

**MECHANISMS THE UNITED NATIONS HUMAN RIGHTS
PROTECTION (RETRIEVED RESEARCH)**

Dr. Mohammed Salman Mahmood¹, Hayder Chasib AL.Behadili²

^{1,2}University of Misan.

**Dr. Mohammed Salman Mahmood , Hayder Chasib AL.Behadili ,
Mechanisms The United Nations Human Rights Protection (Retrieved Research)
Palarch's Journal Of Archaeology Of Egypt/Egyptology 17(6). Issn 1567-214x.**

Abstract:

The role of the United Nations to protect human rights came after the failure of the League of Nations to maintain international peace and security. It was established by the United Nations in 1945, and one of its main objectives is to protect human rights in all countries of the year, and to reduce grave violations, through its main organs related to this goal, and its mechanisms and procedures, which it follows in preserving human rights and fundamental freedoms, and then it is considered an organization The United Nations is the first international body, so it works to protect human rights and freedoms in order to perform its functions on a group of mechanisms, devices, organizations, agencies and bodies affiliated with it, and each of them is entrusted with a set of functions and tasks in order to promote, protect and promote human rights and freedoms Although the protection of human rights is at the core of the work of the executive and judicial authorities in countries, the role of the United Nations bodies for the protection of human rights represents the important and main role in the protection system for human rights, so the main objective From the establishment of the United Nations, which is ((maintaining international peace and security)) and this general and main objective, which highlighted the role and importance of the presence of the United Nations in the protection of human rights Close contact with issues of human rights protection directly, and that the organs of the United Nations Organization for the Protection of Human Rights are divided into the main organs in the United Nations and their role in the protection of human rights. economic and social)) and their clear importance and role in protecting human rights and promoting comprehensive protection.

Introduction:

Before delving into the organs and mechanisms of the United Nations for the protection of human rights, we would like to point out the inability of the League of Nations, before the founding of the United Nations, to prevent the outbreak of the Second World War between states, which led to huge human casualties, and its inability to maintain international peace and security, which are closely related On the issues of freedom and human rights and its inability to resolve disputes by peaceful means and international cooperation(1). The United Nations appointed new topics and tasks, the most important of which are the grave violations of human rights, and this is what is clearly found in the Charter of the United Nations, which is the first official international document that recognized human rights and fundamental freedoms, as one of the principles of international law. Article One, Paragraph Three of the Charter of the United Nations, states that one of the purposes of the United Nations is to achieve international cooperation to solve international problems of economic, social, cultural and humanitarian form, and to provide respect for, promotion and promotion of human rights and fundamental freedoms for all without distinction as to sex or language. Or religion does not differentiate between men and women (2). Also, do not forget the commitment of the member states of the United Nations to cooperate with the United Nations to ensure the promotion and respect of human rights, and through this research, the first requirement will be addressed to the role of the United Nations organs for the protection of human rights (3), and in the second requirement we will address the procedures of the International Council for Human Rights the human .

The importance of the topic:

The importance of the subject comes from the fact that the United Nations is the world's first reliable body for the protection of human rights, and therefore its role is great and important in ensuring the protection of human rights, through the procedures and mechanisms followed, as well as the role of its organs in the protection of human rights.

The problem:

The problem lies in several points:

- 1- Examining the effectiveness of those mechanisms and the role of the devices in protecting human rights.
- 2- A statement of the extent of the legal binding force of these mechanisms and devices at the United Nations.
- 3- Searching for the real capabilities of the United Nations in improving the human rights situation.
- 4- Indicating the role of the individual in international law and the possibilities that the individual can take to improve human rights by submitting an individual complaint

Search platform:

The research method that we will adopt in this research is the inductive analytical research method, through the analysis and extrapolation of the important organs and mechanisms of the United Nations and its role in protecting human rights.

Search Plan:

We have divided the research into two sections, the first is the role of the United Nations organs for the protection of human rights, and we have divided into two demands, the first is the role of the main organs and their relevance in human rights, and the second is the mechanisms of the subsidiary organs of the United Nations for the protection of human rights. Special to the Human Rights Council As for the second, individual complaints are submitted to the Human Rights Council.

The first topic:

The role of the United Nations bodies to protect human rights:

If we want to study the role of the United Nations organs for the protection of human rights, we must know that the main objective of the establishment of the United Nations Organization is “the maintenance of international peace and security.” This general objective is closely related to the issues of human rights protection directly, and that the organs of the United Nations Organization To protect human rights, they are divided into the main organs of the United Nations and their role in protecting human rights. We will focus our research on two important organs only without the other organs, because other organs have been discussed by previous researchers repeatedly and in detail more than once, such as the role of the Security Council in Protection of human rights. As for us, we will discuss two of the important and main bodies (the United Nations General Assembly and the Economic and Social Council) and their importance and a clear role in protecting human rights.

The other requirement is the mechanisms of the subsidiary organs of the United Nations to protect human rights. Which will be addressed in the following two requirements in detail.

The first requirement: the role of the main organs and their relevance to human rights:

The principal organs of the United Nations and their important role in monitoring and protecting human rights in the international community, respect and protection of human rights is one of the main concerns of the United Nations, as stipulated in the preamble to the Charter of the United Nations, as well as in a number of articles that define the purposes of the United Nations. The United Nations and the work of its main bodies, the organization of human rights issues in international declarations, international charters and agreements, and the monitoring of those countries in respect and application of human rights.

First: The General Assembly of the United Nations.

The General Assembly of the United Nations is composed of all members of the United Nations Organization. The General Assembly meets regularly once a year, and it has the right to discuss and issue recommendations in all matters that are within the framework of the United Nations Charter, and given that the General Assembly of the United Nations is the main deliberative body of the United Nations and is composed of representatives All member states of the United Nations (4)..

