



GA1: Disarmament and International Security Committee

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Issue: Combatting torture, extrajudicial killings, and enforced disappearances

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Committee: Disarmament and International Security (GA1)

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I. Introduction

In the current world where people are labelled according to their sex, religion, and race, one must not forget that we all are human. As humans, we have rights; the most recognized document protecting human rights is the Universal Declaration of Human Rights (UDHR) released by the United Nations in 1948. Even though the document isn't legally binding it has been applied to most countries' laws, and has been signed and ratified by over 150 countries. Unfortunately, there are still actions that are directly against these laws, such as torture, extrajudicial killings and enforced disappearances. These actions violate more than one article listed in the Universal Declaration of Human Rights and it torments not only the victims but the people close to the victims. Alas, the issue is increasing everyday: the press release of GA/SHC/4297 of 19 October 2020 warned that the rate of enforced disappearances was then 1,000 cases a day.

II. Involved Countries and Organizations

Amnesty International

Amnesty International is a global movement of people fighting injustice and promoting human rights.¹ Their role is to research and organize action upon the abuse of human rights. Their values are those of justice, freedom, and truth. They draw attention to any abuse of human rights via campaigns and movements and exhort governments to change policies. They try to come up with realistic and achievable solutions to abuse. One achievement is an increase in the number of states which have stopped using the death penalty from 9 to 141. After 20 years of work they made the international Arms Trade Treaty, they helped to fight torture and helped the victims of human right abuse. Dr. Agnes Callamard is the Secretary General of Amnesty International and describes the organization role as “Where governments and corporations seek to silence those who speak out against their abuses to, obfuscate the truth, and to undermine or reject human rights norms, the rigorous investigations and uncompromising campaigns of Amnesty International are more vital than ever.”²

¹ “Our Work.” *Amnesty International Canada*, 3 May 2016, www.amnesty.ca/our-work.

² Balibouse, Denis. “Amnesty International Appoints New Secretary General.” *Dr. Agnès Callamard Appointed as Secretary General of Amnesty International* | *Amnesty International*, 29 Mar. 2021, www.amnesty.org/en/latest/news/2021/03/dr-agnes-callamard-appointed-as-secretary-general-of-amnesty-international/.



Argentina

During the 'Dirty War' from 1976 to 1983, the Argentinian government systematically used extrajudicial killings as a way of eliminating the opposition. The military junta led by Gen Jorge Videla started a movement to eliminate the left side opponents in response to a time of political uncertainty and growing violence after the death of president Juan Peron. Over 30,000 people faced enforced disappearances and/or killing as the movement expanded. It isn't clearly known what has happened to them but the storytellers say that, once kidnapped, they would be taken to one of nearly 300 detention centers where they were tortured using electric shocks and various other methods.

The trial for the crimes committed by Argentina's 1976-1983 military junta was one of the biggest trials on human rights abuse with 68 defendants, close to 800 crimes, 789 victims and 900 witnesses.³ The biggest controversy of the issue was that the military tried its best to keep themselves safe. While returning to civilian rule, the military junta granted a blank amnesty for all offences connected to the Dirty War. However, when President Alfonsin became the head of state, he canceled the amnesty. There was constant pressure from the military to reinstate the amnesty and so it was done. In August 2003, the Congress voted for the amnesty to be cancelled again and after two years the Supreme Court decided to overturn the amnesty law.⁴ Ever since, the country has been trying to achieve justice.

Mexico

Currently in Mexico more than sixty thousand people are believed to be missing and over thirty thousand unidentified people are either in forensic medical institutions or buried in public cemeteries. Nevertheless, thorough crime investigations are rare, and impunity in Mexico contributes to the issue. Many believe that the investigations are not held in depth because of the fear of violent crime and because of covering up the involvement of state agents in the crime. With pressure from The United Forced For Our Disappeared (FUUNDEC) and Citizens in Support of Human Rights (CADHAC), family members of the disappeared and other NGOs in 2017 resulted in the adoption of the General Law on the Forced Disappearance of Persons, Disappearances Committed by Individuals, and the National System for the Search for Persons.⁵ Ever since then the government has been relatively more engaged, but still insufficiently to solve the issue. Furthermore, torture is still used by prosecutors to acquire evidence and confessions.

