



## United Nations Mechanisms for the Protection and Promotion of Human Rights

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YAYIN BİLGİSİ	ABSTRACT
<p>Yayın geçmişi:</p> <p>Gönderilen tarih: 14 Nisan 2021</p> <p>Kabul tarihi: 22 Mayıs 2021</p> <p>Yayınlanma tarihi: 29 Haziran 2021</p> <p><b>Key words:</b></p> <p>Human rights</p> <p>United nations</p> <p>Human right law</p> <p><b>Anahtar kelimeler:</b></p> <p>İnsan hakları</p> <p>Birleşmiş milletler</p> <p>İnsan hakları hukuku</p>	<p>One of the primary goals of the United Nations (UN) since its inception after World War II has been the protection and promotion of human rights. The United Nations has established broad categories of universally accepted rights and written them down; it has established mechanisms to both protect and promote these rights as well as to assist governments in meeting their obligations. The purpose of this research is to provide information about the United Nations' relationship with human rights as well as to convey the mechanisms of human rights protection. The United Nations has established two types of mechanisms to protect human rights. The first is Procedures and Mechanisms for Human Rights Protection in the Context of the United Nations Founding Treaty. The second is the United Nations Human Rights Treaties as well as the Prescribed Procedures and Principles. Human rights law now includes women, children, disabled people, minorities, migrant workers, and other vulnerable groups as a result of these conventions and control mechanisms.</p> <p><b>ÖZ</b></p> <p>Birleşmiş Milletler'in (BM) II. Dünya Savaşı'ndan bu yana öncelikli hedeflerinden biri insan haklarının korunması ve geliştirilmesidir. Birleşmiş Milletler, evrensel olarak kabul edilmiş geniş haklar kategorileri oluşturmuştur. BM bu hakları hem korumak ve geliştirmek hem de hükümetlere yükümlülüklerini yerine getirmelerinde yardımcı olmak için mekanizmalar oluşturmuştur. Bu araştırmanın amacı, Birleşmiş Milletler'in insan haklarıyla ilişkisi hakkında bilgi vermek ve insan haklarını koruma mekanizmalarını aktarmaktır. Birleşmiş Milletler insan haklarını korumak için iki tür mekanizma kurmuştur. Birincisi, Birleşmiş Milletler Kurucu Antlaşması Bağlamında İnsan Haklarının Korunmasına Yönelik Usul ve Mekanizmalardır. İkincisi, Birleşmiş Milletler İnsan Hakları Antlaşmaları ile Öngörülen Usul ve İlkelerdir. BM tarafından ortaya konulan insan hakları hukuku bu sözleşmeler ve kontrol mekanizmalarının bir sonucu olarak kadınları, çocukları, engellileri, azınlıkları, göçmen işçileri ve diğer savunmasız grupları içermektedir.</p>

### 1. Introduction

Social work is a human rights practice that recognizes that every individual has value. Its goal is to establish an equal social system in society and to provide security and growth opportunities by upholding human integrity and dignity (IFSW, 1988). The formation and defense of human rights on a legal basis is critical in the field of social work, which focuses on human rights. In this context, the preservation of peace and security in the implementation of human rights on a global scale is contingent on the protection of individuals' fundamental rights and freedoms (Topal, 2014: 101). The United Nations (UN) places a high value on the defense of human rights in the post-World War II period. Various mechanisms and agreements have been developed within the UN framework to protect human rights in the international arena. In this context, a comprehensive human rights law system has been developed, which is a universal law that can be recognized at the international level, is sought by all citizens, and is secured on a global scale (United Nations Today, 2017). This system is based on the United Nations Convention and the Universal Declaration of Human Rights. In the international arena, economic, social, technological, political, and civil rights are all conceptualized comprehensively. Furthermore, structures have been developed to protect the development of human rights and to

direct states in carrying out their responsibilities in this regard (Açık, 2011: 45).

Concepts such as rights, justice, freedom, and equality are at the core of the social work profession (Zengin & Altındağ, 2016: 179). There are aspects in these UN agreements such as respect for human dignity and value, equality, and social justice that form the value base of the social work profession. The purpose of this study is to communicate the rules governing the defense of human rights within the framework of the UN system's conventions. In this context, the historical development of the UN will be outlined first, followed by information on the UN's relationship with human rights and finally the UN's human rights protection mechanisms. UN human rights protection mechanisms and social work relationship will be revealed.

### 2. United Nations

The expression UN was first proposed by President of the United States of America, Franklin D. Roosevelt, in the Declaration dated January 1, 1942, during the traumatic period of the Second World War, when many people's rights could not be obtained (Tamçelik, 2013: 1229). For the first time in Second World War history, the allied powers (USA, Soviet Union, Britain, France, and China) as

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well as Turkey, formed an organization with the participation of 26 countries that took part as founding members of the Axis against the Power (Germany, Italy, Japan, Bulgaria, Hungary, and Romania). The most fundamental goal of the UN's establishment was to collaborate in the development and support of everyone's respect for human rights and fundamental freedoms, without discrimination. This purpose is included in the first article of the Charter of the United Nations, which regulates the foundation of the organization.