The competence of the General Assembly in the field of human rights protection is general and comprehensive, and this is what the charter stipulates (5), and the drafters of the charter wanted to define the relationship between the Economic and Social Council on the one hand and the

General Assembly on the other hand, so that there would not be a conflict of jurisdiction between the two organs (6).

One of the functions of the General Assembly is to draw up studies and make recommendations with a view to developing international cooperation in the economic, social, cultural, educational and health fields and helping to achieve human rights and fundamental freedoms for all people without discrimination between them in terms of sex, language or religion and does not differentiate between men and women (7)., and that the General Assembly of the Organization of Nations The United Nations has adopted declarations and agreements that focus on human rights and deal with several issues such as apartheid and genocide, refugees, women's rights, stateless persons, and slavery.

Also, the General Assembly of the United Nations has established many oversight bodies to respect and promote human rights within the international texts and agreements prepared, issued and signed by the member states. It has also established sub-committees directly affiliated to it, whose task is to monitor the implementation of the provisions of the Convention related to human rights. These committees are The Special Committee against Apartheid under General Assembly Resolution No. (1761) in 1962 due to the policy of racial discrimination that was being pursued in South Africa at that time (apartheid) (8).. This committee has developed until it has the right to receive requests and reports from groups and individuals, The Special Committee on the Status of Implementation of the Declaration of Independence for Countries, i.e. the Special Committee on Decolonization in 1961 AD (9)., the United Nations Council for Namibia, the Special Committee on Investigation into Israeli Practices and Violations Affecting the Human Rights of the Population of the Occupied Palestinian Territories (10)., and the Committees on the Exercise of the Inalienable Rights of the Palestinian People , Southwest African Regional Committee (11).. The achievements that have been made in the field of human rights protection through the United Nations General Assembly are many, such as the protection of basic and necessary human rights, and it has condemned many violations by countries and governments in the world and demands the improvement of human rights conditions in those countries, and who has the right to move the mechanism of the General Assembly of the United Nations The United Nations is not individuals or local organizations, but those who have this right are the member states, the Secretary-General of the United Nations and the main and subsidiary bodies of the United Nations (12)..

And also for the United Nations General Assembly to prepare international agreements aimed at protecting human rights. The General Assembly has prepared a set of international conventions on human rights, and another means of the United Nations General Assembly for the protection of human rights is the formation of committees or subsidiary organs to protect human rights and it may arise from the secondary branches what it deems necessary to carry out its functions (13).

Also, the General Assembly has the right to hold and follow-up international conferences concerned with human rights, if the conferences concerned with human rights are held by a decision issued by the General Assembly of the United Nations for the purpose of reviewing the progress made in the field of human rights and other fields (14).

Second: The Economic and Social Council

The Economic and Social Council is one of the main organs of the United Nations and, in accordance with the Charter, assumes responsibility in relation to international human rights law. The Council is composed of (54) members from representatives of member governments elected by the General Assembly for overlapping periods of three years (15). The Economic and Social Council was established in accordance with Chapter 10. From the Charter of the United Nations in order to implement the purposes of the United Nations in the economic and social field, and also that the Council has the right to prepare draft agreements or declarations to be presented to the General Assembly of the United Nations, as well as the Council to call for international conferences and the formation of committees to protect and promote human rights in various member states in the United Nations. It establishes with member states and with specialized international agencies the necessary coordination and understanding in order to be provided with reports on the steps taken to implement the recommendations of the General Assembly in human rights issues (16)..

Also that the Council holds two regular sessions each year, and that all the items related to the protection of human rights are referred to the Social Committee in the Council, and the Council has the powers “The Economic Council establishes committees for economic and social affairs, and for determining human rights, as well as other committees that it may need to perform its functions.”(17).

The second requirement: the mechanisms of the subsidiary organs of the United Nations to protect human rights:

The scope of our research in this section will be only for two important sub-organs of the United Nations, because of their practical importance and their close connection with the issue of human rights protection and the active role they play in defending human rights in all countries of the year.

First (UNITED NATIONS HUMAN RIGHTS)

The United Nations General Assembly approved the establishment of the position of the High Commissioner for Human Rights in 1993 (18)., which is a new position added to the mechanisms of human rights at the United Nations (19). The General Assembly has implemented the recommendations of the Vienna Conference in a practical way and on the ground in the same year and after a few months after the end of the work of the conference.

Fifty years of efforts culminated in order to have such a position that works to activate human rights in practice, as the creation of this position came within the framework of the United Nations reform program, and on (14/February 1994 AD) the first High Commissioner for Human Rights was named He is Mr. José El Laso from Ecuador, who resigned in June 1997. After him, Mrs. Mary Robinson of Ireland and former President of the Republic was appointed High Commissioner for Human Rights in June 1997 and began her duties on 12/09/1997 (20).. As for its follow-up, it is under the authority and responsibility of the Secretary-General of the United Nations, where all his powers and tasks are subject to the accountability of the Secretary-General of the United Nations (21)., and the work of the High Commissioner for Human Rights with public agencies and bodies working in the field of human rights, such as the Economic and Social Council and the Human Rights Council, where he provides They have annual reports, in addition to continuous cooperation and coordination with them. The Commission includes a department concerned with administrative matters, whose head assists the Commissioner in

matters related to the budget and the financing of the Commission's activities and humanitarian programmers. There is also an office for the Commission in New York. It is managed by a director appointed directly by the Commissioner, who undertakes a range of tasks related to the promotion and respect of human rights.

Second: (ILO) (International Labor Organization) (22).

