United Nations Human Rights Council
Dear Delegates,

My name is Inaya Ali, and it is my honour to serve as the Director of the United Nations Human Rights Council at Vancouver Model United Nations 2019. I am currently a Grade 12 IB student at Port Moody Secondary School and I have been doing MUN since grade 9. Having both delegated and staffed in the UNHRC before, this committee is incredibly significant to me, and I am both thrilled and pleased to serve as its Director this year at VMUN. Along with my enchanting Chair, Jonathan, and my passionate Assistant Director, Lincoln, I would like to formally welcome you to the UNHRC at VMUN 2019!

I was drawn to MUN by its intense debate and discussion; expressing unique opinions and points in such a professional and stimulating environment is one of my passions. After my first Model UN conference, I resolved to become a confident and competent public speaker. As a result, I chose to delegate in committees that I was passionate about, leading to significant improvement in the competencies I wished to develop. Holistically, MUN has shaped me into who I am today: a confident, bold, and caring individual. As Director, I aspire for all of my delegates to walk out of VMUN feeling the way I did at my first conference.

Our two topics focus on the mandate of the UNHRC: to advance and protect individual rights and freedoms around the world. I hope to see high-quality debate along with well-thought-out solutions that are unique yet feasible. In this committee with heavily divergent stances, direct cooperation and collaboration will prove indispensable. I hope that delegates are able to consistently communicate effectively and collaborate on innovative ideas and outlooks to reach impactful solutions to both topics whilst sustaining a high quality of debate.

I am confident that delegates will find the UNHRC at VMUN 2019 to be incredibly successful and rewarding endeavour. See you in January!

Sincerely,

Inaya Ali
UNHRC Director
Position Paper Policy

What is a Position Paper?

A position paper is a brief overview of a country’s stance on the topics being discussed by a particular committee. Though there is no specific format the position paper must follow, it should include a description of your positions your country holds on the issues on the agenda, relevant actions that your country has taken, and potential solutions that your country would support.

At Vancouver Model United Nations, delegates should write a position paper for each of the committee’s topics. Each position paper should not exceed one page, and should all be combined into a single document per delegate.

For the United Nations Human Rights Council, position papers are not mandatory but highly recommended, and required for a delegate to be considered for an award.

Formatting

Position papers should:
— Include the name of the delegate, his/her country, and the committee
— Be in a standard font (e.g. Times New Roman) with a 12-point font size and 1-inch document margins
— Not include illustrations, diagrams, decorations, national symbols, watermarks, or page borders
— Include citations and a bibliography, in any format, giving due credit to the sources used in research (not included in the 1-page limit)

Due Dates and Submission Procedure

Position papers for this committee must be submitted by midnight on January 13, 2019.

Once your position paper is complete, please save the file as your last name, your first name and send it as an attachment in an email, to your committee’s email address, with the subject heading as your last name, your first name — Position Paper. Please do not add any other attachments to the email or write anything else in the body.

Both your position papers should be combined into a single PDF or Word document file; position papers submitted in another format will not be accepted.

Each position paper will be manually reviewed and considered for the Best Position Paper award.

The email address for this committee is unhrc@vmun.com.
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LGBT Rights Around the World

Overview

In numerous regions, lesbian, gay, bisexual, and transgender (LGBT) people face growing endemic violence, legal discrimination, and other breaches of human rights. Non-governmental organization Amnesty International reported in 2011 that at least 76 countries home to 44 percent of the global population criminalize same-sex relations.\(^1\) Nations such as Mauritania, Sudan, Iran, Saudi Arabia, Yemen, and Iraq continue to formally implement the death penalty for homosexual activities, as do a few provinces in Nigeria and Somalia. Beyond legal measures, hate crimes against LGBT people are perpetrated in every country around the world, inflicting not only physical but mental and emotional injuries on vulnerable people. As the purpose of the committee is to safeguard the human rights of all people, regardless of sexual orientation or gender identity, this topic is incredibly important in modern-day society.

Fundamental human rights are possessed by each and every individual, regardless of their sexual or social characteristics. This basic and inalienable principle is enshrined in the United Nations’ Universal Declaration of Human Rights, which mandates equal freedoms and opportunities.\(^2\) Despite this, many in the LGBT community are stigmatized and persecuted across the globe as a direct result of their gender or sexual orientation. In light of such persecution, the top priority of UNHRC regarding this topic is to address both systematic and social discrimination to improve the lives of LGBT individuals globally.

Despite pervasive anti-LGBT discrimination throughout the 20\(^{th}\) century, the international community significantly advanced the rights of LGBT individuals over the past several decades. Numerous nations have legalized same-sex marriage, and many are beginning to actively promote and support LGBT people. Canada, for example, has taken the initiative to accept LGBT refugees fleeing persecution in Russian Chechnya, and many around the world have commended its efforts.\(^3\) But while many countries have seen improvement, there still lie many structural limitations to full global acceptance. Religious values often directly contradict LGBT rights, and many societies have widespread and deeply-entrenched homophobia. As well, many legislatures and courts have ruled against same-sex relations. There is thus a marked need for further dialogue and continued advancement of LGBT rights in the pursuit of universal equality.

Delegates are reminded that this topic is incredibly sensitive and must be approached with the utmost respect while accurately maintaining their nation’s foreign policy.

Timeline

November 1924 — The Society for Human Rights, the world’s first LGBT rights organization, is established under the guidance of Henry Gerber in Chicago, United States. The organization releases multiple publications such as “Friendship and Freedom,” the first homosexual interest magazine.

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September 1945 — Concentration camps across Nazi Germany are shuttered with the end of the Second World War. More than 50,000 LGBT people are believed to have been murdered in this tragedy.

December 1948 — The United Nations General Assembly adopts the *Universal Declaration of Human Rights*, which mandates that all people are born equal with inalienable human rights. The Declaration contains 30 articles in total, outlining various fundamental rights.\(^4\)

1972 — Sweden becomes the first nation to legalize sex change operations.

May 17, 1990 — The World Health Organization (WHO) removes homosexuality from its list of mental disorders.\(^5\)

April 1, 2001 — A bill legalizing same-sex marriage enters into force in the Netherlands, making it the first nation to allow homosexual marital unions.

