

Forum: Human Rights Council (HRC)

Issue # 1: Measures to address the dehumanizing conditions in prison systems.

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Guiding Questions as you Read

What is your country's view on the dehumanizing conditions when talking about the prison system?

Why does your country have these conditions in the prison systems?

What are your country's policies when it comes to prison systems?

Introduction



The conditions of prison systems have been dehumanizing in many places. Overcrowdedness, abuse towards inmates, lack of healthcare, and lack of education are just some of the countless issues concerning prison systems. The main controversy concerning prison systems is if people who have committed wrongful acts against society deserve to have a good life with benefits while doing their time behind bars. Instead of creating livable conditions that motivate inmates to become better people after serving, the inhumane living conditions make a road that will take them back down the cycle of crime. Without proper education and treatment inmates will lack the ability to start over which is important as these people deserve the basic human right to get a second chance at life,

Comprehension Question(s): How have the conditions in the current prison systems cause dehumanizing conditions for inmates?

Key Terms

Prison system: A legal institution for the confinement of persons who have been found guilty of committing a crime and have been deprived of their liberty.

Inmate: A person who is forced by law to be kept in prison until the end of their determined prison sentence.

Rehabilitation: The process of re-educating and re-training someone so that they are capable of returning to society after the completion of their prison sentence.

Dehumanization: The denial of human practices, treatment, and qualities to someone.

Criminal justice system: The total network of government and private agencies whose role is to manage crimes and provide offenders with their respective punishments. The components of the Criminal justice system include law enforcement, the court system, and the corrections systems at the local, state, and national levels.

Recidivism: The tendency of an offender to recommit a crime.

General Overview

Key Terms

Prison
Inmate
Rehabilitation
Dehumanizing
Overcrowding
Justice system
Confinement

History

In the 19th century, modern prison systems emerged, aimed at punishing and rehabilitating criminals rather than locking them away (Benson). Over time, however, the focus on punishment and isolation has become a priority over rehabilitation and support. Prisons are designed to isolate and punish those who commit crimes, but many claims that circumstances in these institutions repeatedly violate fundamental human rights and can cause both physical and psychological suffering (Prison Conditions). This has led to 95% of inmates enduring brutal conditions in prisons before being released (Living). As a result, in recent years, the longstanding issue of dehumanizing conditions in prison systems has gained attention.

Overview

Often, the primary cause of these inhuman conditions is overcrowding, as several prisons are operating above their maximum capacity, which leads to a lack of access to healthcare, poor nutrition, and increased rates of violence

and abuse (Prison Conditions). Currently, prisons in over 118 countries exceed their maximum occupancy rate, which results in low rehabilitative opportunities (Prison Overcrowding). Commonly, underfunding of criminal justice systems, as well as harsh sentencing is what leads to overcrowding. Prisons with inadequate healthcare often lack mental health services and medical treatment, which can have a negative impact on well-being and lead to serious health problems (Report). Likewise, prisons that provide poor-quality food often lead inmates to suffer from health problems such as malnutrition. Additionally, it is common for violence and abuse to emerge not only from staff but also between prisoners, as these institutions often run with little to no oversight (Living). Lastly, solitary confinement is a technique used in many countries as a disciplinary measure, yet because of its negative effects on mental health and well-being, it has been widely criticized. The problem with inmates being exposed to these conditions is that their repercussions do not only last during their time of confinement. Rather, dehumanizing conditions can cause significant trauma as well as long-term physical and psychological harm (Living). As a result, when inmates leave prison, their chances to thrive in the world are significantly reduced. Furthermore, the violence generated by dehumanizing conditions in prisons often continues a cycle of recidivism, where criminals relapse and commit a second crime.

The Current Situation

Currently, the world is divided between countries that see prisons as a medium for punishment and those where there is a greater focus on rehabilitation. North Korea, Syria, Eritrea, Venezuela, and Uzbekistan are among the countries where issues such as forced labor, torture, execution, limited access to food, lack of medical care and sanitation, overcrowding, solitary confinement, and abuse have been recurrently reported (Report). However, in countries such as Norway and Sweden, which use prisons as rehabilitation centers, these problems are not seen (Rehabilitation).

Controversies

These differing opinions have raised the question: What is the purpose of prisons: punishment or rehabilitation? This debate often shapes discussions around the conditions in prisons — while some argue that harsh conditions are necessary to deter criminal behavior, others argue that these conditions are counterproductive and inhumane, as they make prisoners less likely to respond to rehabilitative programs and thus make them unfit for re-entry into society (De Luca). Rather, the latter believe prisons should be healthy places to live and work with opportunities for treatment, education, support, healing, and safe living conditions.

