

The United Nations Human Rights System

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Introduction

In the century prior to the UN's creation, several international treaty organizations and conferences had been formed to regulate conflicts between nations, such as the International Committee of the Red Cross and the Hague Conventions of 1899 and 1907. Following the catastrophic loss of life in the First World War, the Paris Peace Conference established the League of Nations to maintain harmony between countries.

This organization resolved some territorial disputes and created international structures for areas such as postal mail, aviation, and opium control, some of which would later be absorbed into the UN. However, the League lacked representation for colonial peoples and significant participation from several major powers, including the US, USSR, Germany, and Japan; it failed to act against the Japanese invasion of Manchuria in 1931, the Second Italo-Ethiopian War in 1935, the Japanese invasion of China in 1937, and German expansions under Adolf Hitler that culminated in the Second World War⁽¹⁾.

Upon the basis of proposals submitted by China, the U.S.S.R., the United States, and the United Kingdom, the United Nations Conference on International Organization which convened at San Francisco on 20 April 1945 drafted the Charter of the United Nations⁽²⁾. It formally came into being on 24 October 1945. At that time, it had 51 countries as Members. Currently, 193 countries are UN members; the most recent to join was South Sudan in July 2011.

(1) Kennedy, Paul, *The Past, Present, and Future of the United Nations*, Random House, New York, 2007, pp. 5 et seq.

(2) Omar Ads, *Selections in Legal Terminology, for First Year Students, the Police College*, p. 78.

Actually, the United Nations was created to maintain international peace and security, and to encourage and promote respect for human rights and fundamental freedoms. The Charter of the United Nations confirms these two purposes and begins its recognition of the second by reaffirming “a 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”.

It states that the purposes of the UN are, among other things: “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples...(and) to achieve international co-operation...in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion”.

One of the great achievements of the United Nations is the creation of a comprehensive body of human rights law-a universal and internationally protected code to which all nations can subscribe and all people aspire. The United Nations has defined a broad range of internationally accepted rights, including civil, cultural, economic, political and social rights. It has also established mechanisms to promote and protect these rights and to assist States in carrying out their responsibilities.

The foundations of this body of law are the Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, respectively. Since then, the United Nations has gradually expanded human rights law to encompass specific standards for women, children, persons with disabilities, minorities and other vulnerable groups, who now possess rights that protect them from discrimination that had long been common in many societies⁽¹⁾.

This study touches upon the main subjects in the United Nations Human Rights System, with special emphasis on the concept of human rights, protection of human rights under the United Nations, and the United Nations human rights bodies and mechanisms.

(1) See: United Nations, Peace, dignity and equality on a healthy planet, on the following Website:
- <https://www.un.org/en/global-issues/human-rights>

CHAPTER 1

The Concept of Human Rights

Introduction:

The world today, has accepted the notion that all human beings are entitled to and are empowered for a dignified existence. It is a common phenomenon that human beings everywhere, demand the realization of diverse values to ensure their individual and collective well-being. However, these demands or rights are denied through exploitation, oppression, persecution⁽¹⁾, etc, in many countries of the world. Human rights gained attention at the international level following the Second World War, where millions of people lost their lives. Horrified by the devastation of life caused by the Second World War, members of the United Nations (UN) took a pledge to take measures for the achievement of universal respect for and observance of human rights and fundamental freedoms for all⁽²⁾.

The term 'human rights' which is used since World War II, gained importance in contemporary debates and became a universal phenomenon. After the adoption of the Universal Declaration of Human Rights (UDHR) on December 10, 1948 by the United Nations, it was seen by many as a sign of optimism for the better protection, promotion and enforcement of human rights. However, 70 years since the adoption of the Universal Declaration of Human Rights, it has been reported that human rights abuses has not decreased. The world is filled with examples of violations of basic rights such as censorship, discrimination, political imprisonment, torture, slavery, disappear-ances, genocide, extrajudicial killings, arbitrary arrests and killings, poverty, etc. The rights of women and children are also ignored in many different ways⁽³⁾.

(1) Weston, Bums, Human Rights, Human Rights Quarterly ,No. 1,1984, pp. 257 et seq.

(2) Sills, David, International Encyclopedia of Social Sciences, the MacMillan Company and the Free Press, New York, 1968, p. 541.

(3) O'Byrne, Darren, Human Rights: An Introduction, Pearson Education, Singapore, 2005, p. 5.

1. Origins of Human Rights

The term 'human rights' came into usage after the Second World War particularly with the founding of the United Nations in 1945. It replaced the phrase natural rights because it became a matter of great controversy and the later phrase the rights of man was not understood universally to include the rights of women⁽¹⁾. It is common in political philosophy and among scholars to suggest that the antecedents of contemporary rights and liberties are of ancient origin. Many trace the historical origins of human rights to ancient Greece and Rome, where it is closely tied to the pre-modern natural law doctrines of Greek Stoicism. The Roman jurist "Ulpian" declared that according to the law of nature, all men are equal and born free. The present concept of human rights can also be identified with early Christian philosophy or with the Islamic Law. For instance, Thomas Aquinas in the Thirteenth Century revived and expounded the classical doctrine that human dignity sets moral limits to political rule⁽²⁾.

Some writers traced the origin of the concept of human rights back to the Dutch jurist Hugo Grotius (1583-1645) or even to earlier thinkers. But the first fully elaborated doctrine of human rights seemed to have appeared in the form of natural rights in the political writings of Thomas Hobbes called the Leviathan. The key to Thomas Hobbes' political philosophy is his doctrine of the state of nature where he describes the pre-political situation of the human condition. According to Thomas Hobbes, all men are equal and each is dominated by the desire for self-preservation⁽³⁾. Thomas Hobbes in his Leviathan stated that all individuals possess simple freedoms and liberties which are correlated with duties and obligations on the part of others. Thomas Hobbes said that the right of nature (natural rights) is defined as the right to self-preservation which is immediately contrasted with the law of nature (natural law) where the law forbids individuals from doing anything destructive of their lives or to omit the means of self-preservation⁽⁴⁾.

(1) Weston, Bums, Human Rights op. cit., pp. 257-258.

(2) Claude, Richard, Comparative Human Rights, John Hopkins University Press, London, 1976, p. 3.

(3) Lipset, Seymour Martin, the Encyclopedia of Democracy, London, Routledge, 1995, p. 573.

(4) Curran, Eleanor, Hobbes's Theory of Rights: A Modern Interest Theory, the Journal of Ethics, 2001, pp. 63-64.

For the idea of human (natural) rights to take hold as general social need and reality, certain basic changes in the beliefs and practices of society had to take place. These basic changes in beliefs and practices began from the Thirteenth Century and took place till the decline of feudalism. Further, when resistance to religious intolerance and political economic bondage began, the long transition to liberal notions of freedom and equality, particularly in relation to the use and ownership of property were the foundations of the modern concept of human rights. The writings of Thomas Aquinas (1224-1274) *Summa Theologica* (Summary of Theology), Hugo Grotius (1583-1645) *De jure belli ac pacis* (On the Laws of War and Peace), and documents such as the Magna Carta (1215), the Petition of Rights (1628) and the English Bill of Rights (1689) all reflect this transition⁽¹⁾.

Doctrines of natural law and natural rights suggested that men were entitled to make claims for the protection of their life, liberty and property by virtue of their common humanity⁽²⁾. Natural rights are the rights that all men possess, because of which they may be obligated to act, or to refrain from acting in certain ways. According to Thomas Hobbes and John Locke there are many natural rights, but all of them are inferences from one original right, the right of an individual to preserve his life. What is intrinsically right is no longer what is required by, or what partakes of, the good life; it is what is subjectively regarded by the individual as necessary to his security.

John Locke stated that, "Man being born with a little to perfect freedom and to an uncontrolled enjoyment of all the rights and privileges of law of nature, equally with any other man hath by nature not only to preserve his property, his life, liberty and estate against the injuries and attempts of other men, but to judge and punish the breaches of law in others"⁽³⁾. John Locke further said that sovereignty pertains not to the monarch

(1) Goetz, Philip, *The New Encyclopedia Britannica*, Vol. VI., University of Chicago Press, Chicago, 1989, p. 137.

(2) Laslett, Peter, *Philosophy, Politics and Society*, Blackwell Paperback Publication, London, 1975, p.35.

(3) Joshi, S. C., *Human Rights, Concepts, Issues and Laws*, Akansha Publishing House, New Delhi, 2006, p. 16.

but of the people as a whole, and that government is an instrument for securing the lives, the property and the well-being of the governed without enslaving them in anyway. Government is not their master; it is created by the people voluntarily and maintained by them to secure their own good⁽¹⁾.

The concept of natural law which propounded the philosophy of law asserted that positive law ought to be subordinated to the natural law. It was proclaimed that law is an expression of the will of the community. All citizens have a right to concur, either personally or through their representatives, in its formation. It should be the same for all whether it protects or punishes. No man should be accused, arrested or held in confinement, except in cases determined by the law, and according to the forms it has prescribed⁽²⁾.

