United Nations Human Rights Council

Topics:

Defending Human Rights of Minorities in the Middle East

Rights of Prisoners
Topic 1: Defending Human Rights of Minorities in the Middle East

Background:

In the Middle East, minority groups are prone to feeling persecuted and insecure. Most individuals no longer feel as if the inner person (attributes and qualities) matters as much as their external religious identity. This is critical to consider when analyzing the behavior of governments and their preference of ruling towards majority groups, because of their external religious identity. With this common belief, numerous ethnic and religious minority groups regularly encounter persecution, in forms such as imprisonment, rejection of economic opportunities, denial of the right to work, exclusion from educational options, and the diminishment of religious sites, such as worship centres and cemeteries. Brave individuals who choose to stand up and be bold for what they believe in, risk the high chance of harsh punishments, such as displacement or even death.

In 2015, the U.S. Commission on International Religious Freedom identified 27 specific countries for notably atrocious treatment of religious minorities. Eleven of these 27 countries are dense Muslim-majority states. Nine states classify in the first tier, “countries of particular concern”: Burma, China, Eritrea, Iran, North Korea, Saudi Arabia, Sudan, Turkmenistan, and Uzbekistan. In these regions, the intensity of attacks, abductions, murders, and shame against minorities by groups that allege to be speaking in the honor of Islam has now reached daunting levels. The rights of minorities are not viewed as a priority or very important in the Middle East, as most aren’t considered important politically, economically, or socially. The reasons for ignorance of minorities in the Middle East is not specifically known, but can originate from old
biases from centuries ago, for political reasons, or from larger and more pressing issues, like poverty, a lack of resources, or under-education.

Both Iran and Iraq consist of various religious and ethnic groups and therefore have high rates of persecution towards the minority groups. For example, in Iran, Baloch people, a predominantly Muslim tribe who speak the Balochi language, are robbed of their basic social, cultural and economic rights. This excessive persecution leads them to feel as if they are third class citizens. The discrimination towards the Baloch culture and language is so extreme, that the punishment for speaking the Balochi language or practicing Baloch culture in Iran is a declared act of treason against the state. Baloch people are beginning to lose their identity because of the constant encounter with harassment, torture, and intimidation. This is just one example of the ways in which minorities are strongly affected by this mistreatment and inequality that they face day after day.

Controversies over minority groups have remained relevant throughout the Middle East region’s recent history; first originating from the development of the modern Arab nation-state. The challenges for minorities in countries like Egypt have intensified since the creation of the modern state. Generally, in the development of the modern nation-state, the systems of state-building and nation formation only function in societies where the states are capable in addressing the welfare of all its citizens. However, in the case of the Arab societies, there is an “incongruence” between these systems, where the states fail to recognize all religions, ethnicities, and sects, which creates many challenges for minority groups. The governments commonly subject political and economic power inordinately in the hands of a single group (such as Muslims), excluding the smaller and less significant communities (such as Christians).
It is believed that the lack of minority rights in the Middle East is a result of the Arab state’s role as an “aggressor,” ruling the state in its interests rather than the interests of its own citizens. In the Arab world, there is a rooted misunderstanding of national democracy, where rulers encourage majoritarianism--giving political and economic power in the hands of a majority group--above anything else. With this frequent misconception, minority groups are looked past, as all interest in the Middle Eastern regions are placed upon majority groups, such as Muslims. The Middle Eastern nations do not exceed the modern necessity for coexistence and equality between religious and ethnic groups.

**UN Involvement**

The Security Council announced their position on the issue by strongly urging that actions must be taken to end this intensifying conflict. At a Security Council conference in March of 2015, former Secretary-General Ban Ki-moon pushed all parties to save innocent lives by castigating all forms of persecution for the sake of any and all reasons--national, religious, racial, ethnic, etc.. He also stated that it is crucial for all nations to recognize the oppression of minority communities and take action by reasserting the values of diversity and peaceful coexistence. Therefore, it is urgent that the international community, specifically the Security Council, unite to overcome these differences and protect minority groups. To specifically address the minority groups, the Secretary-General encouraged religious leaders to emphasize to their followers that religion is simply about peace, not violence and war. This was urged to create a new mindset: crimes committed in the name of religion are no more than crimes against religion.