Until the official establishment of the UN in 1945, it was the priority agenda item for individuals and communities to live in an order in which they could freely determine their future in order to protect human rights. This concept is closely related to self-determination, which is the right to self-determination that serves as the foundation of the social work profession (Şahin, 2009: 87). Consequently, the UN Charter was signed in San Francisco in June 1945 by 50 countries to prevent the recurrence of war and threats to peace as well as to maintain international peace and security, including Turkey. Following Poland's signature on the Charter, the number of founding member states increased to 51 at the UN International Organization Conference (Beardsley & Schmidt, 2012: 33).

The UN's main structures were established in 1945, when the organization was established. The General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice, and UN Secretariat are the main organizations in this context. Many programs are carried out by the UN through its different organizations. These programs address a wide range of intervention areas, including poor people, children, women, disabled people, asylum seekers and refugees, people driven to crime, people with client systems in the field of social services, and people who are considered at risk (Birkmann, 2007: 20). To give a brief overview of these programs:

- UN Development Program (UNDP): Works in approximately 170 countries and regions to eliminate poverty, reduce inequality, and achieving sustainable development (UN Development Program, 2017).
- UN Children's Fund (UNICEF): Provides long-term humanitarian and development assistance to children and mothers (UN International Children's Emergency Fund, 2017).
- UN High Commissioner for Refugees (UNHCR): Works to protect refugees all over the world and to assist them with resettlement issues in particular (UN High Commissioner for Refugees, 2017).
- World Food Program (WFP): Its objective is to eradicate hunger and malnutrition. It is the world's largest humanitarian organization. Every year, the program provides food aid to approximately 80 million people in approximately 75 countries (World Food Program, 2017).
- UN Office on Drugs and Crime (UNODC): Assists member states in the fight against drugs, crime, and terrorism (UN Office on Drugs and Crime, 2017).
- UN Population Fund (UNFPA): Pregnancy-oriented work carried out to ensure the safe occurrence of all births worldwide (The UN Population Fund, 2017)
- UN Trade and Development Conference (UNCTAD): It conducts research to ensure development, particularly in countries involved in international trade (UN Conference on Trade and Development, 2017).
- UN Environment Program (UNEP): The work carried out for

the environment within the UN system to promote the wise use of the global environment and its sustainable development as a catalyst, advocate, educator, and facilitator (UN Environment Program, 2017).

- UN Palestine Refugee Relief and Public Works Agency (UNRWA): Services provided to contribute to the provision of education, health, aid and social services, shelter, and other services necessary for human development (UN Relief and Works Agency for Palestine Refugees in the Near East, 2017).
- UN Women: UN agency dedicated to gender equality and women's empowerment. It was established to accelerate progress in meeting the needs for leadership of women worldwide (The UN Entity for Gender Equality and the Empowerment of Women, 2017).
- UN Human Settlements Program: Its mission is to develop sustainable human settlements and provide adequate shelter for all when addressing urban transformation and migration in social and environmental terms (UN-Habitat World, 2017).

### 3. United Nations and Human Rights

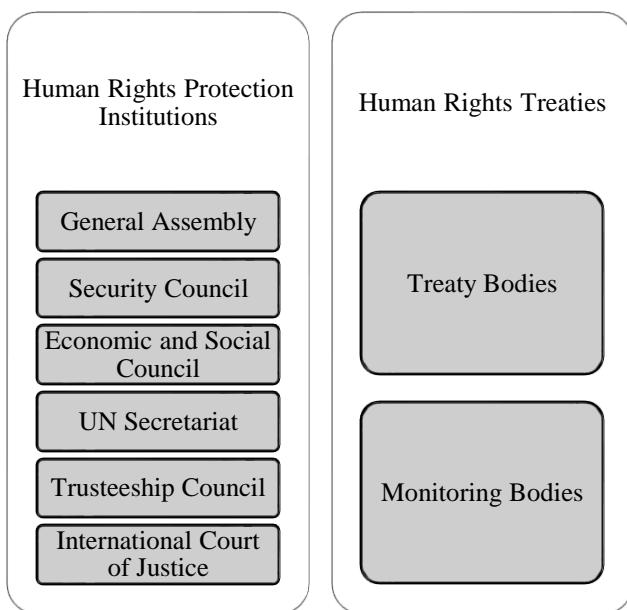
Uygulama The United Nations plays a crucial role in the protection and development of human rights. The primary goal of the UN's activities is to ensure that human dignity is fully respected, as stated in the UN Treaty. The United Nations maintains its activities in a variety of fields through its international mechanism. In this context, the main roles and functions of the UN can be expressed as follows:

