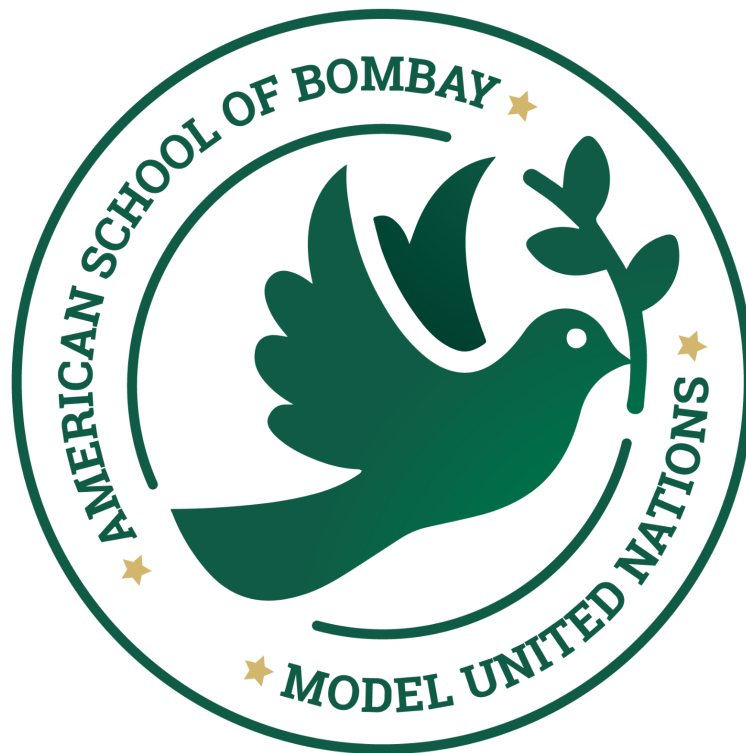


ASBMUN 2025

UNHRC Topic 1 Research Report



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Forum: ASBMUN 2024

Committee: **United Nations Human Rights Council (UNHRC)**

Topic: Combatting the Use of Torture and Inhumane Treatment in Detention Centers

Chair: Mihika Reddy

Letter from Student Officers

Greetings, delegates! I would first like to welcome you all to the annual ASBMUN conference! My name is Mihika Reddy and it is my utmost pleasure to serve as your Head Chair for this year's simulation of the Human Rights Council (HRC)

“A spearhead of international justice”, the United Nations Human Rights Council (UNHRC) pursues the abolition of the torture and inhumane treatment of the masses within detention centers, an affront that crosses jurisdictions and threatens human dignity at its core. In the contemporary era, such egregious violations wreck vitality, destabilize, provoke violence, and strip away governance. The Human Rights Council recalls the international law (the Convention against Torture) to coerce nations to address these appalling violations. This action implements the notion of responsibility, moral governance, and sanctity of human rights in socio-political situations. Addressing the monstrosities of this crisis stands as a sine qua non for world peace, championing impartial justice and reinforcing the right to human dignity.

Considering the critical nature of the agendas being discussed, every delegate of the Human Rights Council must remember that the decisions they make will have far-reaching consequences and that the opportunity afforded here is to potentially change the world profoundly.

Through the course of the three days of this conference, we trust that you all will discharge your duties aptly and have loads of fun in the process! Never forget that the aim of this conference is to enhance your understanding of the situation worldwide in the most interesting and enjoyable way possible! We look forward to seeing you all in committee and presiding over your deliberations! Good luck!

Mihika Reddy

Head Chair of HRC

ASBMUN 2025

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Introduction

“No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.” - Article 5 of the Universal Declaration of Human Rights (UDHR, 1948). Regardless of the regulation, torment and barbarous treatment are persistently perturbingly common in detention centers around the globe. Amnesty International and the United Nations Human Rights Council have documented reports of the gruesome realities that detainees confront daily, such as a plethora of beatings brutally pursued, forced confessionals of crimes, and the repudiation of rudimentary requirements. These human rights transgressions alone not only impose tumultuous suffering but also aggressively undermine the justice system, fueling further oppression and instability. It is essential to emphasize that solving this issue is not just a matter of legal duty but also a moral imperative that beseeches the populous to act promptly.

The tolerance of these abuses is primarily maintained through weak institutional control, systematic corruption, the predominance of impunity, and the resurgence in the popularity of laissez-faire. According to Human Rights Watch law enforcement institutions (of most) operate as human rights violators, unrestrained and unregulated. Policy volatility, armed violence, and biased policies increase these violations in an undiffused manner, disproportionately against marginalized groups. In the absence of significant reforms and stricter international control, centers of detention will continue to be hotbeds of human rights violations, fostering injustice as opposed to legal order.