Another controversy around the issue of dehumanizing prison conditions is the level of funding and resources allocated to prisons. While some argue that prisons are underfunded and understaffed, leading to dangerous conditions for prisoners, others argue that more money should not be spent on prisons — rather, the focus should be on reducing the number of people in prisons altogether (Prison Reform).

Major Parties Involved and Their Views

The United States of America: In the USA over two million people suffer from a lack of healthy food, lack of fresh light, health care, connection to loved ones, and good living conditions. (Vera) The United States claims fails to acknowledge the dehumanizing conditions in prison systems, “Today, prisons and jails in America are in crisis. Incarcerated people are beaten, stabbed, and killed in facilities run by corrupt officials who abuse their power with impunity. People who need medical care, help managing their disabilities, mental health and addiction treatment, and suicide prevention are denied care, ignored, punished, and

placed in solitary confinement.” (Equal Justice Initiative)

Russia: Russia's Black Dolphin prison is known amongst the world for its inhumane living conditions, The convicts come, handcuffed behind their backs and wearing blindfolds. This is a tactic to stop these inmates from staking out the prison, which will lessen their chances of escaping. Eating, exercising, and visiting the bathroom are all activities that prisoners carry out in their cells. Prisoners will break down under these circumstances, and all hope will be lost. They resemble robots but have living hearts instead. They have become accustomed to the fact. (Facts) Russia seems to care very little for its correct treatment of prisoners which can be seen through inmate Aleksei Navalny. “Russian prison authorities are using the cruel methods they have been refining for years to try and break the spirit of Aleksei Navalny by making his existence in the penal colony unbearable, humiliating and dehumanizing” (Amnesty). The usage of severe torture methods on Russian inmates goes to show Russia's lack of care for creating a safe and comfortable environment for its inmates.

United Kingdom: Two-thirds of the convicts in Britain have spent at least 23 hours per day in cells while in quasi-solitary confinement. Evidence shows that this has a long-term negative impact on mental health, according to the Prison Reform Trust. Prison becomes a life sentence at this stage. It is barbaric on any basis. Like its public health record, Britain today has one of the worst prison records in all of Europe (The Guardian). After observing "appalling" levels of violence and squalor, the Ministry of Justice said that they would take over the management of HMP Birmingham. Inspectors discovered shocking levels of violence, drug and alcohol abuse, and filthy hallways filled with blood, vomit, and insects. One in seven inmates acknowledged that they had become drug addicts while they were inside. (insidegovernment).

Venezuela: Venezuela's prison system conditions are considered one of the worst in the world. concurrently, it's among the most violent and lawless places you've ever been. 3,700 prisoners are jammed into a facility meant to house just 700 offenders. (Facts) The most notable prison in Venezuela would be La Sabaneta which has a ratio of 1 guard to 150 inmates which goes to show the lack of safety, manpower, and employment. Furthermore, the overcrowdedness highlights inhumane living conditions which seem to be ignored by the Venezuelan government. Both domestic legislation and international human rights norms that are applicable to Venezuela are broken by the circumstances in Venezuela's jails. The fact that the nation's jails house more than 24,000 inmates in spaces intended to hold just over 15,000 is a basic issue. Some prisons, like Sabaneta and Ciudad Bolivar, among others, accommodate more prisoners than they were designed to. Because there is so little room, inmates frequently share beds with two or three other people or even sleep on the floors of hallways. Sabaneta's overcrowding is so severe that some inmates are compelled to sleep in hammocks suspended in the air in cramped pipe-access passages linking cell corridors. (HRW)

UN Involvement

Over the past years, the United Nations has taken several steps to combat this issue. For instance, in 1955, the UN Congress on the Prevention of Crime and the Treatment of Offenders met in Geneva, and adopted the "Standard Minimum Rules for the Treatment of Prisoners". This document aims to set the general conditions for what should be accepted regarding the management of prisons and inmates. Some of the main categories aim to put forward how prisoners should be treated in terms of accommodation, food, personal hygiene, medical services, and contact with the world.

35 years later, on the 14th of December, 1990, the UN General Assembly adopted a resolution on the "Basic Principles for the Treatment of Prisoners". This resolution proposes 11 points that state the essential rights that all prisoners are entitled to regarding the treatment they receive in prison. Some of these include the right to no discrimination, access to health care, and the abolishment of solitary confinement as a punishment.