³ ROUX, Gaëlle LE. "Argentina Tackles 'Dirty War' Crimes at EPIC Trial." *France 24*, France 24, 29 Nov. 2012, www.france24.com/en/20121128-argentina-dirty-war-trial-death-flights-buenos-aires-justice-military-junta.

⁴ "Americas | Q&A: Argentina's Grim Past." *BBC News*, BBC, 14 June 2005, news.bbc.co.uk/2/hi/americas/4173895.stm.

⁵ "Disappearances in Mexico." *College of Liberal Arts' Wordmark*, University of Minnesota, <https://cla.umn.edu/human-rights/engagement/press-reporting-disappearances-mexico/disappearances-mexico>.

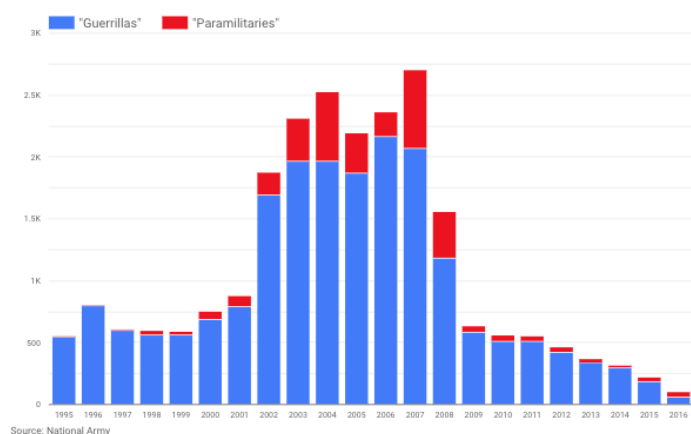


Juan Mendez, a former United Nations Special Rapporteur on Torture reported that torture is a widespread practice in Mexico.⁶

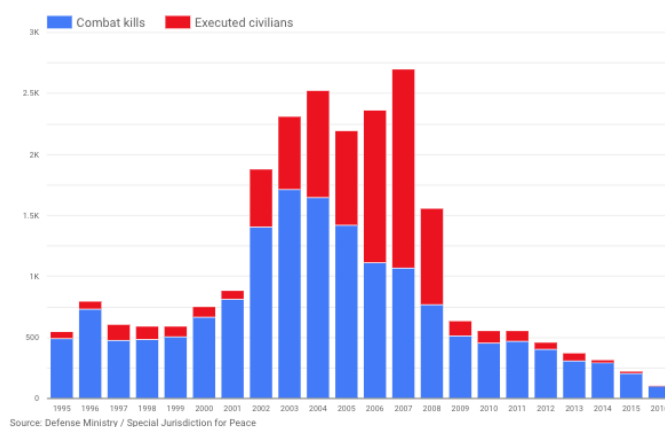
Colombia

'False-Positives' scandal first started in 2008 but the thought date has it's way back to the 1980s. Military members gave evidence that they were pressured by their superiors to increase their "kill rate", this is when the military dressed their victims (civilians) as guerillas to display them as combat killing to the media; in reality it was the extrajudicial killing of thousands of civilians. Then-president Álvaro Uribe denied the armed force killings until late 2008. It became a scandal after investigators linked bodies to the people who had been reported missing. After thorough research it is estimated that there were 10,000 civilian murders by the military from 2002 to 2010.

Combat kills reported by the Colombian military



False positives and real combat kills



"Picture 1: Killing numbers reported by the military and the false positives"⁷

Colombia is not unfamiliar with this issue; at least 80,000 civilians were victims of forced disappearances since the 1980s and over 6,000 civilians were extrajudicially killed from 2002-2008, also suggested as the real period of 'False-Positives' killings during the presidency of Álvaro Uribe. Once again the problem is the existence of structural impunity that has allowed these crimes to continue.⁸

⁶ Giz. "Torture and Enforced Disappearance in Mexico." *Startseite*, The Deutsche Gesellschaft Für Internationale Zusammenarbeit GmbH (GIZ), 26 Aug. 2021, <https://www.giz.de/en/worldwide/78727.html>.

⁷ Colombiareports. "Extrajudicial Executions Statistics: Colombia Reports." *Colombia News | Colombia Reports*, 14 June 2019, colombiareports.com/false-positives/.

⁸ "Mexico and Colombia: Together to FIGHT Impunity for Forced Disappearances and Extra-Judicial Executions." *International Federation for Human Rights*, 25 Feb. 2021, www.fidh.org/en/region/americas/colombia/mexico-and-colombia-together-to-fight-impunity-for-forced.



