



CONSTITUTION OF THE ASSOCIATION OF UNITED NATIONS PEOPLE OF AFRICAN DESCENT (UNPAD)

Created pursuant to Goals Ten (10) & Sixteen (16) of the United Nations Sustainable Development Goals of the 2030 Agenda, A/Res./68/237 on the Proclamation of the International Decade for People of African Descent and A/Res./69/16 on the Programme of activities for the implementation of the International Decade for People of African Descent, to operate as a Staff Association of the United Nations and its separately administered funds and programmes.

PREAMBLE:

We, the staff of the United Nations System including its separately administered Funds and Programmes, offices and Specialised Agencies;

Pursuant to Goal Ten (10) of the United Nations Sustainable Development Goals of the 2030 Agenda for the reduction of inequality within and among countries, through the empowerment and promotion of social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status; and through ensuring equal opportunity and reduced inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard, amongst other targets;

*In further pursuance of Goal Sixteen (16) of the United Nations Sustainable Development Goals for the promotion of just, peaceful and inclusive societies, *inter alia*, through the promotion and enforcement of non-discriminatory laws and policies for sustainable development;*

*Cognisant of the decision of the General Assembly in A/Res./68/237 of 23rd December 2013 to declare 1 January 2015 to 31 December 2024 as the International Decade for People of African Descent with the theme “*People of African Descent: recognition, justice and development*” and the subsequent call by Member States in Resolution 69/16 on the Programme of Activities for the International Decade for People of African-Descent for the actions and the activities of the Decade to be carried out on the basis of consultations and collaboration with people of African descent;*

Recognizing that the United Nations is established to eradicate inequality and to promote and encourage the respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion but that notwithstanding so, the General Assembly in its resolution 68/237 found that ‘millions of human beings continue to be victims of racism, racial discrimination, xenophobia and related intolerance’;

*Observing that the approach of the United Nations to address issues of underserved communities has been largely *ad hoc* and reactive rather than preventative and further aware that the United Nations has long recognised the disadvantaged status of groups based on *Gender, Sexual Orientation, Disability* and took affirmative action to address these inequalities but that similar efforts have yet to be made for*



underrepresented communities and people of African descent whom have historically been equally disenfranchised and underserved by society;

Agreeing with the Member States in their resolution 68/237 that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected;

Responding to the call of Member States in A/Res./68/237 for global action to combat racism;

Decide to establish the United Nations People of African Descent (hereinafter the ‘UNPAD’); and

Confirm that the UNPAD shall pursue the purposes of the United Nations;

Further confirm that the UNPAD shall operate within the ideals and principles enunciated in A/Res./68/237 and the framework of activities envisaged in A/Res./69/16 and in cooperation with Member States to facilitate these goals inside the United Nations system;

Commit ourselves collectively while engaged in activities of the UNPAD to regulate our actions in accordance with the Charter of the United Nations, the United Nations Staff Rules and Regulations and the Standards of Conduct of the International Civil Service;

Finally commit ourselves to addressing systemic inequalities and disproportionate representation at all levels, duty stations, entities and departments across the United Nations and its separately administered funds and programmes.

DEFINITIONS

- (a) “*Discrimination*” means any unfair treatment or arbitrary distinction based on a person’s race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status. Discrimination may be an isolated event affecting one person or a group of persons similarly situated or may manifest itself through harassment or abuse of authority.
- (b) “*Executive Committee*” means the highest controlling organ of the UNPAD.
- (c) “*Racism*” is any action, decision, activity, expressed or implied utterance, structure or mind-set that seeks to promote subconsciously or consciously the notion of the superiority of one race or that results in inequalities disfavouring one particular race.
- (d) “*Racial discrimination*” means any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life (adopted from the International Convention on the Elimination of All Forms of Racial Discrimination).



- (e) “*United Nations Charter*” means the Charter of the United Nations (the “UN Charter”) of 1945 which is the foundational treaty of the United Nations, signed at the United States on 26 June 1945;
- (f) “*United Nations Staff Rules and Regulations*” means the Staff Regulations approved by the General Assembly pursuant to the United Nations Charter which set out the broad principles of human resources policy for the staffing and administration of the Secretariat and the separately administered funds and programmes.
- (g) “*UNPAD*” means the body established and regulated by this Constitution to continually engage with the United Nations Secretary-General and the United Nations Administration for the purpose of identifying, examining and resolving issues relating to conditions of work pertaining to people of African descent in the United Nations.
- (h) “*Member*” means any staff member of the United Nations and its separately administered funds and programmes that have expressed interest in joining the efforts of UNPAD.
- (i) “*African descent*” means with total or partial ancestry from the African continent.

