

Forum: United Nations Human Rights Council

Issue: Preventing violation of human rights in regions controlled by terrorist groups

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Introduction

In this day and age, most people have heard about the concept of Human Rights. Although the Universal Declaration of Human Rights was adopted by the United Nations (UN) General Assembly over 73 years ago (On 10 December 1948 in Paris), the world still sees millions of reported crimes, not counting those that aren't reported, against individuals and collective human rights. Astonishingly, it is reported that approximately "40.3 million people – more than three times the figure during the transatlantic slave trade – are living in some form of modern slavery"¹. Individuals in more economically developed countries (MEDCs) might not encounter human rights violations as often, however, it does not mean that they have ceased to exist. In fact, some believe that basic human rights are now being violated more than ever in many nations around the world. Thus, the issue at hand becomes more pressing every day. Human rights protection is included in 4 of the 17 Sustainable Development Goals for 2030.

In order to tackle and prevent constant violation of human rights around the world, it is crucial to understand the concepts behind the creation of international human rights laws. When the Universal Declaration of Human rights was first adopted it brought to light the 30 most basic rights and freedoms that belonged to all of the humans on the planet. For instance, in order to prevent the crimes against humanity that the world witnessed years before the creation of this declaration, Article 1 states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."².

Although the declaration and other international human rights laws are now working towards the protection and reinforcement of the rights and freedoms that all humans are entitled to, human rights violation now more than ever is an enormous issue. Such violations are especially widespread in the areas controlled by terrorist groups. The rights of innocent citizens are subjected to constant violations and abuse. Just in Iraq alone: "Human Rights Watch and other organizations documented a system of

¹Hodal K. One in 200 people is a slave. Why? [Internet]. The Guardian. The Guardian; 2019. Available from: <https://www.theguardian.com/news/2019/feb/25/modern-slavery-trafficking-persons-one-in-200>

²UNHR Office of the High Commissioner. OHCHR | Universal Declaration of Human Rights Main [Internet]. Ohchr.org. 2019. Available from: <https://www.ohchr.org/EN/UDHR/Pages/UDHRIndex.aspx>

organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi³. Meaning the issues at hand have to be solved with urgency since basic human rights and freedoms are fundamental building stones of society and humanity as a whole.

³ Human Rights Watch. World Report 2020: Rights Trends in Iraq [Internet]. Human Rights Watch. 2019. Available from: <https://www.hrw.org/world-report/2020/country-chapters/iraq>

Term Definitions

Human Rights

Rights that are believed to belong to all human beings, these rights are not granted by any state or a country, but rather inherent to each and every human being, regardless of race, sex, nationality, religion, color, language or any other features. By the UNHRC definition they: “range from the most fundamental - the right to life - to those that make life worth living, such as the rights to food, education, work, health, and liberty.” (OHCHR)

Violations of Human Rights

Violations of Human Rights are best defined as disallowance in basic freedoms and rights that are granted to all of the individuals, regardless of the nation they were being born into. In other words, violations are infringements on one’s basic rights by an individual, group of individuals, organisation, or government.

Non-governmental organisations (NGO)

Voluntary groups of individuals or organisations who are not affiliated with any government in the world and follow a common goal, whether it is to advocate for rights and policies or provide certain services. Most of the non-governmental organisations are non-profit.

Human Rights Movements

Organisations, individuals, and groups of such that unite to create an advocacy group in order to push and advocate for the protection of basic Human Rights as well as to prevent their violation. Its progression was not at all linear and the last years lost a lot of much-needed support. Some examples of the latest human rights movements include: the Black Lives Matter and the democracy movement in Hong Kong.

Modern Slavery

Slavery is one of the numerous types of Human Rights violations, nowadays, a person is considered enslaved if they are forced to work against their will and are not allowed to control their freedom and exercise their rights.

Terrorism

Terrorism is best defined as the unlawful and unjustified use of violence or intimidation, usually against the peaceful civilian population in pursuit of specific personal or most commonly political groups. Acts of terrorism are exceptionally brutal and go against all international laws and regulations.

