

## *Human Rights Council Handbook CAMINU XXVIII*

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### ***Committee Overview:***

The Human Rights Council or UNHRC is an inter-governmental body of the United Nations responsible for the promotion and protection of human rights around the globe; it was created in 2006 by the General Assembly through resolution 60/251. The Council is made up of 47 UN member states, chosen to be part of the council for three-year terms by the United Nations General Assembly, considering “the contribution of candidates to the promotion and protection of human rights” (United Nations, General Assembly).

The committee is tasked with discussing any relevant human rights issues around the world, not limited to solely the problems within member states. In particular, the Human Rights Council focuses on assessing the enjoyment and protection of all the basic rights and entitlements set forth in the *Universal Declaration of Human Rights* (1948), the *International Covenant on Civil and Political Rights* (1966), and the *International Covenant on Economic, Social, and Cultural Rights* (1966). It typically meets in regular sessions once a year in Geneva, Switzerland, yet, it can also operate in special sessions; regular sessions treat human rights reports and debate about human rights issues, while special sessions occur in order to address urgent matters that occur in-between regular sessions.

In addition, the Human Rights Council works alongside the UN Special Procedures, which were established by the Commission on Human Rights, and now lies with the council. As explained by the United Nations, “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” (OHCHR).

Overall, the Human Rights Council is the main intergovernmental organization or entity charged with guaranteeing the full realization of human rights, and as such, it constitutes a fundamental part of the United Nations system.

*Suggested Resources:*

- [About the Human Rights Council](#)
- [Universal Declaration of Human Rights](#)
- [International Covenant on Civil and Political Rights](#)
- [International Covenant on Economic, Social, and Cultural Rights](#)

*Bibliography:*

“OHCHR | Welcome to the Human Rights Council.” *OHCHR*, 2016,

[www.ohchr.org/en/hr-bodies/hrc/about-council](http://www.ohchr.org/en/hr-bodies/hrc/about-council).

United Nations, General Assembly. Resolution Adopted By the General Assembly on 15

March 2006. United Nations Library,

[https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?O](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/502/66/PDF/N0550266.pdf?OpenElement)

[penElement](#). 60/251. Human Rights Council.

“UN Human Rights Council.” *International Justice Resource Center*, 14 Aug. 2012,

<https://ijrcenter.org/un-human-rights-council/>.

## ***Topic 1: Measures to prevent the proliferation of hate speech***

### *Overview:*

According to the United Nations, “In common language, “hate speech” refers to offensive discourse targeting a group or an individual based on inherent characteristics (such as race, religion or gender) and that may threaten social peace”, yet, the term is not defined under international human rights law (United Nations). That being said, there are three major characteristics to what we deem as “hate speech”. First, it can be communicated through any form of expression, both online and offline. Second, it is discriminative and pejorative towards a specific group of people (i.e. homophobia, sexism, racism). And third, hate speech calls out either real or perceived identity factors, such as gender identity, nationality, ethnicity, sexual orientation, religion, etc. Human Rights Pulse explains that situations such as the persecution of Rohingya Muslims in Myanmar have been aggravated by hate speech both on and offline. The article explains, “Members of the Myanmar military embarked on a lengthy Facebook campaign disseminating anti-Rohingya propaganda. Given that Myanmar has 18 million users, fake online stories such as one that circulated in 2014, claiming that a Muslim man had raped a Buddhist woman can have severe repercussions in inciting communal hatred” (Kuwari). This combined with the government persecution of this religious and ethnic group leads to a hostile, discriminative environment which can directly stop articles such as 2, 3, 5, 6, 8, 9, 10, 11, 18, 25, 27, and 28 of the *Universal Declaration of Human Rights* from being completely granted. Another example is the anti-trans rhetoric that is spread throughout social media. CNN explains that in British politics, the fight for trans rights is largely influenced by the media, stating, “When it comes to trans rights polling shows that the public isn’t necessarily as hostile as the media, but the media [continues] to lead the conversation,” (John). Again, in this example, hate speech in the media has power

over politics, enough power to limit the fundamental rights and freedoms of transgender individuals in terms of anti-discrimination laws and equal protection under the law.