III. Focused Overview of the Issue

The agenda item comprises three actions that are against basic human rights. To understand the issue, we should first look at what rights we have as humans. After the holocaust of World War II where specific groups that were seen as vulnerable were targeted by a drafting committee composed of representatives from a wide variety of countries, the work on UDHR began and was finally adopted in 1948. The Declaration comprises 30 rights that shall not be taken from a human. Ever since then, UDHR has been used as a building block for many countries' national constitutions and domestic legal frameworks.

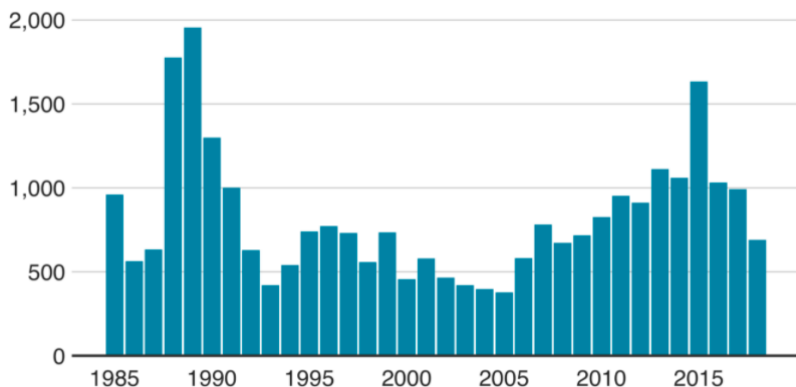
1. Extrajudicial Killings

The dictionary definition of extrajudicial killing is the execution of a person without any judicial proceeding. There are many different kinds of action that can be considered as primarily, summary, arbitrary and extrajudicial killings. Arbitrary execution involves execution without any solid proof and based on speculations of the person having committed a crime. Summary executions generally take place in areas of conflict where individuals are executed without a fair trial. The most common ones include killings caused as a result of unrestricted use of force by enforcement officials and indiscriminate killings of civilians by state security forces. These are not properly investigated or legally processed. Other instances might be lynching by a privately formed group, homicides without the right prosecution, politically motivated actions that have not been investigated in depth, killings made by “death squads”, and deaths during armed conflict. Specific types of executions are recognized as authorized by the state governments, including the death penalty. Killings that occur during counterterrorism operations are confirmed in national defense as “shoot to kill” and receive almost no public objections since most people are unaware of this issue. Another interesting matter is that extrajudicial killings can be implemented by direct agents of the state when they believe that a citizen has a negating defence. When this occurs, the state doesn't punish the executor using such policies as that of impunity. Many of these executions take place illegally but are covered up so they are seen as legal use of anti-crime policies regarding public security. It is hard to keep a real count of the victims because many of the executions are covered up, committed by unknown people or go unreported.



Executions worldwide (1985 - 2018)

Minimum figures, excluding China*



*Official data for China is unavailable

Source: Amnesty International

BBC

"Picture 2: Executions Worldwide from 1985 to 2018"⁹

Above are the executions that have been recorded (without the data from China, one of the biggest executor's in today's world) throughout the years. Usage of death penalty is a tremendous issue of human rights violation and considered to be a arbitrary killing (UNGA, 2017:7). The death penalty, however, is only one form of the issue so any decrease in that merely affects a small percentage of cases. The number of victims of extrajudicial executions in the world is not recorded, as many of them are considered illegal. Since there was no record of this information in 1982 The Commission of Human Rights recommended to the Economic and Social Council (ECOSOC) to designate an international specialist to the role of "Special Rapporteur" to research and report cases of summary, arbitrary and extrajudicial killings.

The Special Rapporteur includes all countries which have agreed on the current international conventions, even if they are not a member state. Their role is to visit countries to receive first-hand information, while also being guided by international law, to examine all potential cases of summary, arbitrary and extrajudicial killings and to report them annually to the General Assembly and the High Commissioner of Human Rights. They should review records and make necessary comments, monitor the existing policies and, by mandate, if a civilian's life is at stake, they must act in order to prevent loss of life.