Terrorist groups

Such groups or organizations consist of members with similar ideology or political goals that they pursue through the usage of terrorism and intimidation. They are usually banned in many nations. Such groups include: ISIL, al-Qa'ida, and numerous others.

Background Information

Human Rights is a relatively new concept in the history of humanity, however, it is almost universally agreed upon. In the most common understanding, it describes the set of freedoms and rights that all individuals are entitled to under any circumstances. Although there are more than 184 organisations from over 112 countries all around the world that fight for human rights for the people all around the world, there are also official courts and UN councils that are responsible for overseeing and preventing human rights violations, inherent rights of humans around the world are still violated on an astonishing scale. There are some categories in which violations of human rights fall into and they are as follows:

Modern slavery and workplace rights

Slavery is one of the most misunderstood violations of human rights, as many have an image of slavery as something exceptionally brutal and has ceased to exist. While the first statement is partially true, the second one is a big misconception. Slavery is more present than ever, with triple the number of people enslaved than during the transatlantic slave trade. Like other types of human rights violations, slavery did not remain the same, it also underwent some changes. Modern slavery is usually defined as an employer's control over one's freedom and rights or in other words forced employment. The latest data shows that: "Women and girls comprise 71% of all modern slavery victims. Children make up 25% and account for 10 million of all the slaves worldwide."⁴ The issue of slavery is in fact one of the most urgent and pressing ones, so it is essential to eliminate modern slavery through regulations and subsequent control in order to ensure that those laws and regulations are followed uniformly worldwide.

Furthermore, violations of basic human rights at the workplace are becoming a rising issue in all nations around the world, at those already developed and those that are just developing. Millions of workers are only offered below minimum wage, which violates

⁴ Hodal K. One in 200 people is a slave. Why? [Internet]. The Guardian. The Guardian; 2019. Available from: <https://www.theguardian.com/news/2019/feb/25/modern-slavery-trafficking-persons-one-in-200>

their right to work in humane conditions. Millions more are discriminated against at the workplace, going against the first article of the Universal Human Rights Declaration that states that all humans are equal. Although there are organisations like the International Labour Organization (ILO), seeing the rise in Human Rights violations, new and innovative solutions shall be implemented.

Civil and Political Rights

One of the core rights that is inscribed into the international human rights laws is the right to freedom of expression and speech. However, in many of the political systems, governments or those in power tend to violate such rights by shutting down or being violent towards peaceful protestors in order to maintain the current status quo and control over the population. Civil and political rights violations usually present themselves “through genocide, torture, and arbitrary arrest” during wartime or an armed conflict and as push down on rebellion forces and censorship during peaceful times.⁵ Such violations harm millions of innocent lives for their political views and speaking their mind, it’s also a rising issue nowadays in countries like Afghanistan and Iraq.

Discrimination

Discrimination is another type of Human Rights violation since those discriminated against are usually discriminated on the basis of their race, sex, sexuality, religion, color, and other features. Discrimination can be seen in a range of institutions, from juridical systems to healthcare and workplaces. According to the research done by the Sentencing Project: “1 in 6 Latinx men born in 2001 can expect to go to prison in their lifetime”, this illustrates the bias and discrimination against men of Latin origin⁶. However, it does not stop there, research also found that the death rate of people of colour is much higher than that of the white population. Such divide becomes even more obvious in terrorist-occupied areas with incarceration rates being especially high

⁵Human Rights Advocacy. The Human Rights Movement – Advocacy for Policy Change [Internet]. Human Rights Advocacy and the History of Human Rights Standards. Available from: <http://humanrightshistory.umich.edu/policy-decisions/the-human-rights-movement/>

⁶The Sentencing Project. Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System | The Sentencing Project [Internet]. The Sentencing Project. 2018. Available from: <https://www.sentencingproject.org/publications/un-report-on-racial-disparities/>

for certain groups of individuals. More importantly, homosexuality is still illegal in more than 69 countries, with death penalties implemented in some of them.

