



THE HUMAN RIGHTS COUNCIL



SHSMUN'21

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Introduction to Committee

The United Nations Human Rights Council (UNHRC) is an inter-governmental council within the United Nations system that has a role of protecting human rights and dealing with situations of human rights violations internationally. It is a body that consists of 47 UN Member States working closely with the organization to make global decisions to achieve all their goals. This council aims at exploring major human rights conditions that require its constant attention. The UNHRC ensures that all people understand their rights, have the same ones, and can use them. Also, this council checks if governments are giving their people their rights and are doing what they agreed on at the UN. Some of the goodwill ambassadors of the UNHRC, such as Adel Imam, Ben Stiller, and Cate Blanchett highlight this organization globally through their influence and hard work.

Topic #1 Prisoners' right to health during and after the outbreak of the COVID-19 pandemic.

Introduction to Topic:

The issue of prisoners' rights is a problem that goes way back in history. Many prisoners' rights have been found to be broken in several prisons worldwide. The spread of Covid-19 seems to be a threat to prisoners since they are the most vulnerable to it. Overcrowded facilities, shortages of food and medicine, and totally inadequate testing expose prisoners who are disproportionately poor and afflicted with prior conditions that render them vulnerable to the disease. Prisoners are protesting against their conditions and objecting to death sentences in prison. Similarly, experts across the world are urging governments to reduce their prison populations swiftly. Michelle Bachelet, the United Nations high commissioner for Human Rights, warned that "The consequences of neglecting are potentially catastrophic." Prisoners are not being tested before incarceration, which puts their own health and their inmates' health at risk. Governments and all ruling powers, on a universal level, were asked to protect prisoners' rights during this time specifically. Although some countries have started to take action regarding this issue, the spread of the virus, as well as the protests of the inmates, is still abundant.

History of Topic:

Historically, brutality has forever been conspicuous in the prison administration and is one of the reasons that many prisoners are in bad health as they get denied healthcare. There are records of callousness in prisons stretching over all inscribed history, and involving virtually each country of which written records are found. Prison cruelty is both incessant and worldwide. Publicity, public exasperation, research, confiscation of officers, and the organization of reform methods have, till today, been futile and unproductive in eradicating violence from prison administration. Due to prison brutality and cruelty, inmates are deprived of their simple human rights- the most evident and crucial being the right to healthcare, as many prisoners throughout history have lost their sanity or even died; while all of this has been noticed, it is still to this day, an ongoing conflict. Sadly, the medical negligence and the inhumane treatment that convicts sustain, leading to their death is not unique. Negligence and callousness can be found in local jails, state prisons and federal penitentiaries across all nations. Healthcare is close to fictional behind bars and is adversative to prison. According to the Justice Department, 12 inmates die every day- approximately 5,000 each year behind bars in the US only. While some prisoners commit suicide, the majority of inmates die from treatable conditions such as cancer, heart conditions, liver failure and other maladies, particularly those related to HIV/AIDS. This is not only callous but unconstitutional. The landmark case *Estelle v. Gamble* postulated that convicts have the right to suitable and sensible medical treatment. Conversely, after 40 years, prisoners still lack basic healthcare and are also deliberately unkempt and their medical conditions weaponized to reprimand and penalize them. Prisoners are harshly penalized and deprived of their rights in several nations, such as North Korea, USA, Thailand and Norway. As the prison population continues to grow exponentially, and as mandatory sentencing has resulted in more time behind bars, there are a great many aging prisoners. Many say that prisons are starting to look like nursing homes. The majority of US prisoners who died in 2014 were 55 or older, and the majority of them died from treatable diseases. This is a developing dilemma for older detainees with incapacitating and/or numerous long-lasting circumstances and who are exposed not only to ferocity, but also to the unacceptable and unsanitary environments found in prisons which degrade their previously delicate condition. At the same time, the prison system denies them of timely and adequate medical treatment. During the outbreak of the Covid-19 pandemic, prisoners are at fear the most due to the continuous lack of medical treatment in prisons, in addition to their unhygienic environment and surroundings. The Interamerican Commission of Human Rights has accredited countries such as Brazil for its noble preparations on human rights defense of convicts under the coronavirus pandemic. Bearing in mind the stipulation of authenticating systems for diminishing epidemiological jeopardies and maintaining the health and the life of public agents. According to the World Health Organization (WHO), one way of protecting yourself from spreading COVID-19 is maintaining at least one meter distance from others. However, can people deprived of their liberty afford to do such a thing? UNODC, WHO, UNAIDS, and OHCHR have addressed the matter and stated in quote that they have “come together to urgently draw the attention of political leaders to the heightened vulnerability of prisoners and other people deprived of liberty to the COVID-19 pandemic, and urge to take all appropriate public health measures in respect of this vulnerable population that is part of our communities.”

International Actions

As part of international actions taken in regard of the effect of COVID-19 on prisons, the following has been done so far:

- UNODC in Lebanon acts to protect the most vulnerable prisons by forcing prison authorities to adopt preventive measures to ensure the safety of the inmates at an early stage such as suspending service providers as well as supporting prisons with a comprehensive package of preventive and protective tools such as hygiene detergents, disinfectants, sanitizers, masks and gloves with a clear Standard Operating Procedure. Family visits to the prisons were reduced and replaced with mobile sim cards to keep prisoners in contact with their families.
- UNODC, WHO, UNAIDS, and OHCHR make a joint statement on COVID-19 in prisons, encouraging governments to reduce overcrowding, ensure health, safety, and human dignity, ensure access to continued health services, respect human rights, and finally adhere to United Nations rules and guidance.
- In the Democratic Republic of the Congo (DRC), prison congestion is particularly acute: OROLSI estimates that capacity on average is being exceeded three fold, which poses several challenges, including poor living and working conditions, and overstretched resources in terms of security, personnel, healthcare, sanitation and budget. As for the problem of decongestion, the UN Mission is working closely with the Congolese authorities to secure the early release of more prisoners. So far, some 2,000 prisoners have been released nationwide, out of a total prison population of around 40,000 (although this does not include detained minors, who do not have the same status as adult prisoners).
- In Myanmar, the UN is trying to slow the spread of the pandemic by helping to improve prison hygiene. This has resulted in relatively few cases of COVID-19, and UN agencies and other entities have been working to prepare prisons to cope with an expected rise in cases. This has involved the purchase of infection control supplies (including masks, hand sanitizer and personal protective equipment), in support of the UN's work in prison settings.