The International Labor Organization was established on (4/11/1919 AD) according to Part Thirteen of the Versailles Treaty (1919 AD) as an independent institution concerned with workers' rights and rights linked to the League of the United Nations (23), and the idea of establishing an international organization regulating work-related issues finds its roots in the text of Article (23) From the era of the League , which imposes on the member states of the League obligations to ensure and maintain justice and humane conditions in the field of work for women, men and children , and the details of this commitment were developed through the establishment of the International Labor Organization, and after that the International Labor Organization became the first specialized agency associated with the Organization The United Nations, where the International Labor Organization continued to work after the dissolution of the League of Nations (24)., and then its association with the United Nations (25), as a specialized agency affiliated to it, headquartered in Geneva, Switzerland. 1944 AD) to be held in Geneva at that time because it was not possible to hold it because Europe at that time was a field for World War II, now a declaration on the goals and objectives of the Labor Organization The international conference became known as the Philadelphia Declaration. The conference also decided that all member states of the organization must abide by, respect, promote and fulfill the principles of the fundamental rights that are the subject of those agreements, even if they did not ratify them.

The statute of the International Labor Organization has dealt in general with human rights and in particular with the rights of workers, and we find that it has been stated in the texts of the International Labor Organization that “the aim of the League of Nations is to establish world peace and that this peace can only be established on the basis of social justice.” In order for the organization to reach its goal, which is to achieve the welfare of the salaried workers in the material, moral and cultural aspects (26)..

The International Labor Organization includes in its structure representatives of governments, employers and workers, and it is considered the only organization that was not controlled by representatives of governments only with all votes. It consists of three main bodies: the General Conference of Representatives of Member States, known as the International Labor Conference, the Governing Council and the International Labor Office. The conference and the board of directors are composed of two halves, one of which is representatives of governments and the other half of representatives of employers and workers in the member states. The tripartite system of the organization should be applied, meaning that all its main bodies capable of decision-making are made up of representatives of governments, employers and workers who jointly participate in decision-making and take the actions of the organization, and the main body of the organization represented by the international conference approves international labor standards in the form of agreements or recommendations related to human rights The basic principles that the organization defends, and the International Labor Organization(27), consists among its organs, the international conference and the governing body, which consists of (56) members, including (28) representing governments, (14) representing labor and (14) representing employers, and they are elected by the conference for a period of three years (28).

The presence of non-governmental representatives and their voting power provide the ILO with a unique view of the problems before it and provide possibilities for dealing with the practical problems facing the members of the organization (29). The organization is working to create a unified global labor law, through international labor agreements and recommendations issued by its conference, which is held annually at its headquarters in Geneva, Switzerland. It seeks to achieve social justice through the activities it undertakes in the fields of labor and social, and the organization, according to its basic system, is concerned with economic, social and cultural rights such as the right to work and enjoy adequate and just working conditions, the right to form trade unions, the right to social security for work (30), and civil rights and political and political freedoms such as freedom of opinion and culture, and it is considered one of the manifestations of international law's interest in human rights and work. The International Labor Organization issues many legal acts related to human rights and fundamental freedoms, especially workers' rights. The work of the International Labor Organization takes three basic legal forms in its work, which are declarations and recommendations and international conventions, from the Declaration on the Fundamental Principles and Rights of Work, which was adopted at its 86th session in June of the year 1998 AD, in which it was stated that the member states, by their choice in joining the International Labor Organization, must abide by the principles and rights stipulated in its statute and in the Declaration Philadelphia, as they have to pledge to achieve the goals of the organization (31).

The second topic:

Procedures of the International Council for Human Rights

The continuous development in the United Nations system for the purpose of protecting human rights has led to finding new ways and means for the purpose of monitoring and protecting human rights over a period of (60) years.(32) to the establishment of the International Council for Human Rights to replace the Committee in (2006 AD) (33). The Committee was working to monitor and protect human rights in all countries of the world, on (May 9, 2006 AD) the General Assembly of the United Nations elected (47) countries for membership in the International Council for Human Rights from among the (63) non-candidate countries are elected for a period of three years, subject to renewal, and are directly linked to the United Nations General Assembly (34)., and they may not be re-elected after occupying two consecutive terms, and the Human Rights Committee was abolished, as the International Council for Human Rights(35). was established by General Assembly Resolution No. /60).(36).

In order to achieve equality among countries in view of their human rights record, the International Council for Human Rights undertakes the universal periodic review of the human rights situation in all countries without exception, provided that the Council completes this review within one year of the convening of its first session (37).

We will discuss this issue in two demands, the first on the special procedures of the Human Rights Council and the second on individual complaints submitted to the Human Rights Council.

The first requirement: the special procedures of the Human Rights Council.

The special procedures are the mechanisms established by the Human Rights Committee within the framework of the practical translation of Economic and Social Council Resolution No. (1235) dated (6 June 1967 AD), which is currently concerned with the Human Rights Council.

These mechanisms are not stipulated in the Charter of the United Nations, or any other international convention on human rights, but are considered among the achievements of the Economic and Social Council and the dissolved Human Rights Committee. As for the special procedures of the Human Rights Council, they are independent experts in the field of human rights charged with mandates to submit reports and published on human rights from a substantive or country-specific perspective.

The Special Procedures system is an essential element of the United Nations mechanisms for the protection of human rights and covers all human rights (civil, cultural, economic, political and social). This mechanism also aims to address specific country situations or substantive issues in all parts of the world, monitor and advise on them and submit a public report on them, and the Special Procedures It is either the (Special Rapporteur) (38). or the (Independent Expert) or a working group consisting of five members who pledge to uphold independence, competence and integrity, and they are not employees of the United Nations and do not receive wages for their work (39)..