Natural law began with the Roman idea of a universal system of laws, which is not dependent merely on Stoic Cosmopolitanism, but also on the earlier Greek discovery of the idea of nature. The Stoic doctrine reflected in the Greek period, the Hellenization of much of the world by Alexander the Great, and in the Roman period the imperial integration of diverse cultures. The Stoic ideal of living agreeably to nature had an external and an internal aspect from the individual point of view. It believed that there was a natural order in the world at large, governed by reason and that it benefited individuals to discover and live in conformity with this order. Internally the individual was to subordinate will to reason in order to live a moral life.

Natural law according to Cicero was universal and unchanging. Cicero's conception of the equality of man has been located as the beginning of a theory of human nature and society of which the liberty, equality and fraternity of the French Revolution is only the present day expression⁽³⁾. The Stoics said that nature provided the best guidance for people's

(1) Robertson, A. H. & Merrills, J. G., Human Rights in the World, Universal Law Publishing Co., Delhi, 2005, pp. 4-5.

(2) Sharma, Gokulesh, Human Rights and Social Justice, Deep and Deep Publications, New Delhi, 1998, p. 3.

(3) Vincent, R. J., Human Rights and International Relations, Cambridge University Press, Cambridge, 1986., pp. 20-21.

behavior and that people should do their best to devise on ethical and moral system based on nature. The Stoics argued that because nature had given all individual human beings the capacity to reason, all individuals have the obligation to treat one another with respect. Slave owner and slave were equal in the Stoics eyes. The idea that all mankind has the same rights is the beginning of modern theories of human rights.

After the fall of the Roman Empire, ethical philosophy was overshadowed by discussions of Christian morality and ethics. The idea of rights was picked up again by philosophers in early modern Europe. Hugo Grotius, the Dutch Philosopher, wrote “De Jure Belli ac Pads” (On the Laws of War and Peace, 1625), in which he carried forward the Stoic idea of natural law based on reason. Before Hugo Grotius, an English legal tradition had developed arguing that all men had certain rights vis-a-vis the government. This tradition began with the Magna Carta (Great Charter), which King John I was forced to sign in 1215. The Magna Carta stated that Englishmen had certain basic rights which even the King could not violate: no free man shall be taken or imprisoned, or outlawed, or exiled, or in any way destroyed except by the lawful judgment of his peers or by the law of the land. These English rights were expanded by the Petition of Rights (1628), and the English Bill of Rights (1689)⁽¹⁾.

It is seen in the French Declaration of the Rights of Man, the American Declaration of Independence, and later in the Constitutions of numerous states created after liberation from colonial power and still later in the principal of human rights document of the United Nations, the Universal Declaration of Human Rights. Thus, natural rights theory made an important contribution to the development of human rights. It identified human freedom and equality from which other human rights are derived. However, natural rights became unpopular during the Nineteenth and Twentieth Centuries and were criticized by legal scholars and philosophers⁽²⁾.

(1) Lewis, James, R. & Skutsch, Carl, the Encyclopedia of Human Rights, New York, 2001, pp. 748-749.

(2) Rajawat, Mamta, Burning Issues of Human Rights, Kalpaz Publications, Delhi, 2001., pp. 37-38.

Jeremy Bentham was the most notable among those who criticized natural rights. Jeremy Bentham, the founder of the philosophy of utilitarianism, said that the doctrine of natural rights was speculative in nature and therefore, it was nonsense upon stilts for him. According to Jeremy Bentham, rights were determined from law and the people. To him it was the people who made laws which later became rights. On the contrary, natural law compels a man on the dictates of his conscience, to take up arms against any law which he may dislike. To this Bentham asked, what sort of government will survive in such sort of opposition to the laws made? According to him, it is the principle of utility which promotes the greatest possible number of people that affords the only clue to guide a man.

2. Definition of Human Rights

Human rights are difficult to define, notwithstanding that the term is used extensively and frequently. Generally human rights are regarded as those fundamental and inalienable rights which are essential for life as a human being. There is, however, an absence of consensus as to what these rights are, and frequently it is easier to identify what it is human rights are intended to achieve rather than what they are, i.e. protection of the individual from an abuse of state authority. Human rights have escaped a universally acceptable definition, presenting a problem to international regulation ⁽¹⁾.

There are various contemporary definitions of human rights ⁽²⁾. Human rights can be defined as those minimum rights which every individual must have against the state or other public authority by virtue of his being a member of the human family. Rao said human rights are the inherent dignity and inalienable rights of all members of the human family recognizing them as the foundation of freedom, justice and peace in the world. In other meaning, human rights in a general sense

(1) "All human rights are universal, indivisible and inter dependent and interrelated."

See: para.5 of the Vienna Declaration and Programme of Action, adopted following the UN World Conference on Human Rights, Vienna, June 1993.

(2) Mishra, Pramod, Human Rights Global Issues, Kalpaz Publications, Delhi, 2000, p. 4.

denote the rights of humans. However, in a more specific sense, human rights constitute those rights which one has precisely because of being a human⁽¹⁾. In the words, a human right is a conceptual device, expressed in linguistic form that assigns priority to certain human or social attributes regarded as essential to the adequate functioning of a human being that is intended to serve as a protective capsule for those attributes; and that appeals for a deliberate action to ensure such a protection.

Scot Davidson defined human rights as closely connected with the protection of individuals from the exercise of state government or authority in certain areas of their lives. It is also directed towards the creation of social conditions by the state in which individuals can develop their fullest potential. David Selby defined human rights as those rights which pertain to all persons and are possessed by every individual because they are human⁽²⁾. In the words of Cranston, human rights are forms of moral rights and they differ from other rights in being the rights of all human beings at all times and in all situations⁽³⁾.

Generally, human rights can be defined as those rights without which human beings cannot live with dignity, freedom (political, economic, social and cultural) and justice in any nation or state regardless of color, place of birth, ethnicity, race, religion or sex or any other such considerations. These rights are inherent in human nature and therefore guaranteed and protected by the state without distinction of any sort.

Today, the concept of human rights includes civil and political rights or public liberties, economic, social and cultural needs particularly with regard to development, the environment and self-determination. As said, it is the state's responsibility to protect and promote human rights. It is also the duty of the state to create conditions for peaceful existence which enable human rights to be enjoyed by every individual in that

(1) Rajawat, Mamta, *Burning Issues of Human Rights*, op. cit., pp. 33-47.

(2) Kumar, Arun Palia, *National Human Rights Commission of India*, Atlantic Publishers and Distributors, New Delhi, 1995, p. 10.

(3) Also, Susan MoUer Okin defined human rights as a claim to something of crucial importance for human life. See: Kumar, Jawahar, *Human Rights Issues and Perspectives*, Regency Publications, New Delhi, 1995, p.10.

state. But with the increasing risk of violation of human rights resulting from the activities of the state as well as non-state actors, international law, whether in its universal or regional manifestation, also guarantees and promotes the enforcement and observance of human rights ⁽¹⁾.

3. Modern Concept of Human Rights

Until 1945, international protection of individual human rights was confined to treaties abolishing slave trade, the laws of war and the minority rights which were concluded after the Treaty of Versailles (June 28, 1919). It was after 1945, that the rights of all human individuals have come under the protection of international law. Immediately after the Second World War, the rules of state behavior and rights pertaining to individuals within states were rewritten in authoritative international documents such as the United Nations Charter of the Human Rights 1945; the Universal Declaration of Human Rights 1948; the Genocide Convention of 1948; the revision of the Geneva Conventions in 1949; the European Convention on Human Rights 1950; and the United Nations Educational, Scientific and Cultural Organizations 1945. All these documents arose with the moral impulse to rebuild public morality after the Second World War. The United Nations Charter of the Human Rights is addressed to states as moral actors, while the Universal Declaration of Human Rights (UDHR) addresses the individual human ⁽²⁾.

The Charter of the United Nations, signed at San Francisco on June 26, 1945, was a document with its roots in the past and possibilities for the future that could only be imagined. It represented the historical development on mankind's social organization. Its provisions were based largely on past experience and found substantial if not exact expression in earlier instruments. The Charter was a commitment to purposes and principles, the realization of which in the light of the changing world conditions might require substantial adaptation of institutional and

(1) Symonides, Jansuz, Human Rights, Concepts and Standards, Rawat Publications, New Delhi, 2002, pp. 347-349.

(2) Patil, V. T., Human Rights, Third Millennium Vision, Authors Press, Delhi, 2001, pp.3-5.

procedural arrangements. It is important to note that the Charter not only embodied limitations on a state's freedom of action, it also made provisions for the development of human rights through each nation's Constitution. Thus, the Charter provided a Constitutional basis for achieving international peace, security and well-being.

The Preamble of the Charter of the United Nations (UN) states: "We the peoples of the United Nations determined:

- to save the succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and
- 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, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and
- to promote social progress and better standards of life in larger freedom..."⁽¹⁾.

