



Human Rights Council (HRC) ***Release of Political Prisoners***

Introduction:

On June 29, 1996, in Libya's Abu Salim Prison, security forces killed 1,200 of the facility's 1,600 prisoners. The inmates—political prisoners—were demanding better living conditions including clean clothes, family visits, and improved health care.

“If someone looked up [at the sky], the guards would send the other prisoners back to their rooms,” says Abu Baker, a political prisoner detained in Abu Salim for 15 years. “Then a group of them would attack, torture, and beat him.”

In response to the uprising at the prison, officials under the Gaddafi regime ordered the execution of the inmates by gathering them into a courtyard and then sniping and throwing grenades at them. By the next morning, the bodies were cleaned up and buried into a trench. The government tried to cover up the killings, but eventually decided to tell the families of the ones who died about the tragedy— 8 years later.

The incident triggered criticism from several human rights organizations, including the Human Rights Watch and Amnesty International, which “called on the Libyan government to thoroughly investigate the killing[s]... [and] to bring those responsible to justice and to provide adequate reparation for families.”

The Gaddafi regime was not alone its detainment and treatment of political prisoners. In North Korea, entire families can be sent to a concentration camp for life under harsh conditions if a member is convicted of a crime against the government or treason. The North Korean government has denied the existence of such camps, but satellite images and eyewitness accounts have since refuted the government's claims.

Background & History:

Amnesty International defines a political prisoner as “any prisoner whose case has a significant political element: whether the motivation of the prisoner's acts, the acts in themselves, or the motivation of the authorities.”

Currently, there are an immense number of political prisoners around the world. Political prisoners are more commonly found in countries with oppressive governments. The limited freedom gives people a motivation to speak out against their government, unlike in more democratic countries where the abundance of civil rights keeps people complacent. However, this is not always the case. For instance, the United States has had a controversial history with



political prisoners. From the 1950s through the early 1970s, the FBI conducted a series of projects called the Counter Intelligence Program (COINTELPRO). COINTELPRO targeted threats to “domestic tranquility.” These threats included the Communist Party USA, the Socialist Workers Party, White Hate Groups, Black Nationalist Hate Groups, and the New Left. COINTELPRO has since been defunct after its discovery by the public, but according to a Harvard Law article written by J. Soffiyah Elijah, “many of today’s political prisoners were incarcerated as a result of COINTELPRO’s activities. They were targeted because of their political beliefs and/or actions. Unlike those convicted and sentenced for similar crimes, they were given much harsher sentences and routinely denied parole.”

A political prisoner can be put into two categories: someone who uses violence to gain support, or someone who uses non-violent means to advocate his/her beliefs. Both cases have political motivations. Somebody in the second category would be known as a “prisoner of conscience,” which Amnesty International defines as a person who has “been jailed because of [his/her] political, religious or other conscientiously-held beliefs, ethnic origin, sex, color, language, national or social origin, economic status, birth, sexual orientation or other status.”

The broadness of the term “political prisoner” makes it impossible to set a precedent for how each political prisoner should be treated. Reasons for imprisonment range from protesting a government to committing crimes such as murder. Amnesty International deals with this issue by setting these standards:

“It is... important to understand that:

- by calling for a fair trial, AI (Amnesty International) does not condone the use of violence by political prisoners. Once again, AI takes no position on the resort to arms in political conflicts
- by using the term political prisoners, AI does not take a stand on these prisoners' political goals. AI does not support or oppose the views of the people for whom it campaigns
- by using the term, AI does not suggest that these people should enjoy any special status or special conditions while imprisoned. For example, AI does not hold that they should be exempt from wearing prison clothing. AI maintains only that political prisoners, like all prisoners, must be treated humanely.”

However, these standards are issued for people who are convicted of a crime and not for prisoners of conscience, who Amnesty International describes as “the only prisoners who AI demands should be immediately and unconditionally released.”



