Committee: Special Political and Decolonisation Committee (GA4)

Topic: Examining the Prohibition of Torture in Conflict and Post-Conflict Zones

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Position: Co-Chair

PERSONAL INTRODUCTION

Dear Delegates,

My name is Christos Vratsidas and I am currently attending Pinewood the American International School of Thessaloniki as a twelfth grade student. I am extremely honoured and ecstatic to be one of the Co-Chairs of the Special Political and Decolonisation Committee (GA4) at this year's annual Deutsche Schule Thessaloniki Model United Nations.

I would like to first start with welcoming each and every delegate to this year's GA4 committee. This year's conference will bring out the absolute best of each delegate's abilities, as they fight to present and pass their resolutions for this conference's topics. Along the way, you will not only improve your communication and diplomatic skills, but you will also build and strengthen friendships with other delegates amongst the conference.

The second topic of this committee is "Examining the Prohibition of Torture in Conflict and Post-Conflict Zones". This study guide is aimed at preparing and informing you about the given topic. This will allow you to formulate your points, your debates, and your resolutions, overall giving you a strong understanding of the subject. Despite the thoroughness and precision of this study guide, I still advise all delegates to conduct further research related to your country's stance on the topic to develop an even deeper understanding.

If for whatever reason you wish to contact me, please do so without hesitation through my email; cvratsidas@pinewood-school.gr.

With everything being said, I am eager to see you all this November, and indulge in serious debate.

Sincerely,

Christos Vratsidas

TOPIC INTRODUCTION

The prohibition of torture is one of the fundemental aspects of human rights law internationally. It is seen as a peremptory norm which directly indicates that no state has the right to derogate from it, whether in a state of war, or of internal political instability, it cannot under any circumstances dismiss this international rule. Specifically the Universal Declaration of Human Rights under article 5 clearly states, “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” [OHCHR][1]. Despite this clear prohibition, torture is still a devastating reality in both conflict and also post-conflict zones across the world. In the Middle East and also North African (MENA) region, civil wars, armed conflicts and political instabilities have overturned legal precedents and have led to torture being systematically used as a tool in war, repression and intimidation. The overall practice of torture is mostly used after arrest by State agents, or with their acquienscence and instigation.

In conflict, torture serves many purpouses, including the extraction of information from detainees, punishing perceived enemies, forcing confession, and pushing terror amongst civilian populations [OHCHR][2]. The reason this practice is able to go through is due to a breakdown of rule of law, the lack of presence of independent judicial oversight, and the accumulation of armed groups which operate outside legal frameworks. It has been explicitly confirmed by the Convention against Torture that “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 of torture” [OHCHR][3]. Post conflict settings present their own new challenges, since transitional justice mechanisms are usually too weak, meaning perpetrators remain without punishment and survivors are left with long term trauma without support. Internationally, everyone committed to eradicate and remove torture when they adopted the Convention Against Torture, and nations accepted a legal obligation to prevent ill treatment and torture. One of the decisions made by the Convention was providing victims with redress, such as rehabilitation. There are further complications to this issue due to the involvement of non-state actors such as armed groups.

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[1] OHCHR. "Resolution 34/19: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/34/19, 7 Apr. 2017, https://digitallibrary.un.org/record/1313148?ln=en&v=pdf

[2] OHCHR. *The Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Office of the United Nations High Commissioner for Human Rights, 2022, https://www.ohchr.org/en/publications/policy-and-methodological-publications/istanbul-protocol-manual-effective-0

[3] OHCHR. "Resolution 34/19: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/34/19, 7 Apr. 2017, https://digitallibrary.un.org/record/1313148?ln=en&v=pdf

DEFINITION OF KEY TERMS

Arbitrary Detention

"The notion of 'arbitrariness' is not to be equated with 'against the law', but must be interpreted more broadly to include elements of inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity and proportionality."[UNHRC][4]

Convention against Torture

"For the purposes of this Convention, the term 'torture' means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining information or a confession, punishing, intimidating or coercing him or a third person, or for any reason based on discrimination, when such pain or suffering is inflicted by or with the acquiescence of a public official". [UNGA][5]

Cruel, Inhuman or Degrading Treatment or Punishment

These are acts that do not directly amount to torture as it is defined in Article 1 of the Convention Against Torture, however they do involve the intentional infliction of both mental and physical suffering, or debasement and humiliation of the victim. This is done by or with the acquaintance of a public official. [OHCHR][6]

Enforced Disappearances

"The arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."[International Convention][7]

Houthis (Ansar Allah)

This is a Yemeni rebel group that controls northwestern Yemen, including the capital, Sana'a. This rebel group is supported by Iran, and has been documented for human rights

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[4] United Nations Human Rights Committee. *General Comment No. 35: Article 9 (Liberty and Security of Person).* United Nations, 16 Dec. 2014, CCPR/C/GC/35, https://www.ohchr.org/en/calls-for-input/general-comment-no-35-article-9-liberty-and-security-person

[5] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.un-documents.net/a39r46.htm

[6] OHCHR. "General Comment No. 20: Prohibition of Torture or Other Cruel, Inhuman or Degrading Treatment or Punishment (Article 7)." *UN Human Rights Committee*, A/44/40, 10 Mar. 1992, https://www.refworld.org/legal/general/hrc/1992/11086

[7] United Nations. *International Convention for the Protection of All Persons from Enforced Disappearance*. United Nations, 20 Dec. 2006, https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced

abuses such as arbitary detention, torture, and repression of free speech. Their involvement in the Yemenense conflict classifies the group as extremely relevant to all discussions which are related to the use of torture and ill-treatment in conflict zones by Non-State actors. [Human Rights Watch][8]

Impunity

"The impossibility, de jure or de facto, of bringing the perpetrators of violations to account."[Orentlicher][9]

Peremptory Norm

"A peremptory norm of general international law (*jus cogens*) is a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character." [UN International Law Commission][10]

Sexualised Torture

A form of torture which also involves sexual violence, such as sexual assault, rape and other forms of sexual abuse. According to the UN Secretary General's report in 2025 about conflict related sexual violence, the amount of documented cases of sexual violence being used as a war tactic, terrorism, political repression, and torture dramatically increased, with victims between the ages of one to seventy years old [UNSG][11].

Torture

According to Article 1 of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984, torture can be defined by: "Any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purpose as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected to

[8] Human Rights Watch. "World Report 2026: Rights Trends in Yemen." *Human Rights Watch*, 4 Feb. 2026, https://www.hrw.org/world-report/2026/country-chapters/yemen

[9] Orentlicher, Diane. *Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity*. United Nations Commission on Human Rights, 8 Feb. 2005, E/CN.4/2005/102/Add.1, https://digitallibrary.un.org/record/541829?ln=en&v=pdf

[10] International Law Commission. *Draft Conclusions on Identification and Legal Consequences of Peremptory Norms of General International Law (Jus Cogens).* United Nations, 2022, https://www.refworld.org/reference/research/ilc/2022/en/148953

[11] UN Secretary-General. "'Help Us Live With Dignity, Not Just Survive': New UN Report Calls for Scaled-Up Comprehensive Services amid Unprecedented Levels of Conflict-Related Sexual Violence." *United Nations*, 14 Aug. 2025, https://www.un.org/sexualviolenceinconflict/press-release/help-us-live-with-dignity-not-just-survive-new-un-report-calls-for-scaled-up-comprehensive-services-amid-unprecedented-levels-of-conflict-related-sexual-violence/

having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind". [UNGA][12]

BACKGROUND INFORMATION

Prohibition of Torture

The prohibition of torture has a strong foundation in international law. It evolved through a vast series of instruments that together established the absolute prohibition of torture. The prohibition of torture was a central theme of the Universal Declaration of Human Rights, but the document did not have the same obligation as subsequent ones in terms of establishing treaty law. It is not so much for its enforcement value as for its normative value as the basis for the creation of legally binding instruments, in particular the ICCPR and the Convention against Torture.