ARTICLE I

Establishment of UNPAD

- 1.1 In accordance with United Nations Staff Regulation 8.1 that provides for the establishment of staff representation bodies and for the Secretary-General to be continually engaged with staff on matters to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other human resources policies, the UNPAD shall operate as a staff association of the United Nations and its separately administered funds and programmes, agencies and offices.

ARTICLE II

Aim and Objectives

- 2.1 The UNPAD shall create a safe environment to promote an inclusive and discrimination-free United Nations. The UNPAD shall act as a platform for the Secretary-General to engage staff on conditions of service relating to people of African descent in the United Nations and its separately administered funds and programmes.
- 2.2 UNPAD will fulfil its aim and objectives, *inter alia*, by:
 - 2.2.1 Promoting and assisting in the development of a system-wide comprehensive strategy on Racial Parity;



- 2.2.2 Making recommendations to the Secretary-General and the United Nations Administration for organisational action aimed at eliminating systemic inequalities in the United Nations system, where shown to exist;
- 2.2.3 Calling for the issuance of periodic reports on the status and career progression of people of African descent and underrepresented communities in the United Nations;
- 2.2.4 Promoting the concept of inclusion and diversity mainstreaming in the organization;
- 2.2.5 Acting as the consultative guide on issues of race and ethnicity in the organization as it pertains to people of African descent;
- 2.2.6 Promoting an organisational culture that speaks out constructively and honestly about race issues;
- 2.2.7 Promoting data collection in the Organization as called for by Paragraph 28 (g) of General Assembly resolution 69/16;
- 2.2.8 Assisting in the development of benchmarks for appraising Respect for Diversity, including racial diversity in performance appraisals and in SG compacts for senior appointments and HR scorecards, and promote SG accountability for diversity to Member States;
- 2.2.9 Assisting development and promotion of internal UN training geared at racial sensitisation pursuant to Para. 4 of ST/SGB/2019/08 on Addressing discrimination, harassment including sexual harassment and abuse of authority;
- 2.2.10 Promoting incorporation of racial representation into the United Nations talent management process;
- 2.2.11 Assisting development of policies that advance racial equality including in the area of recruitment;
- 2.2.12 Conducting surveys on race matters in the United Nations; and



- 2.2.13 Developing proposals for the allocation of budgetary resources for racial inclusion agendas similar to what prevails for Gender and Disability as well as develop budgetary targets for inclusion and diversity issues.

ARTICLE III **Organs of UNPAD**

- 3.1 The UNPAD shall consist of the following five (5) organs:
- 3.1.1 Executive Committee;
 - 3.1.2 Advisory Council;
 - 3.1.3 Inclusion Focal Points.
 - 3.1.4. General Membership; and
 - 3.1.4 Network of Chapters.

ARTICLE IV **Functions of the Executive Committee**

- 4.1 The functions of the Executive Committee shall include to:
- 4.1.1 Serve as the highest decision making body of the UNPAD;
 - 4.1.2 Engage with the United States Secretary-General and the United Nations Administration for the purposes of facilitating the aims and objectives of the UNPAD;
 - 4.1.3. Increase visibility and disseminate knowledge about issues impacting people of African descent within the United Nations system;
 - 4.1.4 Establish Chapters in the separately administered funds and programmes and United Nations offices and agencies in accordance with Article X of this Constitution;
 - 4.1.5. Pursue the aims and objectives of the UNPAD as outlined in Article II of this Constitution;
 - 4.1.6 Determine and review the policies and programmes of UNPAD;
 - 4.1.7 Prepare, receive and discuss reports and documents required to facilitate the aims and objectives of the UNPAD;



- 4.1.8 Determine its own rules of procedures;
 - 4.1.9 Call for meetings of the UNPAD;
 - 4.1.10 Issue annual activities and financial reports, and
 - 4.1.11 Discuss any other issue it deems necessary to enhance the work of UNPAD.
- 4.2. All the decisions of the UNPAD Executive Committee shall be taken by consensus and, failing which, by a majority of UNPAD Executive Committee members present and voting.