- Global conscience: The entire world has been warned against practices that threaten these standards by emphasizing the universality of human rights principles in various declarations and conventions prepared by the General Assembly.
- Lawmaker: The United Nations has coordinated the enactment of international law in a way that has never been done before. Efforts were made in this manner to protect groups such as women, children, prisoners, and barriers from being subjected to human rights violations.
- Controller: Through its conventions and commissions, the United Nations plays a critical role in ensuring human rights protection.
- Advocate: If it discovers that a severe human rights violation, such as torture or execution of a group outside the control of the courts, is imminent, it sends an urgent message to the relevant state demanding clarification of the situation and assurance of the victim's rights being protected.
- Researcher: The United Nations collects the information needed to establish and enforce human rights legislation. New policies and procedures are being implemented as a result of these studies to further improve respect for human rights.
- Supreme Court: Individuals may file a lawsuit against states that have approved the applicable application procedure after exhausting all internal remedies. Under its framework, it also has divisions that collect reports regarding human rights abuses.
- Correct Information Detection: Various systems for tracking and reporting human rights abuses have been developed by the Human Rights Commission. It is possible to gather information, coordinate with local groups and government officials, visit the stage if the appropriate government permits, and make recommendations on how to increase human rights respect in this context.

#### 4. United Nations Human Rights Protection Mechanisms

Uygulama The UN's founding principles are inextricably linked to issues of human rights. Studies for establishing international standards on fundamental human rights were conducted during the first phase following the UN's establishment (Doğan & Özdemir, 2013: 223). From a historic perspective, it can be seen that the idea of human rights grew stronger after Nazi Germany's interventions on more than six million Jews, Sinti, homosexual, and disabled people after World War II terrified the entire world (Brysk, 2002: 43). Courts, particularly after World War II, charged defeated officials with crimes against peace and crimes against humanity for committing war crimes (Göçer, 2009: 27). After all of this, it is clear that global governments assisted to establish the United Nations in order to strengthen international peace and prevent conflicts. As a result, a watershed moment in contemporary international human rights law has occurred (Simm et al., 2002: 42). Table 1 provides information on UN Human Rights Protection Mechanisms.

**Table 1: UN Human Rights Protection Mechanisms**



#### 4.1. Human Rights Protection Institutions

The duties of this organization, whose primary objective is to protect human rights, are outlined under this heading, in addition to presenting the UN system's organs. The UN Organization's main bodies were formed in 1945, when the organization was founded (Luard, 1989: 34). The General Assembly, Security Council, Economic and Social Council, Trusteeship Council, International Court of Justice, and UN Secretariat are the main organs of the UN in this context.

##### 4.1.1. General Assembly

It is the mechanism under which all UN member states are universally represented to establish agreements and policies like the UN representative body. In general debates attended and addressed by many heads of state each year, it pioneers decisions on important issues such as peace and security, admission of new members, and the budget (Ziring, Riggs, & Plano, 2005: 30). It is carried out at a center in New York. The General Assembly is responsible for the other committees that operate under this board. The texts approved by the General Assembly, known as declarations are not legally binding on the states that recognize them in a treaty power. They are, however, still important documents in establishing international standards for human rights protection (Tahranlı, 2002: 20).

#### 4.1.2. Security Council

It is a 15-person member structure tasked with maintaining international peace and stability, and all member states are required to follow the council's decisions under the Regulation. This system is in charge of deciding whether or not there is a possibility of war and calling for peace between the parties in order to resolve the dispute (Turan & Özkural Köroğlu, 2015: 12). This council, like the General Assembly, conducts its activities in the center of New York City.

#### 4.1.3. Economic and Social Council

It is the UN' organ that deals particularly with human rights. It is the primary organ responsible for implementing internationally agreed-upon development goals as well as for coordination, policy analysis, political consultation, and guidance on economic, social, and environmental issues (Çalık, 2004: 70). It is the central mechanism for the activities of the UN system and its specialized agencies in the economic, social, and environmental fields, overseeing subsidiary and specialist bodies (Provost, 2004: 5). It is the UN' thinking center platform for sustainable development reflection, debate, and innovative activities. Its work is done in the center of Geneva. It continues these investigations through various sub-units that are linked to it. The Crime Prevention and Criminal Justice Commission, the Women's Status Commission, and the Human Rights Commission are subdivided further (Özer, 2016: 205). However, because this study is concerning human rights, it would be useful to concentrate on the Human Rights Commission and the Sub-Commission on the Protection and Development of Human Rights, both of which are active in this field.