Terrorist groups and areas under their control

Usually countries see an extreme rise in numbers of terrorist groups and their followers either due to the spread of highly nationalistic beliefs or attempts from the governments to repress oppositions or other minorities. Thus inevitably leading to human rights violations. Hence, Afghanistan and other areas under the control of other terrorist groups and organizations proved to constantly violate and disrespect international human rights agreements. As Deputy High Commissioner of Human Rights in the UN stated during his Oral update in 2021: "The people of Afghanistan today face a profound humanitarian crisis that threatens the most basic of human rights."⁷ NGOs and other organizations observed some extreme violations, in form of segregation, discrimination, poverty, and hunger, thus proving the current government incapable of supporting and providing the basic rights and freedoms to its citizens. Some reporters mentioned extreme measures that households all around the nation are forced to take, they include forced marriages and the sale of children.

Another important area of human rights that are impacted in the areas controlled by terrorist groups is education, especially of those alienated groups of individuals. For instance, it was also mentioned that: "according to UNICEF, out of 4.2 million Afghan children already out of school, 60% are girls." The issue at hand needs immediate intervention in most of the areas impacted by the terrorist control of the population of those areas will be stripped of most of their inherent rights and freedoms. However, the difficulty of the prevention of such violations lies in the lack of coordination and cooperation with the UN and other world states that areas under terrorist control are usually exemplified.

⁷ Al-Nashif N. Oral update on the situation of human rights in Afghanistan, 14 December 2021 - Afghanistan [Internet]. ReliefWeb. 2021 [cited 2022 Feb 21]. Available from: <https://reliefweb.int/report/afghanistan/oral-update-situation-human-rights-afghanistan-14-december-2021>

Countries and Organisations Involved

Human Rights Watch and Amnesty international

These organisations, as well as hundreds of other NGOs, work collaboratively in order to overview and ensure that human rights and international laws are respected and followed in many countries. Since these organisations are usually nongovernmental and nonprofit, they rely heavily on public support and donations. They have an enormous effect on the Human Rights movement and the protection of basic rights worldwide.

Egypt and other African, Middle Eastern, East Asian countries

Many other countries located in Africa, the Middle East and East Asia have the worst Human Rights and Law situation at this time.⁸ It is evident that local laws and actions of individuals, as well as those of the government, do not follow international regulations and laws due to the constant negligence towards human rights and basic freedoms.

The United States of America

Although often ranked highly in Human Rights keeping rankings, latest events highlighted many issues like systemic racism and extreme inequality, which inevitably violate basic human rights in the United States of America. So, such issues have to be solved at hand and not only in the USA but rather around the world (in states where such violations are present). Furthermore, the USA was found to contribute to terrorist groups' reign of terror in some of the regions, thus worsening the human rights situations there while pursuing the country's own political agenda.

Canada and European Union

Despite the fact that these countries demonstrate a high commitment to preserving Human Rights, there are still many violations at hand. Although these countries, in general, have very welcoming policies for refugees, there are still numerous hate crimes being committed, for instance, a recent pandemic caused a high surge in anti-Asian hate crimes, which goes against the main human rights principles. Overall, these countries

⁸ Worst countries for human rights and rule of law 2021 [Internet]. Statista. 2021. Available from: <https://www.statista.com/statistics/1256220/highest-human-rights-and-rule-of-law-index-by-country/>

take proactive actions to help other states improve the human rights situation they currently find themselves in.

Afghanistan/Countries and areas under terrorist control

Afghanistan currently under the control of Taliban, as well as other areas under terrorist support, usually show little to no respect towards the international human rights agreements, and put their population in danger of constant violations of their freedom and inherent rights. These countries and areas are usually hostile towards NGOs and uncooperative with the United Nations as well as other organisations.

Timeline of Events

- 1st of August 1833** **Slavery Abolition Act** was signed and took effect in the United Kingdom
- 16th of February 1946** The **United Nations Commission on Human Rights** is established
- 10th of December 1948** United Nations General Assembly adopted the **Universal Declaration of Human Rights** in Paris
- 21st of January 1959** The **European Commission of Human Rights** was established.
- 21st of December 1965** The **Convention on the Elimination of All Forms of Racial Discrimination** (CERD) is adopted and opened for signature. It is introduced to eliminate racial discrimination among all races.
- 16th of December 1966** The **International Covenant on Civil and Political Rights** (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) are adopted.
- 18th of December 1979** The **Convention on the Elimination of All Forms of Discrimination Against Women** (CEDAW) is adopted. It is introduced to prevent discrimination against the rights of women
- 10th of December 1984** The **Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment** is adopted.
- 15th of August 2021** Taliban finished their armed offence and took over Afghanistan

Relevant UN Treaties/Resolutions

The Universal Declaration of Human Rights

Adapted by the United Nations General Assembly on 10th of December 1948 in Paris, this declaration outlines the 30 most basic human rights that are inherent to each and every human being on Earth. This declaration began the Human Rights movement and established the foundation for international Human Rights laws worldwide.