ARTICLE V

Composition and Election of the Executive Committee

- 5.1 The Executive Committee shall comprise of one (1) President, two (2) Vice Presidents, one (1) Treasurer, one (1) Secretary and one (1) Communications Officer, appointed from the voting membership of UNPAD. In his/her absence, the President shall be deputised by the First Vice President. In the absence of the First Vice President, the Second Vice President shall deputise. Each of the other offices shall be served by an elected Alternate. The role of each member of the Executive Committee is outlined in Appendix 1 to this Constitution.
- 5.2 Members of the Executive Committee shall be elected by acclamation, or by secret ballot if there is no consensus on any candidate, by a majority of the members present and voting at the annual general meeting.
- 5.3 Members of the Executive Committee shall hold office for two (2) years commencing on the date of the annual general meeting at which they are elected.
- 5.4 Each member of the Executive Committee shall hold office for two (2) years, subject to renewal through elections, and for a maximum of three (3) consecutive terms.
- 5.5 The composition of the Executive Committee shall be gender balanced, maintain an appropriate knowledge of the issues of concern to UNPAD and its members and ensure a presence at as many duty stations as possible.

ARTICLE VI

Composition and Nomination of the Advisory Council

- 6.1 The Advisory Council shall compose of up to five (5) persons of knowledge of the workings of the United Nations that will be consulted on any matter of interest to UNPAD. Members of the Advisory Council may be former or current staff members or known experts on race related issues in international organisations.



- 6.2 Members of the Advisory Council shall be nominated by the Executive Committee and shall be presented to the General Membership for endorsement.
- 6.3 The Advisory Council shall make non-binding recommendations to the Executive Council.
- 6.4 Members of the Advisory Council shall serve at will.

ARTICLE VII

Nomination of Inclusion Focal Points

- 7.1 The Executive Committee shall strive to establish Inclusion Focal Points (IFPs) at all United Nations duty stations around the world to assist staff address their race-related concerns.
- 7.2 Any member of the UNPAD can volunteer to act as an Inclusion Focal Point for their duty station, subject to the approval of the Executive Committee.
- 7.3 Inclusion focal points shall report directly to the Executive Committee.
- 7.4 Terms of reference and required training for Inclusion Focal Points shall be issued by the Executive Committee.

ARTICLE VIII

Membership

- 8.1 Membership of the UNPAD is open to all staff regardless of their race or ethnicity that are interested in promoting the equal access of all individuals to the same conditions of work, career development opportunities and general conditions of employment in the United Nations.
- 8.2 A staff member desirous of becoming a member of UNPAD may complete a membership form which may be obtained from the Executive Committee.
- 8.3 There shall be annual dues as recommended by the Executive Committee and as approved by the Annual General Meeting.
- 8.4 Any member of UNPAD who upon retirement so desires and continues to pay the annual dues shall have the right to continue his or her membership.



ARTICLE IX
Membership Rights and Obligations

- 9.1 All Members of the UNPAD shall have equal status, recognition and rights. They are all equally entitled to the privileges and benefits of membership of UNPAD.
- 9.2 Each member of the UNPAD shall participate in UNPAD meetings to the best of his/her ability.
- 9.3 Each member of the UNPAD shall have one vote at UNPAD Meetings in accordance with Article XVII paragraph 17.1.

ARTICLE X
Establishment of Chapters

- 10.1 Chapters of the UNPAD shall upon request to the Executive Committee from their staff or management be established in the separately administered funds and programmes and in United Nations offices and Specialised Agencies to facilitate the aim and objectives of UNPAD and to provide a platform for staff to directly liaise with their respective Administration as envisaged in General Assembly resolution 69/16.
- 10.2 Chapters of the UNPAD shall pursue the same aims and objectives that are outlined in Article II of this Constitution, as applicable within their respective fund, programme, specialised agency or office.
- 10.3 Chapters shall be managed by Chapter Management Committees following the same composition of the Executive Committee that is described in Article V of this Constitution.
- 10.4 Chapters shall be self-funding.
- 10.5 Chapters may adopt their own Bylaws. Nothing therein shall contravene this Constitution.
- 10.6 Each Chapter shall submit to the Executive Committee of the UNPAD an annual report of its activities.
- 10.7 A chapter may be dissolved if agreed by two-thirds of those members present and voting at a general membership meeting of the Chapter.



ARTICLE XI

Termination and Suspension of Membership

- 11.1 A Member seeking to terminate or suspend his/her membership from UNPAD may do so at will and shall communicate same in writing to the Executive Committee. Termination of membership will be immediately effective unless specified to take effect at a later date.
- 11.2 On the recommendation of the Executive Committee, the UNPAD may terminate or suspend membership of any individual by a two-third majority of those present and voting at a meeting, provided that the proposal for expulsion or suspension, as applicable, appears on the agenda and provided that such a determination is not made by reason of malice, discrimination or prejudice.
- 11.3 Notwithstanding the foregoing paragraph, the Executive Committee may through a consensus or majority decision suspend membership of any individual pending a vote by the UNPAD General Membership.
- 11.4 Grounds for termination and suspension shall be for conduct of a member that is prejudicial to the aims and objectives of the UNPAD or to the United Nations, its Charter, and its rules and regulations.
- 11.5 Prior to such termination or suspension, the member has the right to be heard by the Executive Committee of the UNPAD before the final decision is made.
- 11.6 The above provisions shall apply to all Members including Members that serve in the Executive Committee.