The clauses concerning human rights in the Charter provide the foundation for an impetus to further implement the protection and promotion of human rights. In the Preamble, the members reaffirmed their faith in fundamental human rights and in the equal rights of men and women. Article 1 of the United Nations Charter states that the purposes of the United Nations is to include co-operation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, color, language or religion. Article 55, states that the United Nations shall promote (a) higher standards of living, full employment, (b) conditions of economic and social progress and development, and (c) universal respect for and observance of human

(1) Leland M. Goodrich & Edvard Hambro, Charter of the United Nations, Commentary and Documents, Columbia University Press, New York, 1969, p. 19.

rights and fundamental freedoms for all. Article 56 provides that: all members pledge themselves to take joint and separate action in co-operation with the organization and for the achievement of the purposes set forth in Article 55⁽¹⁾.

In this background, the emergence of the UDHR in 1948, International Covenants, Conventions and treaties of human rights became very important for the protection and promotion of human rights since 1945.

4. Characteristics of human rights

The following are the basic characteristics of human rights:

(a) The Universality of Human Rights

Human Rights are universal in application and they apply irrespective of one's origin, status, or condition or place where one lives. Human rights are enforceable without national border.

The concept of human rights implies that basic rights belong to every member of the human race. The Universal Declaration of Human Rights states that human rights belong to every human "without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status".

(b) The Indivisibility of Human Rights

The UDHR included both economic, social and cultural rights, and civil and political rights because it was based on the principle that the different rights could only successfully exist in combination:

The ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his social, economic and cultural rights⁽²⁾. This is held to be true because without civil and political rights the public cannot assert their economic,

(1) Brownlie, Ian, *Principles of Public International Law*, Oxford University Press, New York, 1973, pp. 569-570.

(2) See: Human Rights, on the following Website:

-<http://wahabohidlegalaid.blogspot.com/2013/03/human-rights-definitions.html>

social and cultural rights. Similarly, without livelihoods and a working society, the public cannot assert or make use of civil or political rights.

(c) The interdependence of Human Rights

Human Rights are interdependent because the fulfillment or exercise of one cannot be had without the realization of the other. In fact, rights are basic in the sense used here only if the enjoyment of them is essential to the enjoyment of all other rights. This is what is distinctive about a basic right. When a right is genuinely basic, any attempt to enjoy any other right by sacrificing the basic right would be quite literally self-defeating, cutting the ground from beneath itself ⁽¹⁾.

(d) The Inalienability of Human Rights

Inalienability involves the “inability of something to be taken from or given away by the possessor”. While the 1776 United States Declaration of Independence, the 1789 Declaration of the Rights of Man, and the 1948 Universal Declaration of Human Rights repeatedly affirmed that rights were inalienable, it remains today that very few can agree on the meaning of this.

Human rights cannot be taken away; no one has the right to deprive another person of them for any reason. People still have human rights even when the laws of their countries do not recognize them, or when they violate them - for example, when slavery is practiced, slaves still have rights even though these rights are being violated. Human rights are inalienable. Human Rights are inalienable because:

- a. They cannot be rightfully taken away from a free individual.
- b. They cannot be given away or be forfeited.

(e) The Inherence of Human Rights

(1) Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, 2 nd Edition, Princeton University Press, Princeton, 1996, p. 19.

Human Rights are inherent because they are not granted by any person or authority. Human rights do not have to be bought, earned or inherited; they belong to people simply because they are human. Human rights are inherent to each individual.

They are rights inherent to all human beings, whatever nationality, place of residence, sex, national or ethnic origin, color, language, or any other status. We are all equally entitled to our human rights without discrimination ⁽¹⁾.

5. International Human Rights Law

International human rights law (IHRL) is the body of international law designed to promote human rights on social, regional, and domestic levels. A series of international human rights treaties and other instruments have emerged since 1945 conferring legal form on inherent human rights. The creation of the United Nations provided an ideal forum for the development and adoption of international human rights instruments. Other instruments have been adopted at a regional level reflecting the particular human rights concerns of the region. Most States have also adopted constitutions and other laws which formally protect basic human rights. Often the language used by States is drawn directly from the international human rights instruments.

International Human Rights Law consists mainly of treaties and customs as well as, inter alia, declarations, guidelines and principles. Basically, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights are referred to as the “International Bill of Human Rights”.

6. International Humanitarian Law

International Humanitarian Law (sometimes referred to as “the law of armed conflict” and “the law of war”) is a body of principles and

(1) Human Rights are Rights Inherent, on the following Website:

- <https://www.lawteacher.net/free-law-essays/human-rights/human-rights-are-rights-inherent.php>

norms intended to limit human suffering in times of armed conflict and to prevent atrocities. It can be defined as that part of international law which seeks to protect persons who are not, or are no longer, taking part in the hostilities (i.e. sick, wounded or shipwrecked combatants, prisoners of war and civilians), and to restrict the method and means of warfare between parties to a conflict.

The 1864 Geneva Convention for the Amelioration of the Condition of the Wounded in Armies in the Field laid the foundations for contemporary humanitarian law. The 1874 Diplomatic Conference and the Hague Peace Conferences of 1899 and 1907 constitute important milestones. Modern international humanitarian law is mainly embodied in the four Geneva Conventions of 1949 and the two 1977 Protocols Additional to those Conventions, namely:

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field.
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked members of the Armed Forces at Sea.
- Geneva Convention relative to the Treatment of Prisoners of War.
- Geneva Convention relative to the Protection of Civilian Persons in Time of War.
- Additional Protocol I relative to the Protection of victims of international armed conflicts.
- Additional Protocol II relative to the Protection of victims of non-international armed conflicts.

Significantly, common to all Geneva Conventions is article 3 which establishes minimum rules to be observed by each party to an internal armed conflict. This article provides that persons taking no active part

in the hostilities “shall in all circumstances be treated humanely, without adverse distinction” and “the wounded and sick shall be collected and cared for”⁽¹⁾.

Other humanitarian law instruments deal with topics as diverse as the protection of cultural property in the event of armed conflict, the prohibition of biological and chemical weapons and of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects. Recent examples of humanitarian law are the 1995 Protocol on Blinding Laser Weapons and the 1997 Convention on the Prohibition of Anti- Personnel Mines, Ottawa Treaty, which entered into force on 1 March 1999.

7. Link between Humanitarian and Human Rights Law

Humanitarian law and human rights law were traditionally regarded as separate areas of international law, human rights law setting standards for State conduct in guaranteeing the rights and freedoms of individuals and humanitarian law providing standards for the protection of war victims and the manner in which hostilities are conducted. In other words, it was thought that human rights law was less applicable in situations of humanitarian emergency and armed conflict. Those holding this view pointed to the provisions in the ICCPR which permit States to derogate temporarily from some civil and political rights in times of public emergency which threaten the life of the nation. However, the provisions of most international human rights instruments apply even in times of armed conflict.

The need to safeguard human rights during armed conflict has been given priority as human rights are recognized as integral to peace and security. In 1966, the then Secretary-General investigated the extent to which international human rights instruments protected human rights in times of armed conflict. It was found that the major international

(1) See: Human Rights: A Basic Handbook for UN Staff, Office of the High Commissioner for Human Rights, United Nations Staff College Project, pp. 3 et seq., on the following Website:
- <https://www.ohchr.org/Documents/Publications/HRhandbooken.pdf>

instruments, for example the International Bill of Human Rights, provided for a broader spectrum of human rights protection than the Geneva Conventions. This acknowledgement guided the adoption by the Teheran World Conference on Human Rights in 1968 and the General Assembly in 1970 of a number of resolutions recognizing that fundamental human rights in international instruments continue to apply in situations of armed conflict. Similarly, the Vienna Declaration and Programme of Action called on all States and all parties to armed conflicts to pay strict observance to international humanitarian law as well as to the minimum standards required for protecting human rights. In 1996, the Commission on Human Rights recognized the need to identify the fundamental principles applicable to situations of internal violence.

It is now acknowledged that human rights law and humanitarian law should be viewed in an integrated and holistic manner, where the individual has protection under human rights law at all times, as well as that provided under humanitarian law during periods of armed conflict⁽¹⁾.

(1) See: Human Rights: A Basic Handbook for UN Staff, op. cit., pp. 7-8.

CHAPTER 2

The Protection of Human Rights Under the United Nations

Introduction

Prior to the United Nations Charter, individuals were not a major concern of international law. There were certain areas where they could be made directly responsible for criminal acts, but there was little in the way of rules geared to their protection. There were some exceptions to this, such as the rules protecting combatants and civilians in time of war, the Mandate provisions of the League of Nations Covenant and certain rights accorded under the Peace Treaties ending the First World War, but usually international law left individuals to seek their protection in national law. This was often no protection at all.

These perceptions were radically altered by the experiences of the Second World War and the protection of human rights has been one of the primary purposes of the United Nations ever since. The preamble to the Charter, in its second paragraph, reaffirms a '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'. Likewise, in Art. 55, the United Nations is committed to promoting, inter alia, 'universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion'. By Art. 56, all members of the Organization pledge themselves to take 'joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55'.

