

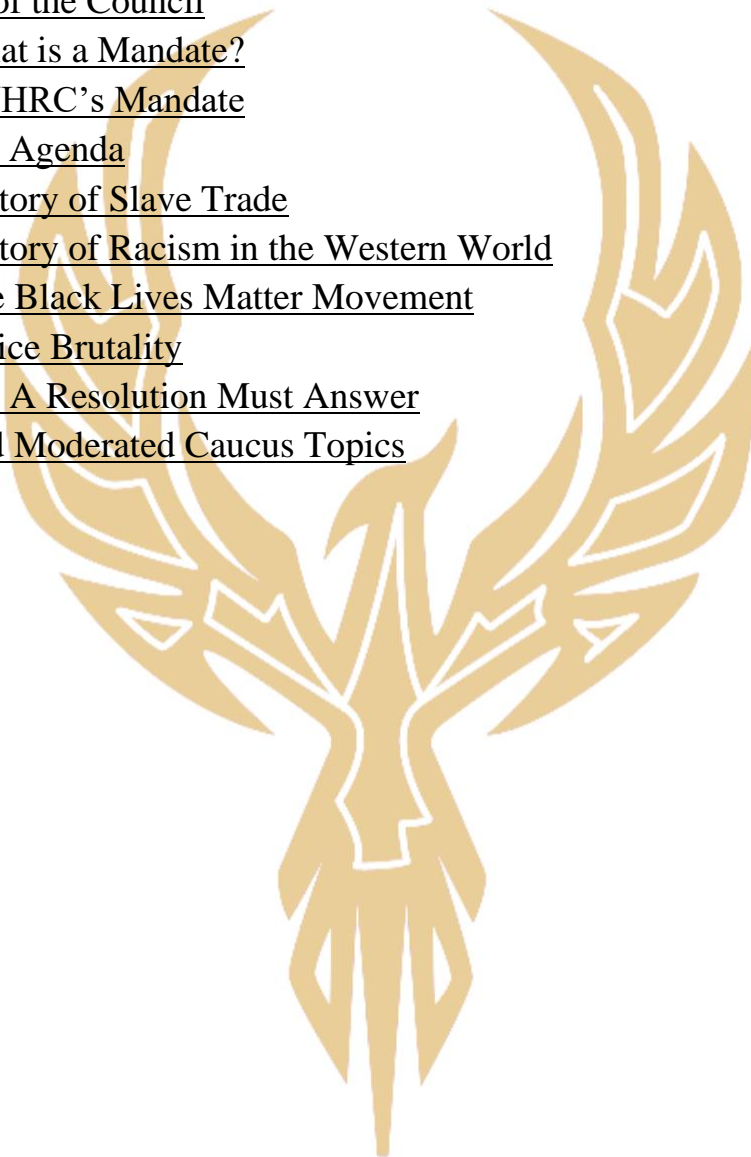


LEGATUS MODEL UNITED NATIONS
UNITED NATIONS HUMAN RIGHTS COUNCIL

BACKGROUND GUIDE

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Letter from the Executive Board

Dear Delegates,

We welcome you all to this simulation of the United Nations Human Rights Council. It is our honor and privilege to serve as your Executive Board for the duration of the conference.

Keeping in mind your busy schedules, we have compiled this study guide to help you with your research for council. Bear in mind that the study guide is in no way exhaustive and is only to provide you with enough background information to establish a platform for you to begin your research. We would highly recommend that you do a good amount of research beyond what is covered in the study guide.

First timers and experienced delegates alike, please go through standard MUN Rules of Procedure before coming to council. We will have a training session explaining the same to you, but it's always better to have a fair idea of how the council will function before you step in on Day One.