This was reinforced by the International Covenant on Civil and Political Rights (ICCPR) which brought about a legally binding commitment for the State Parties to prohibit. But most of all, Article 7 must be read in the context of Article 4 of the Covenant which explicitly forbids derogation from Article 7 even in the face of an imminent threat to the life of a nation. This is especially important in contexts of conflict and post conflict situations where States can implement emergency regulations or argue that their restrictions are necessary for national security. This however, does not justify the suspension of the prohibition of torture. This reflects the very strong nature of the prohibition: war, political instability or an emergency of a national nature does not give States a legal basis to torture. However the practice of torture in the context of armed conflicts shows that such a necessary legal requirement alone does not suffice in ensuring State compliance. [UNGA][13]

The Rome Statute adds a different layer to the international prohibition by shifting part of the focus from State responsibility to individual criminal accountability. Torture can constitute a crime against humanity when committed as part of a widespread or systematic attack against a civilian population, and it may also constitute a war crime in the context of armed conflicts. This means that the Rome Statute complements human rights frameworks such as the ICCPR and the Convention against Torture: while these instruments establish obligations that States must respect and implement, the Rome Statute creates a pathway through which individuals responsible for certain acts of torture may be prosecuted internationally. However, this system is not universal. The International Criminal Court can only exercise jurisdiction under specific conditions, meaning that the existence of the Court does not automatically provide accountability for every act of torture committed during a conflict. This creates an important gap between the universal nature of the prohibition itself

[12] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.* UN General Assembly Resolution 39/46, 10 Dec. 1984, https://digitallibrary.un.org/record/161763

[13] UNGA. *International Covenant on Civil and Political Rights*. UN General Assembly Resolution 2200A (XXI), 16 Dec. 1966, https://digitallibrary.un.org/record/660187?ln=en&v=pdf

and the more limited mechanisms available to enforce individual criminal responsibility. [ICC Rome Statute][14].

The Convention against Torture

The convention against torture (CAT) Reinforced the prohibition, which is already in the text, with a number of new obligations that accede beyond the general acceptance that torture is unlawful. It demands States to not only prohibit torture, but also take effective steps to prevent it, criminalize acts of torture under their domestic law, investigate allegations and prosecute or extradite alleged perpetrators. This is why CAT is so relevant to the international prohibition, as it tries to make an absolute legal principle into obligations for States in the country. Yet this also brings a significant shortcoming for the framework, in that effective implementation relies entirely on States' ability to adopt and implement these commitments. The presence of these obligations does not always lead to their implementation, especially in situations of conflict or post-conflict where judicial institutions might be compromised, detention might not be monitored independently and State authorities might be involved in violations of the rights.

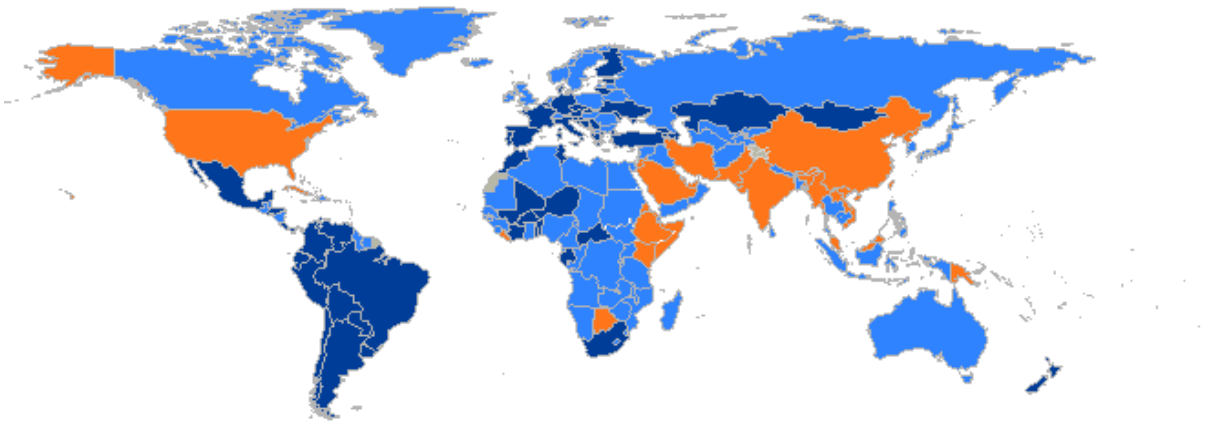


Figure 1 : The near-universal adoption of the Convention against Torture [OHCHR][15]

CAT is one of the most successful examples of the international prohibition: states have reached an extremely wide consensus that torture is unacceptable. But the general involvement and treaties does not necessarily equate to good implementation. There is a gap between international and domestic implementation of the prohibition on torture, as it

[14]UNGA. *Rome Statute of the International Criminal Court*. 17 July 1998, https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf
[15] OHCHR. "Ohchr Dashboard." 21 Feb. 2023, https://indicators.ohchr.org/

is still documented in conflict and post conflict States that are party to the Convention. This is especially crucial in the context of evaluating the force of CAT, which is not only constrained to how many states have ratified it, but also how far its commitments are carried out in practice. The continued use of torture thus indicates that the main difficulty with the current system is not that it does not prohibit torture internationally, but that an already entrenched prohibition is not always respected and put into practice.

The Committee Against Torture

The Committee against Torture offers an opportunity to review the extent to which states are fulfilling the obligations set out in CAT. The committee may be alerted to instances of domestic practice that are inconsistent with states' international obligations through state reporting, inquiries and some complaint mechanisms. This provides some foreign oversight of the prohibition, rather than relying on individual governments to police it. The Committee's report in this regard, however, reveals a basic failure in the international ban on torture. It can investigate some complaints and undertake inquiries based on the legal obligations that states have undertaken to accept, and its conclusions and recommendations are not the same as those made and enforced by a domestic court. Thus it is still necessary to have State corporation. In a situation of conflict or post-conflict, this is an issue of particular concern when the government accused of being complicit or responsible for torture is also the one to collaborate with the international community for investigation. The committee may publicize noncompliance with CAT, but if it does this does not necessarily mean that torture will cease or that those responsible will be punished.

This shows that there is a broader international contradiction, namely that the law itself is binding, but many of the mechanisms that helped attract compliance with the law depend on the cooperation and participation of states. This means that the strength of such prohibition in international law can be quite high, but the strengths of the enforcement may be much lower.

The Optional Protocol

The Optional Protocol to the Convention against Torture (OPCAT) aims to tackle one of the main shortcomings in the convention, that is to say, the lack of a preventative monitoring mechanism for places of deprivation of liberty. This is important because torture often takes place off the Public eye, often in police stations and other places of detention and confinement, as well as in prisons. In addition to reports of allegations of abuse, OPCAT gives international and national preventative bodies the opportunity to consider the conditions of detention and the risk of violations before they arise. OPCAT thus dovetails into CAT: OPCAT establishes a mechanism to ensure that the preventative safeguards are working on the ground while CAT requires obligations to prevent, prohibit and respond to torture.