Taken together, these provisions represented a bold statement of intent and it may be that Art. 56 places States under a legal obligation to take practical steps for the protection of human rights. However, whatever the precise legal effect of these provisions, the sentiments they expressed were taken seriously by the members of the fledgling organization ⁽¹⁾.

(1) Martin Dixon, *International Law*, Third Edition, Blackstone Press Limited, London, 1996, pp. 310 et seq.

1. The International Bill of Human Rights

At its first meeting in 1946, the General Assembly transmitted a draft Declaration of Fundamental Human Rights and Freedoms to the Commission on Human Rights, through the Economic and Social Council, relative to the preparation of an international bill of human rights.

In 1947, the Commission authorized its officers to formulate a draft bill of human rights which was later taken over by a formal Drafting Committee consisting of 8 members of the Commission. The Drafting Committee decided to prepare two documents: one in the form of a declaration which would set forth general principles or standards of human rights; and the other in the form of a convention which would define specific rights and their limitations. Accordingly, the Committee transmitted to the Commission draft articles of an international declaration and an international convention on human rights. The Commission decided to apply the term “International Bill of Human Rights” to the entire series of documents in late 1947. In 1948, the draft declaration was revised and submitted through the Economic and Social Council to the General Assembly. On 10 December 1948, the Universal Declaration of Human Rights was adopted - a day celebrated each year as “Human Rights Day”.

The Commission on Human Rights then continued working on a draft covenant on human rights. By 1950, the General Assembly passed a resolution declaring that the “enjoyment of civil and political freedoms and of economic, social and cultural rights are interconnected and interdependent”. After lengthy debate, the General Assembly requested that the Commission draft two covenants on human rights; one to set forth civil and political rights and the other embodying economic, social and cultural rights. Before finalizing the draft covenants, the General Assembly decided to give the drafts the widest possible publicity in order that Governments might study them thoroughly and public opinion might express itself freely.

In 1966, two International Covenants on Human Rights were completed, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), which effectively translated the principles of the Universal Declaration into treaty law. In conjunction with the Universal Declaration of Human Rights, the two Covenants are referred to as the “International Bill of Human Rights”.

(a) The Universal Declaration of Human Rights (UDHR)

On December 10, 1948, The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations General Assembly (Resolution 217A), partly in response to the atrocities of World War II. It is generally viewed as the preeminent statement of international rights and has been identified as being a culmination of centuries of thinking along both secular and religious lines⁽¹⁾. Although the UDHR is a non-binding resolution, it is now considered by some to have acquired the force of international customary law which may be invoked in appropriate circumstances by national and other tribunals. The UDHR urges member nations to promote a number of human, civil, economic and social rights, asserting these rights as part of the “foundation of freedom, justice and peace in the world”. The declaration was the first international legal effort to limit the behavior of states and press upon them duties to their citizens.

The Universal Declaration of Human Rights consists of a Preamble and 30 articles, setting out the human rights and fundamental freedoms to which all men and women are entitled, without distinction of any kind.

The Universal Declaration recognizes that the inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world. It recognizes fundamental rights which are the inherent rights of every human being including, inter alia, the right to

(1) Micheline R. Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era*, University of California Press, London, 2008, pp. 18 et seq.

life, liberty and security of person; the right to an adequate standard of living; the right to seek and enjoy asylum from persecution in other countries; the right to freedom of opinion and expression; the right to education, freedom of thought, conscience and religion; and the right to freedom from torture and degrading treatment. These inherent rights are to be enjoyed by every man, woman and child throughout the world, as well as by all groups in society⁽¹⁾.

The Universal Declaration was bifurcated into treaties, a Covenant on Civil and Political Rights and another on social, economic, and cultural rights, due to questions about the relevance and propriety of economic and social provisions in covenants on human rights. Both covenants begin with the right of people to self-determination and to sovereignty over their natural resources⁽²⁾. In fact, the Declaration is one of the most significant resolutions ever adopted by the Assembly, both in terms of its effect on the development of international law and because of its subject matter⁽³⁾.

Types of Human Rights Protected by the UDHR

The Universal Declaration of Human Rights has guaranteed a number of rights which can be classified as follows:

(i) Social or Civil Human Rights:

All human beings are entitled to:

The right to life, liberty and security of persons.

Right to freedom from slavery and servitude.

Right to freedom from torture or cruel, inhuman or degrading treatment or punishment.

Right to freedom from arbitrary interference with privacy, family, home or correspondence.

(1) Human Rights: A Basic Handbook for UN Staff, op. cit. pp. 10-11.

(2) Henkin, Louis, the International Bill of Rights: The Universal Declaration and the Covenants, International Enforcement of Human Rights, 1987, p.18.

(3) Martin Dixon, International Law, op. cit., p. 312.

Right to marry and have family and right to property.

(ii) Political Human Rights:

To take part in the political process, all human beings are provided with some rights such as:

Right to nationality.

Right to equality before law and equal protection of law.

Right to judicial remedies, fair trial and freedom from arbitrary arrest, detention or exile.

Right to freedom of thought, expression, belief, faith, conscience and religion.

Right to freedom of peaceful assembly and association.

Right to take part in government affairs and equal access to public service.

Right to equal suffrage.

Right to freedom of movement and right of asylum etc.

(iii) Economic Human Rights:

To ensure the economic interest of the human being, UNO also provides certain economic rights, such as:

Right to social security.

Right to work and the right to equal pay for equal work.

Right to form trade unions.

Right to rest and leisure.

Right to food, health and adequate standard of living.

(v) Cultural Human Rights:

For the protection of the various types of cultures, traditions and customs of the human being, the Declaration of Human Rights also

provides certain rights, such as:

Right to participate in the cultural life of the community.

Right to enjoy the art and to share in the scientific advancement and its benefits.

Right to the protection of the moral and material interests resulting from any scientific, literary and artistic production of which the individual is the author.

Right to a social and international order in which the human rights as provided in the Universal Declaration can be fully realized.

The Declaration also imposes the responsibility that all individuals, nations and international bodies to respect and observe these human rights. But abuses of human rights are often found in many countries of the world. Racial discriminations, establishment of military rules, militant nationalism and terrorist activities are directly hindering the human rights. UNO is a body of sovereign nation-states and its charter prohibits interference in the domestic affairs of any member-state.

The provisions of the Universal Declaration of Human Rights do not allow individuals to come forward with any complaint of the violation of human rights. For the enforcement of human rights the UNO has established the Human Rights Commission (Human Rights Council) at Geneva with a number of branches in different countries of the world. Various countries have also established their own Human Rights Commission for the protection of human rights in their respective area. A strong public opinion has been realized in favor of the human rights for which no government can easily suppress them⁽¹⁾.

(b) The International Covenant on Civil and Political Rights (ICCPR)
1966

(1) See: Human Rights in India: Characteristics and Types, on the following Website:
-<http://www.yourarticlelibrary.com/essay/human-rights-in-india-characteristics-and-types-2/47118>

The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty adopted by the United Nations General Assembly with resolution 2200A (XXI) on 16 December 1966, and came in force from 23 March 1976. The ICCPR addresses the State's traditional responsibilities for administering justice and maintaining the rule of law. Many of the provisions in the Covenant address the relationship between the individual and the State. In discharging these responsibilities, States must ensure that human rights are respected, not only those of the victim but also those of the accused. As of August 2018, the Covenant has 172 parties and six more signatories without ratification ⁽¹⁾.

The civil and political rights defined in the Covenant include, inter alia, the right to self-determination; the right to life, liberty and security; freedom of movement, including freedom to choose a place of residence and the right to leave the country; freedom of thought, conscience, religion, peaceful assembly and association; freedom from torture and other cruel and degrading treatment or punishment; freedom from slavery, forced labor, and arbitrary arrest or detention; the right to a fair and prompt trial; and the right to privacy ⁽²⁾.

Unlike the Declaration, however, this Covenant is a legally binding treaty and the state-parties are legally bound to give effect to its provisions. Importantly, each state undertakes to adopt such legislative measures within their domestic jurisdiction as may be necessary to give effect to the rights listed in the Covenant, and also to provide an effective remedy should a violation occur. Moreover, because these obligations are binding in international law, a violation of the Convention gives rise to international responsibility ⁽³⁾.

The ICCPR is monitored by the United Nations Human Rights Committee (a separate body to the United Nations Human Rights Council), which reviews regular reports of States parties on how the rights are being

(1) See: Status of Ratification Interactive Dashboard, on the following Website:
- <http://indicators.ohchr.org/>

(2) See; Human Rights: A Basic Handbook for UN Staff, op. cit., p. 12.

(3) Article 2 of the International Covenant on Civil and Political Rights.

implemented. States must report initially one year after acceding to the Covenant and then whenever the Committee requests (usually every four years). The Committee normally meets in Geneva and normally holds three sessions per year.

The ICCPR is part of the International Bill of Human Rights, along with the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Universal Declaration of Human Rights (UDHR).