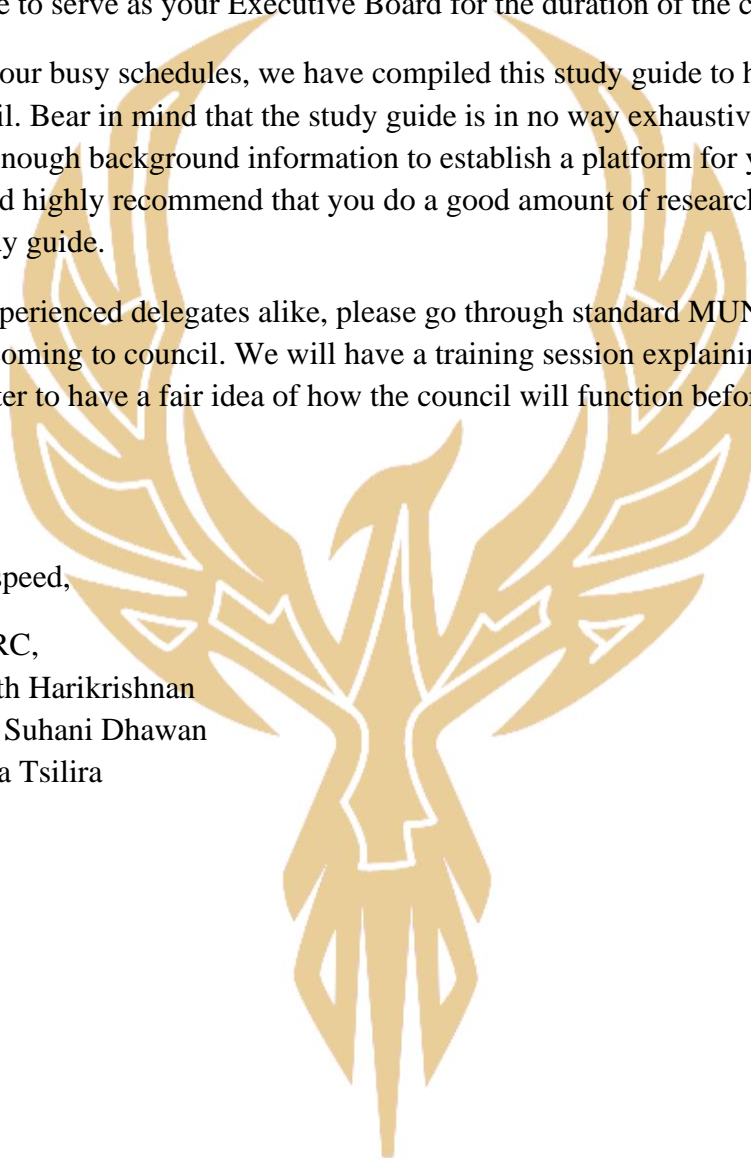
Good luck & Godspeed,

The Dias of UNHRC,

Chairperson: Rohith Harikrishnan

Vice-Chairperson: Suhani Dhawan

Rapporteur: Melina Tsilira





Research Suggestions

1. Do read and be thorough with the background guide.
2. Google/Search everything and find related documents (UN news articles, scholarly articles) for whatever that you did not understand clearly.
3. After wholly understanding (subject to how in depth you wish to go for the research), try understanding your allotted country's perspective on the agenda.
4. Make the stance in accordance with the country's perspective on the agenda which shall also define your foreign policy (history, past actions etc.)
5. Understand the cues and hints that are given minutely in the background guide that may come handy while presentation of contentions in committee.
6. Take a good look at the mandate of council as to what you can discuss and what you can do in this council. This point is placed just because your knowledge base should not be limited to the mandate of the council. Know everything; speak what the mandate allows.
7. Follow the links given in the end and understand why they were given.
8. Predict the kind of discussions and on what subtopics can they take place, thereby analyzing the subtopic research you have done and prepare yourself accordingly.
9. Make a word document and put your arguments there for better presentation in council.
10. Ask the Executive Board your doubts, feel free to reach out and enhance your experience.
11. You can download the UN charter and go through it for better understanding of committee proceedings.
12. Ask questions regarding procedure to speak something etc., if you have any, on the day of the training session.



Nature of Proof and Evidence

1. Documents from the following sources will be considered as credible proof for any allegations made in committee or statements that require verification:
2. Reuters: Appropriate Documents and articles from the Reuters News agency will be used to corroborate or refute controversial statements made in committee.
3. UN Documents: Documents by all UN agencies will be considered as sufficient proof. Reports from all UN and its subsidiary bodies including treaty-based bodies will also be accepted.
4. Government Reports: Government Reports of a given country used to corroborate an allegation on the same country will be accepted as proof.





Mandate of the Council

What is a Mandate?

A mandate refers to the decision that gives a body authority to carry out its functions.

Some examples are:

1. establishment of a subsidiary organ and definition of its core functions
2. establishment of a peacekeeping mission and enumeration of the types of activities to be carried out by the mission
3. foundation of a UN Secretariat department, office, or division
4. terms of reference for a Commission of Inquiry or Group of Experts
5. original request for a study or report

Other terms that may be used to refer to such documents are:

1. terms of reference
2. founding documents
3. authorization
4. approval

UNHRC's mandate

The Human Rights Council is an inter-governmental body within the United Nations system responsible for strengthening the promotion and protection of human rights around the globe and for addressing situations of human rights violations and making recommendations on them. It has the ability to discuss all thematic human rights issues and situations that require its attention throughout the year. It meets at the UN Office at Geneva.