The special procedures are of two types: private residents according to the country and private residents according to the subject, and the state according to the country is called a country mandate and is responsible for following up on the human rights situation in a particular country, and the mandate according to the topic is called the subject mandate (40)., which means following up a specific topic in itself and in all countries it is not limited over a specific country, and there are (44) local states until the date (20 September 2020 AD) and (12) country states (41).In some cases, the mandate is not based on one person (one expert), but rather on a team of experts, which often consists Five persons, one member for each of the regional groups. As is the case for the Working Group on Arbitrary Detention and the Working Group on Enforced Disappearances (42)., the following procedures are also included under the name of Special Procedures:

- 1- Country visits: with the support of the Office of the High Commissioner for Human Rights, it is carried out with a country visit to specific countries, where it takes the necessary measures regarding individual cases and concerns that have a broader structural nature.
- 2- Sending messages and appeals to states and other parties: drawing states' attention to violations or abuses in one of the human rights issues (to draw the attention of bodies and institutions, and objective studies are conducted.
- 3- It holds consultations with experts, contributes to the development of international human rights standards, engages in advocacy activities, raises public awareness, and provides advice to provide technical cooperation.
- 4- Special procedures submit annual reports to the Human Rights Council, including their recommendations and conclusions that they reached through their activities in the previous year, and these national reports contain general issues such as: theoretical presentation, general trends, working methods, general developments in relation to their mandate, and often include Annual reports contain reports on country visits in the form of appendices (43).
- 5- Also, mandate-holders submit reports to the General Assembly, where the tasks of mandate-holders are specified in decisions related to establishing or extending their mandates (44).

6- They issued urgent calls to the concerned authorities to stop the violation, and to inform the public opinion of the gravity of this violation.

7- Submitting reports to international bodies that include presentations on their activities and the results that have been reached, and they are published on public opinion (45)..

The special procedures of the Human Rights Council, according to what came in the context of the review conducted by the Human Rights Council in (2011 AD) to evaluate its currency and its performance, as it stipulated:

1- Confirming the commitment of states to cooperate with the special procedures and the integrity and independence of the special procedures.

2- He also emphasized the principles of cooperation, transparency and accountability and the role of the special procedures system in enhancing the capacity of the Human Rights Council to address human rights cases.

3- The Member States also affirmed their strong opposition to reprisals against persons who cooperate with the United Nations, its mechanisms and representatives in the field of human rights.

4- The importance of ensuring transparent, adequate and fair funding to support all special procedures according to their specific needs.

As for the Qatari procedure, in the event of massive violations of human rights in a particular country of the world, it is the procedure of the Human Rights Council, where a special rapporteur is appointed for this country to research and address human rights violations in that country (46), and the effectiveness of the special procedures mechanism by the Council shall stop Human Rights agreed to accept the country visit based on the scope of jurisdiction specified for these procedures for fact-finding missions, and that the review of the system of special procedures by the Human Rights Council and the receipt of all the tasks, responsibilities and mechanisms of all the Human Rights Committee, came through discussions, discussions and numerous meetings by The working groups discussed a large number of issues affecting the work of the Special Procedures, such as relations with the Council or the appointment of mandate-holders, the organization of cooperation with governments and countries, relations with human rights organizations and actors, as well as support and funding from the Office of the High Commissioner for Human Rights (47).

Country visits are conducted at the invitation of states. Mandate holders visit a country for the purpose of analyzing the human rights situation at the national level in those countries. Some countries have sent permanent invitations to special procedures, which means that these countries are ready to receive a visit from any objective mandate holder. The number of invitations sent by members and a non-member observer state Permanent invitations to special procedures until the year (2015 AD) and 109 invitations, and that the mandate-holders should, at the end of their visit, conduct a dialogue with the concerned countries regarding their conclusions and recommendations and submit a report to the Human Rights Council (48).

As for the second part, which is the substantive procedures, which are concerned with a specific human rights issue that was in the field of (women's rights, children's rights, the rights

of people with disabilities, the rights of prisoners and detainees, etc.), special measures are taken in this regard, urgently and quickly. One of the most important mechanisms carried out by the special procedures mandate holders are (urgent appeals / carrying out country visits / setting standards) (49).

The second requirement: individual complaints submitted to the Human Rights Council:

There are a large number of ways to file individual complaints within the UN Secretariat and with organizations that are part of the broader UN family, such as the International Labor Organization (www.ilo.org) and the United Nations Educational, Scientific and Cultural Organization (www.unesco.org). Individualism to the Human Rights Council is a developed mechanism in the international system, whereby the individual has a role in the international community. The complaint mechanism has allowed individuals to submit a complaint with special procedures to the Human Rights Committee and to the Committee on the Status of Women, and it has gradually developed since the seventies quickly and now one is now To submit claims to the United Nations of human rights under four of the treaties relating to the following subjects:

- 1- "Civil and Political Rights".
- 2- "Torture and cruel treatment, defined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."
- 3- "Racial discrimination, which is prohibited by the International Convention on the Elimination of All Forms of Racial Discrimination."
4. "Sexual discrimination, defined by the Convention on the Elimination of All Forms of Discrimination against Women. Each of these treaties includes a quasi-judicial committee to examine complaints."(50).

What concerns us in this requirement is the mechanism for submitting a complaint to the Human Rights Council, and that this procedure in itself is an explicit recognition of the role of the individual in international law, which was limited to the role of states only to deal with them for a long period of time. The human being accepted the Human Rights Council after the amendment was made according to Resolution No. (5/1) to report violations of human rights and fundamental freedoms.

Human Rights Council Resolution No. (5/1) also defined this mechanism as "a procedure concerned with established patterns of grave violations that are supported by reliable evidence of all human rights and all fundamental freedoms that occur in any part of the world and in any circumstance."(51).

The complaints procedure, which was issued on (18) June (2007 AD), in order to be an alternative to the (1053) procedure for reporting established patterns of human rights violations in all countries of the world, as the Human Rights Council adopted a new complaints procedure, which was founded on the goal of reforming the procedure No. (1053) (52)., and that any individual, group or non-governmental organization can contact the concerned special rapporteur or working group to provide them with information or submit individual complaints for a specific violation that falls within their mandate, and the method of reporting is not difficult but

rather very easy, as they are provided with the name of the victim The date of the violation, the place and the persons responsible for it, with a detailed explanation of the violation, and then the complaint is referred to the complained state for the purpose of verifying the validity of the information and then providing the complainant with the response of the complained state until he confirms his observations and then returned them to the complained state, and the role of the Special Rapporteur is to summarize These communications are included in the annual general report of the Human Rights Council (53).