- Human Rights Commission: The commission, which was established in 1946, is the primary subsidiary organization of the UN that deals with human rights issues and formulates human rights policy. The first and most important task was the adoption of the Universal Declaration of Human Rights on December 10, 1948, which marked the beginning of the process of establishing international standards for the protection of human rights. Human rights were recognized by a UN General Assembly Decision that is not legally binding with this declaration, along with the Additional Protocols to the International Convention on Human Rights and the International Covenant on Civil and Political Rights (also known as the 1966 Twin Conventions). The Universal Declaration of Human Rights contains thirty articles that address the people's basic, civil, cultural, economic, political, and social rights in every country (Smith, 2012: 7). Ever since, the United Nations has progressively extended human rights legislation to include specific standards for women, children, persons with disabilities, minorities, migrant workers, and other disadvantaged groups (İspir, 2016: 165). As a result, these groups have gained the right to be protected from racist policies that have existed in their cultures for many years. This commission makes suggestions, studies, and recommendations to the Economic and Social Council on international declarations and conventions, minorities' security, the prevention of discrimination based on race, gender, language, and religion, and other human rights issues. It discusses human rights concerns and abuses in different countries, requesting an independent expert to investigate these violations or identify assistance with the relevant government.
- Sub-Commission for the Protection and Promotion of Human Rights: The Human Rights Commission established in 1947 as the main auxiliary body under the authority of the Economic

and Social Council. Although the Sub-Commission was previously known as the Sub-Commission on the Prevention of Discrimination Against Minorities and Minority Protection, its name was changed to its current name in 1999 (Arsava, 1992: 14). Furthermore, the year 2006 marked a historical key moment in which several significant decisions were made that resulted in the development of new legal control mechanisms based on the UN Charter. Its primary mission is to conduct research within the framework of the Universal Declaration of Human Rights and to advise the Human Rights Commission on the prevention of discrimination in the areas of human rights and fundamental freedoms, as well as the protection of racial, ethnic, and religious minorities. This commission is affiliated with a communication working group, a working group on contemporary forms of slavery, a working group on indigenous peoples, and minority working groups (Özer, 2016: 205).

- **Human Rights Council:** It is the primary UN organization tasked with promoting and protecting human rights. The United Nations General Assembly was established on March 15, 2006, by decision number 60/251. The Council, which replaced the Human Rights Commission, is made up of representatives from 47 member countries designated by the General Assembly. Human Rights Council Decision 5/1, on the other hand, established the Human Rights Council Advisory Committee, which is comprised of 18 experts Council (Spohr, 2010: 169). The Sub-Commission for the Promotion and Protection of Human Rights has also been replaced by the Advisory Committee. These new theories perform the same functions as their predecessors; in a decision made in June 2007, the Human Rights Council decided to keep the 1503 and 1235 procedures in place. On the other hand, it should be noted that a significant innovation concerning the period after 2006 has also occurred. The Human Rights Council was established by a decision dated 2006 and numbered 60/251, which also established a new control mechanism. The member states of the United Nations will explain in their reports every four years what they have done to improve the human rights situation and fulfill their human rights obligations in their countries under this system known as Universal Periodic Review (United Nations Today, 2017). The Council provides general policy guidance, investigates human rights issues, develops new international norms, and monitors human rights implementation around the world. It has the authority to raise the issue of human rights and investigate information from states, NGOs, and other sources whenever it deems it necessary. The Council serves as a forum for states, non-governmental organizations, and intergovernmental organizations to discuss human rights issues (Weiss & Gordenker, 1996).

#### **4.1.4. Trusteeship Council**

It was established to ensure the supervision of 11 regional administrations delegated by the UN Charter to the administration of seven member states, and to ensure that sufficient steps are taken to allow these regions to establish autonomous administrations or become independent (Çalık, 2004: 71). To examine and debate reports prepared on the political, economic, social, and educational progress of people living in territories administered by another country, in accordance with the work of this assembly; the UN has been given the authority to accept petitions from regions and to perform special duties in the regions (Tahranlı, 2002: 21).

#### **4.1.5. International Court of Justice**

It is the UN's main judicial body, with the goal of resolving legal

disputes brought forward by states under international law. The Court is open to all states that have signed on to its Statute, and only states can become parties to International Court of Justice and present their disputes before it on disputed matters. Private individuals, individuals, and international organizations are not permitted to appear before the Court (Özer, 2016: 206). Only when states are parties to a dispute does the Court have jurisdiction. However, it is not a human rights court and is not authorized by international human rights treaties. Regardless, the Court's decision and position on the definition of fundamental rights and freedoms, as well as the legal link it has established between it and international public order, form the backbone of international human rights law. This council works in The Hague as well (Crawford & Grant, 2007: 21).