June 1, 2003 — Belgium legalizes gay marriage, becoming the second nation to do so.\(^6\)

July 20, 2005 — Canada legalizes gay marriage nationwide as the first North American nation to do so. Though previously affording some of the financial and legal privileges of marriage to LGBT couples, homosexual marriage had only been permitted at the provincial level, beginning in 2003.

July 22, 2010 — Argentina becomes the first South American country to legalize gay marriage.\(^7\)

July 26, 2013 — The United Nations Office of the High Commissioner for Human Rights (OHCHR) launches “UN Free & Equal,” an LGBT rights campaign. The campaign successfully raises awareness through social media, public events, and short films such as “The Welcome.”

June 27, 2015 — The United States of America legalizes same-sex marriage in all 50 states, though some conservative states opt to permit discrimination against homosexual individuals on religious grounds.

February 2017 — Anti-gay purges begin in Chechnya, Russia, leading to the forced abduction, imprisonment, and torture of over 100 male residents based on their perceived sexual orientation. The incidents spark international dialogue on LGBT rights in repressive states.\(^8\)

**Historical Analysis**

LGBT people have suffered through centuries of persecution by state and social actors through a variety of means. Such relentless maltreatment had the effect of severely oppressing gender and sexual minorities while at the same time silencing all but a few who spoke out against such discrimination. Victimization of LGBT communities, in many instances overtly supported by state actors, was prolific before widespread societal recognition. Hence,


those within the community as well as those sympathetic to the cause had to constantly fight for equal opportunities and protections.

**Historical Oppression**

Documentation of homophobia and gender identity issues spans the entirety of history and exemplifies an abject rejection of the ideas of homosexuality. For example, many holy scripts, such as those of the Bible and the Qur'an, have condemned homosexuality as “moral infamy,” punishable by death. These scripts are relied on today as a historical basis for homophobia and serve as a bastion of cultural resistance to the LGBT community. Further corroborating evidence, such as the book “Germania” by the Ancient Roman writer Tacitus indicates that, within the confines of the Ancient Roman army, homosexuality was regarded as a serious crime. As well, general attitudes leading up to the late 1900s have been overtly isolating; only recently has dialogue about sexual identity been publicly encouraged.9

In the 1800s, a small minority of medical authorities began research on gender diversity and sexual orientation, marking the beginning of “sexology.” This line of study was primarily led by European doctors and scientists such as Carl von Westphal, Richard von Krafft-Ebing, and Havelock Ellis.10 Many of these researchers were sympathetic to the LGBT community, whereas others, such as Austrian neurologist Sigmund Freud, promoted more-traditional beliefs. These researchers subscribed to the idea of homosexuality being a mental affliction or symptom of psychopathic behaviour. Throughout the 1870s and 1880s, many began to accept homosexuality as degeneracy, and continued to isolate LGBT people from society, going as far as to describe them as a “separate species.” While this ostracization of homosexuality was demeaning and oppressive, it began more serious dialogue on the social distinctions of LGBT people.

**Nazi Germany**

By the 1890s, however, many were starting to be more open with LGBT people, sparking liberal movements around the world. One such liberal city was Berlin; its streets lined with numerous drag bars, gay nightclubs, and overtly-LGBT spaces. However, with the rise of the Third Reich, Hitler denounced these displays of “cultural degeneration,” particularly in his seminal work, “Mein Kampf.” Throughout the Holocaust, around 50,000 people were sentenced to death in concentration camps due to their sexual identity in an effort to ethnically cleanse Europe. Not only were gay men persecuted by policemen and concentration camp authorities, but fellow camp-mates allegedly beat and abused them. While female homosexuality was not a crime, many homosexual women were treated poorly as well.11

**LGBT Rights Movement**

By the 20th century, the homosexual rights movement had begun, indirectly aided by the feminist movement. In the late 1800s, gay men in North American and Europe began to openly speak about their homosexuality, albeit often shrouded in secrecy. Channels for dialogue were gradually opened, and by the 1920s, a new wave of liberal acceptance of all minority groups, including LGBT people, swept the United States in particular. Activist leaders initially struggled to tend to the numerous issues of varying minorities, from gay and lesbian to non-binary identities. Protests were highly Western, white, and male, failing to represent the ethnic and cultural diversity of

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10 Ibid.
the LGBT community. The 1920s marked the peak of LGBT acceptance until the 1970s, prior to which the Second World War and the Cold War had led to more masculine male ideals—particularly for women in the workforce, who were seen as doing “men's work” and therefore praised for being masculine. Nonetheless, many important milestones were achieved during this period.

In the United States, however, the outbreak of HIV/AIDS, largely linked with gay men, took hold of sexual health in the 1980s. In light of this epidemic, many conservative movements against homosexuality arose, citing AIDS as evidence for its “immorality.” Both the Reagan and Bush administrations were openly anti-gay, leading to a period of stagnation in the U.S. LGBT rights movement. However, throughout the 1960s and until 2011, many states would move to decriminalize homosexuality, ending with the suspension of the U.S. military’s “Don’t ask, don’t tell” policy on July 6, 2011. Acceptance throughout Western liberal democracies like Canada, Australia, New Zealand, and the United Kingdom would continue to grow—not unimpeded by conservative opponents, but relatively freely as a result of legal and cultural changes.

**Contemporary Acceptance**

In the modern era, the development of television and public media has allowed for gender and sexual minorities to share their values in a much more efficient manner, reaching millions through various media. Many shows have depicted celebrity figures supporting tolerance and equality, and increased media coverage has overwhelmingly supported the LGBT community. As a consequence of such vast advocacy, an entirely new culture has been spawned in response to the popularity of the LGBT rights movement. Pride parades have arisen in cities all over the world as overt displays of allyship and solidarity with LGBT people both locally and globally. From a legislative standpoint, numerous nations have decriminalized homosexuality and legalized same-sex marriages. The Netherlands was the first to legalize gay unions in 2001, followed by Canada, South Africa, Brazil, Germany, Australia, and India, among many others.

Though much progress has been made in Western societies, other nations around the globe have preserved highly-conservative stances on sexual orientation and gender identity issues. These policies, often based on religion and tradition, have significantly restricted LGBT activists, leading to little progression of gender and sexual minority movements. Some countries have succeeded in promoting LGBT rights from both social and legislative perspectives, leading to legalization, recognition, and overt public support. However, many countries, especially those more religious, conservative, or impoverished, have not so warmly welcomed the LGBT movement, with some even actively hindering it and persecuting those with certain sexual identities.