This protocol created two key mechanisms, one of which was the Subcommittee on Prevention of Torture. This is an international body which regularly conducts visits to places of detention in State Parties, along with making recommendations to strengthen protection against torture. The second key mechanism is the National Preventative Mechanisms. This is something that each State Party is obliged to implement. State parties should thus ensure that National Preventative Mechanisms are established or designated to regularly examine places of detention, which are independent of the State [UNGA][16].

Also established by the Protocol was a Special Fund in order to actively support the implementation of its Subcommittee's recommendations after the visits have been conducted, and education programmes for NPM's have been put into place. As of December 2024, there are a total of 94 State parties within the Optional Protocol. OPCAT, however, is an example of how the international prohibition is not equally applied. The Optional Protocol is not as widely used as CAT, so not all States have fully implemented its preventative monitoring mechanism. The effectiveness of the protocol would be dependent on the State's willingness to provide meaningful access to detention facilities and the independence, resource and authority of National Preventative Mechanisms where they apply. The vulnerabilities are especially critical in terms of armed conflict or political unrest when entry to a prisoner may be limited just when the likelihood of torture is highest. OPCAT, however, enhances the preventative aspect of the ban, while not closing the overall gap and enforcement, due to limited participation and reliance on state cooperation. [OHCHR][17]

The Special Rapporteur on Torture

By carrying out country visits, reporting on patterns of torture to the Human Rights Council and the General Assembly and examining allegations through its own work, the Special Rapporteur on torture provides another layer of oversight to the prohibition. The mandate extends beyond State Parties to CAT, as the Rapporteur can examine allegations of torture more broadly, unlike the Committee against Torture. This helps to provide the international framework with an important tool of detection even when there are other treaty based tools available. The Rapporteur does not, however, have the power to enforce measures, and in general country visits rely on the cooperation of the State. This is especially

[16] UNGA. *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 57/199, 18 Dec. 2002, https://digitallibrary.un.org/record/495400

[17] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

pronounced in times of conflict since the State that is accused of torture maybe precisely the one that is limiting access to enable independent international investigation. [UNHRC][18]

The Special Rapporteur also conducts visits to countries, where it studies trends and also developments in order to promote better practices as well as to report annually to the Human Rights Council and the General Assembly. The mechanism is beneficial and limited as illustrated in Ukraine. In 2023-2024, international monitoring revealed pervasive torture and ill-treatment of Ukrainian civilians who had been detained by Russian authorities. These investigations are a testament to the international mechanisms' ability to reveal violations and create an independent record of conduct during an armed conflict. Meanwhile, documentation can not force the responsible authorities to stop the practice or prosecute the perpetrators. As the case therefore demonstrates, international enforcement mechanisms have the capacity to uncover violations of the prohibition on torture and to publicize them, but have weak powers to make torture stop.

Different Forms of Torture in Current and Post-Conflict Zones

International prohibition of torture does not refer to a particular method of torture but the various kinds of extreme physical and mental harm. Especially in conflict and post-conflict situations, torture can occur physically, psychologically, or sexually and can be perpetrated by a variety of actors in detention or during conflict. The protection against these practises is found in both international human rights law and international criminal law, such that the same conduct may be prohibited under more than one of these legal frameworks depending on the context in which it happens. The analysis of these forms on a case-by-case basis the sheds light on the interpretation and application of the global anti torture norm to different abuse practices.

Physical Torture

Physical torture involves the international infliction of severe bodily pain and it has prohibited under international law, more specifically by the Convention against Torture. Article one of the convention against torture provides that "torture" should mean "any act of severe physical suffering" when it is inflicted intentionally for purposes including obtaining information or confession, as a form of punishment, intimidation or discrimination, or by a public official or by a person acting in an official capacity. In times of armed conflict, this ban is reinforced by the international humanitarian law, which bans torture and cruel treatment of persons protected by the Geneva Conventions. A physical torture can also be a basis for individual criminal responsibility under the Rome Statute, if the conditions for the war crime or crime against humanity are met. The prohibition thus takes effect in a number of interconnected sectors of international law, and not only in the

[18]OHCHR. "Resolution 43/20: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/43/20, 2 July 2020, https://digitallibrary.un.org/record/3874887?ln=en&v=pdf

context of CAT. Despite these clear legal prohibitions and standing frameworks, physical torture remains a widespread act within conflict and post conflict zones. An ongoing case of this is in Ukraine, where the UN Human Rights Monitoring Mission documented a total of 90 executions of civilians which had been previously placed in detention, as well as another 36 civilian deaths which took place within poor conditions since February of 2022. This case along with many others such as the case of Syria, where detainees under the former Assad regime were subjects of systematic physical torture, show that the absolute prohibition of torture under the Convention of Torture has been completely contradicted. SImilar patterns have also been observed in many other conflicts where detainees are subjected to all forms of torture such as beatings and electrocutions. Despite the complicated and strong written frameworks, the implementation of this prohibition remains incomplete.

In these cases, it is clear that it is not the absence of an international legal prohibition that is weak; there are several overlapping international legal prohibitions on physical torture. Instead, conflict situations can undermine the mechanisms that ensure the fulfilment of these commitments, especially when access to places of detention is limited or the bodies tasked with upholding the law our perpetrators of torture. It is therefore evident that there is a gap between the widespread legal prohibition set forth and the international level and it's enforcement in armed conflict, as the continued use of physical torture indicates.

Psychological Torture

Psychological or mental torture consists of threats of death or violence, prolonged solitary confinement or imprisonment and exposure to extreme conditions. This particular form of torture is directly covered by the Convention against Torture where it states, “severe pain or suffering, whether physical or mental” in its definitions [UNGA][19]. It is important that mental suffering is explicitly included in CAT because otherwise the international prohibition would be understood as just covering physical injuries. When methods leave little or no physical evidence, but satisfy the legal requirements for torture, they are still prohibited. This is especially true in cases of conflict related tension, where threats and intimidation, prolonged isolation, and other psychological detentions are used to extract information, punish detainees, or induce cooperation. The prohibition thus has a greater emphasis on the severity, purpose and circumstances of the suffering inflicted then on the physical means by which it is inflicted. Similarly, the UN Committee against Torture has also noted that forms of psychological mistreatment can indeed be considered torture [Schabas][20]. A case of this torture was documented in Ukraine, where Russian authorities used psychological torture in order to force cooperation, along with threats which were directed towards detainees and

[19] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://digitallibrary.un.org/record/161763

[20] Hutson, John. "Why Not the Courts." *Case Western Reserve Journal of International Law*, vol. 37, no. 2-3, 2006, pp. 365-374, https://scholarlycommons.law.case.edu/jil/vol37/iss2/12/

their families [OHCHR][21]. Many other examples of this torture exist, and in conclusion it is evident that although the UN has made advances in prohibiting this form of torture, however there continues to be breakout scenarios where this torture continues to be inflicted amongst groups of people within nations. The prohibition, however, poses a specific challenge to its practical implementation when it comes to mental suffering, as this kind of suffering may be less tangible than physical pain and more likely to go undocumented. While there is no visible evidence, its prohibition under international law is not diminished, but investigations and accountability do get complicated. Again, this shows another disconnect between the scope of the international prohibition and the effectiveness of existing mechanisms and detecting and reacting to violations in reality.

