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Abstract

Commission on Human Rights (CHR)

"Human Rights Loopholes: Legalised Arrest, Torture and Restraint"

What our committee wants to debate is the importance and universality of human rights with regard to the international community, keeping in mind that the 1949 Declaration of Human Rights is the core of all activities of the UN in its sixty-year-old history.

Despite progress in the field of human rights in recent decades, we are aware that numerous loopholes in international accords still exist. These allow for a number of special cases; the imprisonment of so called “unlawful combatants” without any rightful charge, for example. In response to this problem, the International Red Cross and Red Crescent Movement have recently criticised methods of interrogation and prison conditions several times. Also, the use of “rendition,” the practice of removing individuals to extraterritorial places where a state may use procedures that would normally not be considered legal, or at least be treated problematically on their own territory, is a topic of discussion.

Now, more than 50 years after the Declaration of Human Rights, torture, maltreatment and unlawful custody are still subjects that are necessary and significant to consider, since these practices have not yet been eradicated around the globe and are still enforced unofficially by some governments using them to gather information.

Many efforts have been made by various organizations to integrate Human Rights principles into national and international law, in order to protect, to pursue and to punish Human Rights violations. Treaties like the Universal Declaration of Human Rights, the Geneva Conventions, and the Convention against Torture, as well as the European Convention on Human Rights and Human Rights Acts are major documents stating an eminent legal framework of global Human Rights protection. But de facto Human Rights and related laws are often neglected; as a result, many laws and treaties are not being followed. Frequently – even notably in the recent past – the universal validity of international law documents has been undermined by policies of single states ruthlessly pursuing their own national interests. Furthermore, problematical financial situations and unrealised ambitions have made it difficult to control compliance with and the realisation of Human Rights. Many organisations all over the world are doing good and meaningful work in the field of Human Rights, but often it is difficult to achieve influence over diverse civil societies and governmental policies.

It is now our task at the Commission on Human Rights committee at VIMUN 2006 to analyse the realities of the status quo, to discuss what can be done in terms of human rights violations related to legalised or illegal arrest and restraint, and to compile a resolution containing reasonable suggestions to the international community.