**Past UN/International Involvement**

**UN Free & Equal**

Launched by OHCHR in July 2013 in cooperation with the Purpose Foundation, the Free & Equal media campaign promotes the fair treatment of LGBT people. The UN, alongside a few other independent

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13 Ibid.
organizations, coordinates its implementation in a number of countries. As of 2017, the program had reached approximately 2.4 billion people through various forms of media. Promotional materials such as videos, graphics, and factsheets were released, allaying misconceptions and providing an opportunity for the public to see the perspective of those in the LGBT community. Most famous is the Bollywood-themed clip “The Welcome,” which quickly went viral, becoming one of the most-viewed clips published by the UN. Furthermore, the Free & Equal campaign has received countless celebrity endorsements, with artists such as Macklemore and Ryan Lewis supporting the cause.

Sustainable Development Goals

The Sustainable Development Goals, or Agenda 2030, are a collection of objectives striving for a generally inclusive and prosperous future for all. During the three years of negotiations that took place, culminating in the goals’ establishment in September 2015, many representatives advocated for specific mentions of LGBT rights. Despite such efforts, however, opposition from certain states prevented their explicit inclusion. The decision was finalized when lead United Nations officials stated that LGBT rights were “off the table” and that inclusion of specific gender identity-based goals may backfire. Despite the lack of a specific mention, the SDGs’ objectives are vague enough for LGBT rights to be inferred within the framework. Some of the most relevant goals include numbers 10 and 16, aiming respectively to “reduce inequality within and among countries” and “promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.” With these details presented, interpretation is the deciding factor that will determine future steps towards LGBT rights.

UNHCR and LGBT Refugees

In the past, the United Nations High Commissioner for Refugees (UNHCR) has played a significant role in protecting gender and sexual minorities and facilitating their relocation. Among many efforts, it, alongside the International Organization for Migration (IOM) and the United States Bureau for Population, Refugees, and Migration (BPRM), has developed a training program for UNHRC staff and other humanitarian workers. This program places significance on matters such as sexual orientation and gender identity, safety risks relating to LGBT people, and a transparent means to address them, all with a central focus on providing adequate guidance for organizations when aiding gender and sexual minority refugees.

Particularly in response to the anti-gay purges in Chechnya, countries around the world have begun accepting LGBT refugees, granting asylum to those who are being actively persecuted. Canada in particular has set an international standard for LGBT acceptance and global leadership, taking a highly-proactive role in the fight against LGBT persecution, especially in the face of the Trump administration’s relinquishment of the moral rights authority the United States held under the Obama presidency.

Discussions and Publications

In 2011, UNHRC passed a broad resolution on human rights, sexual orientation, and gender identity, addressing concerns and initiating the first UN study specific to LGBT issues. On August 2015, the UN Security Council

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held its first meeting on the topic of LGBT discrimination relating to Islamist terrorism, attended by 9 of the 15 Council members and spectated by dozens of other representatives. Discussions have led to numerous revelationary reports, including guidelines and recommendations. Furthermore, after having established the prominence of LGBT issues, UNHRC appointed its first independent expert on sexual orientation and gender identity. Ban Ki-moon, former UN Secretary-General, consistently advocated for equality during his tenure: “This work will not leave me when I leave office – and it must not leave the office of the Secretary-General after I depart.”

Current Situation

Recent times have been increasingly favourable for the LGBT community. Many systemic changes have taken place, with 26 nations now recognizing equal marriage rights for homosexual couples and numerous policies amended to accommodate gender and sexual minorities. Changes were also made on the social level, progressive movements gaining increasing amounts of influence. In North America and certain parts of Europe, diverse sexual orientation and gender identities are widely tolerated, celebrated at massive pride parades and promoted in digital media. Despite much progress, however, cases of human rights violations against LGBT individuals remain a pressing issue.

Systemic Barriers

Those in the LGBT community still face many systemic barriers; gay marriage remains criminalized in more than 72 countries, and homosexuality itself is often punishable by imprisonment or even execution. These views are frequently deeply-embedded into the fabric of society through religion, culture, and tradition. Each nation also holds widely different policies on LGBT rights; in Europe, tolerance for gender and sexual minorities is relatively high, with same-sex marriage legalized in 14 of 25 nations and another 15 states showing limited recognition for same-sex couples. However, in countries such as China, Russia, and many African states, tolerance is scant. Furthermore, gender and sexual minorities are discriminated against in education, employment, housing, politics, and everyday life, often with minimal or nonexistent protections. Another area of concern is social: LGBT individuals are faced with bullying and isolation in schools, workplaces, and communities, causing detrimental mental strain.

Stigma and Hate Crime

Perhaps the most prominent violation of human rights is that of stigma and hate crime. Gender and sexual minorities all across the globe are frequently subjected to murder, theft, rape, and other heinous acts solely due

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to their sexual orientation or gender identity. In 2016 alone, the United States Federal Bureau of Investigation (FBI) reported 6,121 anti-LGBT hate crimes.\(^23\)

Many countries, especially developing states, often face the issue of ineffective or corrupt law enforcement, being all-too-often unable to adequately investigate or even understand hate crimes against LGBT citizens. For example, in August 2017, a Pakistani-Greek gay couple sitting in Athens Park, Athens Greece were the victims of a homophobic and racist attack from a group of purportedly at least a dozen men, by which they were physically and verbally assaulted. To date, Athens police have been unable to identify even a suspect for this crime. In Bulgaria, an Amnesty International report documents the failure of Bulgarian authorities to tackle entrenched prejudice against LGBT people, Muslims, asylum-seekers and migrants. Hate crime must be combatted by the appropriate law enforcement; but when laws oppose LGBT rights and institutional structures perpetuate discrimination, change is difficult to envision and effect.

**Case Study: Russian Federation**

The situation in Russia is dichotomic to that in Western Europe. LGBT rights are rapidly deteriorating throughout the country, with gender and sexual minorities being targeted and persecuted. In January 2018, Elena Klimova, founder of Children 404, an online support system for LGBT youth, was convicted of “propaganda of non-traditional sexual relations among minors,” a ruling law under the draconian anti-LGBT propaganda law signed in 2013 by President Vladimir Putin. As Russia continues to exercise significant influence in neighbouring countries, its Central Asian allies have been inspired to pass similar laws defining advocating for LGBT rights as propaganda. One of these laws, in Kyrgyzstan, has already been adopted by the legislature and is now awaiting presidential approval.