Sexual Torture

This specific form of torture is one of the most brutal. This is why it is also considered a very serious topic throughout international law which is strongly covered by the Rome Statute. It explicitly includes “rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity” and mentions that they are all crimes against humanity [Rome Statute][22]. However, the ban on sexual torture goes further than the Rome Statute. Sexual violence may be within the scope of the Convention against Torture provided it is committed with the intent to inflict severe physical or mental suffering and fulfils the other elements of the definition of torturing in the convention. International humanitarian law can offer further protection from act such as torture, rape and other sexual violence in the case of armed conflict. Sexual torture may thus be subject to a number of overlapping international legal regimes in certain situations: it is not subject to an exeption but is an act which can be subject to multiple forms of international responsibility. A report on the matter of sexual torture by the UN Secretary General documented 9,788 cases of sexual violence during 2025,, with victims ranging between the ages of one to 70 years old. The report lists a total of 77 responsible parties, including 62 non-State actors, along with two newly listed state actors which are Israel and Russia who have all been documented with continued patterns of sexual violence and torture. Although women and girls remain as the primary targets, there are also documented cases of men and boys being sexually tortured, most commonly in detention settings [UNGA][23]. Although these overlapping bans are already in place, conflict related

[21] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

[22]UNGA. *Rome Statute of the International Criminal Court*. 17 July 1998, https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf

[23] UN Secretary-General. "'Help Us Live With Dignity, Not Just Survive': New UN Report Calls for Scaled-Up Comprehensive Services amid Unprecedented Levels of Conflict-Related Sexual Violence." *United Nations*, 14 Aug. 2025, https://www.un.org/sexualviolenceinconflict/press-release/help-us-live-with-dignity-not-just-survive-new-un-report-calls-for-scaled-up-comprehensive-services-amid-unprecedented-levels-of-conflict-related-sexual-violence/

sexual torture is still well documented, highlighting that the mere existence of law does not guarantee prevention. Conflict settings can also produce great barriers to reporting, investigation and accountability, and victims can also be intimidated or stigmatized by conflict, which can make it less likely for them to disclose their experiences. The practice of sexual torture thus illustrates the core issue of the international prohibition which is the centrality of enforcement: the practice can be made clear in several aspects of international law, while mechanisms of identifying the practice and holding perpetrators responsible are much weaker practice.

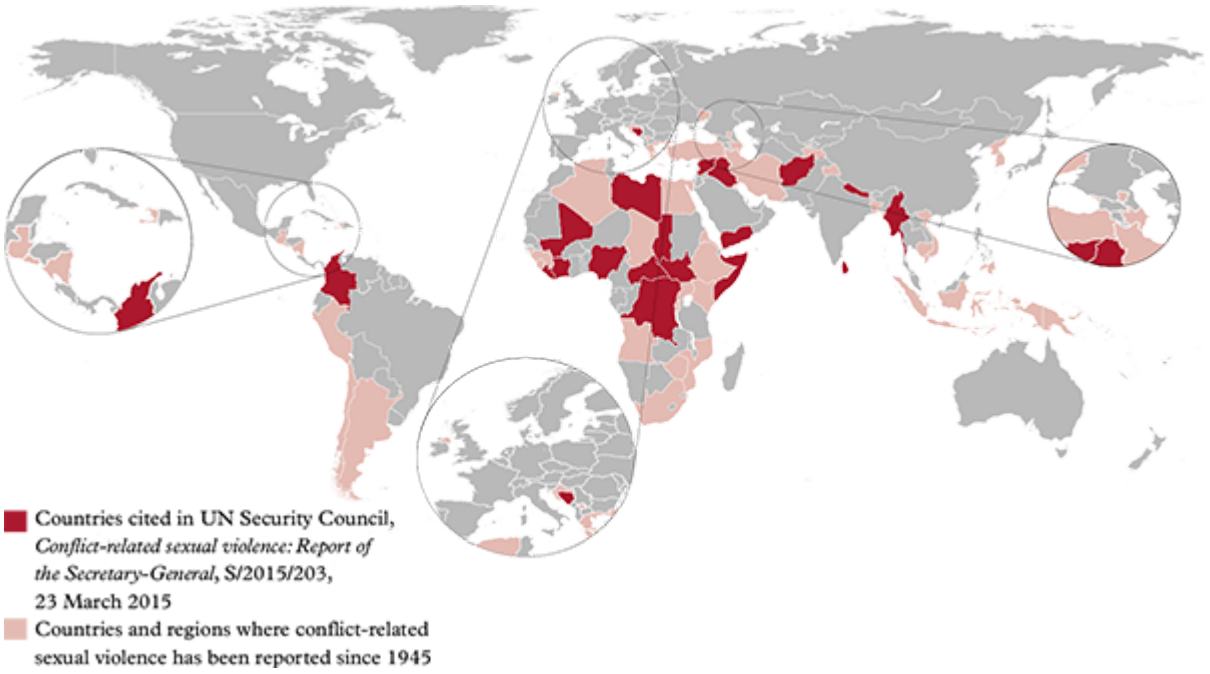


*Figure 2 :Map of sexual violence in conflict-affected countries[*House of Lords*]*[24].

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

Iraq

Iraq also faces many complex challenges in regards to torture. These involve both state and non-state actors. One example of this is the Popular Mobilization Forces or the PMF, which is a state affiliated militia group that has been documented of committing serious abuse, including cases of forced disappearances and torture. Although the Iraqi government has formed two committees to investigate this matter, their findings remain private. Iraq is also known as one of the countries with the highest number of missing people [Amnesty International][25].

[24] House of Lords Select Committee on Sexual Violence in Conflict. "Chapter 1: Introduction." *Sexual Violence in Conflict: A War Crime*, UK Parliament, 23 Mar. 2016, https://publications.parliament.uk/pa/ld201516/ldselect/ldsvc/123/12305.htm

[25] Amnesty International. "Families of the Disappeared in the Middle East Wait More than a Million Years Collectively for Their Loved Ones." *Amnesty International*, 30 Aug. 2023,

Morocco

Morocco has been repeatedly found in violation of its personal obligations related to the Convention against Torture by the UN Committee against Torture. Furthermore, the committee recognized "a consistent patter of arbitrary arrests, solitary confinement, acts of torture or ill-treatment during interrogations, and the subsequent use of confessions obtained under duress in judicial proceedings". The committee concluded that "the recurrence of these shortcomings indicates that these are not isolated procedural irregularities, but rather a structural problem" when it came to Morocco's handling of cases of torture. Authorities within Morocco have also routinely failed to conduct impartial investigations into allegations of torture, with also medical examinations often not being completed by independent doctors in accordance to the Istanbul Protocol. [OHCHR][26]

Russia

Russia is yet another State that has been extensively documented for the systematic use of torture as well as ill-treatment towards Ukranians who were being detained in occupied territory. A report by the UN Human Rights Monitoring Mission which took place in Ukraine found that "torture and other forms of cruel, inhuman or degrading treatment or punishment, including sexual violence, have been applied in a systematic and widespread manner against civilians in places of detention". It is also clear that numerous Ukrainian civil detainees were subjects of serious violations such as arbitrary detention, torture and also forced disappearances, while also being held in degrading conditions without the chance of being relieved. [OHCHR][27].