The Council is made up of 47 United Nations Member States which are elected by the UN General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights.

The Council's mandate is to promote "universal respect for the protection of all human rights and fundamental freedoms for all" and "address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon."

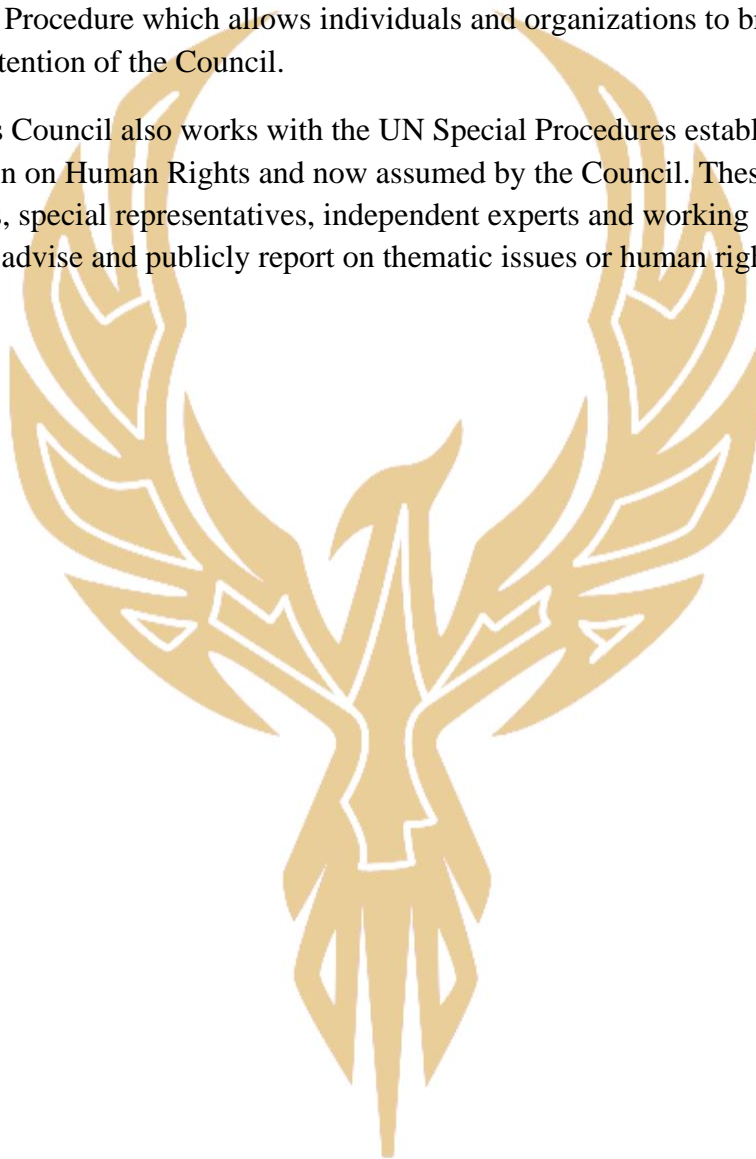
The Council was created by the United Nations General Assembly on 15 March 2006 by resolution 60/251. Its first session took place from 19 to 30 June 2006. One year later, the



Council adopted its "Institution-building package" to guide its work and set up its procedures and mechanisms.

Among them were the Universal Periodic Review mechanism which serves to assess the human rights situations in all United Nations Member States, the Advisory Committee which serves as the Council's "think tank" providing it with expertise and advice on thematic human rights issues and the Complaint Procedure which allows individuals and organizations to bring human rights violations to the attention of the Council.

The Human Rights Council also works with the UN Special Procedures established by the former Commission on Human Rights and now assumed by the Council. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries.





About the Agenda

History of Slave Trade

The history of slavery started from the 15th century, with the onset of the Transatlantic slave trade. This was a triangular-trade route between Europe, Africa and America that transported 10-12 million slaves. As demand for labor grew, more slaves were brought in. They were kept in poor conditions under bonded labor. The slave trade had devastating effects in Africa. Economic incentives for warlords and tribes to engage in the slave trade promoted an atmosphere of lawlessness and violence. Depopulation and a continuing fear of captivity made economic and agricultural development almost impossible throughout much of western Africa. The Atlantic passage was notorious for its brutality and for the overcrowded, unsanitary conditions on slave ships, in which hundreds of Africans were packed tightly into tiers below decks for a voyage of about 5,000 miles. They were typically chained together, and usually the low ceilings did not permit them to sit upright. The heat was intolerable, and the oxygen levels became low.