⁹ "Global Executions Fall to Lowest Level in a DECADE, Amnesty Says." *BBC News*, BBC, 9 Apr. 2019, www.bbc.com/news/world-47867201.



a. Gender Based Extrajudicial Killings

From the report A/HRC/35/23 of the Special Rapporteur on extrajudicial, summary or arbitrary executions of gender-sensitive approach to arbitrary killings, it is written as “gender based killings may constitute arbitrary killings, even in certain circumstances when committed by a non-State actors, reinforces rights-based claims to redress them”. Non-discrimination is applied procedurally, and people have argued for a long time that the court has been blindsided to a capital defendant’s case while also imposing the death penalty. The history of domestic violence including large patterns of gender inequality should be included in reports. According to the data collected by the United Nations Office on Drugs and Crime, the rate of gender related killings conducted by intimate or family members was 8,000 in the Americas, 20,000 in Asia and 19,000 in Africa. These killings in the Americas are most frequent in Latin America. The OHCHR has been working to enhance investigations of and judicial responses to these crimes by:

- “Development of special laws against femicide in El Salvador and Bolivia,
- In 2009 OHCHR issued publication on assisting the development of national legislation on femicide in Mexico,
- A model Protocol has been jointly developed by UN Women and OHCHR in Latin America, that focuses on analysing crime scenes and gathering evidence for femicide.”¹⁰

b. Targeted at Professions (Journalist) Extrajudicial Killings

Journalism is a profession with both a lot of power and risk. Journalists continuously write and report on controversial topics while putting themselves in dangerous places. The Human Rights Council recognizes them as being “killed at an alarming rate by state and non-state actors” or being threatened with censorship. Thousands of journalists have been killed and, devastatingly in most cases, there is no prosecution of the perpetrators which violates international law and encourages further killings. The Special Rapporteur concluded that journalists need to have special protection under international law. The data given by the Committee to Protect Journalists (CPJ) shows that 87 journalists have been killed between 1992-2021 in the Philippines. The Philippines was considered one of the deadliest countries for a journalist to live in in 2020 as it ranked third in the number of

¹⁰ Women’s Rights and Gender Section, et al. Office of the United Nations High Commissioner for Human Rights, 2013, *Gender-Related Killings of Women and Girls*.



murders of journalists, while Mexico was ranked number one. Mexico is a dangerous area for members of the press due to complex crime webs and drug trafficking gangs.¹¹

Extrajudicial killings violate international law, Article 3 of the Universal Declaration of Human Rights which reads as “Everyone has the right to life, liberty and the security of person”.¹²

2. Enforced Disappearances

Enforced disappearance is when an individual has been captured and held against his/her own will. They are generally tortured and/or killed after they have been taken hostage; even if they are not killed, they are traumatized and scarred both physically and mentally from the inhumane treatment they have been subjected to. The impact of the disappearance is hard on the victim, who is in constant fear for their life, the victim's family/loved ones, who are mentally and emotionally challenged, wondering if the victim is well, waiting for any news of them. It is not only the mental challenge but also knowing they can also risk being killed if they try to gather information to find the victim.

Enforced disappearances have often been used as a method to spread terror in society. This has then evolved into a global issue where enforced disappearances can be used by military dictatorships in difficult internal conflicts to oppress political opponents. The biggest problem that has been faced by the direct and indirect victims and human rights activists is that the State uses counter-terrorist activities as a justification for breaching their duties, and the extensive use of impunity for this issue.

a. Victims of Enforced Disappearances

The concept of victim is divided into direct and indirect victims; enforced disappearances isn't only a distressing situation for the direct victim but also for the loved ones (indirect victims). Working Group on Enforced or Involuntary Disappearances has stated the indirect victims go through mental torture not only with the constant worry of the victim but the victim is generally the breadwinner for the household, so the family structure is disrupted, the income decreases causing other members of the household to work and in some cases no other member in the household can work so they are left with no source of income. This adds social and economic marginalization to the list. The Inter-American Court of Human Rights said that the situation for the relatives is made worse when the state authorities do not give information about the victim's whereabouts and when inadequate investigation has been conducted.

¹¹ Mendiola , Ritchel. “PH Ranks Third with Most Journalists Killed in 2020, New Report Finds -.” *Asian Journal News*, Asian Journal, 26 Dec. 2020,

<https://www.asianjournal.com/philippines/across-the-islands/ph-ranks-third-with-most-journalists-killed-in-2020-new-report-finds/>.

