



MODEL UNITED NATIONS

DMUN XII

May 4th, 2025

Social, Humanitarian, and Cultural Committee

BACKGROUND GUIDE



Chair: Andrew Wallack

———— Moderator: Chase Blumenfeld ————

Human Rights Violations of Prisoners

DALTON MODEL UNITED NATIONS XII

SOCIAL HUMANITARIAN, AND CULTURAL COMMITTEE



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LETTER FROM THE CHAIR

Dear Delegates,

Welcome to the SOCHUM Committee at this year's Model United Nations conference! My name is Drew Wallack, and I'm excited to serve as your chair. We'll be focusing on a critical and timely issue: Human Rights Violations of Prisoners. This topic demands thoughtful discussion and innovative solutions, and I'm looking forward to seeing your creative approaches and practical ideas.

Model UN is a chance to improve your diplomatic skills, practice effective communication, and tackle important global issues. Throughout our discussions, let's remain open-minded, realistic, and solution-oriented.

Beyond committee sessions, I'm deeply interested in the intersection of different cultures, especially through food—blending French, Japanese, and American cooking techniques and traditions. Just as great cooking requires attention to detail and collaboration, successful diplomacy relies on precision and teamwork. Let's apply these values to our committee's debates.

My moderator, Chase, is in really bad shape. He's 5 foot, 200 pounds. Let's all #prayforhim.

Feel free to reach out with any questions or ideas as you prepare. I'm looking forward to meeting everyone soon and having productive discussions!

Best,

Drew Wallack
Chair, SOCHUM

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Social, Humanitarian, and Cultural Committee

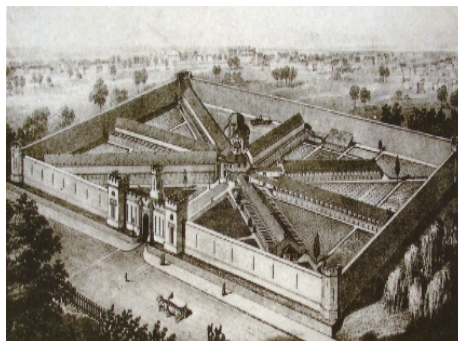
COMMITTEE BACKGROUND

The Social, Cultural, and Humanitarian Committee is the Third Committee of the United Nations General Assembly. The General Assembly Organ was founded in 1945 by the United Nations Charter. SOCHUM is associated with protecting the Universal Declaration of Human Rights issued in 1948. All 193 member states are represented and can attend the committee sessions. As with other GA committees, the resolutions passed in SOCHUM are not binding but are recommendations for member states.

SOCHUM is primarily concerned with protecting fundamental human rights worldwide. Committee sessions topics relate to human rights issues and socio-political concerns in worldwide or regional contexts. The committee has deliberated on social issues applicable to vulnerable populations, in particular, youth, the elderly, women, people with disabilities, and refugees. The committee also examines human rights concerns in criminal justice and drug control. Regarding the rights of people in prison, SOCHUM upholds the Standard Minimum Rules for the Treatment of Prisoners or the Nelson Mandela Standards. It also recommends the application of the Bangkok rules for women and Beijing rules for juvenile offenders.

TOPIC INTRODUCTION

Prisoners retain their human rights during incarceration, including the right to health, life, and dignity. They are guaranteed freedom from torture, ill-treatment, and discrimination. However, around the world, many prisoners are denied these fundamental rights. Unsanitary and unsafe conditions in prisons lead to mental and physical illness. Violence, ill-treatment, and torture can be lethal. The UN High Commissioner for Human Rights reported that mortality rates for people in prison up to 50 percent higher than the general community. Although prisons are meant to punish offenders for crimes, degrading and inhumane treatment is a violation of their human rights. Abuse of these rights is widespread from sexual and physical violence perpetrated by staff and other inmates. De-



nying inmates sufficient medical access, sanitary conditions, and space undermines their wellbeing. Vulnerable populations, such as youth, elderly, women, LGBTQ+, individuals, and racial minorities have a greater risk of their human

rights being subverted in prison environments. As a committee, it is essential that countries propose measures that would preserve the human rights violations as established by international standards.

HISTORY

Making of The Modern Prison

The modern prison emerged in late 17th century England after opposition to public executions and torture. The legal system, named the Bloody Code, penalized most crimes with capital punishment or torture. While public displays were meant to act as a deterrent to crime, the influence of Enlightenment ideals changed citizen's attitudes. Capital punishment and public shaming, especially for petty crimes, were viewed as cruel. Before, prisons had existed to house debtors and people awaiting trial or punishment. Now prison was being used as a form of punishment in itself. Prisoners were forced to perform manual labor which was used to support infrastructure and manufacturing, serving as a source of free labor in these industries.

