

BIGMUN 2025

ECOSOC 2: Commission on Crime Prevention and Criminal Justice
(CCPCJ)

Research Report

Topic 3: Recognising the rights of prisoners and deploring the current conditions of some punitive systems.



(Varia Tkachenko, Priyanka Gonella)

Table of Contents

Introduction	1
Definition of Key Terms	1
Background Information	2
Major Countries and Organisations Involved	4
Relevant UN Resolutions	4
Previous Attempts to Solve the Issue	5
Possible Solutions	5
Bibliography	7

Introduction

The recognition of prisoners' rights and the deplorable conditions within some punitive systems remain a significant human rights concern worldwide. Many prisons across the globe are marked by overcrowding, inadequate healthcare, insufficient nutrition, and widespread abuse. These conditions are not only inhumane but also counterproductive, as they undermine the rehabilitation of prisoners and violate their fundamental rights. The United Nations (UN) has consistently highlighted the need for reforms in penal systems to ensure that prisoners are treated with dignity, receive fair treatment, and have access to rehabilitation programs that allow for their reintegration into society.

Therefore, this report will examine relevant UN resolutions, previous attempts to solve the issue, and propose possible solutions to address the abuse and neglect of prisoners within punitive systems.

Definition of Key Terms

Prisoners' Rights: The human rights entitled to individuals incarcerated in prisons, including the right to humane treatment, access to healthcare, protection from abuse, and the right to participate in rehabilitation programs.

Punitive Systems: Systems of criminal justice that focus primarily on punishment rather than rehabilitation, often characterized by harsh conditions, overcrowding, and a lack of concern for prisoners' well-being.

Rehabilitation: The process of preparing prisoners for reintegration into society by providing them with education, vocational training, therapy, and counselling to address the underlying causes of their criminal behaviour.

Background Information

Recognising the rights of prisoners and addressing the deplorable conditions in some punitive systems is a critical human rights issue that has garnered increasing global attention. While the rehabilitation of offenders is central to modern penal systems, many prisons worldwide remain overcrowded, underfunded, and rife with human rights abuses, undermining both the dignity of prisoners and the efficacy of rehabilitation programs. These conditions often violate international human rights standards and contribute to further societal harm, creating cycles of recidivism and increased violence.

Prisoners, as individuals with basic human rights, are entitled to live in conditions that preserve their dignity and provide opportunities for reform. The United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)¹ and other international frameworks outline the rights of prisoners, including access to food, medical care, legal assistance, and the prohibition of torture or degrading treatment. However, despite these guidelines, many countries continue to face severe challenges in upholding prisoners' rights, particularly in developing regions or in conflict-affected states.

In countries like the United States, overcrowded prisons and inhumane conditions are a longstanding concern, with reports of inadequate healthcare, violence among inmates, and prolonged solitary confinement. Similarly, in Brazil, overcrowding in penitentiaries has led to riots and killings, as well as systemic human rights violations, including the exploitation of prison labour and inadequate food. In Europe, while many countries adhere to international human rights standards, there have been criticisms regarding conditions in countries such as Hungary and Russia, where detainees report harsh treatment, inadequate living conditions, and limited access to legal resources.

International organisations, civil society groups, and human rights advocates continue to push for reforms to improve prison conditions and ensure the protection of prisoners' rights. Initiatives such as the International Covenant on Civil and Political Rights (ICCPR)², European Prison Rules, and UNODC's (United Nations Office on Drugs and Crime) initiatives seek to promote more humane conditions and address abuses in detention centres globally. These efforts highlight the necessity of viewing prison conditions through a human rights lens and prioritising rehabilitation over punitive measures.

However, addressing these issues requires a concerted effort from governments, international organisations, civil society, and local communities. Prison reform is essential not only to ensure

¹ **United Nations. (2015).** *United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)*. Retrieved from <https://www.unodc.org>

² **United Nations. (1966).** *International Covenant on Civil and Political Rights (ICCPR)*. Retrieved from <https://www.ohchr.org>

justice but also to reduce the strain on judicial and law enforcement systems, promote human dignity, and ultimately foster safer, more equitable societies.