Another way in which improvement has occurred, is through the NGO, Minority Rights Group International. This organization has developed numerous programmes to protect religious
minorities and promote equal rights. One of these programmes include “Middle East and North Africa: Protecting Minorities and Freedom of Religion” which took place from January 2013-December 2015. This programme focused on religious minorities in these regions, such as: Coptic Christians, Baha’is, Shi’a Muslims, Armenian Christians, etc.. The sole purpose of the programme was to propose minority groups security and religious liberty in the Middle East and North Africa. They aimed to do this by expanding the number of religious minority activists in these regions to undertake advocacy in their countries at a regional and UN level. To do this, they held online training courses, meetings and training events, briefings on situations, support for campaigns, etc.. They were pushed to create this programme, because of the recognition that religious minorities have grown fearful from the expansion of political Islam and the dissemination of new nationalisms in their nations.

The last example in which the United Nations have been involved is through the UNHRC (United Nations Human Rights Council). In 2015, this agency passed Resolution A/HRC/28/L.4 named, “Combating Intolerance, Negative Stereotyping, and Stigmatization of, and Discrimination, Incitement to Violence and Violence Against, Persons Based on Religion or Belief”. The resolution calls States, which have adopted this resolution, to further enforce an eight-part action plan to prevent religious intolerance in their own country. The measures included are built around the foundation of encouraging training, speaking up, representation, and developing new collaborative networks.
Questions to Consider

What religious minority groups suffer the most oppression and why?

What countries have the least human rights for minorities and why?

How can one relieve the oppression on certain minority groups without inflicting it upon others?

Why are nations not addressing the human rights of minority groups?

How can one relieve this conflict without inflicting upon a nation’s sovereignty?
Work Cited


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**Topic 2: Rights of Prisoners**

**Background:**

In 2016, there were more than 11 million prisoners around the world. Currently, the global prison population is 144 prisoners for every 100,000 people. All around the world, prisoners are being treated inhumanely. They may be deprived of sufficient health care, decent living conditions, fair trials, and proper protection of themselves and their dignity. Although it is clear that when a person is incarcerated, they are giving up some of their fundamental rights, the difficulty with this topic is finding the balance between fair treatment and serving punishment for crime, especially since criminal sentences are based on a comparative scale and have to take into account such topics as political activism and civil rights action. The struggle comes from deciding how much harsh treatment a person should receive as punishment but making sure that these severe approaches do not interfere with a person’s human rights. The major controversial issue comes down to determining what rights a prisoner should be entitled to.

Despite the fact that the rights of prisoners is a topic that needs to be focused on by all nations, each country and even prison, faces conflicts with the rights of prisoners in different forms and severities. In very large nations, such as China, Russia, and the United States, where half of the world’s prison population is located, prisoners tend to face problems such as lack of medical attention and unsanitary conditions, leading to rampant infections and hundreds of inmate deaths due to disease and illnesses each year. In smaller, less monitored nations, prisoners may still face malnutrition and forms of torture. For example, in September of 2012, graphic videos were released of prisoners at the Gldani Prison in Georgia being beaten and abused by prison guards.
The specific issue that is believed to be the most prevalent around the world is overcrowding of prisons. This problem is especially prevailing in largely populated countries, which was observed in 2014, when the United States had the largest population of prisoners at 2.3 million, despite the fact that larger nations such as China had an overall population four times greater than the United States’s. This specific issue is not exclusive to largely inhabited nations and is also a major problem in smaller nations. For example, in 2012, a specific detention facility in the Ukraine was so stricken by overcrowded conditions that prisoners were forced to sleep in shifts. In addition, Kenyan prisons have a level of occupancy that reaches 343.7%, meaning these prisons have over three times the amount of people they were originally meant to hold.

Overcrowding in prisons is most often a result of poor criminal justice policy. Criminal justice systems tend to support mass incarceration and unnecessarily long prison sentences. In addition, justice systems may suffer from biased or stereotypical views that cause them to lock up people who may be innocent or have only committed a very minor infraction.