Most recently on the 17th of December, 2015, the United Nations General Assembly adopted a resolution on the Standard Minimum Rules for the Treatment of Prisoners, also known as the Nelson Mandela Rules. The 122 rules put forward in this document attempt to encourage nations to better protect the human rights of prisoners and to secure the humanization of the criminal justice system.

Timeline of Events

Date	Description of event
1957	<p data-bbox="370 1239 943 1852">The United Nations Standard Minimum Rules for the Treatment of Prisoners were initially adopted in 1955 and approved by the Economic and Social Council in 1957 which refers to a set of rules which mark the basic principles and practice for human treatment of inmates. Focusing on aspects such as accommodation, hygiene, nutrition, medical care, and</p>

discipline

1990

Basic principles for the treatment of Prisoners. These principles are the conclusions made in the General Assembly resolution 45/111 of the UN. They are 11 principles that highlight and describe the basic human rights that all prisons should establish and man regards to the dehumanizing conditions that inmates face.

2015

The revised The United Nations Standard Minimum Rules for the Treatment of Prisoners were initially adopted in 1955 and approved by the Economic and Social Council in 1957 which are now known as the Nelson Mandela Rules. These new rules focus on the best applicable practices and policies in regard to prison management and treatment of inmates.

2016

The US department of Justice released a report on the usage of solitary confinement. With this report, they also released a statement

2016 saying that there should be a restriction on the usage of solitary confinement against vulnerable populations (inmates) and improve conditions for those in restrictive housing.

2018 **European Prison Rules Revised.** The European council revised its European prison Rules and made efforts to provide updated guidelines for the treatment of prisoners in Europe. Some of the issues it addresses are overcrowding, health care, and rehabilitation.

2020 **First Step Act (USA).** The United States made an effort to create a reform bill that aims to reduce recidivism and improve prison conditions. Specifically, it addresses the usage of solitary confinement for Juveniles.

European Committee for Preventing Torture and Inhuman or Degrading Treatment or Punishment (CPT) Statement. The statement released

was in regards to the COVID-19 pandemic which emphasized the need to ensure the rights and health of prisoners during COVID times.

Past International Action

Past action: The revised The United Nations Standard Minimum Rules for the Treatment of Prisoners were initially adopted in 1955 and approved by the Economic and Social Council in 1957 which are now known as the Nelson Mandela Rules. Created for the understanding of prisoner rights and prison management as he is a man that spent 27 years in prison. The following are some of the most important rules implemented by the UN.

Accommodations: Rule 13 mandates sufficient floor space, natural light, proper ventilation, and good sanitary installations. This rule says that the living conditions in prison must be comfortable and respectful towards a human's dignity and rights.

Use of restraints: Rule 47 states that the usage of restraint should only be used as a precaution against the following: self-injury, attempted escape, or injury to others however, it should never be used as a form of punishment. This rule is used to provide guidance for the proper use of restraints, such as handcuffs.

Access to healthcare: Rule 24 states that all prisoners must have the same standards of healthcare available in the community, and without discrimination on their legal status. Health care services should be available in all prisons to all prisoners, with the supply of mental health services and treatment for substance

abuse.

Basic Principles: These revised rules ensure the respect for prisoners' human dignity and value as human beings. They also prohibit the usage of torture or any cruel, inhumane, or degrading treatment and punishment. These rules also emphasize that imprisonment should be aimed at the goal of creating rehabilitation and reintegration into society.

Contact with the outside world (Rules 58-63): The focus of these rules is to show the importance of maintaining contact with family and friends through visits, mail, or any other form of communication. These rules also encourage authorities to give permission as well as assistance to prisoners in efforts to maintain their social relationships.

Education, work, and vocational training (Rules 104-106): These revised rules stress the significance of providing prisoners with access to education, work, and training opportunities in order to support their rehabilitation as well as reintegration into society.

Possible Solutions

The dehumanization of prisoners involves the violation of several human rights hence it is crucial that solutions to discourage this practice are set forward. A solution that would address this issue involves changes in policy. For instance, this could include increasing funding for physical and mental health services or implementing programs to reduce racial and socioeconomic inequalities among prisoners. Other solutions that have been implemented are restorative justice programs, which focus on providing inmates with rehabilitation, education, and job training to address the root of their criminal behavior rather than punishing them harshly for it. By doing this, prisoners are not only enduring

the consequences of their actions without the violation of human rights but are also bettering themselves. Lastly, hiring additional staff, including corrections officers, counselors, and medical personnel, can help ensure optimal prison conditions and that prisoners receive proper care. However, all of these solutions come with their limitations.