¹² *Universal Declaration of Human Rights* . 1948, www.ohchr.org/en/udhr/documents/udhr_translations/eng.pdf.



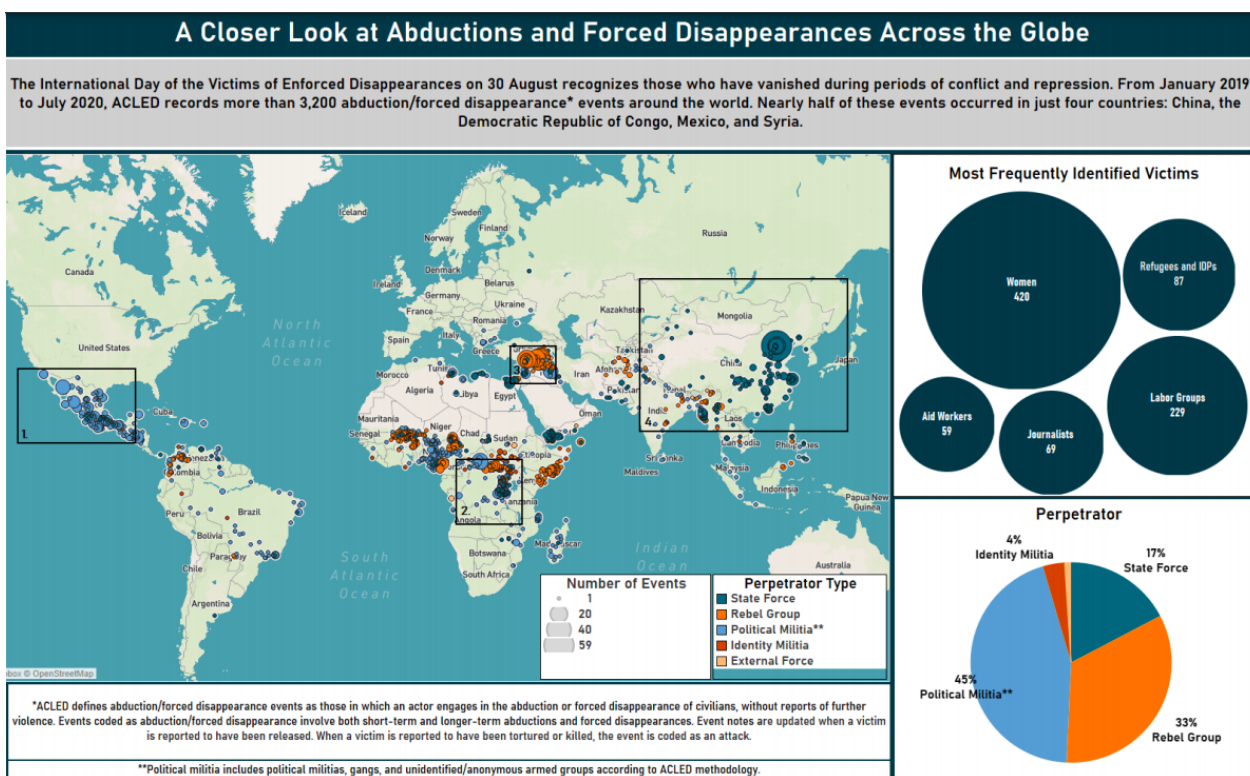
b. Violated Rights

According to Office of the United Nations High Commissioner for Human Rights (OHCHR) in Fact Sheet 6 Rev.3 the rights violated by enforced disappearances are as follows:

- “The right to recognition as a person before the law;
- The right to liberty and security of the person;
- The right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment;
- The right to life, when the disappeared person is killed;
- The right to an identity;
- The right to a fair trial and to judicial guarantees;
- The right to an effective remedy, including reparation and compensation;
- The right to know the truth regarding the circumstances of disappearance.”¹³

The picture below is a graphic of the forced disappearances and abductions that has taken place in a year (2019-2020). As one may see on the graphic most cases come from: Mexico, Syria, Democratic Republic of Congo and China. In Mexico most of the disappearances are carried out by gangs and cartel members, in DR Congo militant groups targeting local women and children, in Syria it is by Syrian State Forces, and in China human rights activists and defenders are targeted by State Forces.

¹³ United States, Congress, OHCHR. *Enforced or Involuntary Disappearances Fact Sheet No.6 / Rev.3*, Office of the United Nations High Commissioner for Human Rights, United Nations Office at Geneva, 2009.