Arguably, another one of the biggest problems with prisons is that prisoners may experience torture and abuse. This is especially true when law enforcement officials are seeking confessions or information regarding a crime and may believe that abuse is the only way of getting a prisoner to talk. Abusive practices are sometimes also used by enforcement officials as a method of exerting power over the prisoners. For instance, in January of 2012, the Afghanistan Independent Human Rights Commission found that around 635 people being detained had experienced torture and mistreatment at the hands of law officials attempting to show the prisoners their superiority and persuade them to confess to a crime. Although prison staff is intended to protect inmate, a lack of leadership, neglect, external investigations, or corruption in
the prison staff can lead to abuse. Corruption occurs in police forces when law enforcement officials break their contract and become caught up in a role of leadership. They utilize their power for personal gain, likely abusing prisoners to assert their power and implement their authority.

In most countries, the poor conditions and mistreatment seen in prisons are a result of many broader economic and political issues. These include disorganized and ineffective justice systems, inexperienced law enforcement, and most of all, a lack of sufficient funding. This lack of funding is largely because of the extreme cost of prisons and incarcerating an individual. In the United States in 2012, it cost an average of $31,286 per year to hold a prisoner and around $39 billion to maintain all of the United States prisons in 2010. The lack of funding or available money for prisons prevents them from being able to expand or improve. In developing nations where federal budgets are even lower, lack of funding is also a very major issue.

**UN Involvement:**

The United Nations have completed the majority of their work on prisoner’s rights through the United Nations Human Rights Office of the High Commissioner. In 1990, the United Nations passed a General Assembly Resolutions, A/RES/45/11, that covered the basic treatment of prisoners. This document was one of the relatively early actions towards protecting prisoners and lists the principles of how prisoners are to be treated in detention facilities as a response to the continuous concern for the protection of human rights as they apply to prisons and their inhabitants. While this document laid a strong basis for what should be done in detention facilities, these guidelines were not quite successful because they did not include methods of implementation so more specific guidelines needed to be placed. This was done more recently in
2015 when the General Assembly passed A/RES/70/175, titled United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). This document which laid down recommended ideas that seek only to provide what is believed to be the best principles and practices for penal institutions, such as a standardized prisoner file management system and having only one person occupy a cell at night, on how prisoners should correctly be treated in facilities in order to improve the situation for prisoners and the management of prisons. This resolution was an update to the first resolution on the United Nations Standard Minimum Rules for the Treatment of Prisoners which was adopted in 1955 by the UN Congress on the Prevention of Crime and the Treatment of Offenders. This revision was deemed necessary due to recent advances in correctional studies and the best ways to manage a detention facility and treat prisoners. Although the Nelson Mandela Rules are simply recommendations, they have been incorporated into some nation’s governments, such as the United States, especially when it comes to limiting the time that a prisoner can be in social isolation. The Nelson Mandela Rules have overall created a greater sense of urgency in nations to provide inmates with sufficient care. However, due to these guidelines unbinding nature, there is still many inhumane actions that take place against prisoners that need to be acknowledged.

In addition to adopting documents and recommendations, the United Nations Secretary General appointed the Global Focal Point for the Police, Justice, and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations (GFP). This group was created in 2012 and is composed of the Department of Peacekeeping Operations (DPKO) and the United Nations Development Programme (UNDP). This group is present to provide legal advice related to the general rules of the international and federal legal systems and to help carry out improved legal
programs. The group's purpose is also to deliver police, justice, and corrections assistance to peacekeeping and political efforts, implement common rule of law, and develop the best strategies to administer justice in a particular area. So far, the GFP has shown to be successful. For instance, in May of 2012, this group, particularly the United Nations Development Programme, worked with the female portion of the Shallah Federal Prison. In this endeavor, the UNDP helped refurbish the prisoner’s living accommodations and funded a six month training program for prison staff.

There are also many non-governmental organizations (NGO) that have worked with this issue. For example, Penal Reform International has made significant efforts to better the justice system and the conditions of prisoners in several countries. From 2012-2015, the Penal Reform International campaigned for abolition of the death penalty and replacing it with more humane sanctions in 10 countries. The NGO saw significant success in at least three countries, Kazakhstan, Jordan, and Uganda, including a decrease in application of the death penalty.
Questions to Consider

1. What are the major ways in which prisoner’s rights are being violated and how can they be prevented?

2. Which rights should prisoners be entitled to and which should they be forced to give up?

3. Has your country had issues with the rights of prisoners? If so, how have they fixed it or worked to improve it?

4. Does your country provide support to nations with large amounts of prisoners? If so, how could your country help with prisoner’s rights?

5. What has already been done by the United Nations or non-governmental organizations to address this issue and how has it worked or how can it be improved?
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