Sustainable Development Goal (SDG)

#3: Good Health and Well-Being

Dehumanizing conditions in prison systems connect to SDG 3, which promotes good health and well-being. The dehumanizing conditions in prison systems lead to a lack of basic human necessities and healthcare. Said conditions around most prisons and the lack of acknowledgment of these environments prevent the improvement and establishment of fair conditions that all prison systems should follow. The goal of this SDG is to emphasize the importance and significance of good health and well-being to all, which directly aligns with countries' negation and unaccountability to provide humanizing conditions for inmates. By implementing a fair and beneficial health care system in prison systems, there would be an increase in worldwide health and well-being which directly correlates with the goals of this SDG.

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“Prison Conditions | Equal Justice Initiative.” *Equal Justice Initiative*, 10 Mar. 2021, eji.org/issues/prison-conditions/.

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“Prison Reform and Alternatives to Imprisonment.” *United Nations: Office on Drugs and Crime*, unodc.org/unodc/en/justice-and-prison-reform/prison-reform-and-alternatives-to-imprisonment.html.

“Rehabilitation Lessons from Norway's Prison System.” *First Step Alliance*, 22 Feb. 2023, firststepalliance.org/post/norway-prison-system-lessons.

“Report on International Prison Conditions.” *United States Department of State*, https://2009-2017.state.gov/documents/organization/210160.pdf.

Useful Links for Research

I. Country profile:

<https://www.cia.gov/library/publications/the-world-factbook/>

- II. *What We Can Learn From Norway's Prison System: Rehabilitation & Recidivism*. 22 Feb. 2023,
<https://www.firststepalliance.org/post/norway-prison-system-lessons>.
 - Here you can see a detailed overview of the way Norway's prison systems function, the living conditions of its prisoners, and statistics on their behavior.
- III. "Prison Conditions | Equal Justice Initiative." Equal Justice Initiative, 10 Mar. 2021, <https://www.eji.org/issues/prison-conditions/>.
 - This link provides information on the consequences of dehumanizing prison conditions for the inmates and the country's safety.
- IV. "Basic Principles for the Treatment of Prisoners." OHCHR,
<https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-treatment-prisoners#:~:text=All%20prisoners%20shall%20be%20treated,property%2C%20birth%20or%20other%20status>.
 - A resolution proposed by the UN General Assembly in 1990 encouraging the adoption of 11 principles that state the essential rights that all prisoners are entitled to regarding the treatment they receive in prison.
- V. Wagner, Peter, and Bernadette Rabuy. "Following the Money of Mass Incarceration." *Prison Policy*, 25 Jan. 2017,
<https://www.prisonpolicy.org/reports/money.html>.
 - This link includes an infographic where you can see the cost of imprisonment, and how the prison budget is broken down in the United States.
- VI. "Incarceration Rates by Country 2023." *World Population Review*,
<https://worldpopulationreview.com/country-rankings/incarceration-rates-by-country>.
 - Here you can see an interactive map of the world that shows the incarceration rates by country in 2023, the total number of inmates by country, and which percentage of those are male and female.

VII. HUMAN RIGHTS WATCH PRISON PROJECT.

<https://www.hrw.org/legacy/advocacy/prisons/asia.htm>.

- Here you can see a general description of the prison conditions in several Asian countries. This page also includes external links to reports on specific prisons of several countries, among them China, India, Japan, and Malaysia.

VIII. "Egypt: Abused and Denied Health Care, Prisoners' Lives at Risk." Amnesty International, 25 Jan. 2021,

<https://www.amnesty.org/en/latest/press-release/2021/01/egypt-abused-and-denied-health-care-prisoners-lives-at-risk/>.

- This link explains an ongoing issue with prison systems in Egypt, as inmates are experiencing inhumane conditions such as torture and the deliberate denial of health care as punishment.

ii. Tips:

- Remember to always use in-text citations as the information that you obtain is not your original ideas.
- UN websites are the best sources of information, make an effort to always try to use **CREDIBLE** or **UP TO DATE** websites to have the most accurate information.
- When researching about your country's position use more than one source, do not blindly trust a source before diving deep into your country's position in the issue discussed.