Sudan

Sudan has also witnessed horrific cases of torture as well as sexual violence, most notably in the current conflict between the Rapid Support Forces and the Sudanese Armerd Forces. A report by the UN Human Rights Office which was published in December of 2025 discussed numerous violations committed during the RSF's three day offense on the Zamzam IDP camp which occurred in April. There was a listed 1,013 civilian deaths, 319 of which were executed in homes, schools, health facilities and mosques. There were a total of over 400,000 displaced inhabitants. It was also stated by the UN High Commissioner for Human Rights that, "sexual violence appears to have been deliberately used to inflict terror among

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https://www.amnesty.org/en/latest/campaigns/2023/08/families-of-the-disappeared-in-the-middle-east-wait-more-than-a-million-years-collectively-for-their-loved-ones/.

[26] OHCHR. "Morocco: Gdeim Izik Cases Reveal Torture, Coerced Confessions, and Failure to Investigate, UN Committee Finds." *Office of the United Nations High Commissioner for Human Rights*, 20 May 2026, https://www.ohchr.org/en/press-releases/2026/05/morocco-gdeim-izik-cases-reveal-torture-coerced-confessions-and-failure

[27] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

the community". The final conclusion of the UN report was that, "these horrific patterns of violations–committed by impunity– are consistent with what my Office has repeatedly documented." They also called upon all States, particularly those with higher influence, to take immediate action to prevent further atrocities. [OHCHR][28]

Syria

Syria has witnessed extensive cases of torture and other ill-treatment by various warring factions throughout its contract . The Assad regime, which fell apart in December of 2024 operated a largespread network of detention facilities where torture, forced disappearances and extrajudicial executions were systematic. In the Nations transition from Assad, survivors face critical medical and psychological needs, while the new government has also managed to establish a Transitional Justice Commission and also begun prosecuting former officials who violated human rights. Despite these advancements, large challenges remain, such as the underfunded humanitarian response and suspicion about bias in the justice processes. [Amnesty International][29]

United States of America (USA)

The USA plays a very complex but also important role towards fighting against torture internationally. As a member of the Convention against Torture, they are obliged to investigate, protect and also punish acts of torture as well as to help rehabilitate victims. The US has constantly expressed their strong support towards the absolute prohibition of torture, and they actively fight against States which break these international laws through restrictions such as sanctions towards leaders who violate human rights [US Mission to the UN][30]. As with every State, the United States of America has also faced criticism regarding its beliefs and practices. [OHCHR][31]. During the War on Terror, the USA authorised the use of "enhanced interrogation techniques" which have been widely condemned as torture. Some examples of this torture include waterboarding, sleep deprivation, and even forced nudity.

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[28] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

[29] Amnesty International. "Syria: Torture Survivors of Saydnaya and Other Detention Centres Grappling with Devastating Needs and Minimal Support." *Amnesty International*, 2 June 2025, https://www.amnesty.org/en/latest/news/2025/06/syria-torture-survivors-of-saydnaya-and-other-detention-centres-grappling-with-devastating-needs-and-minimal-support/

[30] Eyrich, Kara. "Remarks at a UN Third Committee Interactive Dialogue with the Committee against Torture and Subcommittee on Cruel, Inhuman or Degrading Punishment." *U.S. Mission to the United Nations*, 25 Oct. 2024, https://usun.usmission.gov/remarks-at-a-un-third-committee-interactive-dialogue-with-the-committee-against-torture-and-subcommittee-on-cruel-inhuman-or-degrading-punishment/

[31] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

These actions were enacted against suspected terrorists within CIA black sites and facilities such as Guantanamo Bay.

Yemen

The ongoing conflict in Yemen which started in 2014 has seen all parties committing serious human rights violations, such as arbitrary detention, forced disappearances and also torture [HRW][32]. One group that has been extensively documented for using torture as well as ill-treatment within their detention centers is the Houthi movement, which currently has de facto control over the capital as well as other areas of the country. The Houthi, the internationally recognized government, coalition forces, and the Southern Transitional Council have all been documented conducting campaigns of arbitrary arrest, targeting individuals due to politics and religion, as well as enforced disappearances. Similarly, the government forces were also caught committing 578 cases of detention and 223 cases of forced disappearance. Despite the release of 887 detainees in April 2023 during a UN-brokered detainee swap, there are hundred more that remain wrongfully detained. [HRW][33]

Amnesty International

Amnesty International is one of the leading NGOs that documents and also campaigns against human rights violations such as torture globally. This organization has been at the front line of documenting abuse within the MENA region, including enforced disappearances within Iraq [Amnesty International][34], atrocities being committed in the Sednaya prison of Syria [Amnesty International][35], and also the arbitrary detention in Yemen [Amnesty International][36]. The organization's documentation has been crucial for bringing attention to these violations, as well as pressuring states into complying with their obligations under international laws. Amnesty International also advocates for rehabilitation through a survivor-centered approach which focuses on documenting accountability and emphasizing the importance of prioritizing the survivors' needs and safety . This approach is what allows for the recognition of survivors not only as passive victims, but also as people who actively hold rights. This process of using victims' self determination and dignity to

[32]Human Rights Watch. "World Report 2026: Rights Trends in Yemen." *Human Rights Watch*, 4 Feb. 2026, https://www.hrw.org/world-report/2026/country-chapters/yemen

[33] Human Rights Watch. "Houthi Video of False Confessions and Apparent War Crime." *Human Rights Watch*, 31 July 2025, https://www.hrw.org/news/2025/07/31/houthi-video-of-false-confessions-an-apparent-war-crime

[34]Amnesty International. "Families of the Disappeared in the Middle East Wait More than a Million Years Collectively for Their Loved Ones." *Amnesty International*, 30 Aug. 2023, https://www.amnesty.org/en/latest/campaigns/2023/08/families-of-the-disappeared-in-the-middle-east-wait-more-than-a-million-years-collectively-for-their-loved-ones/

[35] Amnesty International. "Syria: Saydnaya and Other Detention Center Torture Survivors Facing Overwhelming Needs." *Amnesty International*, 2 July 2025, https://www.amnesty.org/en/latest/news/2025/06/syria-torture-survivors-of-saydnaya-and-other-detention-centres-grappling-with-devastating-needs-and-minimal-support/

[36]Amnesty International. "Yemen 2025." *Amnesty International*, 2025, https://www.amnesty.org/en/location/middle-east-and-north-africa/yemen/report-yemen/

guide the procedures has become crucial to international efforts towards combatting torture. Amnesty International have continued to call for States' independent investigations as well as the accountability for perpetrators and the rehabilitation of people who fall victim to torture and other human rights abuse.

