

Specialized Committee: 2021 Convention Against Torture



JACKRABBITMUN III

L.B. POLY - MAY 22nd

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CHAIR LETTERS

Dear Delegates,

My name is Josephine and I will be one of the co-chairs in the 2021 Convention Against Torture Committee! This is my first time chairing and I'm very excited to meet all of you virtually! Some of my hobbies include playing piano, playing viola in orchestra, participating in Speech and Debate, and baking. I have really enjoyed MUN and even though conferences have been virtual, they have still been wonderful and I can't wait to chair in committee!

Sincerely,

Josephine Gore

Co-Head Chair

josephineamabelgore@gmail.com

Esteemed Delegates,

I'm Natalie, your other co-chair! I am so pleased to be one of your chairs for this committee and am looking forward to some spirited debate. This issue is one that is always current and we cannot wait to listen to your solutions. In my free time, I enjoy crochet, tennis, visual arts, and podcasts. Also, I am the secretary of Poly's Key Club and a member of our UNICEF club. Despite the challenges that come with a virtual conference, we look to provide you with the best 2021 Convention Against Torture committee as possible. Thank you delegates, we will see you in committee!

Sincerely,

Natalie Canalis

Co-Head Chair

nataliecanalis3@gmail.com



VICE CHAIR, LEGAL AND RAPPORTEUR LETTERS

Hello Delegates,

My name is Eliana Eats and I am proud to say I am your vice-chair for this year's 2021 Jackrabbit MUN. First, I want to thank you for choosing our room and I think I speak for the whole daïs when I say we are happy to have you. I am currently a Junior here at Poly, however, this is my first year participating in Model UN. The ability to participate in virtual conferences is probably one of the only good things to come out of quarantine. I am a third-year girl's Varsity Wrestler at Poly and I someday hope to pursue a law career. Now, I hope you are getting prepped for the conference and don't procrastinate on your research paper (because I know you probably will if you are at all like me ;)).

Good Luck Delegates,

Eliana Eats

Vice Chair

elianaeats@gmail.com

Esteemed Delegates,

Hello everyone! My name is Jocelyn Hebish and I will be your legal for this committee. This is my first year in MUN and so far, my experiences have been incredibly positive. Some of my hobbies outside of MUN include tennis, speech and debate, and baking! I look forward to seeing you all and good luck to everyone in committee!

Sincerely,

Jocelyn Hebish

Legal

10jocelynhebish@gmail.com

Dear Delegates,

Hello delegates! Thank you for choosing to attend Jackrabbit MUN III! My name is Chelsea Huerta, and I will be your rapporteur. I am a freshman at LB Poly and this is my first year in MUN. I have had a wonderful experience in our wonderful MUN program, and look forward to sharing the Poly MUN experience with you. I'm extremely excited to see you all in committee, and hope you all have a phenomenal time! Please contact myself or any of our wonderful dias if you have any questions.

Sincerely,

Chelsea Huerta

Rapporteur

1984conventionrapporteur@gmail.com



POSITION PAPER GUIDELINES

JACKRABBITMUN POSITION PAPER GUIDELINES

- Position Papers are due at 11:59 PM on **Sunday, May 16th, 2021** in order to be eligible for **research AND committee awards**.
- Position Papers are due at 11:59 PM on **Friday, May 21st, 2021** in order to be eligible for **committee awards ONLY**.
- Position Papers can be submitted through the committee email:
 - Email to: tortureconvention.jackrabbit@gmail.com
- At the top of each paper, include your country, first and last name, committee, and topic.

Canada
First Last
1984 Convention Against Torture
2021 Convention
- Papers should be emailed as a PDF file.
 - Paper content should also be copied and pasted into the body of the email so it can still be graded in the event of any technical difficulties
 - Please name file and subject line of email [Committee_Country Name]
 - Ex. TortureConvention_Canada
- Papers should be 1-2 pages in length with any additional pages for citations.
- Papers should be single-spaced in Times New Roman 12 pt. font and include no pictures or graphics.
- Please include the following sections for each committee topic:
 - Background
 - United Nations Involvement
 - Position of your Country
 - Possible Solutions

If you have any questions or concerns, please email your chair
(josephineamabelgore@gmail.com or nataliecanalis3@gmail.com)



INTRODUCTION

In 1984, the Convention Against Torture was held by the United Nations to define torture and bring justice to victims. Although the conclusion was reached that, “the term ‘torture’ means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person,” many modern nations who have ratified it tend to violate this definition. Today, people are tortured throughout the world, from Uyghur Muslim re-education camps in China to suspected drug addicts being shot in the streets of the Philippines.