Current Situation:

Political prisoners are omnipresent across the world. Many face torture and harsh treatments, triggering backlash from human rights organizations and the United Nations. One recent example of political prisoners revolves around anti-terror laws and convictions that most countries implemented after the September 11 terrorist attacks. Many of these countries have abused these laws to crack down on anti-regime supporters. For example, Turkey revised its anti-terror laws in 2006, which targeted the country's Kurdish population. According to the Associated Press, "the new laws considered peaceful protests as security threats, and gave protesters sentences similar in length to those of convicted guerillas. Anti-terror convictions shot up from 273 in 2005 to 6,345 in 2009." A Kurdish woman held up a sign in a protest that said "Either a free leadership and free identity, or resistance and revenge until the end." The woman, who is illiterate, did not know what the sign said and only held it because she thought it was a message of peace. Nevertheless, the woman was sentenced to seven years in prison. Amidst all these rulings, the Turkish prime minister denies that the country is unfair to the Kurdish people.

Similar cases have occurred in China, where terrorism is vaguely defined as anything "endangering state security." China has since been arresting and prosecuting anyone who is against the government, whether they are actually planning on being violent or simply having a protest. An example of this treatment revolves around the Uighur people, an ethnic group residing in Northwest China.

"Inside China, any peaceful protest by the Uighurs is labeled as an act of terrorism by the Chinese government," says Dilmurat Perhat, a Uighur Chinese man who is studying in the United States and also has a brother in prison for being indirectly involved in a protest.

Other cases of political prisoners involve the Arab Spring, a current wave of protests sweeping across the Middle-East. In Tunisia, two thousand people were convicted of terrorism-related charges, though many were simply opposed to the government and weren't terrorists at all. After uprisings against the regime kicked out the leader Zine El Abidine Ben Ali, all the prisoners were released. In Libya, thousands of people were detained in the Abu Salim Prison for speaking out against the government. In August, after opposition fighters seized Tripoli, the capital of Libya, the political prisoners were released. However, other countries haven't been so lucky. In countries where the protesters haven't taken down the regimes, hundreds of people are being arrested and sent to prison. These countries include Bahrain, Yemen, and Syria. In Saudi Arabia, the government is considering imposing an anti-terror law that according to the Associated Press "would carry a minimum prison sentence of 10 years for challenging the integrity of the king."

The UN has gotten involved in cases surrounding political prisoners previously. One case, in the Middle-east deals with the Israel-Palestine conflict.



UN Secretary-General Ban Ki-moon asked Israel to release thousands of Palestinian political prisoners to achieve peace in the region.

In July of 2011, Ki-moon urged Myanmar (known as Burma to several countries) to release its political prisoners in order to reach peace, prosperity, and democracy.

The Problem:

Many political prisoners are receiving harsher treatments than people who have committed a similar crime because the prisoners had a political motive (independence, an opposition party, etc.). Also, many people are being convicted as political prisoners even though they haven't committed a crime. They are being denied basic rights such as the right to counsel, view family and friends, have clean water to drink, have fresh food to eat, have adequate living space, etc. In some countries, children less than 14 who have committed petty crimes are even denied juvenile jail. They are sent to adult prisons where criminals are there for higher offence carrying crimes such as rape and murder.

For example, on December 28, 2008, Birtukan Mideksa, leader of the Unity for Democracy and Justice Party, was arrested for the second time when her pardon was revoked. She had apparently told journalists her release was negotiated. However, according to the Ethiopian government this is in direct violation of the contract she signed where it states that she "regrets" all her mistakes. She made the pardon seem more of a negotiation than an actual pardon.

The stakes for Birtukan were higher this time around. During the first six months, Birtukan was immediately put in solitary confinement. "The evidence on Birtukan's prison condition indicates that she has been held in solitary confinement following her roadside abduction by armed thugs. Birtukan recently told her mother, (the only person other than her 4 year old daughter allowed visitation), that "the ill-treatment in prison is getting beyond what she could bear as a human being". Birtukan is denied access to her legal counsel. She is subjected to severe physical and psychological pressure. She is not allowed to have books or other reading material, or access to a radio. The regime has blocked the International Red Cross and other international human rights organizations from visiting Birtukan," reports Alemayehu G. Mariam, professor of Political Science, California State University.

