



Boston University Academy Model United Nations Conference IX  
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Boston University Academy  
Boston, MA

***State-Sanctioned Torture of  
Political Prisoners and Child  
Rights in Conflict Areas***

***General Assembly: Economic and  
Social Council (ECOSOC)***

***Background Guide***

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## Committee Staff

Nahla Foiz, chair

Ajay Raman, vice-chair

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Sudarshan Ramanan, Secretary-General

John Lee, Secretary-General

Jonas Rajagopal, Secretary-General



# Welcome Letter

Hi Delegates,

My name is Ajay Raman, and I will chair this year's ECOSOC Committee. This is my second year at BUAMUN. At BUAMUN 2019 I was a staffer and vice-chair; and this year, at BUAMUN 2020, I am a chair. We are excited to be working with each other and with you to come to a resolution on each of our two topics. I Hope everybody does great and has a good time.

Yours truly,

Ajay Raman '23

[ramana@bu.edu](mailto:ramana@bu.edu)

# Position Paper Information

Delegates must write position papers on two topics, in this committee, one for State-Sanctioned Torture of Political Prisoners and one for Child rights in conflict areas. To be eligible for awards, please email your position papers to me no later than January 22nd - printed papers received at the start of the conference will not be accepted. Chairs will review position papers, and well-written and well-researched papers are eligible for the committee's Best Position Paper Award, as well as influencing other award determinations. If you use external sources such as websites, you must cite them with a footnote. External sources include sources provided in this background guide. Position papers are 1-2 pages in length, double-spaced, and should follow a three-part scheme: 1) Introduction to the topic, 2) Actions the delegate's country has already taken to address the topic, and 3) The delegate's proposed action on the topic. Position papers should follow the following conventions on headers:

*Delegate:* Victor Orlov

*School:* Boston University Academy

*Committee:* World Health Organization (WHO)

*Position:* Belgium

*Topic:* Availability of Low-Cost Medication in Lesser Economically Developed Countries

# ***Committee Structure***

The Economic and Social Council (ECOSOC) serves as the central forum for discussing international economic and social issues. Its main purpose is to “promote higher standards of living, full employment, and economic and social progress; identifying solutions to international economic, social and health problems; facilitating international cultural and educational cooperation; and encouraging universal respect for human rights and fundamental freedoms.” It has the power to create studies and reports on these issues, as well as the power to facilitate the preparation and organization of major international conferences in the economic and social areas.



# **Topic Background**

## **Topic 1: State-Sanctioned Torture of Political Prisoners**

State-sanctioned Torture is simply the act of intentionally causing physical or psychological harm to an individual in order to procure information as directed by an official or some other representative of the state. Currently, torture is outlawed in many but not all countries. However, many of these rules are loose, and only 8 out of 151 states had no allegations of torture between 1985 and 2005, as reported by Amnesty International, a non-governmental organization based in UK that focuses on human rights. Furthermore, even while laws are observed, torturing is still a prevalent practice. For instance, Amnesty International defines torture as “Torture is when somebody in an official capacity inflicts severe mental or physical pain or suffering on somebody else for a specific purpose.” The United States Department of Justice, in 2002, limited the definition to only the most severe and long-lasting physical and psychological harm, where inflicting harm was the primary objective.



# ***Topic Background***

## **Topic 1: State-Sanctioned Torture of Political Prisoners**

Political prisoners are also difficult to define. The general definition is that a political prisoner is any person arrested because of dissenting political opinions. In some cases, this definition is restricted to those who call for non-violent acts of civil disobedience; this can be defined by the more limited term “prisoner of conscience”. Other times this term can be extended to include violent criminals or even terrorists. Whatever the definition, there are two defining inclusions: a political motivation and the lack of self-interest. Often times, political prisoners are imprisoned unfairly under the charge of inciting terrorism. From there they are tortured either because they are genuinely suspected of terrorism or as an example for those in their communities. The Prime Minister of Ethiopia, Abiy Ahmed, admitted to the former use of this practice.