Prison Reform

Throughout the centuries, prisoners have lived in deplorable conditions that contemporaries have opposed their mistreatment. In the 18th century, jails were reservoirs of disease due to overcrowding and unsanitary conditions. John Howard toured British prisons and wrote that the prisons were dirty, unordered, and barbar-

ic. He advocated for a model that would emphasize rehabilitation through solitary cells, hard labor, religious education, a healthy diet, and a tolerable living environment. Later, Elizabeth Fry campaigned for the rights of women in prisons after observing the squalid conditions children and female prisoners lived in. She campaigned for separate female jails with female staff, proper clothing, and food. In America, Benjamin Rush opposed public punishment or labor, instead advocating for punishment and penal work to be kept private in prisons. He also voiced support for more sanitary and livable conditions in jail.

Philosophy of Penology

Nearly as old as the prison itself is penology, the study of prison management and purpose. The four competing theories on the purpose of punishment are deterrence, retribution, incapacitation, and rehabilitation. Deterrence is the theory that prison and threats of punishment lower the probability of people committing a crime. Supporters of deterrence would excuse deplorable conditions in prisons, because of a utilitarian objective of preventing future crime. Retribution is the view that punishment exists as a form of justice for wrongdoings and should be proportional to the crime. Many religious texts advocate for retributive punishment, summarized by one of Moses's laws: "a life for a life, an eye for an eye," etc. Arguments for incapacitation frames the safety of the outside community, rather than the offender. As

such incapacitation advocates for the forceful separation of the offender from society. Rehabilitative justice serves the purpose of reforming the individual to prevent future criminal acts. In this view, the purpose of prison is then to provide an environment where offenders can develop better social behavior.

20th Century



By the 20th century, prison became a global phenomenon. The later part of the century, saw the rise of imprisonment, especially for non-violent crimes. The "War on Drugs", led by the US and emulated by other countries, caused the mass incarceration of drug offenders. The consequential strain on the prison system worsened conditions for inmates.

Prison Populations

Women

Globally, most prisoners are male. Women and girls account for 7% of the global prison population. However, the increase in female prisoners has risen by more than 50% since the year 2000. Although women are typically held in separate prisons from male prison-

ers, they endure high rates of sexual violence. Male prison officers are the primary abusers which creates an unequal power dynamic. Women are often unable to report sexual violence due to fear of retaliation from their abusers.

The role of women in families is greatly affected by imprisonment. Many women in prison are mothers and primary or sole caregivers to their children. Women who give birth to children in prison are either separated or have to take care of their newborn in dismal conditions. A mother's imprisonment has devastating effects on their family. In some countries, young children accompany their parents, particularly their mother, to prison facilities. Around the world, an estimated 19,000 are living in prison with a parent. Otherwise, children who cannot be cared for by relatives enter foster or adoption care systems.

Children

The United Nations Children's Fund has estimated that more than 1 million children are behind bars around the world. Most nations have a juvenile justice system with separate courts and prisons for children (usually defined as under 18). The juvenile justice system grants less severe and shorter sentences for children. Juvenile correctional facilities resemble jails with strict discipline and structured routines. However, there is also an attempt to reform the juvenile's character and repress criminal tendencies before they reach adulthood.

Other countries do not have

a separate system for juveniles so children are placed in the same prisons as adults. When children are housed with adults they are more likely to be victims of physical and sexual violence. They are seen as easy targets by older inmates. In adult prisons, children also face an even greater risk of mental health problems being isolated from family and other children. Prison staff use corporal punishment against juveniles as punishment for bad behavior. Children are especially vulnerable, because of their powerlessness against guards. If they complain they are not met with respite, but more physical retaliation.

Aging prisoners present complex health needs. Older adults are more likely to suffer from physical disabilities associated with aging, such as impaired hearing, vision, or mobility. Given their age and adverse life experiences they also have disproportionate rates of diseases, particularly cardiovascular disease, cancer, and hypertension. Mental health needs are also more prevalent, with older adults suffering from depression and anxiety, especially around a concern of dying in prison. The health services in jails are suboptimal and often there is insufficient.

Life in prison is made more difficult for elderly inmates who

lence from other inmates, as they are seen as easier targets.

Suspected Terrorists

Suspected terrorists are people who are presumed to have enacted violence against others for a political agenda. Countries use torture against people who they suspect to be terrorists, to extract information from them, and find co-conspirators.