The Human Rights Council has set five specific conditions for accepting the complaint, some of them are formal and some are substantive, which we review below:(54).

1- That the means of redress and local justice are exhausted, that is, that the complaining person has submitted his complaint through the means followed in the country complained of and according to the law, it was through the local judiciary or through the Ministry of Justice or through the Ministry of the Interior. The law and that it has not been redressed according to these means, unless it is found that these means take a period that exceeds the reasonable limits.

2- The complaint is required to include a detailed and accurate description of the violation, including the violated rights, that is, the complaint request should be clear and accurate in describing the violation in terms of the place of violation, the date of the violation, and the violating party was a governmental entity, armed groups, or non-governmental institutions.

3- It is required that the subject of the complaint be consistent with international standards and instruments, the Charter of the United Nations and the Universal Declaration of Human Rights, and that the subject of the complaint is not for clear political motives.

4- The language used in the submitted complaint petition must be sound in that it does not contain offensive and inappropriate words and terms, and in the event that the complaint petition meets all the objective conditions and other admissibility criteria, the offensive statements can be deleted and accepted.

5- The complaint petition should be based on real and realistic evidence and evidence that proves the alleged violation, and if there are statistics and figures within the evidence, it must be official and real, and it does not depend on reports, news, photos and videos that are published on the media or through social media.

The state complained of due to the violation must respond to the complaint in one of the official languages of the United Nations within a period not exceeding three months from the submission of the request, and the period may be extended if the state submits an extension request for the purpose of responding, and the General Secretariat of the Human Rights Council must submit confidential files to all members of the Council before the meeting (55). At least two weeks for the purpose of consideration. There is also a difference in terms of formalities between the (1503) procedure and the complaints procedure for the Human Rights Council according to the number (1/5), without prejudice to the content, as there are some advantages of the complaint procedure submitted to the Human Rights Council, which will be mentioned below:

1- There are specific times for the two working groups to meet, where there are two meetings per year for two working groups in one session for a week, instead of once a year for each of them

and in one session for two weeks, which makes the council consider the cases brought to its attention before Situations Working Group.

2- Emphasis on objectivity and transparency in the communications that are rejected after the initial screening process for all communications, and this is through the head of the communications team, providing a list of all rejected communications and the reasons for rejection to the members of the communications working group.

3- Increasing transparency and its orientation to serve the victims, as the author of the communication (the complainant) and the state concerned with the procedures are informed in the main stages and each of the two working groups decides within the scope of their respective mandates, for the purpose of serving the victims in the form of concrete procedures and work methods, and all the two public parties can decide to contact the owner The communication is for the purpose of obtaining additional information and also directing the same questions to the concerned country.

4- Emphasis on confidentiality in order to enhance cooperation with the concerned country, and the council may decide to stop reviewing a specific case under the confidential procedure for complaints and put it for public consideration.

5- National remedies must be exhausted, including the measures taken by national human rights institutions. If it operates in accordance with the Paris Principles and has quasi-judicial jurisdiction (56).

The work of making complaints in the Human Rights Council is through two teams:

First Team: The Communications Team:

This team looks into complaints and draws the attention of the Human Rights Council to persistent patterns of violations of human rights and fundamental freedoms. The communications accepted in the initial examination are referred to the concerned or complained state to obtain its response regarding the allegations of violations in question.

This team consists of five members who are appointed by the Advisory Committee from among its members in proportion to one member from each of the regional groups, taking into account gender balance, and for a period of three years, and their term may be extended for one time only (57).

The second party: the team concerned with situations or referrals:

This team considers the communications referred to it by the communications team, the state's responses, the recommendations of the communications team, as well as the council's position on the issue, and that the second party's duty is to provide the Human Rights Council with information based on the first team's report on grave violations of human rights supported and credible Which is considered one of the established patterns, and that its recommendations are submitted to the Council on what actions must be taken, and also the second group has the right to refuse to consider a particular case, and that this group consists of "The Working Group on Situations is composed of five members appointed by regional groups from among the Member States on the Council for a period of one year (the term is renewable once) (58). The Working Group meets twice a year for a period of five working days in order to consider communications

referred to it by the Working Group on Communications, including the responses of States thereto, as well as cases already before the Council under a procedure The Working Group on Situations, on the basis of information and recommendations provided by the Working Group on Communications, shall provide the Council with a report on persistent patterns of Gross violations, supported by reliable evidence, of human rights and fundamental freedoms, and to make recommendations to the Council on the action to be taken (59).

The two parties meet twice a year for a period of at least five working days for each session, to discuss the communications urgently, as well as the responses of the countries and the cases presented to the Council (60). The concerned countries should respond to the complaint within the following conditions:

- 1- The response of the state must be in one of the official languages of the United Nations.
- 2- The response must be received within a period not exceeding three months from the date of submitting the application.
- 3- The period may also be extended, if necessary, at the request of the concerned country.
- 4- The General Secretariat of the Council shall submit confidential files to all members of the Council at least two weeks before the meeting for the purpose of consideration (61).

Conclusion:

After we reviewed in our research above everything related to the mechanisms and organs of the United Nations Organization, we have to show our results and in the light of that we suggest some proposals that we deem appropriate.

First - the results:

- 1- The Economic and Social Council implements the purposes of the United Nations in the economic and social field, and also that the Council has the right to prepare draft agreements or declarations to be presented to the United Nations General Assembly. The Council also calls for holding international conferences and forming committees to protect and promote human rights in various member states. in the United Nations.
- 2 - The High Commissioner for Human Rights is directly linked to the Secretary-General of the United Nations and a currency such as the work of the Economic and Social Council and the Human Rights Council, where he submits annual reports to them, in addition to continuous cooperation and coordination with them.
- 3- The International Labor Organization includes in its structure representatives of governments, employers and workers, and it is considered the only organization that was not controlled by representatives of governments only by all votes. The Labor Organization is working to create a unified global labor law, through international labor agreements and recommendations issued About its conference, which is held annually at its headquarters in Geneva, Switzerland.
- 4- The work of the International Labor Organization takes three basic legal forms in its work, which are declarations, recommendations and international agreements.