From 1775, with The American revolution, the northern states of USA propagated for the ban on slavery as they found it to be inhumane. The southern states came against this proposition with full force. These states survived on labor-intensive occupations and a ban on slavery would be a threat to their authority and livelihoods. This was the main cause for the American Civil War in the 1860s between the northern and southern states. Following the victory of the former, slavery was made illegal in 1865. While this was a major step to progress, blacks were denied basic and equal opportunities to sustain themselves in the society and ended up in yet another cycle of oppression, in the modern world and its ways. Reflections of which we even see today.

History of Racism in the Western World

The concepts of race and racism are of relatively recent origin. Although ideas about human differences on the basis of color and phenotypic characteristics already occurred in earlier societies. Distinctions between and negative evaluations of phenotypic differences in skin color, in hair color, in the color and shape of eyes, in the shape of the skull and so on has for a long time been a central element of the ideology of racism. These kinds of differences were used as explanations for differences in culture and in mental properties.

By the late nineteenth century and early twentieth century this mode of thinking was common in the Western world. It was developed in academia and spread throughout society. It was used to justify practices such as slavery and colonialism. "Race" as a dominant and widely accepted



ideological concept in Western thought was no longer only used to explain differences but also to justify inequalities at the political level.

The shift to a political implementation of racist doctrines at the national level was made in the thirties by the National Socialists, under the leadership of Hitler. After the Second World War, at the request of the United Nations Educational Scientific and Cultural Organization (UNESCO), authorities in the social sciences examined the concept of race. In their declaration of 1950, they argued that “race” is less a biological phenomenon than a social myth.

The myth of “race” has created an enormous amount of human and social damage. The concept “racism” is much younger than the concept “race”. The first scientific use of the concept of racism is often attributed to the German Jewish scientist Magnus Hirschfeld. Historical research into usage of the concept “race” has shown that this concept has taken different forms in different national contexts. Historically, racism has also varied in signification.

The Black Lives Matter Movement

2013: The Beginning

The Black Lives Matter movement began in 2013, following the death of Trayvon Martin, an African American teenager who was shot while walking to a family friend's house, and the subsequent acquittal of George Zimmerman, the man who shot him. The campaign was co-founded by three Black women: Alicia Garza, Patrisse Cullors, and Opal Tometi, as a response to the police killings of Black people.

2014: Riots and Protests

In July 2014, Eric Garner died in New York City after a policeman put him in a chokehold while arresting him. Then, in August, unarmed teenager Michael Brown was killed by a gunshot from a police officer, Darren Wilson, who was not arrested due to "lack of evidence". Both peaceful protests and riots followed, much of which was done under the banner and hashtag of Black Lives Matter. In response, co-founder Patrisse Cullors organized the Black Life Matters Ride, which drew a gathering of 600 people

2015: Black Women and Black Transgender Women

The following year saw another spate of Black people killed by police officers in the USA, including Walter Scott, Freddie Gray, and Meagan Hockaday. Black Lives Matter protested against these and many more. They also organized protests to highlight the injustices faced by



Black women and Black transgender women. By the end of 2015, 21 transgender people had been killed that year in the USA, and 13 of the victims were Black.

2016: Sport stars and other celebrities

In 2016, those whose deaths occurred due to police actions included Deborah Danner and Alton Sterling. Early July saw over 100 protests take place across America following Sterling's death on July 5th, and Philando Castile's shooting the next day. In July 2016, basketball players including LeBron James and Carmelo Anthony opened an awards ceremony by speaking about recent deaths of Black people. Then, from August, many sports stars began taking part in protests during national anthems at sports games, beginning with Colin Kaepernick, who knelt during the anthem ahead of an NFL game.

2017: Art Exhibition

In 2017, Black Lives Matter put on their first art exhibition timed to coincide with Black History Month (February) in the US state of Virginia. It featured the work of over 30 Black artists and creators. In August, Black Lives Matter campaigners were among counter-protestors at a white supremacist 'Unite The Right' rally in Charlottesville, Virginia.

2018: #BlackLivesMatter goes trending

By May 1st, 2018, a study found that the hashtag #BlackLivesMatter had been used nearly 30 million times on Twitter since the first instance in 2013. As they marked five years of action, Black Lives Matter continued to highlight the deaths of Black people who had lost their lives at the hands of US police that year, including Grechario Mack and Kenneth Ross Jr.

2019: Music and entertainment stars

In February 2019, the rapper 21 Savage was arrested and detained by the US's immigration agency, ICE. As a result, Cullors convened a group of 60 high profile stars from the music and entertainment worlds to advocate for his release. Then, in May, Oklahoma teenager Isaiah Lewis was shot by police and killed. Days later, Black Lives Matter held a 100-strong rally in protest.