For over a year now, beginning in February 2017, the brutal campaign against LGBT people in Chechnya has been a rising concern among human rights organizations.\(^24\) Men’s rights are being violated as they are rounded up, imprisoned, and tortured on the suspicion of being gay or bisexual. Such acts have been carried out by law enforcements and security officials under the control of the Chechen Republic’s leader, Ramzan Kadyrov. Those detained often experience torture such as electric shocks or beatings with cables. As a result of these purges, hundreds of men have either been killed or gone missing.

The reasons for this prejudice against LGBT people emerge from Islamic values in Chechnya. Especially under of Kadyrov’s leadership, Chechnya has become increasingly conservative. Homophobia is intense and rampant to the point where LGBT people can even fall victim to “honour killings” by their loved ones for tarnishing the family name. This has resulted in an overwhelming climate of fear in which LGBT people have been intimidated into silence. Victims of torture and other abuses refrain from seeking justice and withdraw their complaints as a result of the death threats; victims and witnesses are unable come forward, making it difficult for human rights activists and journalists to investigate. Even the Chechen chief denied that abductions were taking place, remarking “you cannot arrest or repress people who just don’t exist.”\(^25\)

When creating resolutions for the topic, delegates must identify the scopes and severities of the issues, then discuss the extents to which they can be addressed. This topic manifests itself quite differently around the world;
some countries enjoy plentiful LGBT freedom while others see the forced imprisonment and torture of these individuals. As a result, the committee should find solutions to each of the ways that this topic manifests, aiming to craft a comprehensive and multi-faceted approach.

Possible Solutions and Controversies

**LGBT Education**

Recent years have witnessed more widespread recognition of LGBT people, leading to acceptance of the previously-disenfranchised community. Full acceptance, however, can only be achieved by making everyone aware of changing social norms and promoting acceptance through education to foster long-term social change. Influencing education and culture is one of the most popular methods of creating extensive change and understanding, with simple logic: having access to cultural materials and education allows individuals to hold onto their cultural identity and eases them towards understanding and acceptance of others. Although the process of education is slow and costly, it is nonetheless a viable and important solution.

Implementation of education, however, is difficult. Especially in communities where LGBT issues are largely ignored or stigmatized, it may be burdensome to openly teach these values. As well, legally mandating certain types of education is incredibly controversial; some communities are liable to provide extensive opposition to any such measures. When delegates consider progressive education, they should take into account the likely outcomes and responses to implementation, and the different ways in which awareness can be promoted in disparate contexts.

**Law Enforcement Training**

Training law enforcement is similar to education, as it mandates a similar societal shift in mindset. However, it differs in that it changes the power dynamic in the judicial system and enacts legislative and legal change on a grassroots level, in the realm of arrests and prosecution. Law enforcement must be trained prosecute fairly, without bias; as seen in Turkey and Greece, the training of law enforcement is a significant issue. In both situations, police forces abused their power and failed to uphold the rule of law equitably. Law enforcement should be mandated to treat all criminals with equal respect and dignity, regardless of their sexual orientation. However, biased law enforcement is a global problem, not limited to the scope of homophobia. In the United States, for example, black Americans are arrested and killed by law enforcement at rate incredibly disproportionate to whites, and in Europe, popular stigma against minority groups promote unequal treatment. Like education, law enforcement training seeks to change the social entrenchment of homophobia, though will undoubtedly prove challenging to devise and implement.

**Accurate Media Representation**

Mass media are an integral part of everyday life, especially in the developed world, and media play a constructive role in today's society, perpetrating and creating social norms in consumers from a young age. They also have the capability to increase public awareness and influence attitudes towards certain issues; however, mass media can have both positive and negative impacts on the lives and on the minds of people, especially those in the LGBT movement. Often, media portray LGBT characters in sexualized or overdramatized roles, inaccurately

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characterizing them in society; media can also serve as a platform for homophobia to percolate, exacerbating to the issue at hand.

However, media can just as easily be used as a force for positive change. In recent months, numerous LGBT television shows and movies have cropped up on popular media, and a growing number of youth and young adults are beginning to displace previously-homophobic popular ideals. As well, media have served as a platform for LGBT groups and governments to rally support and spread awareness. While media have perpetrated negative connotations surrounding LGBT people, they also have the capacity to alleviate stigma and move society in a more progressive direction. Leveraging media should be a key priority and important solution for delegates to examine.

Bloc Positions

Africa

Many African states, compared to the rest of the world, have not progressed far in advancing LGBT rights. Although homosexuality is present across the continent, it is outlawed in 34 African countries.27 International organization Human Rights Watch notes that Benin and the Central African Republic do not outlaw homosexuality but have laws that apply differently to heterosexual and homosexual individuals. Generally, African nations are much more preoccupied with pervasive problems such as poverty, corruption, and civil strife than with social issues such as LGBT rights. Despite this relative apathy, however, they remain very concerned about their global image; many African nations rely on foreign support from more-developed proponents of LGBT rights. The alarming conditions in the majority of African countries have, ironically, brought enough negative publicity to spark some reforms, but more needs to be done to promote the legal and social acceptance of LGBT people.

North America

Although North American countries are largely seen as progressive, socially aware, and pioneers in acceptance, a few problems characterize the LGBT rights scene. In the United States, there are still many individuals who protest against LGBT rights, both in the name of religion and conservatism. These social attitudes have spilled over into politics, leading to prominent anti-LGBT figures such as Vice President Mike Pence gaining power. The United States, in particular, has been criticized for legalizing gay marriage far later than many other “less free” nations. Nevertheless, the U.S has historically been very vocal in the establishment of laws protecting LGBT rights, demonstrated considerably by the Obama administration. In contrast to the United States’ present lukewarm stance toward LGBT rights, Canada has been a model country. One of the first nations to legalize same-sex marriage, Canada has accepted LGBT refugees and serves as a global advocate for the LGBT community.28 Countries in this bloc should seek to utilize their global influence to help other nations reach the same level of LGBT acceptance and freedom.