International Covenants

In addition to the Universal Declaration of Human Rights passed by the UN, other important International Covenants with their respective organisations, in order to oversee their implementation, were adopted. Here a comprehensive list:

International Convention on the Elimination of All Forms of Racial Discrimination	CERD
International Covenant on Civil and Political Rights	CCPR
International Covenant on Economic, Social and Cultural Rights	CESCR
Convention on the Elimination of All Forms of Discrimination against Women	CEDAW
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	CAT
Convention on the Rights of the Child	CRC
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	CMW
International Convention for the Protection of All Persons from Enforced Disappearance	CED
Convention on the Rights of Persons with Disabilities	CRPD

Previous Attempts to Solve Issue

Declaration on Basic Principles of Justice for Victims of Crime and Abuse of Power - General Assembly resolution 40/34

This declaration outlined the procedure for the standards of treatment and repatriation of victims and those subjected to human rights violations. It states that: “(...)victims should: Be treated with compassion and respect for their dignity; Be informed about, and have their views and concerns presented at, legal proceedings; Be entitled to proper assistance throughout the legal process; (...)”⁹ These conditions are essential in standardising the minimum requirements for the treatment of refugees.

Resolution A/HRC/48/L.24/Rev.1

Passed on 11th of October 2021, this resolution proposed solutions to the problem of human rights violations in Afghanistan as well as appointing a special rapporteur to keep the council updated on the development of the situations in the coming times. Among those solutions, it urged the governments around the world to engage with the newly appointed government of Afghanistan on the subject of human rights and called for the creation or structuring of an inclusive and representative government in Afghanistan.

NGOs and UN-affiliated organisations

Non-governmental and United Nations-affiliated organizations all around the world and specifically in the areas occupied or controlled by terrorist groups, support the local populations and prevent human rights violations or bring light to gross violations in such areas. This is crucial for actions from the UN and other member states to be taken. For instance, there are certain NGOs that currently fight towards the protection of human rights activists and other officials in Afghanistan in line with other organisations that work towards reinforcing the freedoms and rights of the marginalised communities of women and children in areas controlled by extremist groups.

⁹ The Office of the United Nations High Commissioner for Human Rights. Human Rights, Terrorism and Counter-terrorism [Internet]. 2008. Available from: <https://www.ohchr.org/Documents/Publications/Factsheet32EN.pdf>

Possible Solutions

In order to prevent violation of human rights in regions controlled by terrorist groups, delegates are encouraged to come up with new, innovative, and functional solutions to the issue at hand.

They may suggest the creation of an international body that will report on the inclusivity and support of the human rights importance for citizens in the governments around the world. Delegates can encourage the creation or delegation of the controlling and documenting duty of the current situation in the areas controlled by terrorist organizations, which in turn will allow for a more transparent human rights situation in the affected countries or regions, thus more control over the humanitarian situation.

Furthermore, it is advisable for delegates to call upon or encourage nations and member states to provide financial support to NGOs and UN-affiliated organisations that ensure and control over the human rights keeping in the affected regions. This would help in the implementation of the solutions that the delegates might come up with. It is important to describe the roles and responsibilities those organisations will take on and other implications that such will have.

A delegate may also call for an investigation or other procedures/actions that could be taken when large international human rights law infringement was observed or identified. This can be built upon already existing protocols or the implementation of newly built ones.

Nonetheless, it is also crucial to ensure the safety and security of the volunteers and the local crew if such personnel will be working in the area and with hostile governments or terrorists. This has to be done in a manner that will prevent further escalation of the conflict in the area.

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