The War on Terror, a global counterterrorism effort led by the US, has been rife with human rights abuses.¹⁰ The US has detained suspected terrorists in black sites, secret prisons and floating prisons, military boats. These secret prisons served as initial interrogation sites for prisoners who were later transported to Guantanamo Bay in Cuba. At these black sites, suspected terrorists were subject to extreme forms of torture, labeled by the euphemism “enhanced interrogation techniques.” Other countries have been involved in the torture of suspected terrorists, by hosting black sites operated by the US or running their own operations.

DEFINITIONS

Elderly

Worldwide, a large population of prisoners are over the age of 55, considered an older or elderly population, given that prison populations experience accelerated aging. Some older inmates entered when they were young or middle-aged, while others committed crimes when they were already elderly.

cannot walk long distances or climb stairs and may require help to get dressed, go to the bathroom, or bathe. Older prisoners may not be able to conduct the prison’s required disciplinary routines, making them more vulnerable to physical or verbal attacks on prison staff who interpret this as a sign of disrespect or disobedience. Older prisoners are also subject to vio-

Prison: Prison facilities vary widely in different nations and regions. For the purpose of this committee, prisons include adult jails, youth correctional facilities, and local detention facilities. It excludes refugee detention centers and institutions for the mentally ill. Accordingly, prisons are meant to house those who are suspected of



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offending against the law, whether convicted or not.

Human rights: Rights inherent to all human beings, including the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education.

CURRENT SITUATION

Torture

In 1984, the UN Convention against Torture defined the practice as the intentional cause of pain and suffering by a public official to obtain information, extract a confession, or as a punishment. Under the convention and other international law, torture is illegal. Torture is primarily enacted as corporal punishment in non-democratic governments, which includes beating, flogging, and forced stress positions. Forced sleep, food, and drink deprivation or are also physical methods of torture. Psychological methods of torture refer to practices meant to induce a sense of helplessness by subjecting a prisoner to sensory deprivation or overload. Mock execution is a fear-inducing tactic where subjects believe they are going to die. Indirect torture involves making the prisoner witness the torture of a loved one.

Solitary confinement is when prisoners are confined to single cells. Prisoners are isolated from others and are deprived of any sensory stimulus. The UN considers solitary confinement exceeding 15 days to be torture.

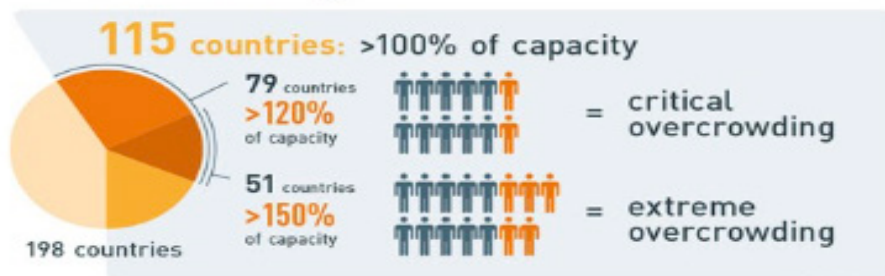
The longer the period of solitary confinement the more drastic the effects on prisoners' physical and mental health. Prisoners in solitary suffer from physical conditions, such as muscle stiffness, weight loss, or hypertension, and are more likely to engage in self-harm. Solitary confinement can lead to anxiety attacks, existential crises, paranoia, and psychosis, especially for those who already suffer from mental health conditions.

Overcrowding

Overcrowding is an issue that intersects with other negative effects of imprisonment. Prisons in over 124 countries exceed their maximum occupancy rate, with 23 national prison systems at more

the effectiveness of rehabilitation programs like education and vocational training. Overcrowding also leads to unsanitary conditions and health problems for inmates. The UN's Standard Minimum Rules for the Treatment of Prisoners state that prisoner accommodations, "shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating, and ventilation." Many prisons in use are old with outdated sanitation facilities, sewage disposal, and water pipes. Overcrowding exacerbates the repulsive smell in prisons from body odor and sewage. In overcrowded facilities, the staff is not able to attend to sanitary issues

Prison overcrowding



Core challenges



than double their capacity. When prisons are overcapacity, resources are spread out thin between prisoners. Basic needs, like food and water, are not always met and

that may arise. The International Committee of the Red Cross has established minimum space requirements at 5.4 sqm per person in single-cell accommodation and 3.4

sqm per person in shared or dormitory accommodation. However, in many prison systems, inmates have less space than even these minimum standards. Sleeping accommodations are dismal with prisoners sleeping in shifts, on top of each other, or sharing beds.