In the modern age of ever-developing technology and ideas, in many nations, the issue of torture is more pertinent than ever. However, the definition of torture remains stuck in the past, along with ideas on how to combat its existence. In committee, delegates will come to a consensus on what torture should be defined as, what methods of punishment are moral to use today, and how to battle immoral torture around the world. There is still no clear, concise definition of torture and repeated violations occur across the world. Delegates must come together to find a solution to one of the biggest human rights issues facing today’s society. Below is a link to the full 1984 Convention Against Torture Resolution.

[1984 Convention Against Torture Resolution](#)



BACKGROUND

Prior to the United Nations 1984 Convention Against Torture (UNCAT), the international community convened in 1949 for the Geneva Convention to discuss human rights, including the prohibition of torture. The latter topic was also discussed in 1977, with the addition of multiple protocols to further combat the issue of torture. Torture was deemed cruel and inhumane, and therefore illegal, but the Geneva Convention never clearly defined it. Without an agreed-upon definition, the United Nations and the Geneva Convention could not properly punish countries that violated treaties against torture. In order to effectively stop its widespread use as a tool for government-sponsored interrogation and punishment, the United Nations hosted the Convention Against Torture to thoroughly define “torture” in regulatory terms. It convened in 1984 and, among other things, provided the world with a universal legal definition for torture.



As of 2006, 141 countries have ratified this Convention. In 1987, The Committee Against Torture (CAT) was formed. This body of 10 experts meets twice yearly to review alleged cases of torture and address concerns; all countries which have signed are required to submit reports. Even though almost all member states have ratified the 1984 Convention



Against Torture, torture remains in widespread use around the world, including in countries that agreed to the original Convention. Examples of torture range from starvation to suspension, and much worse. In addition, the original Convention Against Torture does not cover the action of local governments, such as police, or off-soil actions of a country's citizens, such as the United States' Guantanamo Bay.



UNITED NATIONS INVOLVEMENT

The United Nations has passed multiple torture-focused resolutions separate from the 1984 UNCAT resolution. The Subcommittee on Prevention of Torture (SPT) is a UNHRC subcommittee that was established under the Optional Protocol of the Convention Against Torture (OPCAT). It was founded to maintain the goals of the OPCAT, which includes the implementation of routine checks and visits from impartial international and national bodies to nations that struggle with the deprivation of citizens' liberty, so as to prevent torture from ensuing. The SPT is occupied by 25 experts from countries that have ratified the OPCAT. These experts serve four year terms and visit nations, often in pairs. They may bring extra non-SPT experts in specific fields, so long as they are approved by the Office of the United Nations High Commissioner for Human Rights and the United Nations Centre for International Crime Prevention.

Plenty of information can also be gleaned from OPCAT Special Rapporteur interim reports: Report A/70/303 mainly addresses international torture in cases of individuals who are not located in their countries of residence. For example, the United States



is technically still accountable for the torture that formerly and allegedly continues to ensue in its Guantanamo Bay detention camp, despite the camp being in Cuba. As mentioned in the report, this process is known as extraordinary rendition and is clearly stated as illegal under international law. The report also suggests ways to prevent torture and other forms of



maltreatment and implores states to respect citizens' human rights to live without torture or ill-treatment when outside their borders. Report A/HRC/43/49 addresses psychological



torture and how it should be defined under international human rights law. It further states that physical torture is different than psychological torture and that this form entails, “mental pain or suffering, or interpretations requiring that, in order to constitute torture, mental

pain or suffering must be caused by the threat or infliction of physical pain or suffering, threats of imminent death, or profound mental disruption.”