“Picture 3: Abduction and Forced Disappearances Across the Globe 2019-2020¹⁴”

3. Torture

Intentional infliction of severe mental or physical suffering (that occurs with the approval of state agents) is called torture.¹⁵ Unfortunately the origin of torture dates back to 21st century bc when it was used to prove guilty or innocent, in the 16th and 17th century Europe verdicts were reached and torture was used for confessions. At the Age of Enlightenment, 18th century, Cesare Beccaria changed trial procedures, his treaty On Crimes and Punishment was the basis of modern criminal law. The effect of his work was then short lived because in the 20th century with the rise of communism and facisim torture became much more common. Torture was used against the opposition of revolution in Soviet Union and China, and in fascist Germany it was used against the opposition to political order.¹⁶

¹⁴ Goos, Curtis. “A Closer Look at Abductions and Forced Disappearances across the Globe.” *ACLED*, Armed Conflict Location & Event Data Project (ACLED), 28 Sept. 2020, acledata.com/2020/08/28-a-closer-look-at-abductions-and-forced-disappearances-across-the-globe/.

¹⁵ “Torture.” *Physicians for Human Rights*, 2 Aug. 2021, phr.org/issues/torture/.

¹⁶ “History of Torture.” *Tortureum*, 2015, tortureum.com/history-of-torture/.



a. Forms of Torture

Torture happens in many different ways and techniques; it can be physical, electric shocks and beating/whipping, it can be sexual, rape and sexual humiliation, it can be psychological, threats and witnessing other people getting tortured....



Most Libertas Center clients have experienced psychological torture and beatings. (Credit: Libertas Center)

"Picture 4: Forms of Torture Libertas Clients has Experienced¹⁷"

These types of torture are carried out with tools of torture such as thumb cuffs, electric shock vests, and leg irons. Unfortunately some States trade these inhumane tools, which are used against people every year. After campaigns made by Amnesty International and Omega Research Foundation, in 2006 EU adopted the first legally binding regulation for controlling the trade of tools of torture.

b. Victims of Torture

Libertas Center for Human Rights is a social service organization located in New York, United States. Most of Libertas clients who has faced torture come from Muslim and Christian backgrounds. Majority of the people who are tortured ages from 22 to 44 with nearly all of them having faced psychological torture, beating, and maiming. It is extremely difficult for a victim of torture to recover after what they have been to, the experience is more than just traumatizing, the affects can last for decades. According to International Rehabilitation Council for Torture Victims (IRCT), victims can have chronic physical pain, psychological issues: anxiety, depression, withdrawals, self-isolation;

¹⁷ "The Libertas Center for Human Rights Offers RARE, Comprehensive Care to Torture Survivors." *The Arnold P. Gold Foundation*, 24 Sept. 2018, www.gold-foundation.org/newsroom/news/libertas-center/.



cognitive symptoms: confusion, flashbacks, memory lapses; neurovegetative symptoms: fatigue, insomnia, recurrent nightmares. The most frequent psychiatric diagnoses are posttraumatic stress disorder (PTSD) and depression.¹⁸ They struggle to go back to their normal lives, find it hard to communicate with people and enjoy life in general.

Torture clearly violates Article 5 of the Universal Human Rights Declaration which reads as “No one shall be subjected to torture or to cruel, inhumane or degrading treatment or punishment.” It also violates the Eighth Amendment to the U.S. Constitution as “cruel and unusual punishment” which was interpreted as torture.¹⁹ Lastly, it violates human dignity.

c. Philippines Drug War

When President Rodrigo Duterte took office on June 30, 2016 he declared “war on drugs” and ever since then more than twenty thousand Filipinos have been killed but the exact number is unknown (even in 2017 in the interview with the police teams aired on CBC News, people have reported that death tolls are not being properly counted). The drug war doesn’t seem to be killing the drug lords but rather the low level users to keep them quiet. Even though many people have been killed, the popularity of Duterte’s idea still remains, saying that they feel sorry but at the same time feel safer now that drug dealers and users are not present. Agnes Callamard, UN Special Rapporteur on extrajudicial, summary or arbitrary executions called upon “International Criminal Court to prioritise the completion of its preliminary examination of the situation in the Philippines.” and urges states to “apply sanctions against individual Filipino officials who have committed incited or who have failed to investigate or prevent human rights violations including arbitrary killings.”²⁰ Even if there is international recognition on the issue, not much has been done to lower crime rates. Over the last year judges at the International Crime Court approved a formal investigation into crimes under the context of the drug war. After assessing the materials handed by the prosecutors, “the so-called ‘war on drugs’ campaign cannot be seen as a legitimate law enforcement operation, but rather a systematic attack on the civilians.”²¹ On the other hand, the Philippines are against this investigation claiming that the ICC can not interfere with any country's campaigns after it left the ICC in 2019. The ICC however, points out that during the first three years of the drug war, the Philippines was a