Major Countries and Organisations Involved

Countries:

Russia: Russia's penal system has faced scrutiny over harsh conditions, including overcrowding, limited access to medical care, and human rights abuses such as torture. Prisons in Russia have long been criticised for their lack of rehabilitation programs and poor living standards.

China: China has been criticised for its use of forced labour in prisons and the lack of transparency in its detention centres. Reports of torture and inhumane conditions are common, although the government has made some strides in reforming certain aspects of the penal system.

Turkey: Turkey has seen an increase in prison overcrowding, particularly following the 2016 coup attempt. Detainees report poor conditions, inadequate medical care, and the abuse of prisoners, particularly those accused of political crimes.

India: India's prison system struggles with overcrowding, prolonged pretrial detention, and inadequate healthcare, despite efforts like the Model Prison Manual (2016) to improve conditions. The country aims to align with international standards, enhance rehabilitation, and ensure humane treatment of inmates.

Organisations:

Amnesty International³: Amnesty International conducts extensive research into prison conditions worldwide, raising awareness about human rights violations and advocating for reform in penal systems, particularly regarding solitary confinement, torture, and overcrowding.

International Committee of the Red Cross (ICRC)⁴: The ICRC works to ensure that prisoners, particularly in conflict zones, are treated humanely and receive adequate care. The organisation advocates for better detention conditions and the protection of prisoners' rights in conflict settings.

European Union (EU)⁵: The EU has set up several initiatives aimed at improving prison conditions in its member states, such as the **European Prison Rules** and financial support for reforms in countries with substandard detention facilities.

³ **Amnesty International. (2018).** *Prison Conditions and Human Rights: The Need for Reform.* Retrieved from <https://www.amnesty.org>

⁴ **International Committee of the Red Cross (ICRC). (2016).** *International Humanitarian Law and Prisoners of War.* Retrieved from <https://www.icrc.org>

⁵ **European Union. (2019).** *European Prison Rules: The Legal Framework for Prison Conditions Across Europe.* Retrieved from <https://www.coe.int>

Relevant UN Resolutions⁶

1. *Urges* States to ensure that all prisoners are treated with humanity and respect for the inherent dignity of the human person, with particular attention to the protection of their physical and mental health, and to guarantee their access to adequate food, clothing, shelter, medical care, and the opportunity for regular exercise.
2. *Encourages* the development and implementation of national systems to monitor and inspect prisons and other detention facilities, both by government and independent bodies, to ensure that the treatment of prisoners complies with international human rights standards, and to ensure accountability for violations of those standards.
3. *Requests* that States adopt legislation and policies that guarantee prisoners' rights to education, vocational training, and rehabilitation programs aimed at reintegrating them into society, and to promote a more humane and rehabilitative approach to imprisonment that reduces the likelihood of reoffending.
4. *Reaffirms* the need for all Member States to take immediate action to address prison overcrowding, and to develop plans to ensure that conditions of detention meet minimum international standards, including sufficient space, adequate healthcare, and proper nutrition for all prisoners.

⁶ **United Nations General Assembly.** (2015). United Nations Standard Minimum Rules for the Treatment of Prisoners ("Nelson Mandela Rules"). Retrieved from [UNODC](#).

United Nations General Assembly Resolutions (e.g., A/RES/70/175). Retrieved from [UN Documents](#).

Previous Attempts to Solve the Issue:

United Nations Standard Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules⁷):

- Adopted in 2015, these rules set out comprehensive international standards for the humane treatment of prisoners, focusing on preventing overcrowding, ensuring adequate healthcare, and providing meaningful rehabilitation programs.
- The rules stress the importance of protecting prisoners' dignity and human rights, including freedom from torture, cruel or degrading treatment, and inhuman conditions.

Country-Specific Initiatives:

- The UN has supported reforms in several countries to improve prison conditions through technical assistance, funding, and training programs. These initiatives often focus on reducing overcrowding, improving healthcare and food standards, and providing prisoners with educational opportunities.
- For example, the UN Office on Drugs and Crime (UNODC) has worked with governments in countries like Colombia and Kenya to implement reforms aimed at improving prison infrastructure and conditions.