2020: The death of George Floyd

Major protests were sparked at the end of May following the death of George Floyd in Minneapolis. A video showing a police officer kneeling on Floyd's neck went viral following his death. Police officer, Derek Chauvin, has since been charged with second-degree murder raised



from an initial charge of third-degree murder and second-degree manslaughter. Black Lives Matter went on to organize protests around the world.

Police Brutality

Police brutality or police violence is legally defined as a civil rights violation where officers exercise undue or excessive force against a subject. This includes, but is not limited to, bullying, physical or verbal harassment, physical or mental injury, property damage, and death. In some countries, "the color of law" protects officers from ambiguous situations.

Global Prevalence

The Amnesty International 2007 report on human rights also documented widespread police misconduct in many other countries, especially countries with authoritarian regimes.

In the UK, the reports into the death of New Zealand teacher and anti-racism campaigner Blair Peach in 1979 was published on the Metropolitan Police website on 27 April 2010. They concluded that Peach was killed by a police officer, but that the other police officers in the same unit had refused to cooperate with the inquiry by lying to investigators, making it impossible to identify the actual killer.

In the UK, Ian Tomlinson was filmed by an American tourist apparently being hit with a baton and pushed to the floor as he was walking home from work during the 2009 G-20 London summit protests. Tomlinson then collapsed and died. Although he was arrested on suspicion of manslaughter, the officer who allegedly assaulted Tomlinson was released without charge. He was later dismissed for gross misconduct.

In Serbia, police brutality occurred in numerous cases during protests against Slobodan Milošević, and has also been recorded at protests against governments since Milošević lost power. The most recent case was recorded in July 2010, when five people, including two girls, were arrested, handcuffed, beaten with clubs, and mistreated for one hour. Security camera recordings of the beating were obtained by the media and public outrage when released. Police officials, including Ivica Dačić, the Serbian minister of internal affairs, denied this sequence of events and accused the victims "to have attacked the police officers first". He also publicly stated that "police [aren't] here to beat up citizens", but that it is known "what one is going to get when attacking the police".

Some recent episodes of police brutality in India include the Rajan case, the death of Udayakumar, and of Sampath.



Police violence episodes against peaceful demonstrators appeared during the 2011 Spanish protests. Furthermore, on August 4, 2011, Gorka Ramos, a journalist of La Informacion was beaten by police and arrested while covering 15-M protests near the Interior Ministry in Madrid. A freelance photographer, Daniel Nuevo, was beaten by police while covering demonstrations against the Pope's visit in August 2011.

In Brazil, incidents of police violence have been very well-reported, and Brazil has one of the highest prevalence of police brutality in the world today.

South Africa from apartheid to today has had incidents of police brutality, though police violence is not as prevalent as during the apartheid years.





Questions A Resolution Must Answer

- How can the causes of police brutality against racial and religious minorities be eliminated? What should the UN do? Which organizations can take action? How can a nation's governments prevent these causes?
- What changes can be made in national and international law in order to reduce police brutality against racial and religious minorities? How can we ensure that justice will be served for police brutality victims?
- Should the investigations on police officers accused of brutality be independently conducted? (NOT by the police itself) Who should inspect these cases? What organizations can be involved?
- Should a community oversight be established for police officers accused of violent acts against racial and religious minorities? If so, who should be in charge and monitor this structure?
- Should peaceful protests be allowed, regarding the current Covid-19 Pandemic? Should protestors be held in prison? In what other ways can the greater public rise and fight against police brutality towards minorities?
- How can the consequences of police brutality against religious and racial minorities be addressed? Which organizations can be involved? What measures should a country's government take in order to ensure the safety of racial and religious minorities from police brutality?
- How can governments ensure that police staff follow and abide by their training practices? Should there be a change in the police's arrest and defense methods? Should any organization be involved in such processes? How can we prevent police officers from turning off their body cameras?
- Should local police officers be provided and armed with military weaponry? Should we establish restrictions to prevent police's access to such arms?
- How can the success of campaigns, such as Campaign Zero or the London Campaign against Police and State Violence, be ensured?



Suggested Moderated Caucus Topics

- Legal loopholes that allow police brutality
- Police investigating their own police officers accused of brutality (bias)
- Broken Window Policing - A decades-long focus on policing minor crimes and activities, while ignoring crimes of major importance (including police brutality)
- The question of the Federal Government's 1033 Program in the US (which provides local police with military arms)
- Unfair police contracts (Police unions have used their influence to establish unfair protections for police officers in their contracts with local, state and federal government and in statewide Law Enforcement Officers' Bills of Rights)
- The training of police enforcements and the ethics of their methods.