Overcrowding also leads to negative effects on health. With prisoners in such close quarters, there is a higher spread of infectious diseases especially sexually transmitted and blood-borne diseases. Overpopulation is usually accompanied by less frequent opportunities for inmates to spend time outdoors or in recreational activities. Prisoners can be in tiny cells for 23 hours a day, which is harmful to their mental health.

Violence

Inmates incur serious injury and can die due to inter-prisoner violence or abuse. Inter-prisoner violence accounts for up to 17 percent of deaths in custody. Violence is exacerbated by overcrowding, understaffing, and lack of separation between conflicting or violent inmates. Prisoners use hand to hand combat, occasionally facilitated by improvised or smuggled weapons, including knives, clubs, and razors. When prison staff have a tolerant view of prisoner violence, and there is a lack of investigations or accountability leads to continued violence between prisoners.

Prison gangs intend to protect their members and establish control over prison management. Within a gang, violence is utilized for initiation or to gain status and

power. Violence is perpetrated against rival gang members, unaffiliated inmates, or former gang members. Prison gangs frequently mimic the organization of street gangs outside the prison and are divided between ethnic lines. In some countries, prison gangs de facto control the prison, rather than state authorities. Prison management in these countries have underpaid staff making them more likely to collude with gang members to plan escapes or riots. Prison staff is also compelled to tolerate violence because they fear retaliation from street gangs that operate outside the prison.

Sexual Abuse

Sexual abuse in prisons is commonplace, with inmates being abused by prison staff or other inmates. In most nations, there have not been studies on the prevalence of sexual abuse in prison. However, a United States Department of Justice report stated that “In 2011–12, an estimated 4.0% of state and federal prison inmates and 3.2% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff in the past 12 months.” These numbers may be underestimating the prevalence of sexual assault given that some inmates may be unwilling to relive or fear reporting their experiences.

Any sexual interaction between staff and inmates should be classified as abuse since the relationship is inherently coercive. There is a clear power disparity between staff and inmates, so all sexual contact should be consid-

ered involuntary. Inmates are frequently coerced into having sexual contact with staff in exchange for food, drugs, or the offer of favorable treatment and special privileges. Sexual misconduct is perpetrated by prison staff that is usually the opposite gender from the inmate victim.

Sexual abuse between inmates often involves violence and victims are left with injuries. Inmates may be forced to have sex with powerful inmates for protection, for money, or to prevent blackmail. Inmates who have been raped are frequently targeted again since they are labeled as weak. Since most jails are segregated by gender, most inmate sexual assaults are between inmates of the same gender.

Young inmates are vulnerable to sexual abuse, particularly children in adult jails. Inmates who are incarcerated for the first time or are convicted of non-violent crimes are perceived to be weak and are more likely to be victimized. Inmates who have LGBTQ+ identities are more likely to be abused. Non-heterosexual individuals are often targeted by other inmates and prison staff. Transgender people are often placed with their biological genders instead of the gender they identify with. Transgender people, especially trans women in male facilities are victimized repeatedly.

Health

People in prison generally have poorer health than the general population, considering they are more likely to be lower-income and

engage in risky behavior. Prisons often have inadequate health care equipment, medication, and personnel to meet the health needs of prison populations. Prisoners are reliant on prison authorities for getting access to medical care, but sometimes their requests are ignored or denied. They are subject to pain and suffering preventable by better health care.

health conditions, who engage in self-harm or attempt suicide are sent to psychiatric facilities, but only a few can be transferred. Most inmates have to contend with mental illness by themselves, lacking access to therapy or medication.

Common chronic conditions among the prisoner population include epilepsy, lung, heart, and reproductive disorders. Chron-

wide prison population, an estimated 3.8% have Human Immunodeficiency Virus (HIV), 15.1% have Hepatitis C, 4.8% have chronic Hepatitis B, and 2.8% have active tuberculosis. Blood-borne diseases are spread due to sex between inmates and intravenous drug use in prisons. Harm reduction products like condoms, needles, and syringes could reduce transmission of these diseases, but many prison authorities do not provide them because they fear it will encourage sex and drug use, both of which are violations.