¹⁸ International Rehabilitation Council for Torture Victims. “Rehabilitation of Torture Victims.” *International Rehabilitation Council for Torture Victims*, irct.org/what-we-do/rehabilitation-of-torture-victims.

¹⁹ “Cruel & Unusual Punishment - Conversation Starter.” *American Bar Association*, www.americanbar.org/groups/public_education/programs/constitution_day/conversation-starters/cruel-and-unusual-punishment/.

²⁰ Nebehay, Stephanie. “U.N. Experts, Activists Seek Probe of Philippines Drug War Killings.” *Reuters*, Thomson Reuters, 22 Sept. 2020, <https://www.reuters.com/article/us-philippines-rights-un-idUSKCN26D1NF>.

²¹ Sterling, Toby, and Karen Lema. “International Court Backs Probe into PHILIPPINES' 'War on Drugs'.” *Reuters*, Thomson Reuters, 15 Sept. 2021, <https://www.reuters.com/world/asia-pacific/international-court-approves-investigation-into-philippines-war-drugs-2021-09-15/>.



member so is subject to jurisdiction over those years.²² As the ICC is taking the case seriously, some people are hopeful that the crime rates may decrease.

IV. Key Vocabulary

Extrajudicial Killings: The word extrajudicial alone means something done out of the legal system/authority. So extrajudicial killings is an execution that has not been legally authorized by the court.²³

Enforced Disappearances: Enforced disappearance is the act of capturing an individual, holding them at a place against their will and refusing to reveal the individual is being kept. These individuals vanish and are often assumed to be dead; enforced disappearances often turn into extrajudicial killings.²⁴

Impunity: It is when the torturers and other violators of human rights are free from punishment.²⁵

Victim: There are two types of victims: direct and indirect victims. Direct victims are the ones whose fundamental rights have been violated. Indirect victim is the one who has suffered from the issue even if their fundamental right isn't violated.²⁶

Torture: Torture is deliberate inhumane treatment causing very serious and cruel suffering.²⁷

V. Important Events & Chronology

Date (Day/Month/Year)	Event
26/08/1789	The Declaration of Human and Civil Rights
10/12/1948	United Nations General Assembly adapting the Universal Declaration of Human Rights
-/06/1961	Amnesty International was found

²² Lema, Karen, and Neil Jerome Morales. "Philippines Refuses to Work with ICC 'War on Drugs' Probe." *Reuters*, Thomson Reuters, 16 Sept. 2021, <https://www.reuters.com/world/asia-pacific/philippines-will-not-cooperate-with-icc-probe-war-drugs-spokesperson-2021-09-16/>.

²³ US Legal, Inc. "Extrajudicial Killing Law and Legal Definition." *Extrajudicial Killing Law and Legal Definition* | USLegal, Inc., definitions.uslegal.com/e/extrajudicial-killing/.

²⁴ "Enforced Disappearance." *TRIAL International*, 19 Mar. 2021, trialinternational.org/topics-post/enforced-disappearance/#:~:text=What%20is%20enforced%20disappearance%3F,the%20fate%20of%20that%20person.

²⁵ "Impunity." *Cambridge Dictionary*, dictionary.cambridge.org/dictionary/english/impunity.

²⁶ "Basic Principles of Justice for Victims of Crime and Abuse of Power." *OHCHR*, www.ohchr.org/en/professionalinterest/pages/victimsofcrimeandabuseofpower.aspx.

²⁷ "What Is Torture? How Do Human Rights Prevent and Remedy It?" *EachOther*, 26 June 2017, [eachother.org.uk/torture-human-rights-prevent-remedy/#:~:text=What%20does%20'torture'%20actually%20mean,Rights%20Convention%20\(ECHR\)%20declares%3A&text=The%20Human%20Rights%20Court%20has,treatment%20a%20'special%20stigma'](https://eachother.org.uk/torture-human-rights-prevent-remedy/#:~:text=What%20does%20'torture'%20actually%20mean,Rights%20Convention%20(ECHR)%20declares%3A&text=The%20Human%20Rights%20Court%20has,treatment%20a%20'special%20stigma').