#### **4.1.6. General Secretariat**

It is formed of international officials who work within the UN to ensure the organization's smooth operation. It supports the United Nations' other major bodies by implementing the programs and policies announced by these bodies. The General Secretariat is responsible for a wide range of tasks, including managing UN peacekeeping operations, mediating international disputes, inspecting economic and social trends, and preparing studies on human rights and sustainable development. It also keeps the international media up to date on the UN's activities, organizes international conferences on global issues, and interprets and translates speeches and documents into the organization's official languages (Tahranlı, 2002: 22). During his five-year tenure, the Secretary-General is the organization's chief administrative officer, appointed by the General Assembly on the advice of the Security Council. The UN Treaty empowers the Secretary-General to bring problems to the Security Council's attention that the Secretary-General considers posing a threat to international peace and security, and these powers grant the Secretary-General a lot of leeway's. It conducts studies to establish communication with the peoples of member countries and to obtain information about the many international issues on the organization's agenda; it attends sessions of UN bodies, sharing ideas with world leaders, government officials, and members of civil society and the private sector; and it conducts studies to establish contact with the peoples of member countries and to obtain information about the many international issues on the organization's agenda (Akdeniz Robinson & Canbay, 2008: 69). The Secretary-General supervises the High Commissioner for Human Rights, who plays a crucial role in the UN structure in terms of human rights.

#### **4.2. Human Rights Treaties**

It is critical to reveal the control mechanisms within the framework of the legal basis and what these treaties are while dealing with the procedures and principles stipulated by the UN's human rights treaties, in other words, the contract mechanisms. Regulations are enforced and steps are taken to protect human rights by foreseeing different processes in these conventions, each of which counts as an individual international agreement. Within this system, seven international conventions have been recognized and put into force thus far.

All the international treaties prepared by the UN for the security and promotion of human rights do not have recognized bodies to regulate treaty enforcement. These treaties give them the power to keep an eye on the UN alerts. Even though these documents do not have the legal force of treaties, they contribute to the creation of universal principles for the protection of human rights. It is binding on the formulation of moral rules by states in the international arena that

endorse decisions made by voting affirmatively in the adoption of these texts in this regard. Table 2 provides information about The UN Human Rights Treaties and Committees.

**Table 2: The UN Human Rights Treaties and Committees**

The Treaty	The Committee
International Convention on the Elimination of All Forms of Racial Discrimination	Committee on the Elimination of Racial Discrimination
International Covenant on Civil and Political Rights	Human Rights Committee
Covenant on Economic, Social and Cultural Rights	Economic, Social and Cultural Rights Committee
International Convention on the Elimination of All Forms of Discrimination Against Women	Committee on the Elimination of Discrimination Against Women
Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Convention on the Rights of the Child	Committee on the Rights of the Child
Agreement on the Protection of the Rights of All Migrant Workers and Family Members	Committee on Migrant Workers

#### 4.2.1. International Convention on the Elimination of All Forms of Racial Discrimination and The Committee on the Elimination of Racial Discrimination

It was ratified by the United Nations General Assembly on December 21, 1965, and was given the number 2106 A. It went into effect on January 4, 1969. The Committee on the Elimination of Racial Discrimination is the Convention's supervisory body. On October 13, 1972, Turkey ratified the Convention. The convention's central theme is the rejection of racial discrimination and state action in this region.

Turkey has issued two declarations, one stating that the Convention's provisions would only apply to states parties with which Turkey has diplomatic relations, and the other stating that the Convention has been ratified by the Republic of Turkey's territorial borders, and the other regulating the transfer of disputes relating to the Convention's interpretation or implementation to the International Court of Justice. It has expressed a reservation that it would not be bound by article 22 (Elibol, 2015: 20).

The Committee on the Elimination of Racial Discrimination is the International Convention on the Elimination of Racial Discrimination's supervisory body. It was established in accordance with the Contract's eighth article. The committee consists of 18 expert members chosen from among the candidates nominated by

the state parties, and the members serve for a four-year term. This committee has three functions and prepares a report after they have fulfilled them:

- i) Submission of reports indicating that the states parties to the Convention have made the Convention's provisions operational. These reports include the state's actions in all legal, judicial, and administrative matters, and the audit is based on these reports.
- ii) Evaluation of the notifications made by the state's party to the convention.
- iii) Examine the notifications made by individuals.

#### 4.2.2. International Covenant on Civil and Political Rights and The Human Rights Committee

The convention has been accepted by the UN General Assembly in a decision dated December 16, 1966, and was designated as Convention 2200 A. (XXI). Except for Article 41, the Convention entered into force on March 23, 1976. On August 15, 2000, Turkey signed the Agreement. Turkey has issued three declarations stating that it will fulfill its obligations arising from the Convention by fulfilling its obligations under the United Nations Charter, that the provisions of the Convention will only be applied to parties with diplomatic relations with Turkey, and that the Convention has only been approved by the Republic of Turkey's territorial borders. A reservation has also been rendered to the Agreement's Article 27. According to this reservation, the Republic of Turkey reserves the right to use the applicable provisions of the Republic of Turkey's Constitution, the Lausanne Peace Treaty, and its Annexes to enact Article 27 of the Convention on the rights of ethnic, religious, and linguistic minorities (Elibol, 2015: 25).