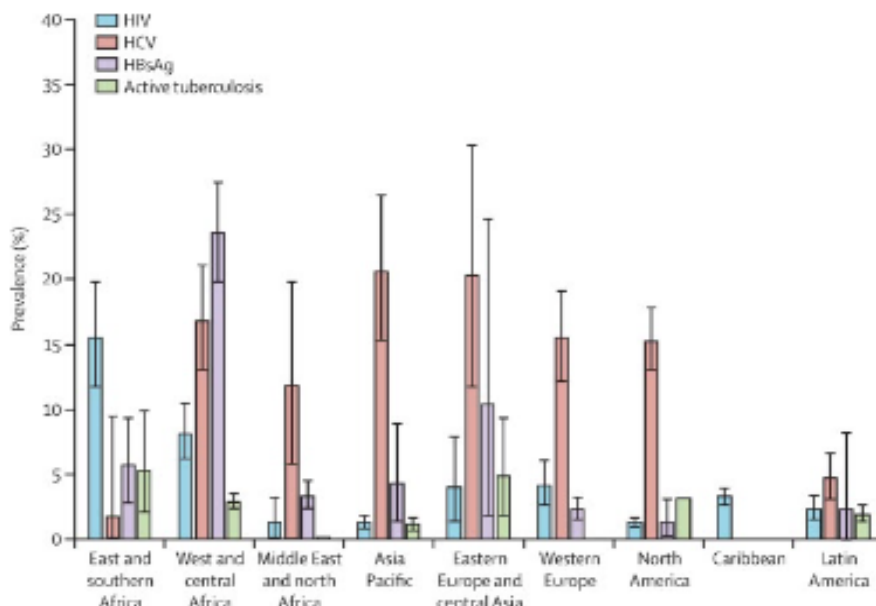
PAST UN INVOLVEMENT

Nelson Mandela Rules (Standard Minimum Rules for the Treatment of Prisoners):

In 1955, the UN adopted Standard Minimum Rules for the Treatment of Prisoners (SMRs). An expert group recommended revision of the rules in 2011, citing new developments in criminal justice and prison management. In December 2015, the UN General Assembly unanimously approved the revised rules and named them after Nelson Mandela, in honor of the late President of South Africa who spent nearly 30 years in prison.

The first Mandela Rules express the basic principles of the document:

- Prisoners should be treated with respect for their inherent dignity and value as human beings.
- Prisoners should be treated according to their needs, without discrimination based on sex, race,



Many prisoners have pre-existing mental health conditions, which are made worse by incarceration. About half of prisoners worldwide have antisocial personality disorders, and at least one million prisoners have serious mental disorders such as psychosis or depression. Prisoners who have been involved with drugs may have withdrawals in prison leading to depressive mood and psychosis. There is often an insufficient number of psychiatric specialists and medication to treat mental illness in jails. Inmates with severe mental

illnesses require significant medical management and intervention, which are difficult for overstressed prison health systems to provide. Dental hygiene is frequently a neglected problem in jails, although the prison population generally has worse oral health than the general population. Drugs and alcohol contribute to tooth decay and gum disease. The physical suffering caused by the neglect of these medical problems is concerning.

Inmates have a higher burden of infectious disease than the general community. Of the world-

ethnic origin, religion, or any other social status

- Torture or ill-treatment, physical or psychological, of prisoners is prohibited
- The purpose of prison is to protect society and reduce reoffending and rehabilitate prisoners
- The safety of prisoners, staff, service providers, and visitors must be protected at all times

The rules outline the provisions for the basic needs of prisoners:

- Sleeping accommodations should either be individuals per cell or dormitories, with a careful selection of prisoners to be housed together.
- All living spaces must have proper heating, ventilation, lighting, and minimum floor space.
- Each prison should have bathroom facilities with showers, toilets, and toiletries including those for menstruation, hair care, and shaving.
- Adequate clothing and bedding must be provided for each prisoner.
- Prisoners must be provided with nutritious food at regular meal-times and drinking water whenever needed. Food and water should not be restricted as a disciplinary measure.
- Every prisoner should have access to outdoor exercise, and particularly for young prisoners physical instruction

The rules also maintained requirements for the healthcare services prisoners receive. Health personnel should be “tasked with evaluating, promoting, protecting

and improving the physical and mental health of prisoners.” The rules recommend collaboration with community health systems to ensure continuity and quality of care. Prisoners should have the treatment and care for infectious diseases, substance dependencies, mental health, dental care, and for women, prenatal and postnatal services. The rules recommend medical screenings for physical and mental health conditions, so accommodations can be made for those who have special needs. For ethical reasons, healthcare personnel must not be involved in disciplinary or punishment against prisoners.

The rules establish the legal rights of prisoners in adverse situations. They establish that independent, third parties should conduct inspections of prison conditions and investigations in the case of death, disappearance, serious injury, or suspected torture. The rules also maintain that prisoner’s privacy should be respected in cell and body searches and that they retain their property after leaving prison. Prisoners should also be able to make complaints regarding their treatment to the prison administration or judicial authorities.