International Committee of the Red Cross (ICRC)

The International Committee of the Red Cross (ICRC) has a significant role to play in preventing torture and other kinds of ill treatment, especially in situations of armed conflict and other violence. The organization visits attention centres to examine the treatment and conditions of detainees, privately interviews detainees and confides in detaining authorities. The Geneva Conventions give the ICRC a specific responsibility to go into the captivity of POWs and civilian internees in an international armed conflict. These visits are designed to prevent torture and other forms of ill-treatment, to protect the detainees from enforced disappearances and to ensure respect for international humanitarian law. The ICRC has a dialogue with both State authorities and non-State Armed groups, so its activities are of particular relevance where detainees may be detained by multiple actors [ICRC][37]

BLOCS EXPECTED

Bloc A

This bloc is composed of nations which do in fact have documented proof of torture usage as well as systematic use in detention centers. In the UN Secretary General's 2025 report, Russia and Israel were newly listed. This report showed clear patters of sexual violence within detention centers [UNGA][38]. Russia has evidently committed crimes of torture against humanity. Israel has also been seen as showing a pattern of systematic instabilities when it comes to the handling of torture torture allegations. This shows a clear structural issue as observed by the UN Committee against Torture, rather than individual incidents. The United Arab Emirates also failed to investigate torture allegations [OHCHR][39]. There is also proof of Bahrain routinely using torture methods to extract confessions from people. Sample countries include: Israel, Russia, Iraq, Syria, Yemen, UAE, Bahrain, and Morocco.

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[37] International Committee of the Red Cross. "What We Do for Detainees." *International Committee of the Red Cross*, 18 July 2023, https://www.icrc.org/en/document/what-we-do-detainees

[38] UN Secretary-General. "'Help Us Live With Dignity, Not Just Survive': New UN Report Calls for Scaled-Up Comprehensive Services amid Unprecedented Levels of Conflict-Related Sexual Violence." *United Nations*, 14 Aug. 2025, https://www.un.org/sexualviolenceinconflict/press-release/help-us-live-with-dignity-not-just-survive-new-un-report-calls-for-scaled-up-comprehensive-services-amid-unprecedented-levels-of-conflict-related-sexual-violence/

[39] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

All of these states view the accountability measurements as an infringement of sovereignty. There are 26 parties with overdue initial reports and another 44 with overdue reports which are periodically done under Article 19. [OHCHR][40] Russia has also rejected a visit by the Special Rapporteur on Torture.

Bloc B

This bloc is composed of the nations which have committed to the complete prohibition of torture and also accountability. They all support international mechanisms such as the Committee against Torture and the Optional Protocol. Some sample countries include: Germany, Netherlands, France, Denmark, Belgium, Norway, Canada, Ghana, Switzerland.

All these nations advocate for more victim oriented approaches and the rights to a full rehabilitation under Article 14 of the UNCAT [UNCAT][41]. During Lebanon's Universal Periodical Review in January of 2026: Denmark, Croatia, Bulgaria and Morocco recommended to operationalise the National Preventative Mechanisms; Ghana recommended to amend domestic legislations; Switzerland recommended to modify torture laws to align with UNCAT policies. Lesotho, also recommended to play an active role in accountability [MENA Rights Group][42]. They also supported the Subcommitte on Prevention of Torture, which visited 8 countrieswithin the year of 2024 [OHCHR][43].

TIMELINE OF EVENTS

Date	Description of event
December 12th, 1948	**Adoption of the Universal Declaration of Human Rights** The adoption of the Universal Declaration of Human Rights, where

[40] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

[41] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading

[42] MENA Rights Group. "Lebanon's Universal Periodic Review at the UN Human Rights Council: Civil Society Raises Alarm on Torture, Refoulement, and Transnational Repression." *MENA Rights Group*, 20 Jan. 2026, https://menarights.org/en/articles/lebanons-universal-periodic-review-un-human-rights-council-civil-society-raises-alarm

[43] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

	article 5 prohibits torture indefinitely [UNGA][44].
December 9th, 1975	**Declaration Against Torture** The UN General Assembly picked up the Declaration on the Protection of All Persons from Being Subjected To Torture [UNGA][45].
December 10th, 1984	**Adoption of UNCAT** The Convention Against Torture was adopted by the UN General Assembly (Resolution 39/46)(United Nations 1984)
June 26th, 1987	**UNCAT Enters Force** The Convention Against Torture is finally implemented [UNGA][46].
July 17th, 1998	**Adoption of the Rome Statute** The Rome Statute was adopted, where torture was defined as a crime against humanity and also a war crime [UNGA][47].
June 22nd, 2006	**OPCAT Enters Force** The Optional Protocol is put into effect [UNGA][48].
August 2nd, 2020	**Extension of the Special Rapporteur Mandate**

[44] UNGA. *Universal Declaration of Human Rights*. UN General Assembly Resolution 217 A, 10 Dec. 1948, https://www.un.org/en/about-us/universal-declaration-of-human-rights
[45] UNGA. *Declaration on the Protection of All Persons from Being Subjected to Torture*. UN General Assembly Resolution 3452 (XXX), 9 Dec. 1975, https://digitallibrary.un.org/record/717833
[46] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading
[47] UNGA. *Rome Statute of the International Criminal Court*. 17 July 1998, https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf
[48] UNGA. *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 57/199, 18 Dec. 2002, https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel

	The mandate was further extended by resolution A/HRC/RES/43/20 [UNHRC][49].
2023-2024	**Documentation of the Torture in Ukraine** Russain torture was documented by the Special Rapporteur visit to Ukraine [OHCHR][50].
April 11th-13th, 2025	**Zamzam Camp Violations** There were details of violations during RSF takeovers of Sudan's Zamzam IDP camp by the UN, where a documented 1,013 civilians were killed [OHCHR][51].

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

Treaties and Conventions

Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Convention against Torture is a crucial part of the legal frameworks which exist internationaly to prohibit torture. This convention was adopted by the UN General Assembly through Resolution 39/46 which was passed on December 10th, 1984. It formally entered force on June 26, 1987 where it established an international definition for the term "torture" under Article 1. Along with this, the Convention imposed clear obligations for State parties to follow, which were to prevent, investigate, and also punish against acts of torture. As of May in 2025, there were a total of 175 States to the Convention [OHCHR][52]. This Convention also covers the fact that there are no exceptions to the rule of prohibition through Article 2, which specifies that even circumstances like war, threat of war, public emergencies and

[49] OHCHR. "Resolution 43/20: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/43/20, 2 July 2020, https://digitallibrary.un.org/record/3958918

[50] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

[51] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

[52] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

internal instability are not excuses for breaking the prohibition. Rehabilitation is also covered within the convention by Article 14, which requires that States can ensure that victims of torture and ill-treatment can receive redress as well as fair compensation [UNGA][53]. The implementation of the Committee against Torture was also part of the Convention. Its role is to monitor the implementation of the Convention to States, with the 83rd session being held in November of 2025 documenting efforts by States such as Albania, Bahrain, Argentina and Israel [OHCHR][54]. This Committee produces an annual report which provides a detailed overview of all its work throughout a year [OHCHR][55] .

Optional Protocol to the Convention against Torture

This Protocol was adopted on December 18, 2002 by the UN General Assembly, and later entered force on June 22, 2006. The role of this Optional Protocol was to establish a prevention system consisting of regular visits to places of detention. Along with it came the Subcommittee on Prevention of Torture, which is in charge of conducting visits to places within State Parties which have seen deprived liberty, as well a making recommendations in order to strengthen the protection they have against torture [UNGA][56]. As of 2025, there were a total of 94 States to the Optional Protocol, with the most recent approval for the Republic of Congo which took place in 2024. The original Protocol also led to the establishment of a Special Fund, which was financed through voluntary donations and was able to finance 11 projects in ten States throughout 2024 in order to support the establishment of National Preventive Mechanisms and the implementation of recommendations made by the Convention against Torture [OHCHR][57].

