

CRITICAL ANALYSIS

STUDENT NAME

INSTITUTE NAME

Table of Contents

Introduction	3
Discussion	4
High Commissioner on Human Rights	5
The Human Rights Council, Special Procedures and Working Groups	6
United Nations Human Rights Treaty Mechanisms	7
Democracy	9
The International Bill of Human Rights.....	9
Special Advisers on the Prevention of Genocide and the Responsibility to Protect	9
Security Council.....	10
Third Committee of the General Assembly.....	10
Various Other UN Bodies.....	10
Secretary-General.....	11
Commission on the Status of Women	11
UN Peace Operations.....	11
Conclusion.....	12
References	13

Introduction

The culmination of the Second World War represented a shift in the mindset of the global community towards human rights. After 1948, when the United Nations General Assembly adopted the Universal Declaration of Human Rights, much more international law structures with effective compliance frameworks have been created. The article reflects on the claims that these compliance structures are purposeful, despite the great human cost of their shortcomings and that the most important method for regulation is clearly that human rights are formalized in International Law. That claim was focused largely on the enforcement of foreign organizations and in specific nation states with the substantive force of human rights instruments. In view of this point, I will then discuss briefly several UN Charter enforcement mechanisms (De Schutter, 2019). These instruments have two types: statements and agreements. Statements are not legally enforceable but have political implications. Within international law, treaties are legally binding. With the passage of time, treaties and protocols can become commonplace, rendering them practically legally binding. There is a further difference between frameworks for the protection of human rights: the global and regional ones. Specific domestic laws often occur inside nations, which the subsequent article claims are the product of a hierarchical compliance movement to international human rights standards originating from global and territorial resolutions and covenants. The article argues, while implicit in an anarchic culture of disjuncture and creation are unreconcilable political issues, the acculturating force of international law is the overriding defender of human rights. While both the fundamental values of contemporary foreign culture—nonintervention and independence—are always a barrier to the application, whether humanitarian actions can be called, of international human rights law, legislative mechanisms are essential. We have a relative success in the implementation of human rights laws and intend to improve (Kalin & Künzli, 2019).

Discussion

They claims "We are applied" by transnational legal proceedings, while universal human rights are not implemented. This mechanism consists of interplaying international institutions, defining their legal codes and internalizing them in the shared understanding of international players and internal structures. He varies between civil compliance and law enforcement. This paper argues that, although the internalization of international law principles is gradually applied, it will lead to human rights and corollaries being followed until fully internalized for foreign stakeholders and communities. Nevertheless, there are many different sectors on which the road to internalization of norms and laws is lengthy (Abbott, 2019). The five complementary factors for "why nations are obeying" have been described by researchers: power; rational choice or self-interest, progressive explicitations; group theories and judicial processes. The essay would address these five explanations very differently, suggesting that they are a method, but because they do not go hand in hand-we have shifted from rationality to a more progressive global society. The original reasons for state adherence to international human rights law will most certainly be based on power from a practical point of view. The UN was founded under human rights law internationally, established by World War Two victors: the UN structure then served the desires of powerful states from the mid-'40s, and indeed still favors.. The forces of the P-5 within the Security Council represent this most. Third, self-interest motivated many nations to be part of the global legal system. It makes logical sense in the context of game theory, instead of the "soft sufferings that they do." (Saeed, 2018)

Second, increased global participation has led to the creation of democratic and collective arguments for international law enforcement. The expansion of capitalism in the mid-20th century contributed to a global liberal society that expanded ever further. Several research on the principle of constitutional reconciliation have also been published, indicating that "democracies perform rule... well, at least with one another." The expansion of liberal democracy (at most among these démocraties) and thus the

development of the effectiveness of international law contributes to a rise in Group claims of State adherence to international law. We were based on the idea, "It is important to describe the way you see the responsibilities of the family." The Council of Europe as well as the societal pressure from long-time leaders on newer members, including Turkey and Ukraine, is a good illustration of this. Koh contrasts this to the African Covenant on Peoples ' Rights, which is fairly ineffective, where governments and oppressive regimes cooperate less effectively (Hirschboeck, 2019). Such theoretical progress lead us to practical law theories, which follow progressive and communitarian principles, and which show the complex and changing nature of the international law framework on human rights. The next logical step seems to be the hierarchical internalization of statutory norms and values, until regulation is obeyed on a lateral, state-to-state basis for Public purposes. The above-mentioned transnational legal process translates principles into national law. It is a vertical "drip-down" impact on international bodies, and often allows countries to enact national charter laws. Such principles were internalized when developed as domestic law. Seven times in the UN founding Charter, the word "human rights" was used to make the advancement and protection of human rights a central goal of the body and a guiding principle. Human rights were introduced into the scope of international law in 1948 through the Universal Declaration of Human Rights. Since then, by statutory mechanisms and on - the-ground operations, the Organization has been vigilant in protecting human rights (Murray et al., 2018).

