



TORTURE



COMMITTEE: HUMAN RIGHTS

In 1987 the UN Convention Against Torture was enforced, that understood torture to mean:

‘Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.’

This convention also recognises that every human being should have equal and inalienable rights that prevent the inhuman and degrading treatment of torture. According to the UNCAT there is, therefore, no exceptional circumstance in which torture may be used and each nation should take measures to prevent any acts of torture in areas under their jurisdiction. It is also useful to note that it is not only governments that may secretly use forms of torture. There have been instances of gang or extremist groups using torture as well. Therefore, thinking of ways for governments to enforce this section of the UNCAT may benefit some countries.

Although this convention has been put into place, not every member state has signed it and therefore it would be useful to know whether your country is one of them. However, there are some countries that have signed it but have still been accused by the Human Rights Watch of breaching its guidelines. This is also a key area to consider as most forms of torture happen underground and can be difficult to combat. Thinking of ways to uncover underground torture and preventing it is also a point to consider. Researching organizations such as Amnesty International, who have programs that have the potential to eradicate torture could perhaps be a way of preventing it but require help from the UN.

There is also a debate on whether certain scenarios issue the use of torture. Although the UNCAT states that there is ‘no exceptional circumstance’, you may think that this might be in need of alteration. There is a large view that torture could be accepted when a person is linked with acts of terrorism. Does your country also take this point of view, and if so in what ways would you amend the UNCAT to allow for torture to occur. Also try and consider the wider implications that torture may have. How could the UN help victims of torture who may suffer from a physical or mental disability, such as PTSD, for the rest of their life? This may also lead you to question whether the UNCAT definition of torture is adequate considering that practices such as solitary confinement do not enter in to its definition but can still cause a lasting effect.

To consider

- Is your country in support of any forms of torture? Perhaps there may have been incidences of torture even though your country publicly declares that it is against it?
- Should there be harsher punishments for governments found using methods of torture?
- Are there any scenarios that torture could be considered as necessary?
- Can you think of any wider implications of torture that need to be addressed?
- Perhaps you think that the UNCAT is lacking in its definition of torture?

Useful Websites

- <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx>
- <https://www.amnesty.org/en/get-involved/stop-torture/>
- <https://www.hrw.org/news/2003/03/11/legal-prohibition-against-torture>
- http://news.bbc.co.uk/1/hi/country_profiles/default.stm