The rules require that prisoners be separated according to age, sex, and criminal record in detention facilities which prevent inter-prisoner violence. An emphasis on prison staff’s training and recruitment aims to avert sexual or physical abuse perpetrated by staff. The expectation is for, “all prison staff shall at all times so conduct themselves and perform their

duties as to influence the prisoners for good by their example and to command their respect.”

Beijing Rules (Standard Minimum Rules for the Administration of Juvenile Justice):

The Beijing Rules adopted in 1985 established the minimum conditions for the treatment of young people who have offended against the law. The Beijing Rules affirm commitments to rehabilitating youth, through “develop[ing] conditions that will ensure for the juvenile a meaningful life in the community, which, during that period in life when she or he is most susceptible to deviant behaviour, will foster a process of personal development and education that is as free from crime and delinquency as possible.” The rules emphasize the importance of non-custodial alternatives to prison facilities, such as probation, community service, or supervision orders.

Rule 26 articulates the provisions for juveniles placed in custody. The rule requires that juveniles be kept separate from adults to avoid the negative influences or violence of adult offenders. Juveniles should, “receive care, protection, and all necessary individual assistance-social, educational, vocational, psychological, medical and physical-that they may require in view of their age, sex and personality.” Cooperation with community institutions can provide educational and vocational opportunities to youth, to not leave them at an educational disadvantage and enable them to have productive roles in society.

Bangkok Rules (Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders):

The Bangkok Rules adopted in 2010 are a set of standards for the treatment and needs of female prisoners. The Bangkok Rules examine the unique circumstances of women, including giving birth, menstruation, their relationship with their children, and past exposure to domestic violence. The rules affirm that menstruation hygiene items, such as sanitary towels and pads, should be readily accessible and free of charge, and there should be ways to safely dispose of used items. In addition, women should have a supply of hot water for cooking and their personal care, particularly when pregnant, breastfeeding, or menstruating.

The rules establish a standard of gender-specific healthcare services for the detection and treatment of sexually transmitted diseases, mental illness, and substance abuse. Whenever possible, women can request to have female physicians, nurses, or have a female staff member present during health examinations. Women should also have access to “individualized, gender-sensitive, trauma-informed and comprehensive mental health care and rehabilitation programmes,” noting that often female offenders have been victims of sexual abuse or domestic violence.

The rules aim to enact better relationships between prison staff and women prisoners. The rules recommend that policies should limit gender-based physical

or verbal violence, sexual abuse, and sexual harassment through accountability and training. Staff should also be trained in detecting mental distress or discomfort with family visitors indicative of prior abuse. Additionally, the rules aim to foster a better environment for female prison staffers by having equal access to training and preventing harassment from male staffers.

The rules require that the best interest of the child be prioritized when deciding whether to house young children in prison with their mothers. Children living in or born in prison should not be treated as prisoners, but rather have an upbringing similar to a child living outside of prison. If the women’s children live outside of prison, extended and frequent visits should be facilitated, if the children’s security is ensured. Pregnant, breastfeeding, or women with infants should not be in solitary confinement or have instruments of restraint used against them.

United Nations Convention against Torture:

The Convention Against Torture is a human rights treaty that was adopted in 1984 by the General Assembly. The Convention’s prohibition on torture and other cruel, unusual or degrading punishment is absolute and non-derogable. Torture cannot be justified in any circumstances, even if there is a seeming threat to public safety through war, terrorism, or violent crime. The prohibition of torture applies to places in and

out of the country’s jurisdiction, including in military and civilian prisons.

The Committee against Torture (CAT) is a UN treaty body that monitors the implementation of the Convention. It collects quadrennial reports from member states who have ratified the Convention and adds observations. In 2002, an Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) was adopted. Member states who agreed would be subjected to “regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty, to prevent torture.” The protocol is overseen by the Subcommittee on Prevention of Torture which has visited and conducted reports on 76 countries.

POSSIBLE SOLUTIONS

While past UN actions have established Standard Minimum Rules for the treatment of prisoners and specifically, juvenile and women prisoners, these are not enforceable by international law. Nor is there oversight for the implementation of these rules. The CAT with two treaty committees has been able to implement more guidance for ratifying countries. A possible route would be to have country reporting and independent observation visits to study conditions in prisons and its impact on special-needs populations. The committee must consider how to

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implement oversight without infringing on national sovereignty or public image.

The UNODC through its Global Programme on Addressing Prison Challenges has committed to providing advisory services to develop national strategies, national training events, and regional-capacity building activities. SOCHUM should figure out how to work with UNODC to implement these plans. According to SOCHUM's emphasis on humanitarian concerns, it should specifically address issues pertinent to human rights abuses in prisons. Although crime prevention, sentencing policies, alternatives to imprisonment, and social reintegration are related to incarceration, they do not address the scope of the issues presented to the committee. SOCHUM should come up with practical solutions that will improve prison management and ameliorate the treatment of inmates, especially women, the elderly, youth, and LGBTQ+ prisoners.