Along with these reports, multiple comments have been made on Article 14 of the 1984 UNCAT resolution. Article 14 states that, “1. Each State Party shall ensure in its legal system that the victim of an act of torture obtains redress and has an enforceable right to fair and adequate compensation, including the means for as full rehabilitation as possible. In the event of the death of the victim as a result of an act of torture, his dependants shall be entitled to compensation. 2. Nothing in this article shall affect any right of the victim or other persons to compensation which may exist under national law.” Comments have addressed what qualifies as torture deserving of redress as well as the concept of redress as a whole. It was clarified that torture victims deserving of redress are victims of all forms of torture, psychological or physical, with no discrimination towards the victim. Redress is seen by the committee as, “...restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition...” These forms of redress can be seen as different or appropriate or inappropriate in different situations, but all torture victims deserve the items listed.



BLOC POSITIONS

Specialized Committee Voting Blocs (30 Members Total)				
African Bloc	Asia Pacific Bloc	Eastern European Bloc	Latin America & Caribbean Bloc	Western European & Others Bloc
Egypt, Arab Republic Of	China, People's Republic of	Russia, Federation Of	United Mexican States	United States of America
Nigeria, Federal Republic Of	Philippines, Republic Of	Poland, The Commonwealth Of	Cuba, Republic Of	French Republic
Tunisia, Republic Of	Iran, Islamic Republic Of	Romania	Morocco, Kingdom Of	Great Britain and Northern Ireland, United Kingdom Of
Uganda, Republic Of	Uzbekistan, Republic Of		Nicaragua, Republic Of	Australia, The Commonwealth Of
South Sudan, Republic of	India, Republic Of		Venezuela, Bolivian Republic Of	Belgium, Kingdom Of
Congo, Democratic Republic of	Pakistan, Islamic Republic Of			Italy, Republic Of
	Afghanistan, Islamic Republic Of			Germany, Federal Republic Of
	Japan, Empire of Greater			Spain, Kingdom Of



1. *African Bloc*: Throughout Africa, many governments are betraying their commitments to eliminate torture. This practice is rampant across the continent, with only 10 out of 54 African nations having adopted domestic legislation against torture. To demonstrate the severity of this issue, in 2014, at least 24 sub-Saharan African nations had accusations of torture.
2. *Eastern European Bloc*: The Eastern European bloc has grown notorious for various accusations of torture over the years, the most infamous being the Lzoliatsiia concentration camp in Russia. Amnesty International has documented several allegations of torture in multiple Western European nations. Because this bloc is so large and politically diverse, humanitarian efforts are difficult due to the various opposing and differentiating views.



3. *Latin American and Caribbean Bloc*: In this bloc, policy varies from country to country but the majority tend to side outwardly against torture. Many have ratified treaties in support of such, but in reality, these promises are proven hollow. Social and political issues have brought about civil rights disputes throughout the region. Conflict, insecurity, violence, and discrimination are broad examples of torture commonly found in these nations.
4. *Western and Developed Bloc*: Most Western and developed nations tend to support human rights and in many cases have come out to protest the lack of action and continuous torture in other blocs. Despite many of these nations' dark pasts with torture, this region places a strong emphasis on protecting and promoting human rights through legislation, though the strictness of such varies from country to country.
5. *Asia-Pacific Bloc*: Many nations in this bloc struggle with instances of torture and are likely to have unenforced regulation in regards to the protection of human rights and torture. Torture and the violation of human rights are unfortunately common in these countries and are often used as legitimate responses to extreme crimes. A majority of the population fears the aforementioned torture, but little interference is possible due to government policies.



QUESTIONS TO CONSIDER

1. How do you (and your country) define torture?
2. What is the history of the use of torture both globally and in your country?
3. What are the main methods of torture, if any, that are used in your country?
4. What can your country do to prevent unnecessary or unfairly provoked torture?
5. What incentives could be established to get countries to adopt these newer, stricter definitions and prevent all forms of torture?
6. Have new technological advantages way to new forms of torture?
7. What are possible effective alternatives to torture?
8. How has the world culture changed since 1984 that could help redefine the convention?
9. Are there different situations and regulations within the UN that could help or hinder the new convention and the extent of possible change?
10. How does your country's standing economically influence its willingness to accept resolutions?



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