# Topic Background

## Topic 1: State-Sanctioned Torture of Political Prisoners

All of these incidents occur despite the many UN Conventions banning the practice of torture. First and foremost is the UN Declaration on Human Rights (UDHR) which declares that “no one should be subject to torture,” however it leaves this term vague and effectually meaningless. It does, however, serve as a starting point for a number of other conventions. One such is the UN Convention Against Torture which clears this up. With 169 ratifications, it is one of the most universally signed and ignored documents presented by the UN. It defines torture generally and makes absolute bans against it. Furthermore, it also bans the transfer of prisoners if there is a reasonable expectation of torture, and, importantly to our conference, bans torture in any situations including in war, and terrorism. The Geneva Convention also forbids torture in an “armed conflict, not of an international character.” Hypothetically this would cover political prisoners but again, this is one of the most universally ignored portions of the Geneva Convention and international law. The International Criminal Court (ICC) also bans torture, but no one has been indicted by it as the only cause. Furthermore, so far it has only been used to charge a few select people from parts of Africa affected by civil war.



# ***Topic Background***

## **Topic 1: State-Sanctioned Torture of Political Prisoners**

While there has been extensive conventions, declarations, and laws against torture, when it comes to terrorism or other political crimes governments often use national security justifications to void their own laws and ratifications. Furthermore, despite the ICC, there is little process or punishment for commonly violating even the most egregious of international laws. Unfortunately, the state-sanctioned torture of political prisoners both is commonplace and unprosecutable. Nearly every country has violations: Uighur Muslims in China, Guantanamo Bay in the United States, Mahmoud Hussain and the 2011 protests in Egypt, Saydayna prison in Syria, and Boko Haram allegations in Cameroon.

# Topic Background

## Topic 2: Child rights in conflict areas

Conflict zone refers to a political instability, such as war, that disrupts the essential services such as transportation, communication, housing, water, sanitation, and health care. Around 17 million children have been displaced by war, while more than 2 million have been killed due to arm conflicts between 1990 and 2011. War has changed over time, and its horrors are now no longer experienced by soldiers fighting, but are also fought within countries by mere children. Combined with the rapid social change often accompanied by war, this armed conflict leads to a breaking of families and their support systems, an essential part of a child's survival and development. During crisis, government protection often ceases to matter or even exist, and as such, children are denied the protection promised to them in the 'Convention on the Rights of the Child': "War violates every right of a child - the right to life, the right to be with family and community, the right to health, the right to the development of the personality and the right to be nurtured and protected."



# Topic Background

## Topic 2: Child rights in conflict areas

Millions of children across the globe continue to suffer grave human rights abuses due to war and humanitarian crises. According to the UN, notable progress has been made over the past 20 years, but basic rights still continue to be violated regularly. In Iraq, Syria, Afghanistan, and Mali, the rights girls hold to an education has continued to suffer due to attacks on schools. In Nigeria, girls were increasingly being forced by Boko Haram to become suicide bombers. In 2016, the Central African Republic was of particular concern because many civilians, including children, were killed or wounded by clashes between factions in the east. With fighting resuming in South Sudan, children there have also borne the devastation of an ongoing conflict. The Middle East is one of the worst regions for violations of basic rights of children; thousands of children have been maimed, killed, or recruited into deadly wars. Young girls, and some boys, also face the risk of rape, sexual humiliation, and other forms of violence as a result of war. In addition to the violence seen in these conflict areas, children also suffer from a lack of food supplies, as well as a destruction of health services, water systems, and sanitation. These indirect effects are often more deadly with preliminary data suggesting that for every battle death, many more people die as a result of disease or other factors from the war.



# Topic Background

## Topic 2: Child rights in conflict areas

In December of 1996, the UN General Assembly first mandated a Special Representative for Children and Armed Conflict. It was created as a means to strengthen the protection of children affected by armed conflict, raise awareness, invite others to research the sufferings of the affected children, and cultivate an international cooperation to improve their protection. This led to the first resolution that was adopted by the UN Security Council in 1999. The council identified and condemned grave violations of children committed in times of conflict, that in time grew to be a list of six: killing and maiming of children, recruitment of use of children as soldiers, sexual violence against children, abduction of children, attacks against schools or hospitals, and denial of humanitarian access for children.

The second resolution came about in 2000, and reaffirmed that the deliberate targeting of children was a threat to peace and security. On May 25th, 2000, the UN General Assembly adopted an optional protocol to protect minors from recruitment and use in hostilities. It consisted of fourteen articles all restricting the role children under 18 have in hostilities. This Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict was entered into force on February 12th, a day now known as the International Day against the Use of Child Soldiers.