ARTICLE XII

Emblem

- 12.1 The emblem of the UNPAD is affixed to the header of each page of this Constitution.

ARTICLE XIII

Languages

- 13.1 The official languages of the UNPAD shall be English, French, Spanish, Arabic, Russian, Chinese and Portuguese. The working language shall be English unless otherwise agreed by a majority of members present at a meeting.



ARTICLE XIV
Financial matters

- 14.1 The UNPAD will be funded by voluntary membership dues, donations and funds raised through fund raising activities. Membership dues shall be determined by the Executive Committee. Notwithstanding the foregoing, membership shall not be denied to any staff member for not paying dues.
- 14.2 As an association of staff, the UNPAD shall look to the United Nations for support similar to that provided to other staff associations. In recognition of the fact that UNPAD is a United Nations General Assembly mandated activity pursuant to the activities of the International Decade for People of African descent, UNPAD shall also look to funding provided pursuant to A/Res./68/237 that calls for the allocation of predictable funding from the regular budget and extra-budgetary resources of the United Nations for the purpose of implementing the activities of the goals of the International Decade for the People of African Descent.
- 14.3 The UNPAD shall maintain a bank account in its name which shall be established at the United Nations Federal Credit Union or similar credible United States based financial institution and shall be overseen and managed by the Executive Committee through the Office of the Treasurer.
- 14.4 At least two members of the Executive Committee shall be appointed by unanimous or majority vote of the Executive Committee to act as signatories to the Bank Account.
- 14.5 All expenditures shall be pre-approved jointly by (i) the President of UNPAD or his/her designated official for this purpose, (ii) the Treasurer and (iii) one (1) other member of the Executive Committee who shall collectively be known as Certifying Officers; through the completion of a duly signed and executed expenditure record.
- 14.6 Annual activities and financial reports shall be issued by the Executive Committee.
- 14.7 Notwithstanding the foregoing, a financial report shall be issued whenever a quorum of members present and voting requests for the Executive Committee to issue a report.



ARTICLE XV
Meetings and Procedures

- 15.1 For Ordinary Sessions and Annual General Meetings:
- 15.1.1 The general membership of the UNPAD shall meet four (4) times a year.
 - 15.1.2 The first of such meetings shall serve as an Annual General Meeting;
 - 15.1.3 The President shall give notice to all members of the Annual General Meeting and of each ordinary session; and
 - 15.1.3 Notices of the Annual General Meeting and for each ordinary session shall be given at least two (2) weeks in advance specifying the date, time and the venue or digital platform for hosting the meeting.
- 15.2 For Special Sessions:
- 15.2.1 The UNPAD shall meet in special sessions convened by the President if a decision to this effect is taken by a consensus or majority decision of the Executive Committee;
 - 15.2.2 The President shall give notice to all registered members of a special session at least two (2) weeks in advance; and
 - 15.2.3 The notice shall state the purpose for which the session is convened and shall specify the date, time and the venue or digital platform for hosting the meeting.
- 15.3 The UNPAD shall adopt the activities and financial report of the previous Executive Committee at the Annual General Meeting.
- 15.4 The UNPAD shall, upon the recommendation of the Executive Committee, adopt its agenda for each regular and extraordinary session.

ARTICLE XVI
Quorum

- 16.1 A quorum shall be considered to have been established if a majority of the members present at a particular meeting agree by consensus to proceed with the meeting.



ARTICLE XVII
Voting and Decisions

- 17.1 Any Member of the UNPAD shall have the right to vote provided that she or he is an annual dues paying member and is in good standing.
- 17.2 A voting member shall have one vote.
- 17.3 Decisions shall be taken by a majority of those members present by voting unless where specified differently in this Constitution.
- 17.4 A quorum of the Members may adopt By-Laws and Rules of Procedures for the UNPAD as may be required.