High Commissioner on Human Rights

The OHCHR's role is to protect human rights and support them. It is the United Nations ' central office which is responsible for human rights and aims to ensure the enforcement of human rights standards throughout the World. It partners with governments to improve their human rights capability, helps countries to develop human rights-oriented strategies and structures and offers practical advice and assistance in achieving these objectives. In respect to the International framework for the advancement and protection of human rights, the UN High Commissioner for Human Rights (OhChR) has the

management. The department funds peace-keeping efforts in several nations with their human rights aspects and has many national and regional departments and centres. The High Commissioner for the Rights of Man has the authority to investigate circumstances and generate information about them on a regular basis (Oomen & Baumgärtel, 2018).

The Human Rights Council, Special Procedures and Working Groups

Founded in 2006, the Human Rights Council succeeded the 60-year-old United Nations Charter on Human Rights as the main autonomous United Nations human rights intergovernmental organ. The human rights council's specialized processes are influential, volunteer legal experts who, from a narrative or nation-specific viewpoint, evaluate, track, comment on and advice on human rights. The composition of their enforcement agencies has been changed recently by UN changes. As the main United Nations organ responsible for monitoring and reviewing human rights situations in nations around the world and highlighting crucial issues, the Human Rights Council succeeds the Human Rights Commission. It involves a process of formal hearings, engaging consultants and grievances (Smith, 2019). Composed by 47 Member States chosen by the UN General Assembly, the Council acts as a round table to raise concerns regarding human rights abuses in nations, and thematic areas. At least three times a year the Council sits and also works through a number of working committees and unique procedures. The Open-ended Working Party examines alternatives for drawing up an Optional Protocol to the International Covenant on Political, Social and Cultural Rights, including a citizen appeals process. Special protocols with thematic agendas involve different rapporteurs on appropriate homes, employment equality, human and severe deprivation problems, nutrition security and medical protection, who can get information about specific cases of human rights violations as well as submitting immediate appeals or concerns to the authority seeking clarification, and monitoring. The Human Rights Council is conducting a study that potentially will update and streamline the existing Human Rights Commission's policies and processes (McDermott, 2018).

United Nations Human Rights Treaty Mechanisms

The human rights agreement structures are commissions of independent experts overseeing the enforcement of key international human rights treaties. The Committee on Economic, Social and Cultural Rights (CESCR), which explicitly reviews State parties' cooperation with their commitments under the International Covenant on Economic, Social and Cultural Rights (ICESCR), is one of the most significant international platforms to protect and promote the ESCR. ICESCR Articles 16 and 17 mandate that States prepare five years' studies, reviewing them through the CESCR, on the ESCR situation in their community. The CESCR analyses the reach of ESCR's achievement by the States Parties, offers a framework for designing legislation supporting ESCR by General Comments and gives the public the opportunity to learn about the research their governments do on the achievement of ESCR. Five to six studies are checked each year by CESCR. If a country does not register, the CESCR may use alternative sources to examine the situation in that nation. The CESCR then releases after reviewing the study of a nation and other reports final findings outlining success in ESCR enforcement, challenges in enforcing such freedoms, areas of concern and suggestions. When part of the review process, CESCR often considers civil society statements on the ESCR situation in their nations. The UN Economic and Social Council (ECOSOC) has founded the CESCR. It comprises of 18 leaders who are human rights specialists and chosen by the ECOSOC (Altwicker, 2018).

In the Eliminating State (CEDAW, in its Spanish initials) the Commission of the Elimination of Discrimination against Women tracks the advancement of women's rights. Representatives of CEDAW shall report on the measures they have taken to improve women's position in their jurisdiction every four years. Twice a year, the Subcommittee must review and vote on these documents. The important task of the Subcommittee is to recognize the main problems affecting women, such as sexual harassment and domestic violence, and to educate CEDAW leaders about ways of addressing them. With respect to the ESCR freedoms the Convention prohibits discrimination on: Article 10 Education: Article 11 Jobs and the Economic and Social Benefits of Article 13 and Article 12 Safety. In particular, in Article 14, the CEDAW

reaffirms the rights to nutrition, education, economic opportunities, social security, property, housing and water justice for rural people (De Schutter, 2019).