The convention addresses rights such as freedom of travel, equality before the law, the right to a fair trial, and the right to be presumed innocent until proven guilty; freedom of thought, conscience, and religion; freedom of expression and opinion; and freedom of peaceful assembly and association. It addresses rights such as participation in public services and elections, as well as minority rights protection. The Convention prohibits indiscriminate deprivation of life, torture, cruel or degrading treatment or punishment, slavery and forced labor, indiscriminate arrest or detention, indiscriminate interference with personal immunity, and indiscriminate invasion of privacy; it also prohibits war propaganda and the propagation of views that incite racial or religious hatred (Özdek, 2004: 40). The Convention also established an 18-member Human Rights Committee, which assessed reports on steps taken by States Parties to enforce the Convention's terms at regular intervals. In other words, the Human Rights Committee is the International Covenant on Civil and Political Rights' supervisory body.

In the field of human rights protection, the Human Rights Committee executes three parallel but distinct functions:

- i) Accept the report detailing the steps taken by States Parties to give effect to the rights recognized by this Convention, as well as the progress made in exercising these rights in their respective countries.
- ii) It deals with state-to-state complaints. In these complaints, it examines whether the state parties' local solutions for the issue of the complaint have been depleted.
- iii) Individual applications made to the Committee are decided by the Committee. The "Optional Protocol" governs its use. Receiving notifications from individuals claiming to be victims of contractual rights violations by the state party is part of it.

#### 4.2.3. Covenant on Economic, Social and Cultural Rights and

## **The Economic, Social and Cultural Rights Committee**

The convention was established by Resolution 2200 A (XXI) of the United Nations General Assembly on December 16, 1966. This Convention establishes individuals' fundamental economic, social, and cultural rights. Some of these are the right to work under fair and favorable conditions, the right to equal and fair wages for equal work, trade union rights, the right to social security, the right to family, motherhood, and youth protection, the right to life and health standards, the right to education, and the right to participate in cultural life. The Committee on Economic, Social, and Cultural Rights is the International Covenant on Economic, Social, and Cultural Rights' supervisory body.

On August 15, 2000, Turkey signed the Covenant on Economic, Social and Cultural Rights. Turkey made three declarations, specifying that it would meet the Convention's obligations by its obligations under the United Nations Charter, that the Convention's terms will only apply to parties with diplomatic relations with Turkey, and that the Convention is only accepted by the Republic of Turkey's territorial boundaries. A reservation had also been made, indicating that paragraphs 3 and 4 of Article 13 of the Convention would be applied within the scope of the Turkish Constitution's Articles 3, 14, and 42. The Convention's reservation issues paragraphs deal with parents' right to instill religious and moral values in their children and to create educational institutions (Elibol, 2015: 30).

The Committee on Economic, Social, and Cultural Rights, the International Covenant on Economic, Social, and Cultural Rights' supervisory body, was established to monitor and control state parties' implementation of the Convention. The Committee is composed of 18 members who are elected by the United Nations Economic and Social Council from among the candidates nominated by the States Parties for a four-year term.

### **4.2.4. International Convention on the Elimination of All Forms of Discrimination Against Women and the Committee on the Elimination of Discrimination Against Women**

The convention was adopted by a decision of the United Nations General Assembly dated December 19, 1979 and was numbered 34/180. The Convention reaffirms the belief in fundamental human rights, human dignity, and worth, as well as that males and females should have equal rights, and that the Universal Declaration of Human Rights affirms the principle of unacceptable discrimination against people, as well as that all human beings are born free and have equal dignity and rights. It means that men and women have equal access to all economic, social, cultural, civil, and political rights. In other words, it ensures women's equality before the law and enacts specific measures to eliminate discrimination against women in political and public life, nationality, education, employment, health, marriage, and family life.

On January 19, 1986, the contract enacted in Turkey. On January 29, 2008, Turkey stated that it had also withdrawn its previous declaration regarding Article 9, paragraph 1. Only the reservation regarding Article 29 paragraph 1 is currently in effect. This article states that if a dispute arises between the states' parties regarding the interpretation or application of the Convention, it will be resolved through arbitration or the International Court of Justice (Elibol, 2015: 32). Turkey's announcement that it would withdraw from the convention in 2021 drew a strong reaction from women's rights activists.

The Convention's supervisory body is the Committee on the Elimination of Discrimination Against Women. It was established

by the 17th article of the Contract. It has 23 members who are independent experts, and their terms of office are four years. The committee's primary responsibility is to audit the reports submitted by the state parties. Although the importance of these reports cannot be overstated, their effectiveness in protecting human rights is a contentious issue.