5- The International Council for Human Rights is the heir of the achievements of the Human Rights Committee that were achieved at the time, and that the Council came for the purpose of achieving the main objective of the United Nations, which is the protection of human rights and international peace and security, and that the Council is an advanced mechanism for the protection of human rights at the time it was established for the purpose of addressing the weakness in the work of the Commission Previous human rights, which were linked to the Economic and Social Council, while the International Council for Human Rights is currently an independent council and is directly linked to the United Nations General Assembly.

6- The special procedures are the mechanisms developed by the Human Rights Committee within the framework of the practical translation of Economic and Social Council Resolution No. (1235) dated (6 June 1967 AD), which is currently the responsibility of the Human Rights Council.

7. Special Procedures is a procedure concerned with established patterns of gross and reliably corroborated violations of all human rights and all fundamental freedoms that occur in any part of the world and in any circumstance.

8- The individual complaints procedure enables any individual, group or non-governmental organization to contact the concerned Special Rapporteur or the working group to provide them with information or submit individual complaints for a specific violation that falls within their mandate. Also, the method of reporting is not difficult but very easy.

Second: Suggestions:

1 - Since one of the main organs in the United Nations Organization, and in accordance with the Charter, is responsible for international human rights law, it is the “Economic and Social Council.” We therefore recommend that this Council take the real role in drawing up policies and plans to protect human rights from violations, especially in countries. poor of the world.

2- We recommend the United Nations to expand the powers and capabilities of the High Commissioner for Human Rights in order to be able to intervene immediately and urgently in the event of a violation of human rights in any country in the world. This intervention is quick and does not require complicated procedures. The delay in preparing a detailed decision for the Secretary General of the United Nations regarding the violation, especially the grave violations.

3- The International Labor Organization should expand the scope of its powers to improve the working conditions and workers through international labor agreements and international conferences, as it is the only international organization that is not controlled by government representatives, but consists of two representatives of workers, labor unions and government representatives.

4 - Since the International Council for Human Rights is the sole heir to the achievements of the dissolved Human Rights Commission, it must be more effective and more proactive in developing real solutions to violations that occur in countries of the world, and that its role is not only an observer role, but we recommend that it has broader powers to deter countries that It proves its involvement in serious violations of human rights.

5- The special procedures of the International Council for Human Rights should be quick and real procedures, and they should have the powers to intervene faster, away from routine, and to obtain approvals for the purpose of intervention. Rather, we suggest that there should be powers with the Secretary-General of the United Nations to grant to the Council in the event of any violation In the world after the Council submits a quick and urgent report in detail on this violation to the Secretary-General of the United Nations.

6- The individual complaints procedure should develop more accurately and there should be an amendment to some of the complaint procedures, as the procedure followed is to send the complaint by the Human Rights Council to the government against which the complaint is submitted by the individual complaining after ensuring that all conditions are met Submit the complaint. But he did not take into consideration that sending the complaint to the state complained of by one of its citizens or non-nationals would endanger the life of that individual, arrest or pressure to withdraw his complaint, and therefore we recommend that he take into account the location of the complainant individual so that he is not subjected to pressure The state complained of, directly or indirectly, as well as this issue of local organizations that file a complaint against the state to which that local organization belongs, and the pressure that this organization may be subjected to from the state and may reach the cancellation of the official permit for its establishment and its dissolution.

First: the books

1- Hadi Naim Al-Maliki, Introduction to the Study of International Human Rights Law, Zain Human Rights Publications, Baghdad 2010.

2- Dr. Hamed Sultan - Public International Law in Peacetime, Dar Al-Nahda Al-Arabiya, sixth edition, Jang Y, 1976 AD.

3- Suhail Hussein Al-Fatlawi, Public International Law in Peace, House of Culture for Publishing and Distribution, Amman, 2010.

4- Omar Saad Allah and Ahmed bin Nasser, Law of the Contemporary International Community, Diwan of University Publications, 2005.

5- Dr. Muhammad Medhat Ghassan, International Protection of Human Rights, Dar Al-Raya for Publishing and Distribution, 2003.

6- Dr. Basil Youssef, Human Rights Diplomacy, Legal Reference and Mechanisms, Baghdad, 2002 AD.

7- Muhammad Yusuf Alwan and Muhammad Khalil Musa, International Human Rights Law (Sources and Means of Control), Part 1, House of Culture, Publishing and Distribution, Jordan, 2005.

8- Dr. MazenLilo Radi and Haider Adham Abdel Hadi, Introduction to the Study of Human Rights, Dar Qandil for Publishing and Distribution.

9- Dr. Ahmed Abu Al-Wafa, International Protection of Human Rights, within the framework of the United Nations and the specialized international agencies, Dar Al-Nahda Al-Arabiya, Cairo, 2000 AD.

Second: Thesis and theses:

1- Luwasaq Wahiba, Mechanisms for Monitoring the Protection of Human Rights, Graduation Note for the High School of the Judiciary, Batch No. 16, 2005-2008.

2- Lama Abdel-Baqi Al-Azzawi, the legal value of UN Security Council resolutions in the field of human protection, a master's thesis submitted to the Higher Institute for Political and International Studies, Al-Mustansiriya University, 2005.

3- Bandar bin Turki bin Al-Hamidi Al-Otaibi, The role of the Permanent International Criminal Court in protecting human rights, Master's thesis, Naif University for Security Sciences, Saudi Arabia, 2008.

4- Wafi Ahmed, International Mechanisms for the Protection of Human Rights and the Principle of Sovereignty, published PhD thesis, University of Algiers, Faculty of Law, 2010-2011.