The United Nations' attempts to mitigate the effects of these problems have been significantly aided by treaties such as the United Nations Convention Against Torture (UNCAT, 1984) and organizations like the International Federation of Human Rights. As per the United Nations, Several governments exploit legal loopholes or argue in favor of extreme interrogation procedures and claim as justification - “necessary for national security purposes”. The lack of independent monitoring in combination with ineffective judicial systems obstructs justice leading to hordes of victims in need of help.

Eradicating torture and inhumane treatment in detention centers is essential to advancing Peace, Justice, and Strong institutions, a core pillar of global stability and sustainable development. Societies that affirm human dignity and promote accountability inspire confidence among citizens and governments, minimizing circumstances that sow discord and conflict. Enhancing institutional monitoring, bolstering legal protection, and encouraging ethical governance will guarantee that detention facilities cease to be tools of repression but exist where human rights and justice are upheld.

Definition of Key Terms

Arbitrary Detention

The unlicensed or unwarranted incarceration of individuals without standard process or legal basis. Frequently incorporates the arrest and detention of people without formal charges, a judicial trial, or access to a lawyer.

Impunity

The unlawful imprisonment or liability for crimes. For detention centers, impunity sanctions torturers and perpetrators of inhumane treatment to proceed unscathed due to ineffective legal systems, corruption, or political protection.

Habeas Corpus

A principle of law that preserves people from illegal detention by providing them with the right to contest their captivity through a court.

Enhanced Interrogation Techniques

A disputable term is employed to depict coercive methods of interrogation, such as drownings and sleep deprivation.

Non - Refoulement

A rule in international law that prevents a nation from deporting someone to a situation where they might be subjected to torture, persecution, or any other inhuman treatment.

Extraordinary Rendition

The clandestine deportation of people (usually terrorism suspects) from one government to another nation where they can be tortured or treated inhumanely.

Derogation of Rights

The suspension or limitation of certain human rights protections by a government during a state of emergency, armed conflict, or national crisis.

Extrajudicial Punishment

The killing, torture, or punishment of a person by state officials or law enforcement officers without standard process or a fair trial.

Background Information

The Reality of Torture in Detention Centers

“To deny people their human rights is to challenge their very humanity.” - Nelson Mandela (United Nations - ‘Building on the legacy of Nelson Mandela’). Torture and cruel treatment in detention facilities continue to remain an egregious infringement of human prerogative. Despite worldwide commitments to end such abuses, millions of detainees languish under repressive regimes that take advantage of loopholes in the law, rationalize brutal interrogation methods, and stifle transparency. Countries around the globe - Sudan Syria and the occupied Palestinian territory included - have been implicated in the systematic abuse of prisoners.

Historical Background: The Evolution of Torture and Detention Locale

Abuse and inhumane treatment within detention centers have continued over time, frequently being justified in the name of national security, punishment, or political control. The Romans and Egyptians were among ancient civilizations that utilized torture as a method of procuring confessions and upholding state power. In the Middle Ages, inquisitions and public executions were prevalent forms of institutionalized brutality. However, the codification of human rights protections began evolving in the 18th and 19th centuries, courtesy of Enlightenment writers who decried the deployment of torture.

The 20th century witnessed both the surplus and deprivation regarding the struggle to end inhumane detention practices. The atrocities of WW2, including the methodical torture and homicide of prisoners in Nazi concentration camps, prompted the creation of international human rights systems, such as the universal declaration of Human Rights (1948) and the Geneva Conventions (1949), which formally banned torture. Nonetheless, it was during the Cold War that the methods of torture were revived, and in twain, the soviet union and the United States participated in secret operations involving physical and psychological abuse of prisoners. The UN Convention Against Torture (UNCAT) of 1984 marked a turning point in international law, a reaffirmation of the absolute ban on torture. However, even with such legal progress, human rights abuses continue to occur in detention facilities, especially since the War on Terror and existing conflicts worldwide.

Major Countries and Organizations Involved

Sudan

Sudan is an exemplary paradigm of the serious implications of unlimited detention abuses. Recently, a UN report has exposed widespread torture, arbitrary detention, and inhumane treatment by the rapid support forces and the Sudanese armed forces in Khartoum state. According to OHCHR, 2025, thousands of women and children have been illegally held, routinely subject to violent methods of interrogation, and cruel, dirty, and overcrowded conditions that disregard the utmost rudimentary human privilege. The absence of accountability and impunity for the perpetrators has further promoted ongoing violations of human rights, exacerbating the country's humanitarian crisis.