The Covenant has two Optional Protocols. The first establishes the procedure for dealing with communications (or complaints) from individuals claiming to be victims of violations of any of the rights set out in the Covenant. The second envisages the abolition of the death penalty. As of August 2018, 116 States were parties to the First Optional Protocol, and 85 States were parties to the Second Optional Protocol ⁽¹⁾.

(c) The International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966

This is the counterpart to the Covenant on Civil and Political Rights considered above. Originally it was intended that there should be only one treaty, covering the whole range of human rights, but in view of the rather more subjective nature of economic and social rights, it was rightly considered preferable to deal with them separately ⁽²⁾. The ICESCR is a multilateral treaty adopted by the United Nations General Assembly on 16 December 1966, and came in force from 3 January 1976. It commits its parties to work toward the granting of economic, social, and cultural rights to the Non-Self-Governing and Trust Territories and individuals, including labor rights and the right to health, the right to education, and the right to an adequate standard of living. As of August 2018, the Covenant has 169 parties and four more signatories without ratification ⁽³⁾.

(1) See: Status of Ratification Interactive Dashboard, *op. cit.*

(2) Martin Dixon, *International Law*, *op. cit.*, p. 316.

(3) See: Status of Ratification Interactive Dashboard, *op. cit.*

In many respects, greater international attention has been given to the promotion and protection of civil and political rights rather than to social, economic and cultural rights, leading to the erroneous presumption that violations of economic, social and cultural rights were not subject to the same degree of legal scrutiny and measures of redress. This view neglected the underlying principles of human rights that rights are indivisible and interdependent and therefore the violation of one right may well lead to the violation of another.

The Covenant embodies some of the most significant international legal provisions establishing economic, social and cultural rights, including, *inter alia*, rights relating to work in just and favorable conditions; to social protection; to an adequate standard of living including clothing, food and housing; to the highest attainable standards of physical and mental health; to education and to the enjoyment of the benefits of cultural freedom and scientific progress.

Significantly, article 2 outlines the legal obligations which are incumbent upon States parties under the Covenant. States are required to take positive steps to implement these rights, to the maximum of their resources, in order to achieve the progressive realization of the rights recognized in the Covenant, particularly through the adoption of domestic legislation. Monitoring the implementation of the Covenant by States parties was the responsibility of the Economic and Social Council, which delegated this responsibility to a committee of independent experts established for this purpose, namely the Committee on Economic, Social and Cultural Rights⁽¹⁾.

2. Other Global Human Rights Conventions

A series of international human rights treaties and other instruments adopted by the United Nations General Assembly since 1945 have expanded the body of international human rights law. They include the Convention on the Prevention and Punishment of the Crime of

(1) See: Human Rights: A Basic Handbook for UN Staff, *op. cit.*, p. 12.

Genocide (1948), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Convention on the Rights of the Child (1989) and the Convention on the Rights of Persons with Disabilities (2006), among others.

(a) Convention on the Prevention and Punishment of the Crime of Genocide 1948

The Convention on the Prevention and Punishment of the Crime of Genocide was adopted by the United Nations General Assembly on 9 December 1948, and entered into force on 12 January 1951. It was adopted in response to the atrocities committed during World War II. All participating countries are advised to prevent and punish actions of genocide.

Noteworthy, the Convention provides for a precise definition of the crime of genocide, in particular in terms of the required intent and the prohibited acts⁽¹⁾. It also specifies that the crime of genocide may be committed in time of peace or in time of war.

The jurisprudence of the International Court of Justice considers the prohibition of genocide as peremptory norms of international law (Case Concerning Barcelona Traction). Moreover, the ICJ recognizes that the principles underlying the Convention are principles which are recognized by civilized nations binding on States, even without any conventional obligation.

(1) Article 2 of the Convention defines genocide as:
“...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group”.

(b) International Convention on the Elimination of All Forms of Racial Discrimination 1965

The International Convention on the Elimination of All Forms of Racial Discrimination was adopted by the General Assembly in 1965 and entered into force in 1969. It commits its members to the elimination of racial discrimination ⁽¹⁾ and the promotion of understanding among all races. Controversially, the Convention also requires its parties to outlaw hate speech and criminalize membership in racist organizations ⁽²⁾.

States parties to the Convention agree to eliminate discrimination in the enjoyment of civil, political, economic, social and cultural rights and to provide effective remedies against any acts of racial discrimination through national tribunals and State institutions. Parties undertake not to engage in acts or practices of racial discrimination against individuals, groups of persons or institutions and to ensure that public authorities and institutions do likewise; not to sponsor, defend or support racial discrimination by persons or organizations; to review government, national and local policies and to amend or repeal laws and regulations which create or perpetuate racial discrimination; to prohibit and put a stop to racial discrimination by persons, groups and organizations; and to encourage integration or multiracial organizations, movements and other means of eliminating barriers between races, as well as to discourage anything which tends to strengthen racial divisiveness.

The Committee on the Elimination of Racial Discrimination was established by the Convention to ensure that States parties fulfill their obligations ⁽³⁾.

(c) Convention on the Elimination of All Forms of Discrimination against Women 1979

(1) Article 1 of the Convention defines racial discrimination as:

“any distinction, exclusion, restriction or preference based on race, color, descent, national or ethnic origin with the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights in any field of public life, including political, economic, social or cultural life”.

(2) Article 4 of the Convention.

(3) See: Human Rights: A Basic Handbook for UN Staff, op. cit., p. 14.

The Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly in 1979 and entered into force in 1981. Despite the existence of international instruments which affirm the rights of women within the framework of all human rights, a separate treaty was considered necessary to combat the continuing evident discrimination against women in all parts of the world.

The Convention defines discrimination against women as “...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.

The objective of the Convention is to advance the status of women by utilizing a dual approach. It requires States parties to grant freedoms and rights to women on the same basis as men, no longer imposing on women the traditional restrictive roles. It calls upon States parties to remove social and cultural patterns, primarily through education, which perpetuate gender-role stereo- types in homes, schools and places of work. It is based on the premise that States must take active steps to promote the advancement of women as a means of ensuring the full enjoyment of human rights. It encourages States parties to make use of positive measures, including preferential treatment, to advance the status of women and their ability to participate in decision- making in all spheres of national life – economic, social, cultural, civil and political.

States parties to the Convention agree, inter alia, to integrate the principle of the equality of men and women into national legislation; to adopt legislative and other measures, including sanctions where appropriate, prohibiting discrimination against women; to ensure through national tribunals and other public institutions the effective protection of women against discrimination; and to refrain from engaging in any discriminatory act or practice against women in the private sphere.

Parties are committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations. The Convention established the Committee on the Elimination of Discrimination against Women to oversee the implementation of its provisions⁽¹⁾.

(d) Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment 1984

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the United Nations Convention against Torture (UNCAT). It was adopted by the United Nations General Assembly on 10 December 1984, and came into force on 26 June 1987.

The Convention requires states to take effective measures to prevent torture in any territory under their jurisdiction, and forbids states to transport people to any country where there is reason to believe they will be tortured.

The overall objectives of the Convention are to prevent acts of torture and other acts prohibited under the Convention and to ensure that effective remedies are available to victims when such acts occur. More specifically, the Convention requires States parties to take preventive action against torture such as the criminalization of acts of torture and the establishment of laws and regulations to promote respect for human rights among its public servants for both the alleged victim and the accused.

Despite these measures, there may be incidents where individuals are, or claim to have been, tortured. Governments that are committed to eliminating torture must also be committed to providing an effective remedy to alleged victims. This can be seen from the manner in which Governments address complaints of torture. The Convention requires that complaints of torture be promptly and impartially investigated wherever

(1) Article 17 of the Convention.

there are reasonable grounds to believe that an act of torture may have been committed. In many cases, the most important evidence is physical marks on the body, which can fade or disappear, often within days. The existence of a functional system for the administration of justice is thus critically important for victims of torture. The Convention established a monitoring body, the Committee against Torture.

(e) Convention on the Rights of the Child 1989

The Convention on the Rights of the Child is a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The Convention was adopted by the UN General Assembly on 20 November 1989, and came into force on 2 September 1990.

The Convention defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation ⁽¹⁾. The Convention embodies four general principles for guiding implementation of the rights of the child: non-discrimination ensuring equality of opportunity; when the authorities of a State take decisions which affect children they must give prime consideration to the best interests of the child; the right to life, survival and development which includes physical, mental, emotional, cognitive, social and cultural development; and children should be free to express their opinions, and such views should be given due weight taking the age and maturity of the child into consideration.

Nations that ratify this convention are bound to it by international law, and are required to report to, and appear before, the United Nations Committee on the Rights of the Child periodically to be examined on their progress with regards to the advancement of the implementation of the Convention and its optional protocols ⁽²⁾ in their country.

(1) Article 1 of the Convention.

(2) Two optional protocols were adopted on 25 May 2000. The First Optional Protocol restricts the involvement of children in military conflicts, and the Second Optional Protocol prohibits the sale of children, child prostitution and child pornography. Both protocols have been ratified by more than 160 states. A third optional protocol relating to communication of complaints was adopted in December 2011 and opened for signature on 28 February 2012. It came into effect on 14 April 2014.