5- Ahmed Wafi, International Mechanisms for the Protection of Human Rights and the Principle of Sovereignty, Ph.D. thesis, Algeria, University of Algiers, 2011.

Third: Scientific Research:

1- Dr. Muhammad Saeed al-Daqqaq, Human rights within the framework of the United Nations system, Human Rights Journal/2- d. Mahmoud Bassiouni and others, 1987, Dar Al-Ilm for Millions, Lebanon, 1989.

2- Dr. Shafi'i Muhammad Bashir, Human Rights Law, Alexandria Knowledge Facility, 2007 AD.

3- Dr. Al-Shafi'i Muhammad Bashir, An in-depth study of human rights law, Karnak Computers, Alexandria, 2003 AD.

4- Leah Levine, Human Rights, Obligatory Questions, translated by Alaa Shalab and NuzhaJayyousiIdris, UNESCO, 2009, Paris, 2009.

5- Boudjemaa Ghashir, United Nations Mechanisms for the Protection of Human Rights and the Monitoring of the Implementation of International Conventions, Arab Guide for Human Rights and Development, Arab Organization for Human Rights, 2005.

Fourth: United Nations resolutions:

1- The Charter of the United Nations, 1948.

2- United Nations General Assembly Resolution (48/141 of December 30, 1993 AD).

3- The decision of the United Nations General Assembly to establish the Human Rights Council in 2006, session (60), No. (RES/60/251/A).

Fifth: Reports and publications issued by the United Nations.

- 1- U.N. the U.N. and H.R.S. New York 1978,
- 2- Dr. Boutros Boutros Ghali, Annual Report on the Work of the United Nations Organization, New York, 1996 AD.
- 3- The annual report of the High Commissioner for Human Rights for the year 1995 AD, Geneva.
- 4- The rules of procedure of the International Labor Organization (1919 AD).
- 5- United Nations Document No. (60/251/A/RES).
- 6- A guide for NGOs in submitting complaints, Geneva without a year and edition, issued by the Office of the High Commissioner for Human Rights.
- 7- Seventeen Frequently Asked Questions Concerning United Nations Special Rapporteurs, Fact Sheet No. (27), Office of the High Commissioner for Human Rights, 2001.
- 8- Abraham Meghna: Building the new human rights council, outcome and analysis of the institution building year. Dialogue an Globalization occasional paper, Geneva,2007.
- 9- A fact sheet, issued by the United Nations High Commissioner for Human Rights, No. 7, concerning the complaint procedures.
- 10- Leah Levin, Human Rights Questions and Answers, translated by Alaa Shalaby and Nozha JayyousiIdrissi, UNESCO, 2009, Paris.

Mainly: Internet sites

- 1- The official website of the United Nations High Commissioner for Human Rights.
- 2- The official website of the International Council for Human Rights, United Nations.
- 3- The official website of the International Labor Organization.

Reference:

1. Hadi Naim Al-Maliki, Introduction to the Study of International Human Rights Law, Zain Human Rights Publications, Baghdad 2010, p. 65.
2. Dr. Hamed Sultan - Public International Law in Peacetime, Dar Al-Nahda Al-Arabiya, sixth edition, Jang Y, 1976 AD, p. 63.
3. Lusaq Wahiba, Mechanisms for Monitoring the Protection of Human Rights, Graduation Note for the Graduate School of the Judiciary, Class No. 16, 2005-2008, p.
4. Suhail Hussein Al-Fatlawi, Public International Law in Peace, House of Culture for Publishing and Distribution, Amman, 2010, p. 535.
5. See the text of Articles (10,11,13) of the Charter of the United Nations.

6. Dr. Muhammad Saeed al-Daqqaq, Human rights within the framework of the United Nations system, Human Rights Journal/2- d. Mahmoud Bassiouni and others, 1987 AD, Dar Al-Ilm for Millions, Lebanon, 1989, p. 61.
7. The text of Article 13 of the United Nations Charter.
8. The work of this committee ended after the democratic changes in South Africa.
9. The number of its members is (23) members
10. The U.N. and H.R.S. New York 1978, p 3-4.
11. Omar Saad Allah and Ahmed bin Nasser, Law of the Contemporary International Community, Diwan of University Publications, 2005, p. 182.
12. Shafi'i Muhammad Bashir, Human Rights Law, Alexandria Knowledge Facility, 2007 AD, p. 255
13. See the text of Article (22) of the Charter of the United Nations.
14. Dr. Boutros Boutros Ghali, Annual Report on the Work of the United Nations Organization, New York, 1996, p. 5.
15. Omar Saad Allah, previous source, p. 244
16. Dr.. Al-Shafi'i Muhammad Bashir, An in-depth study of human rights law, Karnak Computers, Alexandria, 2003, p. 290.
17. Article 68 of the United Nations Charter
18. United Nations General Assembly Resolution (48/141 of December 30, 1993)
19. Muhammad Medhat Ghassan, International Protection of Human Rights, Dar Al-Raya for Publishing and Distribution, 2003, p. 175.
20. Dr.Basil Youssef, Human Rights Diplomacy, Legal Reference and Mechanisms, Baghdad, 2002, pg. 99.
21. Lea Levin, Human Rights, Obligatory Questions, translated by Alaa Shalab and Nuzha Jayyousi Idris, UNESCO, 2009, Paris, 2009, p. 92. See also the annual report of the High Commissioner for Human Rights for the year 1995 AD, Geneva, p. 21.
22. The official website of the International Labor Organization, at <https://www.ilo.org/global/lang--en/index.htm>, date of visit: 25/11/2020 AD.
23. The 29 countries of the General Conference of the International Labor Organization, held on October 2, 1946, agreed to the agreement that binds the International Labor Organization to the United Nations, in accordance with Article 63 of the Charter, an agreement that defines its status as a specialized agency.
24. Muhammad Youssef Alwan and Muhammad Khalil Musa, International Human Rights Law (Sources and Means of Control), Part 1, House of Culture, Publishing and Distribution, Jordan, 2005, p. 37.
25. Lama Abdel-Baqi Al-Azzawi, the legal value of the resolutions of the UN Security Council in the field of human protection, a master's thesis submitted to the Higher Institute for Political and International Studies, Al-Mustansiriya University, 2005, p. 110.
26. Dr. Mazen LiloRadi and Haider Adham Abdel Hadi, The Introduction to the Study of Human Rights, Dar Qandil for Publishing and Distribution, p. 274.
27. Leah Levine, Human Rights Questions and Answers, previous source, 1986 AD, pg 43.
28. Dr.. Basil Youssef, Human Rights Diplomacy, previous source, p. 88.
29. The first paragraph of the preamble to the constitution of the organization established in (1919 AD)
30. The United Nations: Basic facts about the United Nations, previous source, p. 154, citing Lama Al-Azzawi, previous source, p. 110.