Almost two years later, Birtukan was released, mostly in part to international criticism and the pressure that was heavily mounted on the Ethiopian government. However, many prisoners in over 8,000 unofficial prisons are not getting the same treatment. They are rotting in jail with dirty water and disease spreading quarters. This is just one case. It is estimated that there are tens of thousands of political prisoners in Ethiopia.

Similarly, Aung San Suu Kyi of Myanmar was a political prisoner in cruel circumstances. She is the only woman to be awarded the Nobel Peace Prize while in prison.



Originally Suu Kyi went back to her roots in Myanmar to visit her ailing mother. Her plans changed though, when she witnessed the military junta's ruling of Myanmar. Her husband Dr. Michael Ari was repeatedly denied access into the country despite having terminal prostate cancer and appeals from the UN and the Pope. Dr. Ari eventually passed away and during the past 21 years had only met his wife five times. Suu Kyi was also isolated from her children who were in the UK.

In the 21 years of her political presence, she has been under house arrest for 15 years. In the 1990 election, Suu Kyi's party, the National League of Democracy received 59% of the votes, which would have guaranteed her party the election. However, the military junta, the ruling form of Myanmar, refused to honor the elections. International uproar ensued.

Suu Kyi was placed in house arrest in 1989 a year after she formed her party. Her diminishing health led to several trips to the hospital where she stayed for many days to weeks. Freedom was offered if she agreed to flee the country. However, she refused. She has had many impromptu incidents with violence. For example, her caravan was attacked by a 200 member, government sponsored mob. In 2009, Aung San Suu Kyi, was arrested with three years hard labor. This once again sparked international uproar as her health was in a very poor state.

In 2009, UN Secretary General Ban-Ki Moon visited Myanmar to pressure the junta into releasing Suu Kyi. However, the leader of the junta, Than Shwe refused the General to see Suu Kyi. On November 13, 2010, Suu Kyi was finally released from her house arrest, after the Union Solidarity and Development Party, a government backed party, won the elections. Many believe the government released Suu Kyi because it was in a higher state of power over politics.

Relevant Documents:

- Universal Declaration of Human Rights
- The U.N. Basic Principles for the Treatment of Prisoners
- The U.N. Body of Principles for the Protection of All Persons Under Any Form of Detention or Imprisonment
- The U.N. Standard Minimum Rules for the Administration of Juvenile Justice
- Standard Minimum Rules for the Treatment of Prisoners (SMRTP)



Bloc Positions:

Countries with democratic governments such as the members of NATO would have a humane stance on the treatment of political prisoners. They would argue for the prisoners to have adequate living conditions while being detained and also to have a right to a trial. These countries would also condemn a violation of broken standards to political prisoners such as torture and a lack of a trial. In addition, democratic countries would support the immediate and unconditional release of a prisoner of conscience since he/she did not commit a crime.

On the other hand, countries with suppressed freedom and authoritarian governments are generally the ones with the most political prisoners. Publicly, they deny that they have political prisoners and the inmates they do have are being treated. However, these denials tend to be false as the governments cover up inhumane treatments such as lack of basic necessities and confinement in labor camps. These governments would say that the prisoners they have are rightly convicted of a crime, but by their standards. They would likely be unwilling to authorize the release of political prisoners and could potentially shoot back at democratic countries who claim to have no political prisoners. For instance, the United States maintains that it does not have political prisoners, but the country is notorious for Guantanamo Bay, a detention center with questionable standards of the treatment of inmates. This complex game of lying has created a tangled mess that needs to be resolved.

Committee Mission:

Our mission is to create a solution that would: **a)** set a standard of how political prisoners should be treated; **b)** figure out on what conditions should a political prisoner be released; and **c)** form a system that would ensure countries are being honest on their detainment of political prisoners. This solution should fall within the guidelines of the Universal Declaration of Human Rights and should also maintain that no country's national sovereignty will be infringed upon.

Questions to Consider:

- 1.) Does your country have a history with political prisoners? If so, how were/are they treated?
- 2.) Should political prisoners be detained if they are prisoners of conscience?
- 3.) Do you think an agreement should be created to ensure existing prisoners' safety and well-being?
- 4.) Do you think the UN should sponsor immediate release of political prisoners who haven't committed a crime?



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