Asia and Middle East

Concerning LGBT rights, Asian countries exhibit many of the same problems as African states do. LGBT rights in Asia are limited in comparison to the rest of the world; same-sex sexual activity is outlawed in 20 Asian countries. On the other hand, 8 nations have enacted protections for LGBT people, while Israel and Taiwan have established a broad slate of LGBT rights, including same-sex union recognition. However, LGBT citizens in Asia and the Middle East are no strangers to the pattern of abysmal human rights violations, with countless instances of gender-based discrimination and violence occurring in China. Whereas countries such as Japan are more progressive, many other nations hold tightly to traditional values. In the Middle East in particular, anti-LGBT laws mirror the volatile status of the region itself—Amnesty International has reported horrifying accounts of torture, mass deaths, and inhumane conditions in Syria, for example, based on sexual orientation. Countries in this bloc are gripped by religious traditionalism and social conservatism that keep LGBT stigma unwaveringly staunch. These states may look to provide legal protections for LGBT people in the absence of social acceptance.

Europe

LGBT rights in Europe differ greatly depending on the region; more prevalent in the North and West, less so in the East and South. Of the 25 countries in which same-sex marriage is legal, 14 lie in Europe, showing that there has been considerable legal, if not social, movement towards LGBT acceptance. However, Armenia, Bulgaria, Croatia, Georgia, Hungary, Latvia, Moldova, Montenegro, Poland, Serbia, Slovakia, and Ukraine still fail to recognize marriage as a gender-blind union, instead only as one between a man and a woman. In these countries, same-sex marriage remains banned and socially ostracized, with some as extreme as Russia persecuting and purging members of the LGBT citizens from their cities. States in this bloc have differing opinions as to what constitutes due action but should recognize the line between social bias and overt human rights violations. In Europe, those that have accepted LGBT people into society should serve as models for the international community, promoting both the social and legal eradication of anti-LGBT discrimination.

Discussion Questions

1. How do LGBT rights differ around the world, and how should solutions be tailored to regional needs?
2. What are the root causes of LGBT stigma and legal persecution?
3. The young are the core of societal change; what pressures do they face and how do they perceive LGBT rights?
4. What role can non-governmental stakeholders play in provoking social change?
5. How have media contributed to this problem, and how can they be used to solve it?
6. What role does education play in LGBT acceptance?
7. To what extent is UNHRC responsible for the promotion of LGBT culture and people globally?

Additional Resources

UNHCR leads in LGBTI refugee, asylum seeker protection:


Chechen leader Ramzan Kadyrov denies massacre of gay citizens saying 'such people do not exist':

2030 Agenda for Sustainable Development:
Bibliography


OHCHR. “UN Free & Equal.” www.unfe.org/.


Human Rights in Prisons

Overview

Despite widespread and fervent efforts to promote human rights, the basic rights of felons are seldom considered. Are human rights truly “inalienable,” even when those claiming them have infringed on the rights of others? This ideological question lies at the heart of the United Nation Human Rights Council’s discussion. As stated by the United Nations Office on Drugs and Crime (UNODC), a prison sentence should only be a “deprivation of the basic right to liberty.” Unfortunately, there have been numerous incidents in prisons all over the world that contravene other human rights. Whether these infringements are due to prison conditions or abusive actions, the UNHRC is tasked with suggesting possible solutions.

Venezuela, a South American country with a tainted human rights record, is one of the worst offenders when it comes to inhumane prison conditions and corrupt justice systems. Not only are there reports of extrajudicial killings, but prison overcrowding also often leads to unsanitary conditions, malnutrition, disease, riots, and the use of excessive force against inmates. Though Venezuela can serve as a case study throughout committee sessions, by no means are conditions in Venezuela the sole focus of the UNHRC. The UNHRC’s mandate emphasizes the need to address human rights violations that occur worldwide, even those not occurring in its represented states. Though prison conditions in Venezuela are particularly deplorable, the UNHRC is also responsible for making general recommendations that can be applied to prison systems across the world. Prisons in over 100 countries are filled past their capacity, including many in developed countries such as the United States and Italy, but particularly those in Latin America and Asia. Overcrowding is not a human rights violation in itself, but it often leads to health problems and violence. Additionally, torture and solitary confinement in prisons are viewed by many as unnecessarily cruel punishments, placing them within the purview of the UNHRC’s examination.

Timeline

1552 — The world’s first formal prison, Brideswell Prison, is opened in London, United Kingdom.

1500s–1600s — Prisons are used primarily to temporarily detain offenders (in countries like the United Kingdom and the United States) until further sentencing occurs. Often, sentences include public shaming or execution.

1850s — Prison becomes a standard punishment for criminals in the United Kingdom and other industrialized countries.

December 10, 1948 — The UN drafted the Universal Declaration of Human Rights, which states that no one should be subjected to “torture or to cruel, inhuman or degrading treatment or punishment.”

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September 9–13, 1971 — The Attica prison riot, sparked by prisoners’ demands for better conditions political rights, takes place in New York, United States. At least 10 correctional officers and 33 inmates are killed in the violence.

December 10, 1984 — The UN General Assembly ratifies the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

December 14, 1990 — The UN General Assembly adopts the Basic Principles for the Treatment of Prisoners in conjunction with the Office of the High Commissioner for Human Rights.

October 2, 1992 — The Carandiru massacre follows a prison riot at the Carandiru Penitentiary in São Paulo, Brazil. Military personnel storm the compound and kill 111 prisoners.

January 20, 2010 — Police indiscriminately kill over 12 prisoners when attempting to stop a prison riot in Haiti. Prisoners had been left in inhumane conditions after the January 12 earthquake, with overcrowded cells and little care.

April 8, 2010 — The Halden Prison, the second-largest in Norway, officially opens. Praised for its humane conditions and rehabilitation-oriented approach, it subsequently received the Arnstein Arneberg Award for its design.

July 2010 — Most European countries ban solitary confinement, though it remains occasionally practised in the United Kingdom and Germany.

July 29, 2011 — The Champ-Dollon Prison in Switzerland undergoes a complete renovation after being denounced as unsanitary and overcrowded by the Council of Europe in 2008.


October 18, 2011 — Juan Mendez, the UN special rapporteur on torture, calls for the elimination of long-term solitary confinement as punishment.


June 18, 2013 — Former female inmates of a Texas prison launch a high-profile lawsuit against prison guards for alleged incidents of sexual abuse and rape.

July 8 – September 5, 2013 — In California, United States, 30,000 inmates go on a hunger strike to protest inhumane conditions and the mental duress caused by solitary confinement.