Syria

Syria's detention facilities have long been recognized for structured human rights vituperations. ten of thousands of detainees languish in locales where torture, disease, and starvation are rampant. Prisoners, including children, are subjected to relentless physical and psychological abuse, with many perishing due to inhumane conditions (Amnesty International). International humanitarian organizations have described these facilities as a humanitarian catastrophe, yet accountability remains elusive, leaving countless victims without justice. The Syrian government and militias continuously continue gaining advantage of international enforcement, leading to a cycle of abuse and impunity.

Occupied Palestinian Territories

The occupied Palestinian territories also identify risks of unregulated detention practices. Israeli forces have been reported to use systematic torture on Palestinian detainees, according to Amnesty International, including forced nudity, prolonged solitary confinement, and sexualized violence. The extensive application of administrative detention - retaining individuals indefinitely without trial or charge - had increased apprehensions regarding the standard process of the law and the erosion of fundamental freedoms. Reports of degrading handlement, denial of medical treatment, and psychological torment in detention centers highlight the necessity of enhanced international legal frameworks to stop state-authored abuse and hold centers accountable for staying within the parameters of Human rights law.

United States

The United States has an intricate role to play in the case of torture, merciless, inhuman, or degrading treatment in detention locales. It has been a strong advocate for human rights and a signer of the United Nations Convention Against Torture (UNCAT) but has been condemned for its actions. The application of amplified torture methods such as but not limited to waterboarding, sleep deprivation, and stress positions at Guantanamo Bay and the CIA black sites during the War on Terror have been worldwide condemned. In spite of attempts to close Guantanamo Bay, the center remains open, and detainees are most often detained for long periods without trial. Domestically, issues regarding prison conditions, solitary confinement, and abuse of prisoners in the U.S. prison structure carry on.

China

China has been criticized internationally for its handling of the Uyghur Muslims in Xinjiang, where the UN reports, as well as those by Amnesty International and Human Rights Watch, extensive arbitrary detention, forced labor, and systematic torture. Victims and documents leaked from government circles describe the ways of beating, sleep deprivation, forced sterilizations, and psychological pressure in alleged "re-education camps." China refuses such claims and terms them vocational training centers, but the proof points to an officially sanctioned abuse system. Aside from Xinjiang, political activists, human rights attorneys, and journalists have been jailed under extreme conditions.

Saudi Arabia

Saudi Arabia has been accused of torturing political prisoners, activists, and journalists. The case of Jamal Khashoggi, a journalist who was murdered in the Saudi consulate in Istanbul, drew international outrage, highlighting the country's brutal tactics. Female advocates, including Loujain al-Hathloul, have reported electric shocks, whipping, and sexual torment while being incarcerated. Despite recent social reforms, the government continues to detain and torture dissidents under the guise of national security.

North Korea

North Korea holds one of the world's most callous prison arrangements, with political detainees and defectors subject to forced labor, starvation, and horrific torture. Survivors who have escaped report systematic beatings, public executions, forced abortions, and medical experimentation in prison camps such as Kaecheon and Yodok. The UN has designated North Korea's treatment of detainees as crimes against humanity.

International Criminal Court

Prosecutes perpetrators of crimes against humanity such as systematic torture in Russia, Iran, and North Korea. For example, its meticulous investigation into the tortures and abuses faced in Omar al-Bashir (Sudan) and Dominic Ongwen (LRA, Uganda). The organisation is also entitled to the power to arrest warrants for those responsible of committing these crimes (ensuring accountability at an international level).

Human Rights Watch

Manufactures thorough inquiries into abuses of detention across the globe, unearthing war crimes, torture at the behest of governments, and abuse of prisoners in key conflict regions. Through extensive research, firsthand testimonies, and forensic analysis, the committee exposes systemic patterns of mistreatment and violations of international law.

United Nations

The UN is at the forefront of combating torture in the following ways:

United Nations Human Rights Council (UNHRC) – Supervises breaches of human rights and dives into allegations of torture.

Office of the High Commissioner for Human Rights (OHCHR) – Reports on international detention violations and provides reform proposals.

United Nations Committee Against Torture (CAT) – Implements the Convention Against Torture (UNCAT) and investigates deeper into the acquiescence of nations.

By holding nations accountable, advocating for legal reforms, and supplying aid to victims, the UN reinforces international human rights standards and works toward a world free from torture.