Compliance is monitored by the UN Committee on the Rights of the Child, which is composed of members from countries around the world. Once a year, the Committee submits a report to the Third Committee of the United Nations General Assembly, which also hears a statement from the CRC Chair, and the Assembly adopts a Resolution on the Rights of the Child.

(f) Convention on the Rights of Persons with Disabilities 2006

The Convention on the Rights of Persons with Disabilities and its Optional Protocol was adopted by the UN General Assembly on 13 December 2006, and entered into force on 3 May 2008. It is an international human rights treaty intended to protect the rights and dignity of persons with disabilities. The Convention follows decades of work by the United Nations to change attitudes and approaches to persons with disabilities. It takes to a new height the movement from viewing persons with disabilities as “objects” of charity, medical treatment and social protection towards viewing persons with disabilities as “subjects” with rights, who are capable of claiming those rights and making decisions for their lives based on their freedom and informed consent as well as being active members of society.

The Convention is intended as a human rights instrument with an explicit, social development dimension. It adopts a broad categorization of persons with disabilities and reaffirms that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms. It clarifies and qualifies how all categories of rights apply to persons with disabilities and identifies areas where adaptations have to be made for persons with disabilities to effectively exercise their rights and areas where their rights have been violated, and where protection of rights must be reinforced⁽¹⁾.

The Convention is monitored by the Committee on the Rights of Persons with Disabilities.

(1) See: <https://www.un.org/development/desa/disabilities/>

CHAPTER 3

The United Nations Human Rights Bodies and Mechanisms

Introduction

Broadly speaking, the UN has two types of dedicated human rights bodies: those established under a human rights treaty, often called “Treaty-based bodies”, and those set up under the UN Charter, often called “Charter-based bodies”.

The basic function of the treaty bodies is to monitor the implementation of human rights instruments. As observed, the treaty bodies ‘are custodians of legal norms established by the human rights treaties.’ At universal level there are currently ten (10) functioning treaty bodies, each of which relates to a specific human rights treaty⁽¹⁾. Nine of these treaty bodies monitor implementation of the core international human rights treaties while the tenth treaty body, the Subcommittee on Prevention of Torture, established under the Optional Protocol to the Convention against Torture, monitors places of detention in States parties to the Optional Protocol.

Charter-based bodies include the former Commission on Human Rights, and the Human Rights Council which replaced the Commission on Human Rights in 2006. In addition, the Office of the United Nations High Commissioner on Human Rights (OHCHR) which works to offer the best expertise and support to the different human rights monitoring mechanisms in the United Nations system.

1. Commission on Human Rights (CHR)

(1) Human Rights Committee (ICCPR); Committee on Economic, Social and Cultural Rights (ICESCR); Committee on the Elimination of Racial Discrimination (CERD); Committee on the Elimination of Discrimination against Women (CEDAW); Committee against Torture (CAT); Subcommittee on Prevention of Torture (CAT OP); Committee on the Rights of the Child (CRC); Committee on Migrant Workers (CMW); Committee on the Rights of Persons with Disabilities (CRPD); and the Committee on Enforced Disappearances (CED).

- See: <https://www.ohchr.org/en/hrbodies/Pages/HumanRightsBodies.aspx>

In 1946, ECOSOC made a significant contribution to the development of human rights law by establishing the UN Commission on Human Rights to weave the international legal fabric that protects our fundamental rights and freedoms. Composed of 53 States members, its brief expanded over time to allow it to respond to the whole range of human rights problems and it set standards to govern the conduct of States. It also acted as a forum where countries large and small, non-governmental groups and human rights defenders from around the world voiced their concerns.

During its regular annual session in Geneva, for which over 3,000 delegates from member and observer States and from non-governmental organizations participated, the Commission adopted about a hundred resolutions, decisions and Chairperson's statements on matters of relevance to individuals in all regions and circumstances. It was assisted in this work by the Sub-Commission on the Promotion and Protection of Human Rights, a number of working groups and a network of individual experts, representatives and rapporteurs mandated to report to it on specific issues⁽¹⁾.

(a) Procedures and Mechanisms

Commission on Human Rights procedures and mechanisms are mandated to examine, monitor and publicly report either on human rights situations in specific countries or territories (known as country mechanisms or mandates) or on major phenomena of human rights violations worldwide (known as thematic mechanisms or mandates). These procedures and mechanisms are collectively referred to as the Special Procedures of the Commission on Human Rights.

(b) Main Themes

The main themes addressed by the Commission are: the right to self-determination; racism; the right to development; the question of the

(1) United Nations Human Rights Council, on the following Website:
- <https://www.ohchr.org/EN/HRBodies/CHR/Pages/CommissionOnHumanRights.aspx>

violation of human rights in the occupied Arab territories, including Palestine; the question of the violation of human rights and fundamental freedoms in any part of the world; economic, social and cultural rights; civil and political rights, including the questions of torture and detention, disappearances and summary executions, freedom of expression, the independence of the judiciary, impunity and religious intolerance; the human rights of women, children, migrant workers, minorities and displaced persons; indigenous issues; the promotion and protection of human rights, including the work of the Sub-Commission, treaty bodies and national institutions; and advisory services and technical cooperation in the field of human rights.

(c) Working Groups

From time to time the Commission identifies areas in which existing standards need to be further developed to confront new and growing concerns. At present, it is working to reinforce safeguards against torture and other forms of cruel or inhuman treatment in custody through preventive visits to places of detention, and to promote the rights of indigenous populations. Other subjects that are currently under consideration by working groups of the Commission are the right to development, and structural adjustment programmes and human rights.

If complaints from individuals or organizations received by the Sub-Commission's Working Group on Communications reveal a pattern of serious human rights violations in a country, the matter can be brought to the attention of the

Commission's Working Group on Situations and of the Commission itself.

(d) Standard-Setting and Implementation

One of the most important tasks entrusted to the Commission has been the elaboration of human rights standards. In 1948 it concluded work on the landmark Universal Declaration of Human Rights. Since then it has

developed standards relating, inter alia, 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.

All States that accept these standards are obliged to implement the rights they entail and to report regularly to international bodies set up to monitor their compliance.

Human rights standards have little value if they are not implemented. Consequently, the Commission devotes much of its time to examining issues of implementation. Some of its work is particularly sensitive, generating extensive debate and often disagreement. Its network of mechanisms - experts, representatives and rapporteurs - plays an important role in reporting to the Commission annually. Information received from Governments, non-governmental organizations and individuals is used in the preparation of these reports. The Commission's success is measured by its ability to make a difference to the lives of individuals.

(e) Advisory Services and Technical Cooperation

Where problems are identified, the Commission can take action to address them. It regularly requests the Office of the High Commissioner for Human Rights to provide assistance to Governments through its programme of advisory services and technical cooperation in the field of human rights. This assistance takes the form of expert advice, human rights seminars, national and regional training courses and workshops, fellowships and scholarships, and other activities aimed at strengthening national capacities for the protection and promotion of human rights ⁽¹⁾.

Significantly, in 1970, the Commission altered its procedure so as to enable it to investigate individual complaints submitted to it. This is done under the auspices of its Sub-Commission on Prevention of Discrimination and

(1) United Nations Human Rights Council, on the following Website:
- <https://www.ohchr.org/EN/HRBodies/CHR/Pages/Background.aspx>

Protection of Minorities. This Sub-Commission is empowered to make recommendations to the Human Rights Commission, who may then appoint an investigating committee so long as the state against whom the complaint has been made has given its consent. Again, the results of any such investigation are not binding in law. Moreover, the Sub-Commission may only take action in respect of allegations which reveal a 'consistent pattern of gross and reliably attested violations of human rights'. This is in line with the general purpose of the Human Rights Commission, which is to oversee the application of human rights law in a general sense, rather than to identify and remedy specific cases of abuse⁽¹⁾.

2. Human Rights Council (HRC)

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva. The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights. The Council was created by the United Nations General Assembly on 15 March 2006 by resolution 60/251. Its first session took place from 19 to 30 June 2006. One year later, the Council adopted its "Institution-building package" to guide its work and set up its procedures and mechanisms.

Among them were the Universal Periodic Review mechanism which serves to assess the human rights situations in all United Nations Member States, the Advisory Committee which serves as the Council's "think tank" providing it with expertise and advice on thematic human rights issues and the Complaint Procedure which allows individuals and

(1) Martin Dixon, *International Law*, op. cit., p. 317.

organizations to bring human rights violations to the attention of the Council.

The Human Rights Council also works with the UN Special Procedures established by the former Commission on Human Rights and now assumed by the Council. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries⁽¹⁾.

(a) Structure of HRC

The UN General Assembly elects the members who occupy the HRC's 47 seats. The term of each seat is three years, and no member may occupy a seat for more than two consecutive terms. The seats are distributed among the UN's Regional Groups as follows: 13 for Africa, 13 for Asia, six for Eastern Europe, eight for Latin America and the Caribbean (GRULAC), and seven for the Western European and Others Group (WEOG).

