



COMMITTEE Chair Report HRC

Mitigating civilian abuse at the hands of
police.

Chair: Matthew Scholten
Deputy Chair: Filip van Putten

Personal Statements

Chair – Matthew Scholten

Honourable delegates,

My name is Matthew Scholten, and I will be your chair for the 2024 edition of MUNISS in the Human Rights Committee. I am currently nineteen years old and am from Zwolle, Netherlands.

This will be my first year as a chair abroad. In 2018, I attended my first two MUNs as a delegate: MUNISS and LmunA- working in GA4 and UNESCO respectively. In 2019, this cycle would repeat itself- but moving into the Security Council. In 2020- right before the pandemic- I was lucky enough to squeeze in one more conference at MSKMUN in Athens, Greece- also in the Security Council. Finally, my own school organized an in-house MUN called “CAPMUN”, in which I played a role as Head of Media and chaired in the General Assembly. All of this together brings the tally to six events attended, and after a few years away from these excursions, it feels only right to come back to the place where it all started.



CAPMUN, 2021

Six years onward from my first Model United Nations, I couldn't be more excited to see what the next generation of delegates brings us! I intend to run your sessions as smoothly as I can together with Filip, creating a safe space for constructive debate and dialogue.

Good luck!

Deputy Chair – Filip van Putten

Honourable attendees of MUNISS,

My name is Filip Cornelis van Putten. I'm a nineteen-year-old Dutch-Czech student of theology, currently located in Zwolle. I will serve as your deputy chair this April.

I have participated four times in MUN, my first being, in fact, MUNISS 2018. I have also participated in LMUNA, in Arnhem; FirstMUN, in Hardenberg; MSKMUN, in Athens and I have served as chair during CAPMUN, in Zwolle.

Attending MUN conferences always leaves you with valuable memories and life experience. You practice communication, problem solving, making compromises, and speaking (formal) English, if you



aren't a native speaker. And most importantly of all, you make valuable connections with great people!

It has always been a pleasure for me to attend MUN, it is a valuable experience, and you learn a lot from attending it. In our committee we are going to dedicate ourselves to protecting human rights, a worthwhile endeavour indeed. I do hope all of you, dear delegates, will have a most valuable time in our committee!



Introduction

Civilian abuse at the hands of police has been a topic of discussion for centuries, and in recent years it has seen an exponential increase in attention. Civilian abuse- a humanitarian issue- at the hand of authorities erodes the trust between a country's citizens and the institutions that are in place, in concept, to protect and facilitate the very people victimized by those institutions. The United Nations is an active advocate in remedying the human rights abuses found all over the world. The HRC in particular views this issue particularly through the lens of human rights but is not limited to merely that perspective- social justice and rule of law are fundamental to this topic and are discussed from such angles in further committees within the United Nation such as the Security Council.

This civilian abuse often manifests itself in the form extrajudicial processes, harassment, and brutality in the context of policing, further underlining the necessity for organisations such as Amnesty and the United Nations (and its specific bodies such as the Human Rights Council) to bring to light human rights abuses and create comprehensive strategies through media, politics and diplomacy that uphold the intrinsic dignity and rights of any and all individuals that depend upon law enforcement.

Police brutality has garnered extra focus through modern technology and social media. In particular, many will recall the Black Lives Matter protests across the United States as a result of George Floyd's death as a result of police brutality- as was predicated in the conclusion of Derek Chauvin's trial, in which he was found guilty of wilfully depriving Mr. Floyd of his constitutional right to be free from the use of unreasonable force from a police officer. He was consequently sentenced to 252 months in prison (United States Department of Justice, 2022).

However, as the UN is a global organisation, viewing and combating police brutality is not limited to western society. Further examples of human rights violations can be found in Iran, where beyond regular policing, 'morality-police' exist and contribute to further oppression of its people. Just recently, a woman died while in custody of this body of police for wearing an "improper" Hijab (Far, 2022).

The cause of police brutality lies on a large spectrum of causes; factors such as inadequate training, cultural biases, and poor accountability-mechanisms contribute to the human rights abuses at the hands of policing found across the globe. Reform requires legal reform, policy intervention community-engagement and- in particular within the United Nations- international cooperation.

It is of utmost importance for nations and local bodies to come together and engage in dialogue and create new policy and approaches to these issues to ensure the welfare and human rights of every individual. With the scope being directed toward the Human Rights Council, this document will approach it particularly from that committee's perspective.