### **4.2.5. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment**

The convention has been accepted by the United Nations General Assembly in a decision dated December 10, 1984, and numbered 39/46. This Convention, to which 134 states have signed, defines torture as an international crime and holds state parties accountable for preventing it and punishing those who commit it. The first article of the Convention, which defines the concept of torture, is perhaps the most important. Torture, according to the provision in question, is defined as follows: "torture" refers to a person or a third party for the purpose of obtaining information or a confession, or for any discriminatory reason to punish a person or a third party for an act that is or is suspected to have been committed or committed. As a result, it refers to "any act that causes severe physical or spiritual pain or suffering that is carried out with the encouragement or consent of a public official or any other person acting in this capacity. This excludes any inherent or incidental pain and suffering caused solely by the imposition of legal sanctions."

On January 25, 1988, Turkey signed the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Thereby, Turkey declared that it has recognized the Convention's inter-state and individual application procedures, and that these procedures are now operational for Turkey.

The Committee Against Torture is the supervisory body of the United Nations Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. This committee examines state party reports, acknowledges and considers individual complaints from nationals of states that have consented to this procedure that cannot justify torture. It may also launch investigations into countries that it believes are using torture in a serious and systematic manner.

### **4.2.6. Convention on the Rights of the Child and the Committee on the Rights of the Child**

The convention has been ratified by a resolution of the United Nations General Assembly dated November 20, 1989, and numbered 44/25. This convention "recognizes children's unique vulnerability and provides comprehensive protection for children in all categories of human rights." The Convention prohibits discrimination against children and notes that all acts should be driven by the best interests of children. Children who are immigrants, disadvantaged, or members of minorities receive special treatment. States that have signed the convention are obligated to provide safeguards for children's survival, growth, protection, and participation. This convention has been ratified by 192 countries, making it the most ratified treaty.

Turkey ratified the Convention on September 14, 1990, and it came into force on May 4, 1995. Turkey has stated that it reserves the right to interpret Articles 17, 29, and 30 of the Convention in accordance with the provisions and intent of the Republic of Turkey's Constitution and the Lausanne Peace Treaty. According to these articles, "They urge the mainstream media to pay particular attention to the language needs of children belonging to a minority community

or an indigenous population" has sparked a discussion about minorities' rights (Elibol, 2015: 36).

#### **4.2.7. Agreement on the Protection of the Rights of All Migrant Workers and Family Members and the Committee on Migrant Workers**

The convention has been ratified by the United Nations General Assembly in a resolution numbered 45/158 on December 18, 1990. As a result of the growing mobility of job seekers across international boundaries, a new human rights convention was introduced to prevent discrimination against migrant workers. The Agreement on the Protection of the Rights of All Migrant Workers and Family Members "Protects the rights of all registered and unregistered migrant workers and their families; prohibits mass deportation of migrant workers or the destruction of their identification papers, work permits, or passports; and ensures that migrant workers receive the same salaries and have access to the same social and health services as the country's nationals."

It allows people to join labor unions and move their wages, savings, and personal belongings when their working time ends, and it offers migrant workers' children the right to an education as well as the ability to register their birthplace and nationality.

The agreement has been signed by Turkey on January 13, 1999. Though Turkey ratifies the Convention, the restrictions imposed by Turkish law on foreigners' acquisition of immovable property will remain in effect. Article 45, paragraphs 2, 3, and 4, will be enforced in accordance with the Republic of Turkey's Constitution and Laws. The provisions of national customs legislation will be used to enact Article 46. Turkey has expressed reservations to this report, declaring that the Committee for the Protection of the Rights of Migrant Workers and Family Members will be recognized in the future and that the rights of migrant workers and their family members to join unions in the state where they work are not valid under Turkish law (Elibol, 2015: 38).

The Contract Supervising Authority is the Committee to Protect the Rights of All Migrant Workers and Family Members. This committee assesses the reports that the state parties send to it. The committee will make broad recommendations after reviewing these studies.

#### **4.2.8. Other Conventions**

Nearly 80 agreements and declarations based on the Universal Declaration of Human Rights have shaped various issues within the United Nations. Seven of them are overseen by the State parties. The implementation When States become parties to these Treaties, they consent to the review by independent expert panels of their legal regulations and human rights practices. Considering the UN work on human rights protection and development, some issues are highlighted in terms of rights. Other rights in this context can be summarized as follows:

- **Right to Development:** One of the fundamental principles of the UN Treaty and the Universal Declaration of Human Rights is the principle of equal opportunity in development. The Declaration of the Right to Development, adopted by the General Assembly in 1986, is a watershed moment that demonstrates that this right is an inalienable human right and that every individual and person has the right to participate in, contribute to, and benefit from economic, social, cultural, and political development (United Nations Today, 2017).
- **Labor Rights:** The International Labor Organization (ILO) is the United Nations specialized agency in charge of defining and

protecting workers' rights. Nearly 185 contracts and 194 agreements covering all aspects of business life and constituting an international labor standards system have been accepted through the collaborative efforts of governments, employers, and workers' representatives. This organization's recommendations guide policy, legislation, and practice, and include legally binding provisions for countries that have ratified the organization's signed conventions (United Nations Today, 2017).