The UN General Assembly can suspend the rights and privileges of any Council

member that it decides has persistently committed gross and systematic violations of

human rights during its term of membership. The suspension process requires a two-thirds majority vote by the General Assembly⁽²⁾.

(b) Sessions

The Human Rights Council holds regular sessions three times a year, in March, June, and September. It can decide at any time to hold a special session to address human rights violations and emergencies, at the request of one-third of the member states.

(1) United Nations Human Rights Council, on the following Website:

- <https://www.ohchr.org/en/hrbodies/hrc/pages/aboutcouncil.aspx>

(2) See: UN General Assembly Resolution 60/251.8.

(c) Universal Periodic Review Working Group

An important component of the Council consists in a periodic review of all 193 UN member states, called “the Universal Periodic Review” (UPR). The new mechanism is based on reports coming from different sources, one of them being contributions from NGOs. Each country’s situation will be examined during a three-and-a-half-hour debate. The first cycle of the UPR took place between 2008 and 2012, and the second cycle of reviews took place between 2012 and 2016.

The UN General Assembly resolution establishing the Council provided that “the Council shall review its work and functioning five years after its establishment”. The review was finalized in March 2011, by the adoption of an “Outcome” at the Council’s sixteenth session, annexed to Resolution 16/21.

First cycle: The following terms and procedures were set out in General Assembly Resolution 60/251:

Reviews are to occur over a four-year period (48 countries per year). Accordingly, the 192 countries that are members of the United Nations shall normally all have such a Review between 2008 and 2011.

The order of review should follow the principles of universality and equal treatment.

All Member States of the Council will be reviewed while they sit at the Council and the initial members of the Council will be first.

The selection of the countries to be reviewed must respect the principle of equitable geographical allocation.

The first Member States and the first observatory States to be examined will be selected randomly in each regional group in order to guarantee full compliance with the equitable geographical allocation. Reviews shall then be conducted alphabetically.

Second cycle: HRC Resolution 16/21 brought the following changes:

Reviews are to occur over a four-and-a-half-year period (42 countries per year). Accordingly, the 193 countries that are members of the United Nations shall

normally all have such a Review between 2012 and 2016.

The order of review will be similar to the 1st cycle.

The length of each Review will be extended from three to three-and-a-half hours.

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the recommendations ⁽¹⁾.

(d) Advisory Committee

Pursuant to Council resolution 5/1 paragraphs 65 to 84, the Human Rights Council Advisory Committee has been established to function as a think-tank for the Council and work at its direction. The Committee is composed of 18 independent experts from different professional backgrounds representing the various regions of the world (5 from African States; 5 from Asian States; 2 from Eastern European States; 3 from Latin American and Caribbean States, and 3 from Western European and other States). Experts are nominated by Governments and elected by the Council. Elections normally take place at the September session of the Council.

The Committee held its first meeting in August 2008. It meets twice a year, for one week in February immediately before the March session of the Council and for one week in August.

Functions of the Advisory Committee:

The Advisory Committee provides expertise to the Council in the manner and form requested by it. It mainly focuses on studies and research-based advice.

(1) For further details see: "Universal Periodic Review" on the following Website:
- https://en.wikipedia.org/wiki/Universal_Periodic_Review

The Committee may also propose within the scope of the work set out by the Council, for the latter's consideration and approval, suggestions for further research proposals.

In its work, the Committee should be implementation-oriented and the scope of its advice should be limited to thematic issues pertaining to the mandate of the Council, namely promotion and protection of all human rights.

It shall not adopt resolutions or decisions ⁽¹⁾.

(e) Complaint Procedure

On 18 June 2007, the Human Rights Council adopted resolution 5/1 entitled "Institution-Building of the United Nations Human Rights Council" by which a new complaint procedure was established to address consistent patterns of gross and reliably attested violations of all human rights and all fundamental freedoms occurring in any part of the world and under any circumstances.

The complaint procedure 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.

Like the former 1503 procedure, it is confidential, with a view to enhance cooperation with the State concerned. The new complaint procedure has been improved, where necessary, to ensure that the procedure be impartial, objective, efficient, victims-oriented and conducted in a timely manner.

If a complaint is taken up after initial screening by the Working Group on Communications, the allegation of human rights violations will be transmitted to the State concerned. A Working Group of the Human Rights Council will then consider the complaint and the reply received

(1) For further details see: "Background information on the Advisory Committee" on the following Website: <https://www.ohchr.org/EN/HRBodies/HRC/AdvisoryCommittee/Pages/AboutAC.aspx>

from the State, and makes a recommendation to the Human Rights Council, which will consider the report of the Working Group in a confidential manner, unless the Council decides otherwise. The Human Rights Council can take one of the following measures:

to discontinue considering the situation, if no further action is needed;

to keep the situation under review, and request further information from the State concerned;

to keep the situation under review and appoint an independent expert to monitor the situation and report back to the Council;

to discontinue reviewing the situation under the confidential complaint procedure in order to take up a public consideration;

to recommend to the OHCHR to assist the State concerned ⁽¹⁾.

3. The Office of the High Commissioner for Human Rights (OHCHR)

The Office of the High Commissioner for Human Rights (UN Human Rights) is the leading UN entity on human rights. The office was established by the UN General Assembly on 20 December 1993 in the wake of the 1993 World Conference on Human Rights. The General Assembly entrusted both the High Commissioner and her Office with a unique mandate to promote and protect all human rights for all people. The UN human rights programme aims to ensure that the protection and enjoyment of human rights is a reality in the lives of all people. UN Human Rights also plays a crucial role in safeguarding the integrity of the three interconnected pillars of the United Nations peace and security, human rights and development.

OHCHR provides assistance in the form of technical expertise and capacity-development in order to support the implementation of international human rights standards on the ground. It assists governments, which bear the primary responsibility for the protection

(1) For further details see: Human Rights Council Complaint Procedure, on the following Website: <http://www.co-guide.org/mechanism/human-rights-council-complaint-procedure>

of human rights, to fulfil their obligations and supports individuals to claim their rights. Moreover, it speaks out objectively on human rights violations.

(a) Structure of OHCHR

OHCHR is part of the United Nations Secretariat, with a staff of some 1300 people and its Headquarters in Geneva, as well as an office in New York. It has field presences that comprise regional and country/stand-alone offices. Further-more, UN Human Rights supports the human rights components of UN peace missions or political offices and deploys human rights advisers to work with the United Nations Country teams.

The Geneva-based headquarters has four substantive divisions:

the Research and Right to Development Division, which develops policy and provides guidance, tools, advice and capacity-strengthening support on thematic human rights issues, including for human rights mainstreaming purposes.

the Human Rights Treaties Division, which supports the human rights treaty bodies.

the Field Operations and Technical Cooperation Division, which is responsible for overseeing and implementing the Office's work in the field.

and the Human Rights Council Mechanisms Division, which provides substantive and technical support to the HRC, the Council's UPR mechanism and the Council's special procedures.

Dedicated services and sections, which report directly to the Deputy High Commissioner, handle core management, planning, coordination and outreach functions⁽¹⁾.

(1) See: Office of the High Commissioner for Human Rights, on the following Website:
- <https://www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx>

(b) The High Commissioner

The OHCHR is headed by a High Commissioner with the rank of Under Secretary-General who reports to the Secretary-General. The High Commissioner is responsible for:

all activities of the OHCHR, as well as for its administration.

carrying out the functions specifically assigned by the above-mentioned General Assembly resolution and subsequent resolutions of policy-making bodies.

advising the Secretary-General on policies of the United Nations in the area of human rights.

ensuring that substantive and administrative support is given to the projects, activities, organs and bodies of the human rights programme.

representing the Secretary-General at meetings of human rights organs and at other human rights events.

And carrying out special assignments as decided by the Secretary-General.

The incumbent High Commissioner is Ms Michelle Bachelet, former President of Chile. On 1 September 2018, Ms Bachelet assumed her functions as the United Nations High Commissioner for Human Rights.

(c) Functions of OHCHR

The objectives of OHCHR are to ⁽¹⁾:

Promote universal enjoyment of all human rights by giving practical effect to the will and resolve of the world community as expressed by the United Nations.

(1) The mandate of OHCHR derives from Articles 1, 13 and 55 of the Charter of the United Nations, the Vienna Declaration and Programme of Action and General Assembly resolution 48/141 of 20 December 1993, by which the Assembly established the post of United Nations High Commissioner for Human Rights. In connection with the programme for reform of the United Nations (A/51/950, para. 79), the OHCHR and the Centre for Human Rights were consolidated into a single OHCHR on 15 September 1997.

Play the leading role on human rights issues and emphasizes the importance of human rights at the international and national levels.

Promote international cooperation for human rights.

Stimulate and coordinates action for human rights throughout the United Nations system.

Promote universal ratification and implementation of international standards.

Assist in the development of new norms.