Glossary

As part of this paper, there are some key terms that will be recur throughout this document's read. These can be found below along with their respective sources.



This includes broader non-specific to civil abuse at the hands of police but is crucial to the discussion of human rights.

Civilian Abuse

The intentional use of violence against noncombatants (Downes & Rangazas, 2023).

Police Brutality

Police brutality is the use of any force exceeding that reasonably necessary to accomplish a lawful police purpose (Encyclopedia, n.d.).

Extrajudicial Execution

The deliberate killing of individuals outside of any legal framework (OHCHR, n.d.).

Accountability Mechanisms

Processes that resonate with concerned populations and contribute to their sense of justice and dignity (OHCHR, 2021a).

Police Oversight

A form of civilian participation in reviewing government activities, most commonly accusations of police misconduct (Dammer & Albanese, 2014).

Constitutional Right

A right or freedom that people have under a constitution (= the set of political principles by which a state or organization is governed) (Cambridge English dictionary, n.d.).

Cultural Bias

The interpretation of situations, actions, or data based on the standards of one's own culture (MasterClass, 2021).

International Human Rights Standard

Everyone has the right to life, liberty, and security of person. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment (United Nations, n.d.).



Issue Explanation

Police brutality has been a known concept for centuries, and it spans across continents. As per the introductory section, May 25th set a precedent for the years to come, not only in the United States, but across the globe. An issue that already existed and needed combating and ever-growing, gained substantial societal attention in George Floyd's death. Trends in violent incidents in the United States are decreasing, but violent incidents involving police are- however- increasing with only two percent of officers facing legal repercussions (Levin, 2023).

Beyond the United States, Mexico is another example of a nation that suffers greatly from police violence. Being a police officer there is one of the most dangerous jobs, with 542 officers being killed in peak-year 2020. This has decreased, but the number remains high with roughly 340 cases in 2023 (Justice in Mexico, 2023). This high turnover of officers sets the precedent for poor training and ultimately one of many causes leading to police brutality. On top of this, Human Rights Watch found no police force in Mexico complying with the minimum training levels required by law. Ten percent of officers within the same article had reported that they were made to pay unlawful quotas to their superiors, and upon declination, were subsequently denied equipment and training. For every one-thousand officers, there were 1,688 cases of corruption reported (Jaramillo, 2019). In Mexico, it is hard to quantify the rate of civilian abuse at the hands of law enforcement, in-part due to 86% of citizens not reporting crimes due to their lack of trust in the law enforcement agencies (Linder, 2023).

Three major factors in police brutality, such as inadequate training, cultural biases, and poor accountability-mechanisms can be found in the two examples mentioned in the previous two paragraphs. These three factors amplify further distrust in the system in place, and in-turn keep the cycle of ever-increasing civilian abuse in place. When looking at the United States, Mexico, and Iran as three diverse examples of nations with police brutality, we can find many of the same issues that form the basis of this injustice. They manifest in different shapes and sizes, but they are all present. Examples are Mexico's high turnover and corruption preventing better training standards; racial prejudice in cultural bias in the United States; and poor accountability-mechanisms in Iran for the abuse of women with 'improper' Hijabs and in the United States' low rate of legal repercussions for officers after violent incidents. Of course, there are examples of police brutality in almost any nation and the examples and causes are varied, and within an advanced delegation, we expect to see delegations delve into the issue past the most popular factors that lay at heart of the topic.

In the Human Rights Council, delegates present clauses to form a non-binding resolution between nations in order to progress toward a future in which citizens are better protected by their law-enforcement bodies. Without a constructive approach to this humanitarian crisis, further civilian distrust will only further amplify the number of incidents and keep oppressive cycles in place.



History of the Topic

Modern policing and its origins can be traced back to the 18th century in France (Dammer & Albanese, 2014). Toward the early 20th centuries, most nations had established modern police departments. Labour strikes are suggested to be the first examples of police brutality as we know it in modern-day circumstances in the United States, with the Great Railroad Strike of 1877 (Encyclopædia Britannica, 2024d).

In the United States, segregation was a major cause of police brutality- with racially motivated arrests and violent incidents in the 1950s and 1960s triggering the civil rights movement, combating the racist policing practices (Lassiter, 2021). Progress has been made, but police brutality- in particular toward black citizens- still remains a widespread issue in the United States to this day.