# Topic Background

## Topic 2: Child rights in conflict areas

In 2003, another Security Council Resolution expressed their intention to begin a dialogue designed to conflict with parties that recruit or use children for hostilities, calling for an end to these practices. In 2004, they developed another resolution to devise a reporting and monitoring mechanism meant to provide reliable information on the use, recruitment, and abuse of children affected by armed conflict. They also considered adding sanctions against parties that failed to either develop a plan of action, or adhere to it. They further developed these ideas in the resolution of 2005, and created a subsidiary body: the Security Council Working Group on Children and Armed Conflict. It was created to review the information provided by monitoring, and make recommendations to the council on measures to promote the protection of these children.

In 2009, killing, maiming, and forms of sexual violence were added to the list of grave violations against children. This was expanded in 2011 with the addition of attacks on schools and hospitals. The idea of sanctions against persistent perpetrators of grave violations was reiterated in the resolution of 2012. Another addition to the list was seen in the resolution of 2015 that establishes the abduction of children as another violation.



# ***Topic Background***

## **Topic 2: Child rights in conflict areas**

On June 20th, 2018, the UN hosted a panel discussion that addressed the impact of armed conflict on children, seeking to respond to the need for new rights. During this discussion, it was drawn to attention the number of children living in conflict areas had dramatically risen by 74% over the past decade. This highlights the urgency of finding a solution.



# Questions to Consider

## Topic 1: State-Sanctioned Torture of Political Prisoners

1. How should torture be defined?
2. Should the defense of political prisoners stretch to those accused of violent crimes?
3. What measures are needed to ensure countries follow these restrictions?
4. How will allegations be investigated and properly recorded?
5. Should there be regulations in place for POWs of civil and domestic conflicts? How far can the UN's powers reach in order to affect domestic laws? Should nations have more laws in place to protect POWs of national conflicts, or are the UN's rules enough?
6. How can the rules made during the Geneva Conventions be improved? Or do they just need to be enforced better? And if so, how can that be done? Should the punishments be stricter?
7. What can be done at a local level to help prisoners who are undergoing torture currently? And what can be done at a more long-term level? Do former POWs who underwent torture/ill-treatment deserve reparations of any kind?
8. Not only is punishment for war crimes against POWs important, but are there ways that the crime can be stopped from happening in the first place? Who monitors the treatment of POWs, and does this surveillance need to be improved?

# Questions to Consider

## Topic 2: Child rights in conflict areas

1. What are steps that could be taken towards finding a solution?
2. How could child rights be better regulated?
3. How can resources and protection be provided to children in conflict-zones as mandated by the Convention on the Rights of the Child
4. Why has the number of children living in conflict areas increased so rapidly
5. Should the protection of children be left to the discretion of each individual country? Are the national systems that are currently in place sufficient?
6. What are some other ways nations could address the presence of bias in dealing with this type of situation?
7. How could the United Nations Human Rights Council encourage the development and enforcement of laws that would increase the general standard of the protection of children in war zones?





# Further Research

<https://www.refworld.org/publisher/ECOSOC.html>

## Topic 1: State-Sanctioned Torture of Political Prisoners

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2. <http://encyclopedia.uia.org/en/problem/132836>
3. <https://www.washingtonpost.com/news/worldviews/wp/2014/12/12/most-countries-are-against-torture-but-most-have-also-been-accused-of-it/>
4. <https://www.aljazeera.com/indepth/opinion/abiy-ahmed-transforming-ethiopia-face-adversity-180622112645741.html>
5. “Ethics - Torture: Torture and the Law.” BBC, BBC,
6. <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/1595a804df7efd6bc125641400640d89/fe20c3d903ce27e3c125641e004a92f3>
7. Dallier, Douglas J. “Political Prisoner.” Encyclopædia Britannica, Encyclopædia Britannica, Inc., 23 Nov. 2015
8. <https://www.everycrsreport.com/reports/RL32438.html>
9. <https://www.amnesty.org/en/what-we-do/torture/>
10. <https://www.reuters.com/article/us-usa-cuba-un/at-u-n-cuban-diplomats-shout-down-u-s-event-on-political-prisoners-idUSKC N1MQ2PM>
11. <https://unwatch.org/must-bring-end-intolerable-state-affairs-belarus/>
12. <https://news.un.org/en/story/2015/10/511912-un-launches-nelson-mandela-rules-improving-treatment-prisoners>

# Further Research

## Topic 2: Child rights in conflict areas

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2. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4921424/>
3. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4921424/>
4. <https://childrenandarmedconflict.un.org/about-us/mandate/history/>
5. <https://www.unicef.org/stories/fighting-rights-children-armed-conflict>
6. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4921424/>
7. <https://www.unicef.org/stories/fighting-rights-children-armed-conflict>
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