2016–2017 — Several U.S. states, including Utah and Louisiana, implement criminal justice reforms to reduce prison populations.

April 16, 2018 — A riot at the Lee Correctional Institution in South Carolina, United States, leaves 7 inmates dead and 17 injured.

October 16, 2018 — A bill to end solitary confinement in prisons is introduced in Canada’s Parliament.
Historical Analysis

Adhering to basic social contract theory, with those who violate laws being accountable for their actions, prison provides a logical limitation of liberties such as freedom of association and mobility.\(^3\) Although imprisonment has been one of the most powerful tools yielded by justice systems across the world since the 1800s, it has not come without complications.\(^3\) From its early stages in the “factory prison” model to current usage of “supermax” solitary confinement facilities, the prison system as a whole is surrounded by controversy.\(^3\) One major area of contention in terms of founding ideologies is whether emphasis should be placed on rehabilitation or retribution. Rehabilitation and restorative justice first became prominent in Western countries in the early 1900s, when a focus on decreasing recidivism led to more emphasis on preparing convicts for their re-entry into society.\(^3\)

Rehabilitation is the act of reforming the actions and attitudes of offenders to prevent further criminality and to ease them back into wider society. Contrastingly, retribution solely emphasizes proportional punishment for the crime committed, much like Hammurabi’s famous “eye for an eye, tooth for a tooth” paradigm.\(^3\) Rehabilitation methods are often more humane in that they respect “the inherent dignity of the human person,” but the two methodologies can easily coexist; rehabilitation can occur within prisons, satisfying the retribution criterion through limiting prisoners’ freedoms.\(^3\) Thus far, rehabilitation has been mostly focused on creating employment opportunities for inmates so that they are not driven to desperation upon leaving prison. As well, rehabilitation seeks to ensure the mental and physical health of those incarcerated. Contrary to the rehabilitation-oriented reforms cropping up throughout the late 20th century, in the 1970s, many countries such as the U.S. reverted back to “get tough on crime” policies, revoking the very rehabilitation programs that had been decreasing recidivism and aiding inmates’ transitions back into society.\(^3\) Little information is usually released concerning human rights in prisons, due to the limited contact that prisoners have with the outside world and the fear and apathy that characterize the general public’s views on them. Though it is commonly believed that prisoners riot in order to gain control of prisons and subsequently escape, this is generally not the case. Riots are often prisoners’ last resort in striving for better conditions and treatment.\(^3\) Overcrowded prisons force many inmates into tight spaces and strain food and medical resources, oftentimes sparking unrest.\(^3\)

In Venezuela, 5,000 prisoners have died since 1999 as a result of prison riots and guard brutality.\(^3\) Former President Hugo Chavez promised prison reforms, only to further overexert the prison system through mass incarceration.\(^3\) Prior to Chavez’s so-called reforms, there were around 22,000 people in Venezuelan prisons that


\(^{42}\) Ibid.


\(^{44}\) Ibid.
could only accommodate 17,000. Near the end of Chavez’s term, there were 50,000 inmates occupying the same prisons. Venezuela’s prisons have continued their descent into a state of utter brutality and lawlessness, with numerous riots occurring each year. There were five major inmate riots between 2012 and 2014 alone, at the El Rodeo, La Planta, Merida, Yare, and Urbiana Prisons respectively. As time went on, “the conditions and treatment of the prisoners deteriorated rapidly” alongside continued street riots against the subsequent Maduro administration. Venezuela continues to face severe economic and political crises which contribute to such conditions; in October 2018, the Office of the United Nations High Commissioner for Human Rights described Venezuela’s prisons as “beyond monstrous.”

Past UN/International Involvement

The United Nations and other international bodies such as the Council of Europe have created several sets of guidelines in order to establish minimum standards for the ethical treatment of prisoners. The UN Office on Drugs and Crime (UNODC) is an instrumental actor in creating prison standards and is highly significant to UNHRC’s current topic. The main standards for prison upkeep and reform come from the United Nations in the form of the UN Standard Minimum Rules for the Treatment of Prisoners, the Basic Principles for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention and Imprisonment, the Basic Principles for the Treatment of Prisoners, and the Convention against Torture and Other Cruel, Degrading Treatment or Punishment. Seeking to ensure the upholding of all prisoners’ human rights, UNHRC must consider how to extend and best implement these guidelines. Other important instruments concerning incarceration include the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, the Universal Declaration of Human Rights, the Code of Conduct for Law Enforcement Officials, and the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman, or Degrading Treatment and Punishment. However, none of these conventions are internationally legally binding, nor are any of them currently upheld across the world.

Universal Declaration of Human Rights

One of the most monumental human rights documents of the last century, the Universal Declaration of Human Rights was adopted by the United Nations in 1948. Articles 5, 9, 10, and 11 are all of particular importance to the topic at hand as they deal directly with legal systems and arrests, however the general spirit of the Declaration as a whole applies in terms of the “equality in dignity and rights” of prisoners universally.

Standard Minimum Rules for the Treatment of Prisoners

The Standard Minimum Rules for the Treatment of Prisoners are a set of non-binding policies adopted by the UN in 1955 to establish a general consensus on how prisoners ought to be regarded and treated, rather than to dictate precisely how prison systems should be run. The first section of the document includes provisions for housing, clothing, separation, hygiene, leisure, medical services, education, and even work. The guidelines stress the

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45 Ibid.
46 Ibid.
importance of respecting religious beliefs and practices when possible, as well as the presence of religious literature. The good conduct of prison staff is also emphasized, as “it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of the institutions depends.” Notably, the rules also promote work in prisons as long as the work is “meaningful, productive, and useful to the prisoners.” The second part addresses specific needs of disadvantaged groups, such as those with mental ailments, and notes their specific need for individualized care—although this is often not provided in prison systems.

**Basic Principles for the Treatment of Prisoners**

The UN General Assembly passed this set of principles, proposed by the Office of the High Commissioner for Human Rights, in 1990. Similar to the Rules, the Principles are largely based on ideologies, and are not legally enforced. They focus rather on a series of steps that will culminate in the successful reintegration of inmates back into society. Firstly, rather than deprive inmates of most of their rights, these Principles promote that “except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights.” Additionally, the document stresses the “full development of the human personality” and the limitation, or even abolition, of solitary confinement.