In Iran, police brutality in regard to institutions such as the 'morality-police' gained its traction after a regime-change induced by the Iranian Revolution- partly caused by foreign intervention by Russia, the United Kingdom, and the United States- and its consequential introduction of the Constitution of the Islamic Republic of Iran in 1979 (Encyclopædia Britannica, 2024b). Women were denied freedoms they previously enjoyed in the forms of media they were allowed to consume, schooling and clothing. Protests have been ongoing ever since then and culminated in works such as Marjane Satrapi's 'Persepolis', in which she describes her experience throughout the Iranian Revolution and her experience with the new regime, including run-ins with the oppressive and abusive 'morality-police'.

Beyond the countries already mentioned, Russia and China are also countries that suffer greatly from civilian abuse at the hands of law enforcement. In Russia, the USSR serves as a classic example of a nation that suppressed any opposition and freedom of speech and media from 1922-1991 (Encyclopædia Britannica, 2024c). Despite the introduction of political changes that were supposed to subdue these injustices such as Glasnost (Encyclopædia Britannica, 2024a), Russia quickly fell back into a regime that disregards these radical changes. The most recent example of Alexei Navalny's death sees Russian law enforcement arresting and jailing citizens merely for attending a memorial (Reuters, 2024). China operates in similar fashion, with a particularly bleak history during Mao's reign, which resulted in the 1989 Tiananmen Square protests and massacre (Encyclopædia Britannica, 2024e). To this day, China restricts free speech and citizens risk arrest if they wish to oppose the regime in place (Special Correspondent, 2022).

The entire history of police brutality and oppression runs far and wide, these paragraphs serve as some major examples that can be used as a basis for resolutions applicable at an international scale.



Previous Attempts to resolve the conflict

The United Nations has previously adopted resolutions and put out statements to combat police brutality, recent examples of these can be found below:

- Resolution (A/HRC/43/L.50)
- UN-experts calling for an end to police brutality worldwide (OHCHR, 2021b).
- UN rights office calls on France to address 'deep issues' of racism in policing (UN News, 2023).

Beyond the United Nations, countries themselves have passed legislation in order to combat police brutality in the past two decades, examples are:

- George Floyd Justice in Policing Act of 2020 (United States Congress, 2020).
- Law No. 13,869/2019 (Brazilian Law of Abuse of Authority) (Magliarelli & Braga, 2022).
- Police Services Act of 1990 (Canada) (Police Services Act, 1990).
- APCOF set-up in 2004 (South Africa) (APCOF, n.d.).
- The adoption of Guidelines on Arrest, Conditions of Police Custody and Pre-trial Detention, The Luanda Guidelines by the African Commission for Human and Peoples Rights (ACHPR) in 2014. (South Africa) (APCOF, n.d.).
- Law Enforcement (Powers and Responsibilities) Act 2002 (Australia) (Law Enforcement Act, 2002).

These resolutions and pieces of legislation set out to create more oversight and transparency besides the intrinsic goal of eradicating excessive force used by police toward civilians. These actions have not eradicated the issues, as UN-resolutions are non-binding, meaning countries can neglect these; and offending officers aren't driven by lawfulness, but rather need to be weeded out through other methods such as police oversight, which is limited or prohibited depending on the nation.

Relevant involved parties- countries/NGOs- in this dialogue are:

- All UN member-states
- Amnesty International
- Human Rights Watch (HRW)
- ACLU (American Civil Liberties Union)
- Black Lives Matter (BLM)
- Campaign Zero
- Equal Justice Initiative (EJI)
- Center for Constitutional Rights (CCR)

Media Contribution

The media has generally been very vocal on this matter. Particularly in the United States, there has been a lot of criticism towards the policing and the apparent racial prejudice that exists amongst officers in the force. Beyond this, human-rights organisations have been vocal about this matter in other nations too. Examples from this document include, but certainly aren't limited to the United States of America, Iran, Russia, China, and Mexico.



There is no general consensus on this matter of civilian abuse by law enforcement. This has to do with the trend, particularly in the west, of right-wing beliefs gaining traction. In the U.S., where polarisation is not only present in society, but also in the media outlets, this can be seen best: depending on your beliefs and preferred social media outlet, you will garner differing information and insights on the severity and relevancy of issues such as police brutality. Beyond the United States, this also applies to countries, particularly dictatorships, that have state television that largely decides what information citizens can and can't consume- in turn influencing public consensus. Examples are Russia's RT and North Korea's state TV.



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