Resolutions

[53] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading

[54] OHCHR. "Committee against Torture Opens Eighty-Third Session in Geneva." *Office of the United Nations High Commissioner for Human Rights*, 10 Nov. 2025, https://www.ohchr.org/en/meeting-summaries/2025/11/committee-against-torture-opens-eighty-third-session-geneva

[55] United Nations. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. 10 Dec. 1984, Office of the United Nations High Commissioner for Human Rights, OHCHRhttps://legal.un.org/avl/ha/catcidtp/catcidtp.html

[56] UNGA. *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 57/199, 18 Dec. 2002, https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel

[57]OHCHR. "Committee against Torture Opens Eighty-Third Session in Geneva." *Office of the United Nations High Commissioner for Human Rights*, 10 Nov. 2025, https://www.ohchr.org/en/meeting-summaries/2025/11/committee-against-torture-opens-eighty-third-session-geneva

A/HRC/RES/61/10 - Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

This resolution was adopted by the Human RIghts Council on March 30, 2026 without the use of voting. The purpose of this resolution is to extent the mandate by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for a 3-year longer period. This resolution reconfirmed the fact that freedom from torture is a non-debatable right internationaly which must be protected and also respected under every circumstance, including in times of armed conflicts, occupations, an other emergencies. It also restates that the prohibition of torture is a peremptory norm of international law which has no limitations, and that all international, regional and domestic courts have recognized. This specific resolution also urged States to adopt a survivor-centered and gender-sensitive approach when it comes to fighting against torture, giving a great deal of attention to the views and also the needs of victims in terms of policy developement, rehabilitation and prevention along with accountability. Furthermore, it urges States to become part of the Convention as well as its Optional Protocol as a situation of priority and also to establish effective but also independent NPMs within a reasonable time [UNHRC][58].

Events

The Establishment of the Subcommittee on Prevention of Torture Visits

The Subcommittee on Prevention of Torture completed its mandate in 2024, which was to conduct visits to places of deprived liberty. It visited 8 countries which had complicated challenges. These were Gabon, Honduras, Albania, Nigeria, Greece, Mongolia, the Plurinational State of Bolivia and also the Democratic Republic of Congo. The subcommittee completed over 1,400 interviews with more than 3,800 people, which included people who were deprived of liberty, security or prison officials and also medical workers. They visited a plethora of places of detention, with about 170 prisons, police stations, psychiatric wards and also migration centers. Their documented findings revealed persistent issues including overcrowding, excessive use of detention, limited healthcare access, dirty living conditions, and a worrying amount of cases of torture. More specifically in Gabon, the Subcommittee warned about the limited measures to combat inhuman conditions of detention and also of overcrowding. In Honduras the concerns were focused on the militarization of the penitentiary system, and they also noted that the conditions within a significant number of places with a lack of liberty led to inhuman and degrading treatment. Lastly in Greece, the

[58]UNHRC. "Resolution 61/10: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/61/10, 30 Mar. 2026, digitallibrary.un.org/record/4075607.

Subcommittee expressed the dire need to take crucial and urgent measures in order to further prevent ill-treatment and also torture [OHCHR][59].

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

International Legal Framework

The Convention against Torture as well as its Optional Protocol contain the fundamental legal frameworks prohibiting torture, however the implementation of these frameworks remains a challenge for many States [UNGA][60], [UNGA][61]. Although there are a total of 175 Parties involved as of May 2025, 26 have overdue initial reports, and another 44 have overdue periodic reports under Article 19. There are also 135 pending complaints under article 22. This shows that regardless of the number of Parties involved, the actual integration is not successful, meaning more attention must be kept towards States in order for them to better comply [OHCHR][62]. This was also discovered on an individual scale in Morocco, where the UN COmmittee against Torture discovered that “the recurrence of these shortcomings indicates that these are not isolated procedural irregularities, but rather a structural problem” [OHCHR][63]. The consistent failure of States to submit their completed reports or implement recommendations reflects a pattern of non compliance which completely undermines the effectiveness of the Convention.

[59] OHCHR. "Committee against Torture Opens Eighty-Third Session in Geneva." *Office of the United Nations High Commissioner for Human Rights*, 10 Nov. 2025, https://www.ohchr.org/en/meeting-summaries/2025/11/committee-against-torture-opens-eighty-third-session-geneva

[60] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading

[61] UNGA. *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 57/199, 18 Dec. 2002, https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel

[62] OHCHR. "Chair of the Subcommittee on Prevention of Torture Presents Annual Report to the Committee against Torture." *Office of the United Nations High Commissioner for Human Rights*, 14 Apr. 2025, https://www.ohchr.org/en/meeting-summaries/2025/04/chair-subcommittee-prevention-torture-presents-annual-report-committee

[63] OHCHR. "Morocco: Gdeim Izik Cases Reveal Torture, Coerced Confessions, and Failure to Investigate, UN Committee Finds." *Office of the United Nations High Commissioner for Human Rights*, 20 May 2026, https://www.ohchr.org/en/press-releases/2026/05/morocco-gdeim-izik-cases-reveal-torture-coerced-confessions-and-failure

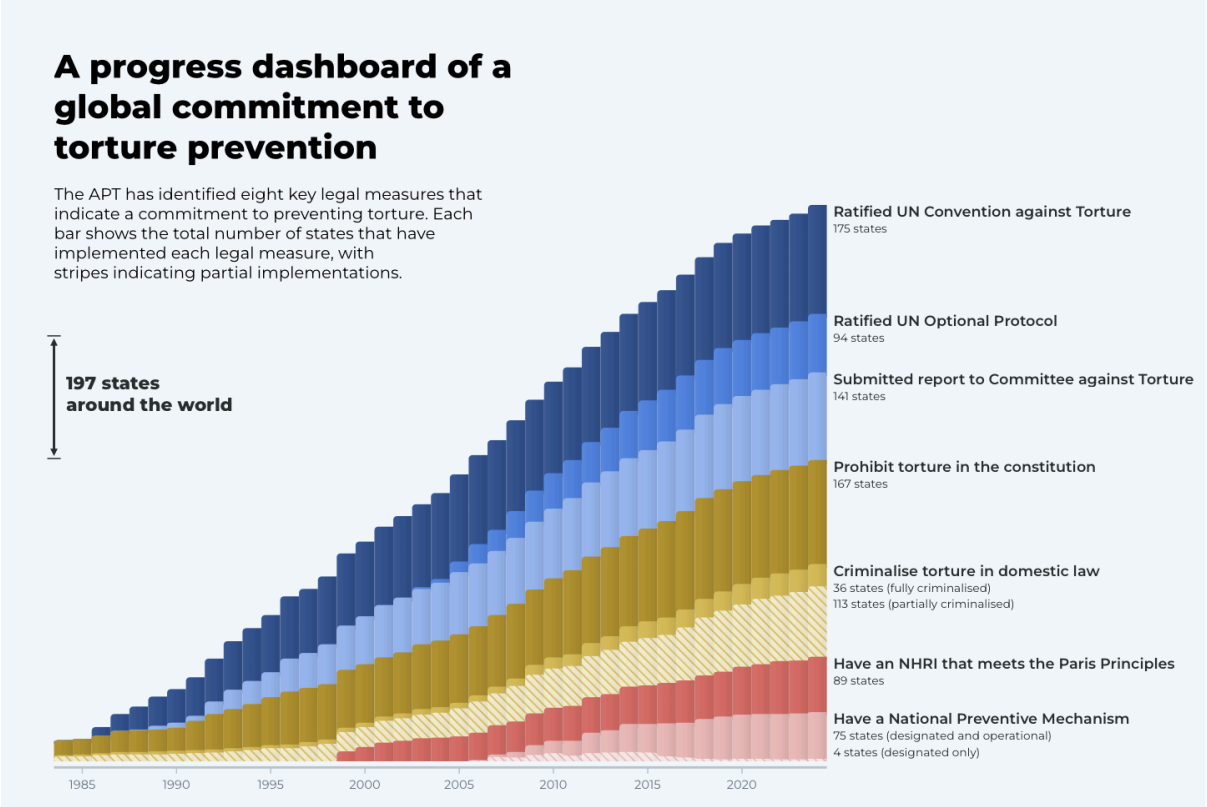


Figure 3 : Global visualization map showing countries and their progress on torture prevention across different legal and institutional indicators. [APT][64]