The Committee on the Rights of the Child monitors the enforcement by Member States of the Convention on the Rights of the Child (CRC). The Commission sits in Switzerland and organizes three conferences per year. Each five years the States parties to the CRC shall submit information on child welfare in their territories. The Commission examines these documents and provides political parties suggestions. Annual thematic debates on issues concerning kids were organized by the Commission. The ESC privileges established in the CRC are Article 7 Treatment protection; Article 6 Contracting rights, Article 18 Droit of State Assistance; Article 20 Droit of infant neglect of the treatment system of family; Article 24 Droit of maternal health and health caring; Article 26 Droit of social security (Kalin & Künzli, 2019).

By contrast to ICESCR, CEDAW and the CRC many other international conventions and resolutions still acknowledge political, social and cultural equality. For those who try to counter racial discrimination with respect to economic, social and cultural equality, CERD is a vital conference. The Committee on Elimination of All Types of Racial Discrimination, as with ICESCR, CEDAW and CRC, serves as a UN platform for upholding the standards laid out in the convention. However, specific grievances may be submitted to the committee by individuals and groups refused ESCR there by race or ethnicity, provided their community has accepted the jurisdiction of the Committee to do so. Therefore all people, whether they are natives or not, have the right, including fundamental economic, cultural and social rights, to fundamental human rights. The Committee on Migrant Workers ' Security is overseeing enforcement of the International Convention of the Rights of All Migrant Workers and Members of their Family. The Committee operates once a year and can, under certain conditions, consider individual complaints if the state in question has recognized the power of the Committee to approve individual complaints regarding the jurisdiction of the Government (Abbott, 2019).

Democracy

The three principles of the UN mission as laid out in the UN Charter, governance based on the rule of law is essentially a way to accomplish peace in the region, security, social and economic growth, and sustainability and protection for human rights. At the 2005 World Summit, all governments of the world reaffirmed' the universal value of democracy, centered on a people's free will to establish their own political, monetary, social and cultural structures and their full participation in every aspect of their lives' and emphasized' the interdependence of democracy, growth and preservation of all human rights and fundamental freedoms.'. The ethical structure of the United Nations is defined by democratic principles. The Secretary-General's 2009 Guidance Note on democracy establishes the UN policy on democracy centered on universal principles, principles and practices and commends the Organization for clear, moral and effective democracy-fostering behavior (Saeed, 2018).

The International Bill of Human Rights

In the year 1948 the first legally accepted agreement to uphold universal human rights was Universal Declaration of Human Rights. The so-called' universal Declaration for Human Rights ' includes three laws, together with the Universal Covenant for Civil and Political Rights and the International Convention for Economic, Social and Cultural Rights. The International Human Rights Law Corps has been extended with a number of international human rights agreements and other measures introduced after 1945 (Hirschboeck, 2019).

Special Advisers on the Prevention of Genocide and the Responsibility to Protect

As catalyst to increase consciousness of the causes and complexities of genocide, to warn key stakeholders of the threat of genocide and to promote and coordinate appropriate action; and to guide the intellectual, economic, organizational and functional implementation of Duty to Protect; The special adviser in prevention of genocide actions (Murray et al., 2018).

Security Council

Occasionally, in conflict areas, the UN Security Council struggles with severe violations of human rights. The United Nations Charter empowers the Security Council to inquire and mediate, to assign a team, to nominate special envoys or to order the Secretary-General to use its public offices. A cessation-fire order, military deployers or a resistance movement may be provided by the Security Council. The Security Council, and if that does not succeed, will impose compliance actions, such as economic sanctions, arms embargoes, financial penalties and bans, transport suspensions, diplomatic relations suspension, a blockade, and sometimes even military collective action, as well (Oomen & Baumgärtel, 2018).

Third Committee of the General Assembly

The Third Committee (Social, Humanitarian and Cultural) of the General Assembly discusses a number of issues, including problems of human rights. The Subcommittee will also talk about problems related to the empowerment of women, the welfare of children, women's issues, and the treatment of asylum seekers, the protection of poverty and social inequality of basic freedoms as well as the right to auto-determination. It also deals with important issues of social development (Smith, 2019).

Various Other UN Bodies

A number of human rights questions are resolved by numerous intergovernmental organisations and interdepartmental processes located at United Nations headquarters in New York and the UN General Secretary. Political decisions and proposals to Member States, the UN Process, and others are made by the General Assembly, the Economic and Social Council (ECOSOC) and by its subordinate bodies. The United Nations Permanent Forum on the Native Issues (UNPFII) has a mandate to address indigenous issues, including human rights, as an advisory body to the Economic and Social Council. The Office of the High Commissioner for Human Rights works with these organizations and processes and offers support and advice on human rights issues. In all aspects of the Organization's operation the Office also promotes

human rights, such as reforms, peace and security, counter-terrorism and humanitarian relations. The UN's post-conflict international cooperation assistance research on human rights issues has also discussed (McDermott, 2018).

