications, not on their nationality. They must possess the qualifications

required in their respective countries for appointment to the highest judicial offices, or be jurists of recognized competence in international law. In choosing them, care is taken to ensure that the principal legal systems of the world are represented, and that no two judges be nationals of the same state. The judges are elected for a nine-year term, and may be re-elected. Elections are held every three years for one-third of the seats, and retiring judges may be re-elected. When the Court does not include a judge possessing the nationality of a State party to a case, that State may appoint a person to sit as a judge ad hoc for the purpose of the case. The judges do not represent their governments but are independent magistrates. They take oath to exercise their powers impartially and conscientiously. They cannot engage in any other occupation during their term of office.

The Court elects its President and Vice-President for three years; they may be re-elected. It appoints its Registrar.

The Court normally sits in plenary session, but it may form smaller units called chambers, composed of three or more judges. Judgments given by chambers are considered as rendered by the full Court.

## **5. Secretariat**

The Secretariat of the United Nations is the administrative organ of the Organization. It is composed of the Secretary General and the staff appointed by the Secretary General. The Secretary General is at the head of the Secretariat. The staff of the Secretariat work at the United Nations Headquarters in New York and all over the world. About 8,900 persons from 170 countries make up the Secretariat staff.

### **International Character of the Members of the Secretariat**

The Secretary General and the staff of the Secretariat are international civil servants. They answer to the United Nations alone for their activities. They must refrain from any action which may reflect on their position as international officials responsible only to the Organization. They take oath not to seek or receive instructions from any government or outside authority. They enjoy such privileges and immunities as are necessary for independent exercise of their functions in connection with the Organization. Member states of the United Nations undertake to respect the exclusively international character of the responsibilities of the

Secretary General and the staff and not to seek to influence them in the discharge of their responsibilities.

## **Duties of the Secretariat**

The Secretariat carries out the diverse day-to-day work of the Organization. It services the other principal organs of the United Nations and administers the programmes and policies laid down by them. The duties carried out by the Secretariat are as varied as the issues dealt with the United Nations. These include, for example: administering peacekeeping operations, mediating international disputes, surveying economic and social trends and problems, preparing studies on subjects of international concern, organizing international conferences on issues of international concern, monitoring the extent to which the decisions of the United Nations organs are being carried out, interpreting speeches and translating documents into the Organization's official languages, and providing information about the work of the United Nations.

## **The Secretary General**

The Secretary General as described by the Charter is the chief administrative officer of the United Nations. He is appointed by the General Assembly upon the recommendation of the Security Council for a five-year, renewable term. However, he is much more than the chief administrative officer of the United Nations. He is an international diplomat, activist, conciliator and advocate. He stands before the international community as the very emblem of the United Nations. His task involves great imagination and creative actions.

The Secretary General is responsible for the administration of the Secretariat of the United Nations, and the appointment of its staff. He speaks for, and represents the will of the international community. He brings to the attention of the Security Council any matter which appears to threaten international peace and security. He performs such other functions as are entrusted to him by the Security Council, the General Assembly and the other principal organs of the United Nations. He offers his good offices or mediates (he, his senior staff or a person designated by him) to prevent or settle international disputes. He issues an annual report on the work of the United Nations which appraises its activities and outlines future priorities. Each

Secretary General also defines his tasks by taking into consideration the contemporary demands required from the United Nations.

The work of the Secretary General entails continuous daily consultations with world leaders and other individuals, attendance at sessions of various bodies of the United Nations, and worldwide travel as part of the overall effort to improve the state of international affairs.

The present Secretary General of the United Nations, and the eighth occupant of the post, is Mr. Ban Ki Moon of Korea, who took office in January 2007. The previous Secretaries General were: Kofi Annan of Ghana (January 1997-December 2006), Boutros Boutros-Ghali of Egypt (January 1992-December 1996), Javier Perez de Cuellar of Peru (January 1982-December 1991), Kurt Waldheim of Austria (January 1972-December 1981), U Thant of Burma (November 1961-December 1971), Dag Hammarskjöld of Sweden (April 1953-September 1961), and Trygve Lie of Norway (February 1946-November 1952).