Possible Solutions

Strengthen Legal Frameworks:

- Support the development and implementation of national laws that comply with international standards, such as the Nelson Mandela Rules, to ensure humane treatment of prisoners and to tackle systemic issues like overcrowding and inadequate healthcare.
- Encourage countries to ratify and implement international conventions such as the Convention Against Torture and the International Covenant on Civil and Political Rights (ICCPR)⁸ to ensure prisoners' rights are fully recognised and protected.

⁷ **United Nations General Assembly.** (2015). *United Nations Standard Minimum Rules for the Treatment of Prisoners ("The Nelson Mandela Rules")*.

⁸ **United Nations.** (1966). *International Covenant on Civil and Political Rights (ICCPR)*. Retrieved from <https://www.ohchr.org>

Enhance Rehabilitation and Reintegration Programs:

- Develop and expand rehabilitation programs focused on education, vocational training, and psychological support, aiming to prepare prisoners for reintegration into society.
- Establish alternatives to incarceration for non-violent offenders, including community service and restorative justice practices, to reduce the reliance on punitive measures and improve the overall functioning of penal systems.

Improve Monitoring and Accountability:

- Strengthen independent monitoring mechanisms within prisons to ensure that conditions meet international human rights standards. Encourage the establishment of national and international oversight bodies to hold prisons accountable for mistreatment and ensure transparency.
- Support civil society organisations and media outlets in monitoring and reporting on prison conditions, advocating for changes and pushing for reform.

Promote International Cooperation and Support:

- Encourage increased cooperation between UN agencies, such as the UNODC, and member states to implement prison reforms through funding, training, and technical support.
- Build partnerships with international human rights organisations to provide expertise and resources for improving prison conditions and facilitate international dialogues on best practices in penal reform.

Bibliography

United Nations. (2015). *United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules)*. Retrieved from <https://www.unodc.org>

United Nations. (1966). *International Covenant on Civil and Political Rights (ICCPR)*. Retrieved from <https://www.ohchr.org>

Amnesty International. (2018). *Prison Conditions and Human Rights: The Need for Reform*. Retrieved from <https://www.amnesty.org>

International Committee of the Red Cross (ICRC). (2016). *International Humanitarian Law and Prisoners of War*. Retrieved from <https://www.icrc.org>

Penal Reform International. (2017). *Global Prison Trends 2017: The State of Prisons Around the World*. Retrieved from <https://www.penalreform.org>

European Union. (2019). *European Prison Rules: The Legal Framework for Prison Conditions Across Europe*. Retrieved from <https://www.coe.int>

Human Rights Watch. (2020). *Russia: Torture and Ill-treatment of Prisoners*. Retrieved from <https://www.hrw.org>

Human Rights Watch. (2016). *China: Prison Conditions and Forced Labor*. Retrieved from <https://www.hrw.org>

Human Rights Watch. (2021). *Turkey: The Deterioration of Prison Conditions and Inhumane Treatment of Prisoners*. Retrieved from <https://www.hrw.org>

United Nations General Assembly. (2015). *United Nations Standard Minimum Rules for the Treatment of Prisoners ("The Nelson Mandela Rules")*. Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-treatment-prisoners>

United Nations General Assembly. (2012). *United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems*. Retrieved from <https://www.ohchr.org/en/principles-and-guidelines-access-legal-aid-criminal-justice-systems>

United Nations General Assembly. (1992). *United Nations Declaration on the Protection of All Persons from Enforced Disappearance*. Retrieved from https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/47/133

United Nations General Assembly. (1984). *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Retrieved from <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading-treatment>

Amnesty International. (n.d.). *Prison Conditions and Human Rights*. Retrieved from <https://www.amnesty.org/en/what-we-do/prisoner-rights/>

Human Rights Watch. (n.d.). *Prison Conditions and the Rights of Prisoners.*

Retrieved from <https://www.hrw.org/topic/prisons>