Torture continues in the 21st century despite the ban by the Convention Against Torture. 119 countries have not ratified the Optional Protocol that would enact national visiting mechanisms. The committee can recommend procedures for the reporting and independent investigation of torture. The committee can also enact guidelines for prisoner staff training and screening to prevent physical and sexual abuse. Delegates should consider how their country defines torture and consider amending definitions to make it more clear.

In terms of prison management, the committee must be aware of different cultural and economic contexts responsible for negative prison conditions. Overcrowding occurs as a consequence of insufficient infrastructure but also due to overzealous imprisonment of those who committed nonviolent offenses and of pre-trial detainees. Delegates should pro-

Catering to the disparate needs of older, younger, and female prisoners should be a priority in improving healthcare.

Given that many developing nations have a prison system that cannot meet the basic needs of prisoners, they require funding to implement and improve infrastructure. The committee should consider how much funding is



pose practical solutions for facility organization and resource allocation. The committee should also consider how the separation of different prisoner populations may prevent violence, verbal and sexual abuse.

Solutions to provide better healthcare access for prisoners must address the accumulated risk factors already present in the prisoner population and how conditions exacerbate the spread of infectious and blood-borne diseases. Quality and accessible healthcare in prison can rely on existing community health care services.

needed and how funds will be secured sustainably. The UN General Assembly cannot mandate any of its resolutions, making it reliant on the legislation countries pass to cement the recommendations into national law. The committee should consider how to incentivize the adoption of such laws. SOCHUM should also consider if economic or trade sanctions are warranted when investigations reveal human rights abuse in prisons. The committee can also take action by directly incentivizing prisons to adopt better standards by working with non-governmental organiza-

tions in those countries.

COUNTRY POSITIONS

United States

Article 8 of The United States Constitution prohibits any “cruel and unusual punishments”. Though vague it is meant to establish that offenders should not be punished disproportionately for their crime. Starting in the 1990s, supermax prisons and solitary units were built to cope with growing prison populations. The construction of the infrastructure led to increased use of solitary confinement for inmates. Solitary confinement is used to punish prisoners, but also to segregate pre-trial or vulnerable prisoners, yet it has long-term consequences for the psychological health of prisoners. The inmates held in solitary confinement at any given time are estimated to be between 20,000 to 80,000. Additional issues happening in US jurisdictions that have already been mentioned are mass incarceration leading to overcrowding and torture in counter-terrorism efforts. At the same time, the US is an advocate for human rights protections in international law for prisoners and is especially concerned with the detention of political prisoners. Other large, relatively wealthy countries that similarly align themselves with the human rights of prisoners but are not always implementing these goals include the United Kingdom, France, Australia, Argentina, Brazil, and the Czech Republic.

China

The Chinese prison system is closely associated with forced labor. The system is based on the principle of Laogai, or reform through labor. Adult prisoners work at least eight hours a day in manufacturing work, but they often work more hours since they are rewarded with more food. Prisoners perform manufacturing labor according to orders the prison receives from corporations or subcontractors. Chinese prisons rely heavily on the profit generated by forced labor to sustain their facilities, receiving little funding from the government.

The use of torture in China’s criminal justice system has garnered the criticism of the Committee Against Torture in 2015. During interrogations, prison staff rely on torture methods to extract confessions, which are then used to convict pre-trial detainees in court. Political prisoners face disproportionate violence and female political prisoners especially are raped and sexually abused. Other offenders are also tortured if they complain, do not perform labor, or disobey staff’s orders. Countries with authoritative regimes tend to also have a system of forced labor and rampant torture. These include Russia, Turkey, Syria, and Egypt as well as other countries in Africa and the Middle East.

Mexico

Mexican prisons are violent largely due to gang activity and poor management. 65% of prisons in Mexico were either ruled or co-ruled by criminal gangs, mostly

drug cartels. Inmate self-rule leads to clashes between rival gangs, such as in the Topo Chico prison. There are also frequent riots which result in deaths and injuries. On a smaller scale, when these gangs exercise control over prisoners because they have access to amenities and food. Often they demand bribes from inmates and if they turn up empty-handed are beaten.