**Current Situation**

Public fear of prisons and their occupants has resulted in very little awareness of the human rights violations occurring within them. At present, there are human rights issues in prisons across the world, ranging from inadequate medical care to explicit physical, sexual, and mental abuse. A successful UNHRC resolution would include solutions or recommendations addressing each of these issues, as well as others prevalent in institutional incarceration. In Venezuela, for example, changes to the prison system have been promised but not fulfilled. With prisons filled to nearly 300 percent capacity, tensions build quickly amidst inadequate separation and personal space. Corruption, weapons trafficking, and prison mafias drive violence between inmates and enable devastating, highly-destructive riots. In some cases, prison gangs take near-complete control of prison life, and receive payments from other inmates exceeding USD 2 million per year. Though the government has taken steps to disarm the prison population, safety is far from assured. The following issues apply to not only Venezuelan prisons, but to those all over the world.

**General Respect**

One of the basic foundations for human rights in prisons is a culture of respect between prisoners and wardens, but basic courtesy towards prisoners is often not a priority in prisons where guards are not properly trained or

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51 Ibid.
52 Ibid.
53 Ibid.
55 Ibid.
56 Ibid.
58 Ibid.
59 Ibid.
60 Ibid.
accustomed to their duties. Most countries have had cases where inmates are mistreated by guards, such as the highly-publicized reports of intimidation and degradation as tactics to establish authority in North Korea and Syria, and even more isolated incidents in nations such as Spain and Canada. In countries where respect for the “inherent dignity and value [of] human beings” extends to prisoners, fewer conflicts ensue and more attention is paid to human rights concerns as a whole.  

Treating prisoners like human beings contributes further to the rehabilitation aspect of the penal system; the more humanely inmates are treated during their incarceration, the more likely they are to emerge as well-adjusted citizens.

**Overcrowding**

Overcrowding lies at the heart of most other human rights concerns in prisons, referring to any circumstance in prisons in which the maximum estimated capacity is exceeded, whether in terms of the number of prisoners or resources available. UN guidelines state that “all accommodation provided for the use of prisoners, and in particular all sleeping accommodations, shall meet the requirements of health” and that, although overcrowding is liable to sporadically occur, it must be avoided and dealt with promptly.  

Though overcrowding may not appear a pressing issue in and of itself, when prisons are filled past their capacity, a “toxic” environment is created on multiple levels. Safety, general peace, and health are all compromised when prisoners are not cared for appropriately, and when they are denied basic rights to resources and personal space. Overcrowding can also have life-threatening consequences; a 2011 prison fire in Honduras killed hundreds of prisoners, as overcrowding compromised efficient evacuation and the system’s ability to deal with the crisis.  

Hygiene problems often ensue as a result of overcrowding as well; diseases such as tuberculosis and hepatitis spread more easily throughout the prison population, resulting in more injuries and deaths.

**Violence and Rape**

With overcrowding forcing too many prisoners into close quarters, tensions build quickly, allowing for increased violence, riots, and rape. In the U.S., 1 in 20 prisoners experiences sexual abuse from other prisoners or guards.  

Overcrowding, coupled with insecure facilities and undertrained or abusive staff, creates a virulent atmosphere in which rape and violence proliferate unrestrained. Violence can occur in the form of prison riots or simply on a smaller scale between fellow inmates. In corrupt prison systems, inmates often have access to weapons; in the recent Bolivian prison violence, access to firearms resulted in 29 deaths, including those of innocent bystanders who were caught in the crossfire. It is the duty of the state and of the government to protect inmates from violence and sexual abuse while they are incarcerated, and the fact that no country has gone without accounts of prison violence speaks to the grave situation of human rights in correctional facilities.

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62 Ibid.
Solitary Confinement

Torture is "any act by which severe physical or mental pain or suffering is intentionally inflicted on a person, other than that which is inherent in or incidental to lawful sanctions." The role of solitary confinement in the penitentiary system is contentious; many human rights groups have condemned its use and numerous countries have begun to abandon it. Solitary confinement is essentially the complete isolation of an inmate with little-to-no human interaction for days, weeks, months, or even years. Solitary confinement can drastically damage prisoners’ mental health, with many experiencing hallucinations, panic attacks, extreme distress, and confusion due to the lack of social interaction and stimulation. In California, there are presently over 4,500 prisoners in solitary confinement, amounting to 5 percent of their entire prison population. Worryingly, however, more than half of all prisoner suicides are committed by inmates in solitary confinement. The place of solitary confinement in prison systems is up for debate, closely tied to views on mental health and ethical prisoner treatment.

Civil Liberties

The right to vote, conjugal visitation rights, education, and the effects of harsh prison conditions on recidivism are a few other controversies surrounding incarceration that have recently resurfaced. While most European countries have abolished disenfranchisement of felons, the United Kingdom, United States, and India continue to deny prisoners their basic democratic rights. The debate over inmates’ voting rights has raged for years, with many countries bent on retribution-style prisons to which this lies contrary, while more rehabilitation-oriented others view voting as an essential tool to retaining prisoners as participating members of society. Whether or not the exercise of prisoners’ democratic rights is beneficial or detrimental remains to be agreed.

Religious freedom and the right to an education are other human rights that are sometimes not respected in prisons, where there is limited access to certain books and foods. As prescribed by many constitutions and international laws, all people have the right to practice religion, and prisons may have to uphold this fundamental right by providing the appropriate texts and foods. However, prisons may want to consider the possible drawbacks and risks of allowing for mass association and increased flow of goods, as this could spark increases in riots and smuggling. Education, as well, is a major component in rehabilitating criminals and easing the transition back into society. By providing the means for inmates to equip themselves with employable skills or knowledge, previous convicts will be less likely to return to crime and end up incarcerated once again.

Affording these civil liberties to prisoners is contentious, however, due to the popular belief that prisons would become too “soft” and ineffective in punishing wrongdoers. Proponents of less-harsh prison systems, however, point to the fragile mental health of inmates and the harmful effects that prison can have on development and recovery, inhibiting future reintegration into society. Essentially, upholding anything beyond basic wellbeing and preventing further crime comes down to a fundamental question: are prisons intended to be punitive beyond the restriction of liberty or should they seek to guarantee the other rights held by all citizens?