Support human rights organs and treaty monitoring bodies.

Respond to serious violations of human rights.

Undertakes preventive human rights action.

Promote the establishment of national human rights infrastructures.

Undertake human rights field activities and operations.

Provide education, information advisory services and technical assistance in the field of human rights.

(d) New York Office

The New York Office is headed by an Assistant Secretary-General who is account-able to the High Commissioner. The core functions of the New York Office are to:

Represent the High Commissioner at Headquarters, at meetings of policy-making bodies, with permanent missions of Member States, at interdepartmental and inter-agency meetings, with non-governmental organizations and professional groups, at academic conferences and with the media.

Provide policy advice and recommendations on substantive matters to the High Commissioner.

Supply information and advice on human rights to the Executive Office of the Secretary-General.

Provide substantive support on human rights issues to the General Assembly, the Economic and Social Council and other policy-making bodies established in New York.

Provide materials and information to the permanent missions, United Nations departments, agencies and programs, non-governmental organizations, the media and others regarding the human rights program.

Provide support to the High Commissioner and other officials, and to Special Rapporteurs and Special Representatives when on mission in New York.

Undertake other specific assignments as decided by the High Commissioner

(e) Work Method

OHCHR seeks the implementation of human rights standards in the daily lives of all people everywhere. Working towards this goal, it collaborates with Governments, parliaments, judicial authorities, police and prison officials, National Human Rights Institutions, NGOs and a broad range of other civil society actors, in addition to United Nations partners, to build awareness of and respect for human rights. OHCHR empowers individuals to claim their rights and assists States in upholding their human rights obligations ⁽¹⁾.

The work of OHCHR encompasses three broad areas: human rights standard setting, monitoring and supporting the implementation of human rights obligations by States. Substantive and technical support is provided to the various UN human rights bodies as they undertake their standard-setting and monitoring duties. Knowledge and awareness of all human rights, whether civil, cultural, economic, political or social

(1) See: Office of the High Commissioner for Human Rights, on the following Website:
- <https://www.ohchr.org/EN/AboutUs/Pages/HowWeDoIt.aspx>

rights, are deepened and the capacity of rights-holders and duty-bearers are strengthened through applied thematic research and analyses, methodologies, development and training. International human rights experts are also deployed to field offices and other missions, including in circumstances of crisis, to assist countries that are working to fulfil their human rights obligations.

The work of UN Human Rights is based on the Office's Management Plan (OMP), which guides implementation of the Human Rights Programme of the Secretary-General's Strategic Framework. By aligning the whole Office to a common set of results connected with the various components of its mandate, the OMP enhanced the Office's effectiveness in implementing the Strategic Framework, increasing synergies across functions and ensuring the best possible use of available resources.

UN Human Rights is partially funded from the United Nations regular budget and partially through voluntary contributions from donors, the majority of which are Member States.

(f) OHCHR in the Field

Over the years, the Office of the High Commissioner for Human Rights (UN Human Rights) has increased its presence in the field, reaching out more and more and giving a voice to the people who need it the most. The Office's presences away from Headquarters are a strategic entry point for promoting and protecting human rights at the country level; mainstreaming human rights, that is, integrating a human rights perspective into the work of United Nations Country Teams and United Nations peace missions; and helping strengthen national institutions and civil society.

There are a number of ways in which UN Human Rights field presences assist in efforts to make human rights a reality; not only do they monitor the human rights situation in countries, but they also help build the capacity of Member States and other duty-bearers to address human rights issues⁽¹⁾.

(1) In 2018, UN Human Rights had 12 regional offices covering East Africa (Addis Ababa), Southern Africa (Pretoria), West Africa (Dakar) Central America (Panama City), South America (Santiago de Chile), Europe (Brussels), Central Asia (Bishkek), South East Asia (Bangkok), Pacific (Suva) and the Middle East and North Africa (Beirut). UN Human Rights also has a Regional Centre for Human Rights and Democracy for Central Africa in Cameroon (Yaoundé) and a Training and Documentation Centre for South West Asia and the Arab Region in Qatar (Doha).

The Office is the lead United Nations entity for the protection and promotion of human rights, but all UN actors have a role to play in protecting and promoting human rights in their operations. In this respect, UN Human Rights seeks to integrate human rights in all components of UN peace missions⁽¹⁾.

Conclusion

The United Nations was created in 1945 to maintain international peace and security, and to encourage and promote respect for human rights and fundamental freedoms.

One of the great achievements of the United Nations is the creation of a comprehensive body of human rights law, which includes the Charter of the United Nations and the Universal Declaration of Human Rights, adopted by the General Assembly in 1945 and 1948, respectively.

The United Nations established human rights bodies, which include the Human Rights Council responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and make recommendations on them. And the Office of the High Commissioner for Human Rights (OHCHR) to provide assistance in the form of technical expertise and capacity-development in order to support the implementation of international human rights standards on the ground.

Nevertheless, rights abuses remain rampant. Then, how can we reconcile an increasingly sophisticated global architecture to monitor rights violations with the reality of persistently brazen abuses around the world?. So, I propose some recommendations to enhance and promote the UN human rights system, as follows:

(1) In 2018, UN Human Rights supported nearly 900 international and national human rights officers and support staff in 13 Human Rights Components of UN peace missions in Afghanistan, Central African Republic, Democratic Republic of the Congo, Guinea Bissau, Haiti, Iraq, Kosovo, Liberia, Libya, Mali, Somalia, South Sudan, Sudan.

For further information see OHCHR Website:

- <https://www.ohchr.org/EN/Countries/Pages/WorkInField.aspx>

1. It's important to remind States that by signing and ratifying the two complementary Covenants of 1966, Governments around the world pledged to respect, protect and fulfil everyone's fundamental and inalienable human rights. In committing to these two documents, leaders agreed to be held accountable, not just to their own citizens' expectations, but also against the international community's universal yardstick. The international system for tracking and monitoring the status of human rights offers an important vehicle for holding Governments to those commitments.
2. Urge all States to incorporate the provisions of international conventions concerned with the protection of human rights into their national legislation, and to implement their commitments and obligations in this regard with accuracy and responsibility.
3. The Regional organizations should contribute effectively to the protection and development of human rights by monitoring the commitment of member states to international human rights standards, and establish regional human rights courts that allow individuals to sue after exhausting internal recourse, Like the European Court of Human Rights.
4. Encourage jurists of international law, universities, research centers and international academies to conduct in-depth research and studies regarding the promotion and development of the UN human rights system, and in particular the humanitarian situation in conflict areas characterized by grave violations of human rights, which would lead to find the suitable means to limit these violations, and spread Human rights culture at the international level.

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<http://www.co-guide.org/mechanism/human-rights-council-complaint-procedure>

- Office of the High Commissioner for Human Rights:

<https://www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx>

ABSTRACT

The United Nations

Human Rights System

The United Nations was created in 1945 to maintain international peace and security, and to encourage and promote respect for human rights and fundamental freedoms.

In 1948, The Universal Declaration of Human Rights was adopted by the United Nations General Assembly, partly in response to the atrocities of World War II. The UDHR was bifurcated into treaties, a Covenant on Civil and Political Rights and another on social, economic, and cultural rights in 1966.

The United Nations established human rights bodies, which include the Human Rights Council and the Office of the High Commissioner for Human Rights, to monitor the implementation of human rights instruments, and provide assistance to governments in the Human Rights field.

Finally, some recommendations have been proposed to promote the UN human rights system.

Key Words

United Nations.

International Human Rights Law.

International Bill of Human Rights.

The Universal Declaration of Human Rights.

Human Rights Council.

منظمة الامم المتحدة حقوق الإنسان

أنشئت الأمم المتحدة في عام ١٩٤٥ للحفاظ على السلم والأمن الدوليين، ولتشجيع وتعزيز احترام حقوق الإنسان والحريات الأساسية.

في عام ١٩٤٨، اعتمدت الجمعية العامة للأمم المتحدة الإعلان العالمي لحقوق الإنسان، ويرجع ذلك جزئياً إلى فظائع الحرب العالمية الثانية. تم تقسيم الإعلان العالمي لحقوق الإنسان إلى معاهدات، وعهد خاص بالحقوق المدنية والسياسية وآخر بشأن الحقوق الاجتماعية والاقتصادية والثقافية في عام ١٩٦٦.

أنشأت الأمم المتحدة هيئات حقوق الإنسان، بما في ذلك مجلس حقوق الإنسان ومكتب المفوض السامي لحقوق الإنسان، لمراقبة تنفيذ صكوك حقوق الإنسان، وتقديم المساعدة للحكومات في مجال حقوق الإنسان.

أخيراً، تم اقتراح بعض التوصيات لتعزيز نظام حقوق الإنسان في الأمم المتحدة.

الكلمات الدالة

- الأمم المتحدة.
- قانون حقوق الإنسان الدولي.
- الشريعة الدولية لحقوق الإنسان.
- الإعلان العالمي لحقوق الإنسان.
- مجلس حقوق الإنسان.