Prison corruption and understaffing leads to gang-rule of prisons. In some instances, staff are colluding with gang members and similarly require payments from other inmates for services and privileges. Also, they may help coordinate escapes of gang members, which is the suspected reason for El Chapo’s second escape from prison in 2015. Although Mexican prisons are one of the worst examples, other developing countries in South America and South-East Asia struggle with pervasive violence and lack of access to basic services.

Germany

In Germany, prisons are well managed and safe. Being in prison is viewed as a punishment in itself, so disciplinary measures like violence and solitary confinement are rarely used. Instead, prison staff use incentives and rewards, with an emphasis on positive reinforcement of good behavior. Prisons are generally under capacity because the judicial system relies more heavily on non-custodial measures like mental health and substance abuse treatment, and ordains shorter sentences. This prevents the violence and resource

scarcity associated with overcrowding. New Zealand, Canada, and other socially progressive European countries, particularly the Netherlands, Norway, Sweden, and Iceland have similar conditions in jails.



QUESTIONS TO CONSIDER

1. What does your country believe the purpose of the criminal justice system is? Is it deterrence, retribution, incapacitation, or rehabilitation?
2. Are your country's prisons over or under capacity? How do these conditions impact inter-prisoner violence and resource scarcity?
3. How are vulnerable or special needs groups treated in your country's criminal justice system?
4. Does your country utilize disciplinary measures, like violence, torture, or solitary confinement?
5. What are the current barriers preventing prisoners from being

safe from violence or sexual abuse perpetrated by staff or other prisoners?

6. How can SOCHUM suggest practical solutions that can be implemented in a global context? What considerations should be made for poorer nations?

7. How should SOCHUM incentivize the adoption of its recommendations at the national policy and prison practice level?

Country-specific

- Convention Against Torture

List of Issues Prior to Reporting:
https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=1&DocTypeID=18&DocTypeID=25&DocTypeCategoryID=1

- Convention Against Torture
Concluding Observations: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=1&DocTypeID=5

- Subcommittee on Prevention of Torture Visit Reports: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/CountryVisits.aspx?SortOrder=Alphabetical

- Country Reports on Human Rights Practices: <https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/>

- Human Rights Watch Reports:

<https://www.hrw.org/publications>

- Amnesty International Country Profiles: <https://www.amnesty.org/en/countries/>

- World Prison Brief Data: <https://prisonstudies.org/world-prison-brief-data>

Topical Reports

- Prison Reform and Alternatives to Imprisonment from UNODC: <https://www.unodc.org/unodc/en/justice-and-prison-reform/prison-reform-and-alternatives-to-imprisonment.html>

- Prison Leaders from UNODC: https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Handbook_for_Prison_Leaders.pdf

- Strategies to Reduce Overcrowding from UNODC: https://www.unodc.org/documents/justice-and-prison-reform/Overcrowding_in_prisons_Ebook.pdf

- Women and Imprisonment from UNODC: <https://www.unodc.org/documents/justice-and-prison-reform/women-and-imprisonment.pdf>

- Human Rights in the Administration of Justice from OHCHR: <https://digitallibrary.un.org/record/509363?ln=en>

- Health in Prisons from WHO: https://www.euro.who.int/__data/assets/pdf_file/0009/99018/E90174.pdf

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- Global Prison Trends 2020 from PRI: <https://www.penalreform.org/resource/global-prison-trends-2020/>

- Women in Prison from PRI: <https://cdn.penalreform.org/wp-content/uploads/2013/06/brf-03-2008-women-in-prison-en.pdf>

- Sexual Abuse in Prison: A Global Human Right's Crisis From JDI: https://justdetention.org/wp-content/uploads/2015/11/International_Summary_English.pdf

UN Recommendations

- Nelson Mandela Rules: <https://undocs.org/A/RES/70/175>

- Bangkok Rules: https://www.unodc.org/documents/justice-and-prison-reform/Bangkok_Rules_ENG_22032015.pdf

- Beijing Rules: <https://www.ohchr.org/documents/professionalinterest/beijingrules.pdf>

- Protection of Juveniles Deprived of their Liberty: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/JuvenilesDeprivedOfLiberty.aspx>

- Convention Against Torture: <https://www.ohchr.org/Documents/ProfessionalInterest/cat.pdf>

- Basic Principles for the Treatment of Prisoners: <https://www.ohchr.org/en/professionalinterest/pages/basicprinciplestreatmentof-prisoners.aspx>

- Body of Principles for Incarcerat-

ed People: <https://www.ohchr.org/EN/ProfessionalInterest/Pages/DetentionOrImprisonment.aspx>

- Special Rapporteur on Torture Issues in Focus: <https://www.ohchr.org/EN/Issues/Torture/SR-Torture/Pages/Issues.aspx>



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