Yet, there is a clear debate on how hate speech should be handled.

For one, there are those who argue that freedom of expression in itself is a basic human right (article 19), and as such, it should not be limited. Even if censorship is a right held by private corporations, such as media companies, isn't it a violation of human rights to censor speech? The United Nations explains, "legislative efforts to regulate free expression unsurprisingly raise concerns that attempts to curb hate speech may silence dissent and opposition" (United Nations). This can be seen in cases such as the United Kingdom's Public Order Act and its censorship of protests and public assembly, and its effects articles 19 and 20 of the *Universal Declaration of Human Rights*. After the death of Queen Elizabeth II earlier this year, various protesters were arrested and fined all throughout the United Kingdom on the grounds of infringement of the Public Order Act (Siddique). The Guardian presents a case where, "A 22-year-old woman who was arrested in Edinburgh, holding a sign saying: "[F word] imperialism, abolish monarchy", has been charged with breach of the peace" (Siddique). This is arguably hate speech, yet, the censorship of this peaceful protest constitutes a violation of human rights in itself, so should it be censored?

On the other hand, there is still a belief that hate speech can and should be censored under the premise of protecting other people's human rights, such as their right from freedom of discrimination (article 2). Different organizations such as the Council of Europe and the United Nations have come up with protocols to address hate speech and differentiate it from freedom of expression. According to the United Nations, "the UN Rabat Plan of Action provides key guidance to States on the difference between freedom of expression and "incitement" (to discrimination, hostility, and violence), which is prohibited under criminal law" (United Nations). Furthermore, UN Secretary-General spoke in favor of censorship of

hate speech stating, “Addressing hate speech does not mean limiting or prohibiting freedom of speech. It means keeping hate speech from escalating into something more dangerous, particularly incitement to discrimination, hostility, and violence, which is prohibited under international law.” From this viewpoint, there is a clear line between freedom of speech and hate speech, meaning that limiting hate speech is not a violation of human rights, but rather a strategy to protect the fundamental rights of all.

Evidently, the international community and the public are divided on what an effective response to hate speech should be, meaning it needs an adequate solution.

*Suggested Resources:*

- [Universal Declaration of Human Rights](#)
- [What is Hate Speech?](#)
- [Video: “No one is born to hate: Addressing hate speech through education”](#)

*Bibliography:*

Council of Europe. “Online Hate Speech and Hate Crime.” *Cyberviolence*, 2014,

[www.coe.int/en/web/cyberviolence/online-hate-speech-and-hate-crime](http://www.coe.int/en/web/cyberviolence/online-hate-speech-and-hate-crime).

John, Tara. “Anti-Trans Rhetoric Is Rife in the British Media. Little Is Being Done to

Extinguish the Flames.” *CNN*, CNN, 9 Oct. 2021,

<https://edition.cnn.com/2021/10/09/uk/uk-trans-rights-gender-critical-media-intl-gbr-cmd/index.html>.

Kuwari, Ayesha. “Human Rights Pulse.” *Human Rights Pulse*, 3 Jan. 2021,

[www.humanrightspulse.com/mastercontentblog/stop-hate-for-profit-the-offline-consequences-of-online-hate-speech](http://www.humanrightspulse.com/mastercontentblog/stop-hate-for-profit-the-offline-consequences-of-online-hate-speech).

Siddique, Haroon. "What Is the Law on the Right to Protest in the UK?" *The Guardian*, The Guardian, 12 Sept. 2022, [www.theguardian.com/world/2022/sep/12/what-is-the-law-on-the-right-to-protest-in-the-uk](http://www.theguardian.com/world/2022/sep/12/what-is-the-law-on-the-right-to-protest-in-the-uk).

United Nations. "Hate Speech versus Freedom of Speech | United Nations." *United Nations*, United Nations, 2019, [www.un.org/en/hate-speech/understanding-hate-speech/hate-speech-versus-freedom-of-speech](http://www.un.org/en/hate-speech/understanding-hate-speech/hate-speech-versus-freedom-of-speech).