ARTICLE XVIII
Dispute Settlement

- 18.1 Members of the UNPAD shall use their best efforts to promptly settle through direct negotiations any dispute, controversy, or claim arising out of or relating to this Constitution, or any breach thereof.
- 18.2 Any such dispute, controversy or claim which is not settled within sixty (60) days from the date one member has notified the other of the dispute, controversy or claim and of measures which should be taken to rectify it shall be determined by arbitration conducted by three (3) respected officials of the United Nations system. Each party to the dispute shall have the right to nominate one member of the arbitration committee, with the third member being jointly elected by both parties to the dispute.
- 18.3 Members of the Advisory Council as described in Article III and Article VI above may be nominated as arbitrators for this purpose.
- 18.4 Any decision coming out of an arbitration conducted in accordance with this Article shall be binding on the parties and shall not be subject to any further review process.

ARTICLE XIX
Amendments

- 19.1 A petition to amend this Constitution may be submitted in writing under the signature of five (5) voting Members of the UNPAD.
- 19.2 A petition to amend the Constitution shall be submitted in writing to the President of UNPAD at least four (4) weeks before the next meeting of the UNPAD.



- 19.3 The President of UNPAD shall circulate the proposed amendment to the voting members at least three (3) weeks before the next meeting along with the comments of the Executive Committee to the proposed amendment.
- 19.4 Any changes to the Constitution must be agreed by at least two-thirds majority of those members present and eligible to vote at an UNPAD meeting.
- 19.5 Amendments shall come into effect at the UNPAD meeting following their adoption.

ARTICLE XX
Dissolution

- 20.1 UNPAD may be dissolved if agreed by two-thirds of those members present and voting at any meeting.
- 20.2 The procedures for proposing dissolution shall be the same as those for proposing an amendment to the Constitution.



Appendix A

Roles and Responsibilities of Members of the Executive Committee of UNPAD

President:

- Preside over the affairs and concerns of UNPAD;
- Serve as liaison to the Secretary-General and the UN Administration;
- Enforce the UNPAD Constitution and any formal documents adopted by UNPAD;
- Preside at all membership and executive meetings;
- Decide all points of order and procedure (subject to any applicable rules);
- Have a vote on all matters (except appeals against his/her rulings) and in case of a tie vote in any matter, including elections, have the right to cast an additional vote to break the tie, or if he/she chooses, refrain from breaking a tie, in which case the motion is lost;
- Ensure that all officers perform their assigned duties;
- Issue the annual activities report of UNPAD;
- Ensure that the funds of UNPAD are used only as authorized or directed for the objectives outlined in this Constitution;
- Act as the Spokesperson for UNPAD;
- Set up committees and taskforces where elections are not provided for and employ necessary assistance to facilitate the objectives of UNPAD.

Vice-Presidents:

- If the President is absent or incapacitated, perform all duties of the President in accordance with Article 5.1 of this Constitution;
- If the office of President falls vacant, serve as Acting President until a new President is elected and in accordance with Article 5.1 of this Constitution;
- Compile the agenda items for Executive Committee and other meetings;
- Render assistance to any member of the Executive as directed by the Executive Committee;
- Be responsible for the efficient administration of the operations of UNPAD in collaboration with the President;
- Be responsible to ensure that any established committees and taskforces fulfil their tasks;
- Review and approve the reports of committees and taskforces set up to advance objectives of UNPAD.



Secretary:

- Maintain the list of voting and non-voting members of UNPAD;
 - Organize Executive Committee and other meetings;
 - Keep account of the proceedings of all regular or special membership and Executive Committee meetings;
 - Record all amendments to the Constitution and to other formally adopted documents;
 - Maintain a file of all communications sent out and received on behalf of UNPAD;
 - Prepare and distribute all circulars and notices to members;
 - Preside over membership and Executive meetings in the absence of the President and the Vice-Presidents;
 - On termination of office, surrender all books, seals and other properties of the UNPAD to the Executive Committee.
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Treasurer:

- Receive all revenue and ensure that all money is promptly deposited into the United Nations Federal Credit Union or other designated bank account;
 - Have oversight of all expenditures of UNPAD;
 - Record all financial transactions in a manner acceptable to the Executive Committee and in accordance with good accounting practices;
 - Prepare the annual and other financial reports for circulation to the General Membership;
 - Ensure that no money is paid unless approved by the procedures established under this Constitution;
 - Make all books available for inspection;
 - On termination of office, surrender all books, records and other properties to the Executive Committee.
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Communications Officer:

- Develop a Communications Strategy for UNPAD;
- Manage all social media platforms established by UNPAD;
- Develop and maintain UNPAD website;
- Ensure that all communications meet acceptable standards of decency and appropriate language.