- **Minority Rights:** It has been detailed that around a billion people worldwide are members of minorities, and that many minorities face discrimination, exclusion, and even violent conflict on a regular basis. Meeting the legitimate demands of national, ethnic, religious, and linguistic groups has been observed to be beneficial not only in terms of preserving cultural diversity and adapting to cultural differences, but also in terms of strengthening social stability. Minority rights have occupied a prominent position on the UN agenda since its inception (United Nations Today, 2017).
- **Rights of Indigenous Peoples:** Indigenous peoples are also known as early peoples, tribal peoples, and ancient peoples. There are at least 5,000 indigenous groups worldwide, with 300 million people living in over 70 countries across five continents. When they defended their rights, most indigenous groups who were excluded from decision-making processes were marginalized, exploited, forcibly assimilated, and subjected to persecution, torture, and murder. The UN, on the other hand, has grown increasingly concerned about indigenous peoples, who are regarded as one of the world's most vulnerable groups (United Nations Today, 2017).
- **Rights of Persons with Disabilities:** Disabled people are largely excluded from society, and they face physical and social barriers to receiving basic humanitarian services. This situation affects not only the disabled but also society. Since its inception, the United Nations has worked to elevate the status of disabled people and improve their lives. The origin of this sensitivity to the rights and welfare of the disabled is rooted in the UN's founding principles of human rights, fundamental freedoms, and equality of all people. The concept of disabled human rights gained wider acceptance in the international arena in the 1970s, and by adopting the Disability Rights Declaration (1975), it established the standards for equal treatment of disabled people and equal access to services, accelerating the integration of the disabled into society. Furthermore, the Disability Rights Committee was formed, and the reports submitted by the state parties to it were evaluated (United Nations Today, 2017).
- **Support to the Judiciary:** The UN is also in charge of ensuring that human rights are better protected in the legal system. When individuals are investigated by authorities, arrested, detained, charged with a crime, tried in court, or imprisoned, the law must always be applied with due regard for human rights protection. In this regard, the United Nations has worked to develop a set of standards and rules that can be used as a model for national legislative systems. The care of prisoners, the safety of young people in detention, the use of weapons by police, the actions of law enforcement officers, the responsibilities of lawyers and prosecutors, and the judiciary's independence are all covered by this set of principles and regulations. The UN Crime Prevention and Criminal Law Commission and the International Center for Crime Prevention developed most of the standards (United Nations Today, 2017).



Some regional conventions, such as the European Convention on Human Rights, the American Convention on Human Rights, and the African Convention on the Rights of Peoples have used the Universal Declaration and other UN documents as foundations.

## 5. Discussion and Conclusion

Social work is a human rights profession. Based on the experiences of social workers while fulfilling their responsibilities to help people with individual and social problems, these principles are closely related to the United Nations human rights protection mechanisms. Human rights are protected and secured within the framework of national and international human rights conventions and mechanisms. The mechanisms to protect human rights put forward by the United Nations have a critical function in protecting the rights of disadvantaged groups benefiting from social services. Social workers benefit from these contracts and protective mechanisms to prevent their clients from being violated and to fight against violations of their rights in the path they follow while creating their global agenda. This study, it is aimed to give information about the United Nations and its mechanisms to protect human rights.

One of the main objectives of the United Nations, which was developed after World War II, is to protect and develop human rights. It is essential to ensure international cooperation in developing and supporting the respect for human rights and fundamental freedoms of all citizens without discrimination, one of the four objectives of the organization mentioned in the first article of the UN Treaty for the protection of human rights. The UN has established and documented broad and universally accepted categories of rights, as well as mechanisms to protect and promote these rights and assist governments in meeting their obligations. Following the adoption of the Universal Declaration of Human Rights, human rights law has been expanded to include women, children, disabled people, minorities, migrant workers, and other vulnerable groups under pressure. As a result, these groups have earned the right to be protected from the discriminatory practices that have persisted in their communities for many years.

One of the countries where the conventions set forth by the United Nations have been signed-in Turkey. Human rights in Turkey are protected by various international law agreements. According to Article 90 of the 1982 Constitution, the supremacy of international law rules over domestic law has been accepted. In Turkey, these agreements are subject to domestic law to protect the rights of the population at risk such as women, children, the disabled, immigrants, and workers. Besides, the establishment of the 'Turkish Human Rights And Equality Institution' is closely related to these developments. The UN Human Rights have an important function in the protection of the rights of the group at risk and the provision of social services accordingly. Mechanisms to prevent human rights violations established by the United Nations ensure that monitoring studies are carried out to protect rights. Raising awareness on human rights, providing information, monitoring and reporting developments and violations of rights at the national level, supporting the protection and strengthening of human rights within the framework of the conventions to which we are a party and other relevant international and national legislation, working to ensure the effective implementation of the conventions to which we are a party at the national level, reviewing the relevant legislation from a human rights perspective and evaluating individual applications are carried out following these agreements.

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