Subcommittee on Prevention of Torture

This Subcommittee was established under the Optional Protocol, with the purpose of conducting visits to places of detention in order to prevent torture, however it faces many operational challenges due to the lack of resources. [UNGA][65] Although the Subcommittee was able to successfully conduct visits to 8 countries, interview over 3,800 prisoners and visit detention facilities, due to a UN liquidity crisis, the visits to Serbia, Burundi, Mozambique, and Mexico were postponed. The Subcommittee on Prevention of Torture has documended numerous cases of overcrowding, excessive detention, and impunity in cases of torture which seem to be a pattern, however the lack of capacity means that they cannot fully address the issues being faced by all State Parties. [OHCHR][66]

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[64] ATP. "Mapping Torture Prevention: A New Tool to Visualise Global Progress | APT." *Www.Apt.Ch*, 2024, https://www.apt.ch/mapping-torture-prevention-new-tool-visualise-global-progress

[65] UNGA. *Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 57/199, 18 Dec. 2002, https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-against-torture-and-other-cruel

[66] OHCHR. "Committee against Torture Opens Eighty-Third Session in Geneva." *Office of the United Nations High Commissioner for Human Rights*, 10 Nov. 2025, https://www.ohchr.org/en/meeting-summaries/2025/11/committee-against-torture-opens-eighty-third-session-geneva

Special Rapporteur on Torture

Due to the establishment of the mandate of the Special Rapporteur as well as its extension by the Human Rights Council through resolutions A/HRC/RES/34/19 and A/HRC/RES/43/20, the UN was able to perform visits to countries and report on their issues [OHCHR][67],[OHCHR][68]. However, the Special Rapporteur has faced significant limitations, such as a lack of enforcement and power, which causes it to simply be discarded by States such as Russia, which refused an invitation for a country visit in 2024, after the Special Rapporteur documented severe cases of torture in Ukraine by Russian authorities in 2023 [OHCHR][69]. The reliance of this Rapporteur or state cooperation is what limits its abilities, and allows for it to simply be withheld from solving crises in certain States.

POSSIBLE SOLUTIONS

Strengthening International Monitoring and Accountability

The main way to ensure effective documentation and also investigation of torture is to use a victim-centered and gender-sensitive approach which can prioritize the needs and opinions of survivors [UNHRC][70]. When it comes to conflict and also post-conflict zones, it is crucial to establish independent, international mechanisms to investigate and document torture as well as other serious human rights violations. The way to ensure this can be in effect is to call upon States to strengthen their implementations of the Istanbul Protocol. They can do this by training legal professionals as well as medical professionals, establishing independent oversight mechanisms, and also ensuring that all forms of examinations are conducted by independent experts [OHCHR][71]. One main concern of the Committee is that in certain cases, victims who complain about torture can be subjected to revenge for

[67]OHCHR. "Resolution 34/19: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/34/19, 7 Apr. 2017, https://digitallibrary.un.org/record/1303820

[68]OHCHR. "Resolution 43/20: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/43/20, 2 July 2020, https://digitallibrary.un.org/record/3958918

[69] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

[70]OHCHR. "Resolution 43/20: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Mandate of the Special Rapporteur." *UN Human Rights Council*, A/HRC/RES/43/20, 2 July 2020, https://digitallibrary.un.org/record/3958918

[71]OHCHR. *The Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Office of the United Nations High Commissioner for Human Rights, 2022, https://www.ohchr.org/en/publications/policy-and-methodological-publications/istanbul-protocol-manual-effective

speaking up. One example where this occurred was the UAE [OHCHR][72]. Strengthening these mechanisms would reinforce the prohibition of torture by increasing the ability of international and also domestic organizations to identify violations, establish responsibility mechanism towards violaters and pressure States to comply with the obligations they have already agreed to under international law.

Strengthening Enforcement of State Obligations under UNCAT

Strengthening the prohibition of torture also requires greater enforcement of the obligations states already accepted under UNCAT. Rather than creating new legal standards, greater emphasis could be placed on making sure that States are effectively implementing their existing obligations when it comes to investigation, accountability and redress. It is critical to expand funding in order to pay for medical, psychosocial and also legal services, such as mental health rehabilitation, legal aid, and other forms of support (United Nations 2025). It is also important that these services can be accessed by all survivors regardless of factors such as age, gender or disability status. Equally as important is unhindered humanitarian access to victims, which the UN has already reported that "humanitarian access was severely curtailed and/or blocked by parties to conflict" throughout 2024 [UNGA][73]. As stated by Article 14 of the Convention against Torture, all survivors must have the right to adequate compensation [UNGA][74].

Strengthening Preventative Mechanisms under OPCAT

Under Article 10 of the Convention against Torture, it is required that law enforcement and military personnel is trained regarding the prohibition of torture. This was put into effect throughout many state parties by the UN Human Rights Office, which delivered training for 841 government officials within Iraq [OHCHR][75]. It is also crucial to encourage even more States to approve of the Optional Protocol, which as of December 2024, 94 States are already a part of. The Special Fund also played an important role, as it

[72] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

[73] UN Secretary-General. "'Help Us Live With Dignity, Not Just Survive': New UN Report Calls for Scaled-Up Comprehensive Services amid Unprecedented Levels of Conflict-Related Sexual Violence." *United Nations*, 14 Aug. 2025, https://www.un.org/sexualviolenceinconflict/press-release/help-us-live-with-dignity-not-just-survive-new-un-report-calls-for-scaled-up-comprehensive-services-amid-unprecedented-levels-of-conflict-related-sexual-violence/

[74] UNGA. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. UN General Assembly Resolution 39/46, 10 Dec. 1984, https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading

[75] OHCHR. "Special Rapporteur on Torture Appalled by Allegation of Sexual Torture by Israeli Soldiers and Calls for Accountability." *Office of the United Nations High Commissioner for Human Rights*, 16 Aug. 2024, https://www.ohchr.org/en/press-releases/2024/08/special-rapporteur-torture-appalled-allegation-sexual-torture-israeli

awarded $316,545 in order to support 11 torture prevention projects which took place in 10 different States. Another important aspect is the strengthening of National Preventive Mechanisms, which many States have already begun to do. Bosnia established their NPM in 2024, which was followed by Madagascar, South Africa, Benin, and Nigeria later in 2025 [OHCHR][76]. A greater number of people would thus be involved in OPCAT, as would be the independence, resources and access of National Preventive Mechanisms, reinforcing the prohibition by enhancing States' capacity to identify and prevent violations before they happen.

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