United Nations. "Universal Declaration of Human Rights | United Nations." *United Nations*, United Nations, 2022, [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

United Nations. "What Is Hate Speech? | United Nations." *United Nations*, United Nations, 2021, [www.un.org/en/hate-speech/understanding-hate-speech/what-is-hate-speech](http://www.un.org/en/hate-speech/understanding-hate-speech/what-is-hate-speech).

## ***Topic 2: Mechanisms to abolish the death penalty at the global scale***

### *Overview:*

Protected by article 3 of the *Universal Declaration of Human Rights*, the right to life is one of our core human rights. But can that right be taken away if you do something bad enough? The morality and universality of human rights are openly opposed by the implementation of capital punishment in many countries today. As detailed by Amnesty International, the international community has established a legal framework to ban the death penalty on a global scale. In particular, the Second Optional Protocol of the *International Covenant on Civil and Political Rights* aims to abolish the death penalty; Protocol No.6 and No.13 to the *European Convention on Human Rights* call for the abolition of the death penalty; the *Protocol to the American Convention on Human Rights to Abolish the Death Penalty* all call to eliminate this outdated practice (Amnesty International). Furthermore, the United Nations Human Rights Office of the High Commissioner clarifies, “The use of the death penalty is not consistent with the right to life and the right to live free from torture or cruel, inhuman or degrading treatment or punishment. There is growing consensus for the universal abolition of the death penalty” (“OHCHR | Death Penalty”).

Yet, there are countries that continue to use the death penalty today. According to Fair Planet, the death penalty is still legal in 55 countries around the world (Bandera). As of 2021, the countries with the most executions are China, Iran, Egypt, and Saudi Arabia, executing people through beheading, hanging, lethal injection, and shooting (Amnesty International). Furthermore, regardless of one’s stance on capital punishment, the reasons behind these executions are not always fair. In terms of juvenile executions, “Since 1990 Amnesty International has documented at least 158 executions of persons who were children at the time of the crime for which they had been convicted, in 10 countries: China, the Democratic Republic of Congo, Iran, Nigeria, Pakistan, Saudi Arabia, South Sudan, Sudan, the USA and

Yemen” (Amnesty International). More recently, in September 2022, Iran sentenced two LGBTQ+ activists to death after “A court in Urmia found Zahra Seddiqi Hamedani, 31, and Elham Choubdar, 24, guilty of ‘corruption on Earth’” (Gritten). This objectively violates articles 2, 3, 6, 7, 8, 9, 10, and 28 of the *Universal Declaration of Human Rights*.

But is the death penalty sometimes excusable? While over 100 countries have abolished the death penalty and a few openly resort to it, there are some states that reserve it for particularly heinous crimes. In countries like Peru, Brazil, Burkina Faso, Chile, and Guatemala, the death penalty is legal only in extreme cases (World Population Review). But what should constitute those extreme cases? According to Penal Reform International, “In many countries, a significant percentage of death sentences are imposed for terrorism-related offenses” so is it justified then? Should International Human Rights Law create exceptions for their call for abolition in the case of extreme crimes such as this?

#### *Suggested Resources:*

- [Universal Declaration of Human Rights](#)
- [International Covenant on Civil and Political Rights](#)
- [European Convention on Human Rights](#)
- [Protocol to the American Convention on Human Rights to Abolish the Death Penalty](#)
- [Death Penalty](#)
- [Video: “Death Penalty 2021 Statistics”](#)

#### *Bibliography:*

Amnesty International. “The Death Penalty Is the Ultimate Cruel, Inhuman and Degrading Punishment.” *Amnesty International*, 31 Oct. 2022, [www.amnesty.org/en/what-we-do/death-penalty/](http://www.amnesty.org/en/what-we-do/death-penalty/).

Bandera, Gerardo. "Which Countries Still Have the Death Penalty? | FairPlanet." *FairPlanet*, 2022, [www.fairplanet.org/story/which-countries-have-the-death-penalty/](http://www.fairplanet.org/story/which-countries-have-the-death-penalty/).

Gritten, David. "Iran Sentences Two LGBT Activists to Death." *BBC News*, BBC News, 5 Sept. 2022, [www.bbc.com/news/world-middle-east-62793573](http://www.bbc.com/news/world-middle-east-62793573).