16/12/1966	United Nations General Assembly adopted the International Covenant on Civil and Political Rights
22/06/1969	The American Convention on Human Rights
1976-1983	Argentina's dictatorial government used extrajudicial killings systematically as a way of eliminating the opposition in the Dirty War
11/03/1982	The Commission on Human Rights recommended to the Economic and Social Council (ECOSOC) to create a Special Rapporteur for monitoring extrajudicial, summary and arbitrary executions.
10/12/1984	The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment was adopted by the General Assembly
20/12/1993	Office of the United Nations High Commissioner for Human Rights was established
09/08/1999	Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)
2008	'False Positives' scandal started in Colombia
23/12/2010	The International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) was effective
30/08/2011	First time of International Day of the Victims of Enforced Disappearances
30/06/2016	Philippines drug war started

VI. Past Resolutions and Treaties

- Resolution [A/HRC/RES/35/15](#):

Resolution was main sponsored in June 2017 by Sweden on the mandate of the Special Rapporteur on extrajudicial, summary or arbitrary killings and it was adopted without a vote. Even though the resolution is important and covers every aspect of the topic because the OHCHR resolutions are not legally binding it only could have been to influence States.

- Resolution [A/RES/33/173](#):



This resolution is on disappeared persons and dates back to December 20th 1978, even though it may be seen as old, short and only invites certain groups or people to act on the issue one may say it has served its purpose and encourage ECOSOC to submit another resolution a year after focusing on the same topic and making general recommendations to the Commission on Human Rights.

- Resolution [A/RES/3453](#):

The resolution is on torture and other cruel, inhuman or degrading treatment or punishment in relation to detention and imprisonment; dating back to 9 December 1975. Unfortunately, the resolution mainly asks for studies to be conducted and as much as studies may help progress to be made in the future there is no immediate action plan suggested on how to combat torture. The focus of the resolution is primarily on gathering the correct information before action.

- [Universal Declaration of Human Rights](#):

UDHR was adopted on 10 December 1948 (A/RES/217(III)) including civil and political rights of all humans. It addresses four key topics: personal rights, relationship rights, spiritual and political rights and economic, social and cultural rights.

VII. Failed Solution Attempts

The treaties and the international agreements that have been made are good; however, countries show a lack of commitment to them. Many people world-wide are not pleased with UN bodies, saying that they are not able to take action on the subject. This can also be seen from the previous section of this report on past resolutions, they are mainly searching for information and not calling for action to be taken; and the fact that OHCHR resolutions are not legally binding, is also a significant issue.

VIII. Possible Solutions

There could be enforcement of the legislative system, with stricter punishments to whoever breaks the law; and the giving of impunity should be restricted to special circumstances and not to protect State agents when they are in the wrong. Potential targets could be monitored by the Special Rapporteur and with the help of organizations such as Amnesty International to protect them, according to the region this could be women, children, foreign workers, specific religious groups... There should be support mechanisms for the families and dependents of the victim who has disappeared or killed, the support mechanism can take care of children/eldrely/disabled while another member of the household works, it can provide or help find jobs, can have social gatherings with people who have been sharing the same faith so people can learn



from each others experience, there can be psychological meetings with the households members to help them through their mental state as well. Furthermore, the delegates may think about how to endorse the international recommendations to Member States which condone capital punishment. How the Special Rapporteurs can expand their roles into helping to overcome this issue.

IX. Useful Links

- [Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on a gender-sensitive approach to arbitrary killings](#)
- [This site encompasses many reports from Amnesty International and U.S. Department of State Reports](#)
- [This site writes about how torture and some of the countries who are connect according to HRW research](#)
- [This site has examples of enforced disappearance for Kenya, Colombia, Guatemala, Mexico and Honduras.](#)
- [This a resolution on the Declaration on the Protection of all Persons from Enforced Disappearance adopted by the GA in 1992.](#)
- [This is another resolution on Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment adopted by the GA in 1975.](#)
- [This is a report on the International Convention for the Protection of All Persons from Enforced Disappearance.](#)

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