Secretary-General

The Human Rights Up Front Programme is an UN Secretary-General programme aimed at ensuring that the UN process, as set forth in the UN Charter and Resolutions, requires early and meaningful action in order to prevent or react to major human rights or international humanitarian law abuses. The plan emphasizes that the different UN bodies have a responsibility to work together to combat such abuses. The HRuF is striving for this by shifting traditions, activities and policy at three points. These improvements progressively transform the UN's understanding of and implementation of its obligations. After late 2013, the program has slowly been introduced. The Secretary-General and the Deputy Secretary-General addressed HRuF to the General Assembly, the UN leadership and process members by numerous meetings, correspondence and policy papers (Altwicker, 2018).

Commission on the Status of Women

The Commission on the Status of Women (CSW) is the world's largest intergovernmental agency to promote gender justice and women's empowerment. Though, in the year 2010, the establishment of UN Women was laid that serves just as the Secretariat (De Schutter, 2019).

UN Peace Operations

Most peacekeeping missions and diplomatic and peacebuilding initiatives also include directives related to human rights which are intended, both in an early and long term manner, to contribute to the security and development of human right and encouraging the community to defend and claim human rights. Human rights teams work in close collaboration and alignment, in particular in relation to civil defense, with other institutional and uniform elements of peace operations; tackle conflict-related sexual violence

and child abuse; improve respect for human rights and the rule of law through constitutional and judicial reforms; and reform of the security sector (Kalin & Künzli, 2019).

Conclusion

Many frameworks for the regulation and defense of economic, social and cultural rights have arisen since the adoption of the Universal Declaration of Human Rights. The Economic Social and Cultural Rights Committee (CESCR), whose task is to strictly supervise the State Parties in upholding their responsibilities under the International Economic and Social and Cultural Rights Convention, is one of the leading international protecting and supporting structures of ESCR. Articles 16 through 17 of the ICESCR allow states to submit reports each five years, which will be checked by the CESCR, on the condition of the ESCR in their community. The ESCR analyses how much ESCR the States Parties accomplish, provides a basis for the development by way of General Comments of legislation supporting ESCR, as well as gives information to the public about their government's progress in enforcing ESCR. Every year, the CESCR reviews five to six studies. If a country does not register, the CESCR may use alternative sources to assess the situation in that nation. The CESCR also publishes closing conclusions after reviewing a country's document and the other documents that stress the progress made to satisfy ESCR, the challenge with regard to those rights and the questions and suggestions. As part of the review phase, CESCR often considers statements by the civil society leaders on ESCR circumstances in their community. It is a member of the Economic and Social Committee of the United Nations (ECOSOC). There are 18 participants who are human rights specialists and chosen by ECOSOC. In contrast to CESCR, the United Nations Human Rights Commission and the Human Rights Council, as well as Treaty Oversight Organizations (TOWC), such as the Committee on the Elimination of Discrimination against Women, as well as the Committee for the Rights of the Child, are significant key human rights bodies within the UN.

References

- Abbott, L. (2019). *The Extent to which States Commit to International Human Rights Law*.
- Altwicker, T. (2018). Transnationalizing Rights: International Human Rights Law in Cross-Border Contexts. *European Journal of International Law*, 29(2), 581-606.
- De Schutter, O. (2019). *International human rights law*. Cambridge University Press.
- Hirschboeck, M. (2019). Conceptualizing the Relationship between International Human Rights Law and Private International Law. *Harv. Int'l LJ*, 60, 181.
- Kälin, W., & Künzli, J. (2019). *The law of international human rights protection*. Oxford University Press, USA.
- McDermott, R. (2018). The Human Rights Approach of the International Law Commission in its Work on the Protection of Persons in the Event of Disasters. In *Routledge Handbook of Human Rights and Disasters* (pp. 84-97). Routledge.
- Murray, D., Wilmschurst, E., Hampson, F., Garraway, C., Lubell, N., & Akande, D. (2018). Human Rights Law in Armed Conflict. *Journal of International Criminal Justice*, 16, 489-495.
- Oomen, B., & Baumgärtel, M. (2018). Frontier cities: The rise of local authorities as an opportunity for international human rights law. *European Journal of International Law*, 29(2), 607-630.
- Saeed, A. (2018). *Human Rights and Islam: An Introduction to Key Debates Between Islamic Law and International Human Rights Law*. Edward Elgar Publishing.
- Smith, R. K. (2019). *Texts and materials on international human rights*. Routledge.