"OHCHR | Death Penalty." *OHCHR*, 2018, [www.ohchr.org/en/topic/death-penalty](http://www.ohchr.org/en/topic/death-penalty).

Penal Reform International. *The Death Penalty, Terrorism and International Law*. Apr. 2014, <https://cdn.penalreform.org/wp-content/uploads/2014/04/death-penalty-terrorism-v3-web.pdf>.

United Nations. "Universal Declaration of Human Rights | United Nations." *United Nations*, United Nations, 2022, [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

World Population Review. "Countries with Death Penalty 2022."

*Worldpopulationreview.com*, 2022,

<https://worldpopulationreview.com/country-rankings/countries-with-death-penalty>.

### ***Topic 3: Mechanisms to guarantee access to vaccines***

#### *Overview:*

Due to COVID-19, healthcare has become a higher concern on the global level, and as such, vaccination has become a pressing issue. Aside from COVID-19, there are many highly contagious and deadly diseases that require vaccination, making it a priority for the full realization of human rights. For example, with diseases such as cholera, vaccines have become scarce while cases have increased, making it a clear issue. This year, 29 countries have reported cholera outbreaks, making a vaccination plan essential. The International Coordinating Group (ICG), the body in charge of emergency vaccines, has reduced doses for cholera to a single dose instead of the regular double dose due to the lack of supplies. This is a violation of articles 3, 28, and primarily 25 of the *Universal Declaration of Human Rights* which states “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family” (United Nations). Healthcare is a vital part of good standards of living and without vaccination, this right is hard to fulfill.

Possible solutions for this issue include the privatization of vaccination, meaning allowing the matter to be taken into the hands of private companies. This saves nations from spending their money on vaccination and allows the private sector to take care of this matter. Not to mention, growth in the medical industry would represent economic growth for the states where these companies are located, as well. However, this would make it difficult for vaccine access in developing nations due to financial issues, as well as for countries lacking vaccine production. It is also important to take into consideration that the privatization of vaccination and the resulting decreases in government intervention would increase the costs of vaccines, thus making them less accessible to many.

On the other hand, this issue could be approached through the lens of a necessary increase in government intervention and provision of vaccines. Of course, many developing

nations would need financial support in order to successfully supply vaccines to their population. Yet, if the country has the means to supply vaccines, it would result in better accessibility for people of all backgrounds, and lead to the fulfillment of articles 25 and 28 of the *Universal Declaration of Human Rights*.

Distinctly, a combination of approaches and international cooperation is necessary to successfully address this issue from the root, and hopefully achieve a full realization of human rights in regard to healthcare and vaccines.

*Suggested Resources:*

- [World Health Organization: Vaccines and Immunization](#)
- [Universal Declaration of Human Rights](#)

*Bibliography:*

“Shortage of Cholera Vaccines Leads to Temporary Suspension of Two-Dose Strategy, as

Cases Rise Worldwide.” *World Health Organization*, World Health Organization,

<https://www.who.int/news/item/19-10-2022-shortage-of-cholera-vaccines-leads-to-temporary-suspension-of-two-dose-strategy--as-cases-rise-worldwide>.

*The Privatisation of the COVID-19 Vaccine: Exploring Law and Equity Impacts.*

<https://www.icj.org/wp-content/uploads/2021/03/Privatisation-the-COVID-19-vaccine-Vaccine-Equity-and-Access.pptx>.

United Nations. “Universal Declaration of Human Rights | United Nations.” *United Nations*,

United Nations, 2022, [www.un.org/en/about-us/universal-declaration-of-human-rights](http://www.un.org/en/about-us/universal-declaration-of-human-rights).

#### ***Topic 4: Open Agenda***

The open agenda may include any human rights issues of relevance to the committee. Below are some *suggested* topics to mention during the debate. No resolutions should be drafted on any topics covered under the open agenda.

#### *Suggested Topics:*

- [Labor Rights Legacy of the FIFA World Cup](#)
- [The Cost of Coming Out: LGBT Youth Homelessness](#)
- [U.S. prison labor programs violate fundamental human rights, new report finds](#)
- [The Price of Fast Fashion: How Consumerism Fuels The Climate Crisis And Threatens Human Rights](#)
- [Take the torture out of protest](#)