Timeline of Events

Date	Description of Event
18th Century	Italian philosopher Cesare Beccaria disseminates “On Crimes and Punishments”; a novel positing that torture is barbaric and ineffective.
1863	The Lieber Code emerged during the American Civil War and became the first military code to prohibit torture and abuse of prisoners.
22nd august 1864	The First Geneva Convention was enacted, requiring humane treatment in war of the wounded and POWs (prisoners of war).
December 9, 1975	The United Nations General Assembly passed the Declaration Against Torture, thus paving the way for the formation of future legal tools against this issue.
December 10, 1984	The United Nations Convention Against Torture (UNCAT) is adopted, by legally binding signatory nations to prevent torture and prosecute offenders.
September 11, 2001	The 9/11 terrorist attacks led to the War on Terror, and the United States employed widespread use of enhanced interrogation techniques in CIA black sites and Guantanamo Bay.
April 28, 2004	The Abu Ghraib abuse was uncovered, showing widespread mistreatment of detainees by United States soldiers in Iraq, which provoked global outrage.
December 17, 2010	The Arab Spring commenced in Tunisia, producing mass arrests and reports of torture in Egypt, Libya, and Bahrain, among other countries.
August 2017	Reports came in of China's mass detention and torture of Uyghur Muslims in Xinjiang.
February 24, 2022	Russia's invasion of Ukraine leads to reports of war crimes, torture, and mass detentions of Ukrainian civilians and captives.

Relevant UN Treaties and Events

- Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 9 December 1975 (A/RES/3452(XXX)), Establishes a foundation for prospective treaties by confirming the definition of torture and demanding its ubiquitous eradication.
- Principles of Medical Ethics, 16 December 1982 (A/RES/37/194), Bats about medical personnel being involved in torture or inhuman treatment.
- United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December 1984 (A/RES/39/46), Provides for legal state obligations to prevent, investigate, and punish torture.
- Basic Principles for the Treatment of Prisoners, 14 December 1990 (A/RES/45/111), Requests benevolent treatment of detainees and indicates minimum standards for confinement.
- Moratorium on the Use of the Death Penalty, 18 December 2007 (A/RES/62/149), Refers to the association between punishment and cruel, inhuman, or degrading treatment.
- Strengthening the Role of the UN in Enhancing Periodic and Genuine Elections and the Promotion of Democratization, 21 December 2010 (A/RES/65/190), Refers to the ways in which torture has been employed in order to repress political dissent and manipulate elections.
- Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, 17 December 2015 (A/RES/70/146), Seeks tougher measures of accountability and state implementation of international anti-torture treaties.

Possible Solutions

1. Amplified Intercontinental surveillance and coercion.

Autonomous monitoring mechanisms such as the UN Subcommittees on Prevention of Torture should have more power to carry out unannounced visits and apply measures of compliance (non-violent). States of non-compliance ought to be subject to sanctions, diplomatic isolation, and conditionally provided foreign assistance. Imposed transparency steps will hold detention centers in line with maximum vigilance.

2. Magisterial Reforms and legal accountability in all locales enforcing torture, abuse, and violence as forms of ensuring compliance with the populous (emphasizing marginalized communities).

Encouraging governments to criminalize torture with stringent implementation by signing the UNCAT. Institutions of specialized courts and tribunals can speed up prosecutions of violators. In case of failure of national systems. The International Criminal Court (ICC) and regional human rights courts are demanded to intervene and prosecute the perpetrators.

3. Reforming law enforcement and prison systems.

Compulsory human rights training for police and prison officers can avert abuses. Adopting body cameras, CCTV monitoring and independent watchdog commissions will ensure conditions within the locales are evident. Detention centers are required to shift from punitive to rehabilitative approaches, addressing overcrowding and inhumane conditions.

4. Increasing victim rehabilitation and legal aid.

Torture survivors need medical, psychological, and legal assistance. Governments need to finance rehabilitation centers and legal assistance programs, providing victims with justice and reparations.

Connection to ASBMUN Theme: SDG 16 Reduced Inequalities

The institutionalized application of torture and cruel treatment of detainees is both a manifestation and catalyst for deep-rooted global injustices, rendering abrogation a necessity for the achievement of Sustainable Development Goal 10 “Reduced Inequalities”. Persecuted minorities, political opposition, refugees, and economically disenfranchised individuals are disproportionately harmed, their woe persistent by sustained discrimination, authoritarian impunity, and the lack of legal enforcement. In several jurisdictions where magistration is used as an apparatus of oppression instead of a defender, state-sponsored violence further solidifies hierarchies of despotism, deepening the divide between the influential and the vulnerable. By criminalizing torture, strengthening legal protection for detainees, and providing perpetrators with accountability through binding international agreements, the majority of the populace can eliminate these long-standing institutions of tyranny and create a future in which dignity, justice, and equality are not ideals to be hoped for, but enforced and unequivocally facts of human rights.

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