69 Ibid.
Possible Solutions and Controversies

Staff Training and Respect

Explicitly training prison staff to propagate a culture of respect would be indispensable as a first step in promoting human rights in prisons.\(^{71}\) If prison staff act abusively or exert unnecessary authority over prisoners, basic dignity crumbles, as does common decency. Instead, fostering more positive relationships with prisoners would dissipate animosity and allow for more transparency, accountability, and dialogue when it comes to prison conditions. Additionally, the UN and other experts contend that it should be a professionally-trained civilian force, as opposed to military or police personnel, that staff prisons; as emphasized by the International Centre for Prison Studies, “prisons are institutions which should be run by the civil power with the objective of contributing to the public good.”\(^{72}\) This separation of powers is integral to ensuring the democratic aspect of prisons, as well as avoiding complications due to comingling of the investigative and punitive aspects of the justice system.\(^{73}\) Prison staff must also be trained to avoid and prevent corruption, so that inmates are unable gain access to weapons and drugs, both of which drive the proliferation of destructive behaviour.

Alternatives to Incarceration

As advised by many human rights societies such as Prison Fellowship International, assigning shorter prison terms to felons or simply mandating non-incarceration punishments for minor crimes has the potential to reduce overcrowding. Alternative sentencing option can range from community service to parole to fines, encompassing a wide variety of choices. On the other hand, the less-pragmatic solution to overcrowding would be to simply build more prisons. However, with many countries struggling to properly fund existing public services, this is unlikely to be a feasible approach. Greater emphasis on rehabilitation could potentially be another solution to long-term overcrowding; as rehabilitation works to prevent future criminality, there would theoretically be fewer repeat offenders filling jails.\(^{74}\)

Access to Culture and Education

One popular method of in-prison rehabilitation is giving prisoners access to cultural materials and education. The reasoning behind this approach is to allow inmates to retain their identities so that they feel occupied, even when in prison, and later be able to better re-adapt to societal norms.\(^{75}\) The ultimate goal of allowing prisoners certain freedoms and opportunities in prison is to prevent recidivism, the re-committing of crimes. As noted by UNODC, prison has “collateral effects” that mentally destabilize inmates; the result of the “totality of the prison environment,” whereby inmates have very little contact with the outside world and are not able to take charge of their own lives. Having access to education creates opportunities for inmates to better themselves and potentially have a crime-free life after their release. Respecting religious freedom and accommodating certain dietary restrictions might also help mentally stabilize inmates, leading to less violence and strife.\(^{76}\)

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\(^{72}\) Ibid.
\(^{73}\) Ibid.
\(^{74}\) Pate, Julie Kristen.
\(^{75}\) Ibid.
Bloc Positions

The prison systems in most countries are deeply flawed, holding an excess of inmates with too few resources. Though there will be disagreements between countries with differing financial and social circumstances as to how to resolve these issues, they are indubitably omnipresent and demand meaningful action. The blocs below serve to outline a limited number of key perspectives and considerations for Member States.

Latin America
Latin American prisons are widely reputed as being the worst in the world, not only in terms of overcrowding but also in terms of violence.\(^{77}\) There is little emphasis on the human rights of prisoners or rehabilitation, leading to high recidivism rates and numerous riots. However, a few countries, such as the Dominican Republic, are more progressive in their prison systems, incorporating education and reforming the system as a whole.\(^{78}\) Reducing overcrowding will be one of the most difficult steps for South and Central American countries, as even offenders of petty crimes are incarcerated due to “iron fist” and “tough on crime” policies.\(^{79}\)

Asia
Conditions in Asian prisons are not particularly promising, with countless accounts of overcrowding, maltreatment, and violence.\(^{80}\) Certain Asian countries, such as Japan, do not have problems with overcrowding but instead face criticism for harsh disciplinary measures.\(^{81}\) Nevertheless, Japan does not have high recidivism rates and employs a few rehabilitation programs in its prisons.\(^{82}\) As a whole, prison systems in these countries need much improvement and will require monumental shifts in government policy as well as resource allocation to achieve a more humane and effective system.

Africa
Though conditions in most African prisons are dire, publicity surrounding the abhorrent circumstances has led to some reforms.\(^{83}\) Alternative sentencing and rehabilitation is becoming more prevalent in South Africa, Uganda, and Botswana, despite the strain on resources.\(^{84}\) Underfunded and overcrowded African prisons face sewage, ventilation, and general hygiene problems, and these challenges, coupled with ineffective wider justice systems, make the situation extremely difficult.\(^{85}\) However, as noted by the Sur International Journal on Human Rights, these conditions ought to be taken into context alongside the “overall deprivation of the continent” and

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\(^{78}\) Ibid.


\(^{82}\) Ibid.


\(^{84}\) Ibid.

\(^{85}\) Ibid.
the lack of available resources. Of particular importance in decrepit prisons is the prevalence of diseases and prisoner rape, which serves especially to spread HIV/AIDS.

**Europe**

Though Europe undoubtedly leads the world when it comes to human rights in prisons, its prison systems are not without fault. While less prevalent than in other regions, guard brutality and inadequate mental healthcare remain significant issues to be confronted. In less wealthy European states, including many post-Soviet nations, prison conditions more closely resemble those in Asia and Africa. Solitary confinement and prisoner disenfranchisement continue to be controversial issues in these states. Historical track records, however, have shown European countries to be very vocal in the defence of human rights, leading them to support the ethical and humane treatment of citizens in prison as well.

**Discussion Questions**

1. What are prison conditions like in your country? Has your criminal justice system undergone any reforms or been faced with any criticism?
2. Does your country believe there should be more of an emphasis on rehabilitation or retribution in prisons? How has this stance affected the treatment of prisoners?
3. From your country’s perspective, what are the most pressing human rights violations occurring in prisons? How can they be addressed?
4. How can UNHRC encourage respect for human dignity within prisons? How can this be applied to wardens and prison staff?
5. Should education and culture be integrated into prisons? If so, how?
6. What steps should the international community take to hold countries accountable for their prison conditions?
7. How do economic factors affect the upholding of basic human rights in prisons? How should resources be allocated to best protect prisoners’ rights?
8. What should UNHRC’s long-term role be in addressing human rights in prisons?

**Additional Resources**

A Win for Dignity:  
http://www.economist.com/node/18744637

Crime and Punishment – Retribution or Rehabilitation:  
http://www.lawlibrary.ie/viewdoc.asp?Docid=144


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86 Ibid.  
The Norwegian Prison Where Inmates Are Treated Like People:
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