KENTUCKY YMCA YOUTH ASSOCIATION **KENTUCKY UNITED NATIONS ASSEMBLY** **United Nations Proposal**	**Proposal # 40** **Proposed by Saudi Arabia**
Authors: Madeline Greer, Denise Robson, Kelsey Young, Hannah Williamson	**Committee: B**
School: Franklin Co. HS	**Action on Proposal**
City: Frankfort	____ ☐ Passed ____ ☐ Defeated

An act to reform the existing U.N. policy on torture and other cruel punishments.

Be it hereby enacted by the General Assembly of the United Nations

Justification Clause: The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the "Torture Convention") was adopted by the General Assembly of the United Nations in 1984. The Torture Convention established standards for the treatment of countries that used cruel and unusual punishment and/or torture on citizens and noncitizens. Although this policy has been standing for over 20 years, several countries who have signed it are still openly partaking in the use of cruel and unusual punishment and/or torture. Abuses range from public executions by beheading's, amputations of body parts, floggings, stoning's and blinding citizens, sometimes without any trial. Saudi Arabia carried out dozens of execution in 2013 and the vast majority were public beheading's which included displaying their decapitated bodies. Our proposal will reform the UN's currently policy so that it can be enforced more effectively for all nations.

Section I: For the purpose of this proposal, torture will be defined as worded by the UN Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment: "Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person…" This includes any act used to obtain information from a person, or punish a person for considered wrongdoing. Acts considered torture and/or cruel and unusual punishment include, but are not limited to, water-boarding, paralyzing, removing limbs and/or extremities, public executions, and any other act widely seen as inhumane or cruel.

Section II: Each country must take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for torture. An order from a superior officer or a public authority may not be invoked as a justification for torture.

Section III: The United Nation's currently established Committee Against Torture (CAT) must have new members approved directly by the United Nation's officials. The countries involved must report to the CAT the actions they are taking to ensure the protection of citizens and visitors to their country. They must also agree to a prompt and impartial investigation wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction.

Section IV: The Committee Against Torture (CAT) will meet with leaders of each country to assist in the creation of guidelines for the prosecution of those using cruel and unusual punishment and/or torture to assure the guidelines of this proposal are being followed. Any actions a country chooses to take in reaction to the use of cruel and unusual punishment in any territory under its jurisdiction, must be approved by CAT beforehand to assure that it not only benefits the party who has been subject to inhumane treatment, but appropriately prosecutes the individual or group inflicting the torture.

Section V: If the Committee Against Torture discovers through investigations (mentioned in Sec. 3) that a country has not been abiding by the agreed upon terms, leaders of the country will then be tried by the International Criminal Court (ICC). If the CAT in conjunction with the ICC discovers that the country's leaders are entirely free of blame for the act of torture/cruel and unusual punishment, the CAT will investigate the individuals directly involved in the case, who will then be tried by the ICC.

Section VI: The UN will fund this proposal through the Committee on Torture, and from fines imposed by the ICC and other criminal jurisdictional courts.

Section VII: This proposal will go into effect after a new Committee against Torture has been decided by the United Nations (as stated in Section 3). The UN will vote to elect the new CAT members beginning May 1st 2014.