31. Dr.Ahmed Abu Al-Wafa, International Protection of Human Rights, within the framework of the United Nations and the specialized international agencies, Dar Al-Nahda Al-Arabiya, Cairo, 2000, p. 214.
32. United Nations Document No. (60/251/A/RES).
33. The Economic and Social Council established the Commission on Human Rights by virtue of its Resolution No. (05) for the year 1946 AD, and held its last meeting in March 2006 AD. Thus, the work of the Committee will be in its entirety (60 years), as after this date it was replaced by the International Council for Human Rights.
34. Judge Wahiba Lou Sayeq, Human Rights Monitoring Mechanisms, previous source, p. 12.
35. Resolution of the United Nations General Assembly establishing the Human Rights Council in 2006, session (60), No. (RES/60/251/A).
36. (170) states voted in favor of the council's establishment resolution, (3) states rejected it, and (3) states abstained.
37. Bandar bin Turki bin Al-Hamidi Al-Otaibi, The role of the Permanent International Criminal Court in protecting human rights, Master's thesis, Naif University for Security Sciences, Saudi Arabia, 2008, p.84
38. Working with the Office of the High Commissioner for Human Rights, NGO Guide to Submission of Complaints, Geneva without year and edition, p. 68.
39. The official website of the Office of the High Commissioner for Human Rights, Special Procedures of the Human Rights Council / submitted on the electronic link, <http://www.ohchr.org/AR/HRBodies/SP/Pages/Introduction.aspx> Last visit date on 12/2/2020 AD.
40. Boudjemaa Ghashir, United Nations Mechanisms for the Protection of Human Rights and the Monitoring of the Implementation of International Conventions, Arab Guide for Human Rights and Development, Arab Organization for Human Rights, 2005, p.223.
41. The official website of the United Nations High Commissioner for Human Rights on the Internet at <https://www.ohchr.org/AR/HRBodies/SP/Pages/Welcomepage.aspx>, last visited on 12/1/2020 AD.
42. Seventeen Frequently Asked Questions Concerning United Nations Special Rapporteurs, Fact Sheet No. (27), OHCHR, 2001, p. 1
43. Annual reports submitted to the Human Rights Council, published on the official website of the United Nations, Office of the High Commissioner for Human Rights at <https://www.ohchr.org/AR/HRBodies/SP/Pages/Introduction.aspx> Date of visit on 4/12/2020 AD.
44. The official website of the High Commissioner for Human Rights, Special Procedures of the Human Rights Council, at <https://www.ohchr.org/AR/HRBodies/SP/Pages/Welcomepage.aspx>, visited on 12/4/2020 AD.
45. Wafi Ahmed, International Mechanisms for the Protection of Human Rights and the Principle of Sovereignty, published PhD thesis, University of Algiers, Faculty of Law, 2010-2011, p. 157.
46. UN Human Rights Council Publication (Criteria for Successful Outcome of Special Procedures Review), UN Office, p. 3

47. Abraham Meghna: Building the new human rights council, outcome and analysis of the institution building year. Dialogue an Globalization occasional paper, Geneva, 2007, p24-25. .
48. The official website of the United Nations High Commissioner for Human Rights, at the link: <https://www.ohchr.org/AR/HRBodies/SP/Pages/Introduction.aspx> Date of visit 12/3/2020 AD.
49. Manfred Towak, Arab Parliamentarians' Guide to Human Rights, OHCHR and the Inter-Parliamentary Union, p. 38.
50. A fact sheet, issued by the United Nations High Commissioner for Human Rights, No. 7, concerning the complaint procedures. p. 3.
51. Article (85) of Human Rights Council Resolution No. (5/1).
52. Leah Levin, Human Rights Questions and Answers, translated by Alaa Shalaby and Nozha Jayyousi Idrissi, UNESCO, 2009, Paris, p. 77.
53. A previous source, Ahmed Wafi, International Mechanisms for the Protection of Human Rights and the Principle of Sovereignty, Algeria, University of Algiers, 2011, pp. 154-155.
54. Article (87) of Human Rights Council Resolution No. (1/5).
55. Articles (101,102) of the aforementioned Human Rights Council resolution.
56. The official website of the United Nations, Human Rights Council, Frequently Asked Questions, at the link: <https://www.ohchr.org/AR/HRBodies/HRC/ComplaintProcedure/Pages/FAQ.aspx> Date of visit, 12/10/2020 AD.
57. Article (93) of Human Rights Council Resolution No. (5/1).
58. Article (93) of Human Rights Council Resolution No. (5/1).
59. The official website of the Human Rights Council, at the United Nations, at <https://www.ohchr.org/AR/HRBodies/HRC/ComplaintProcedure/Pages/WGSituations.aspx> Date of visit on 12/8/2020 AD.
60. Article (100) of the aforementioned Human Rights Council resolution.
61. Articles (101,102) of the aforementioned Human Rights Council resolution