Recommendations:

Delegates must keep track of their nations' ongoing or newly found engagements to seek justice for mistreated prisoners during this pandemic and should similarly note that they must focus on nations with poor institutions of medical research as well as countries that maintain prison brutality with no concerns to the health and wellbeing of the inmates. It is exceedingly advocated that delegates have a strong background about their country's actions in maintaining the spread of the virus, what it has offered in terms of medical help, and if their convicts are in a healthy state and receive the suitable medical assistance that is needed.

Questions to consider

1. How are prisoners treated in your country?
2. What NGOs that are involved with prisoners exist in your country?
3. Is your government financially able to provide prisons with better hygienic material?
4. How does your country's law system treat prisoners?
5. How is your country dealing with the pandemic altogether?

Topic #2 Rights to privacy in relation to pandemic tracking and surveillance.

Introduction to Topic:

The Coronavirus (COVID-19) continues its spread across the globe and, along with the clear public health and economic concerns, is raising numerous questions regarding privacy. Article 12 of the Universal Declaration of Human Rights (UDHR) evidently states that no one should be subjected to arbitrary interference with their privacy. Everyone has the right to the protection of the law against such interferences or invasions of one's privacy. This article in the UDHR condemns interference to a person's privacy. The UN General Assembly's Third Committee (GA3) also adopted a resolution on November 21, 2016 in attempt to preserve the right to privacy in the digital age, and protect against digital tracking and surveillance. With the outbreak of the coronavirus, this ultimate right is at risk. A large number of nations have implemented different methods to track their citizens in attempt to battle the pandemic and such countries include: Argentina, Australia, Bahrain, Brazil, Canada, China, Poland, Italy, France, and many more. Countries are using mobile applications, electronic bracelets, surveillance systems that tap into public CCTV cameras, to name a few platforms, in attempt to protect their citizens; but they are also invading their confidentiality. Countries are doing this in attempt to prevent the virus from spreading more, by keeping track of citizens as to where they go, who they see, and what they do, all while calculating their potential risk of having the virus or spreading it. This is an issue of global significance, since not only does it violate Article 12 of the UDHR, but also opposes the resolution adopted by the UN General Assembly to protect the right to privacy in the digital age. This approach to fighting coronavirus also raises the question on whether or not countries have been tracking their citizens and overstepping their privacy with different technologies throughout the pandemic without their knowledge. Different policies and laws in different nations make this issue harder to tackle. However, it is the delegates' responsibility to come up with a profoundly strategical resolution for this issue of tracking and surveillance, and the delegates should offer alternative methods to combat the notorious coronavirus without violating any previous resolutions and intruding on the privacy of humans.

History of Topic:

During the outbreak of the COVID-19 pandemic, life and survival standards changed in almost all nations. All countries had to take unique decisions in such times, whereas some countries hastened to find a cure, vaccine, or treatment for this pandemic. The issue of surveillance raised several points of view for the people because nations started abusing personal privacy. The spread of COVID-19 has led governments to take a number of measures to protect their citizens – including lockdowns, telecommuting and online education. However, the pandemic is also leading to greater state control and scrutiny over the private lives of its citizens through the use of latest digital surveillance technologies. When it comes to balancing measures that could help track and contain the virus and safeguard privacy of individuals, where is the line drawn? The answer is not a straightforward one. On one hand, digital solutions are helping save lives, by spreading health messages, increasing access to remote physical check-ups and health alerts. At the same time, surveillance tools that trace individuals' locations and their contacts present profound challenges to privacy, data protection rights and freedom of information.

Topic Developments:

In North Macedonia, for example, the government has launched a Bluetooth-based app “Stopkorona!” to trace and inform the contacts of COVID-19 affected people. The app “warns users if they have come into contact with someone who has tested positive for the novel coronavirus, based on the distance between their mobile devices”. A similar app proposed by a group of young entrepreneurs is currently under discussion in Turkey.

In Armenia, even in the absence of any publicly announced digital solution, the government has adopted a new law, permitting operators and medical personnel to share with authorities citizens' personal data, location and contacts, including the data related to their phone calls' time and length. Finally, while other governments are deploying digital instruments to address the spread of the virus, Montenegro has taken an even “easier” route. The government is regularly publishing the names and the addresses of quarantined citizens on its official website, calling the public to help the authorities monitor their self-isolation.

But this may not be the case every time. Authorities are collaborating with telecommunication service providers to access geolocation data to track the population. In the case of Turkey, the government has launched a GPS-based centralized app, making registration of all COVID-19 affected people mandatory. A similar app in Kyrgyzstan, though it claimed to be based on voluntary consent, was later reported to be mandatory for persons put into quarantine. In Azerbaijan, people's movements are controlled by an application that issues electronic permits to people who would like to leave their homes during quarantine and is accessible to the police, while Kazakhstan has relied on video surveillance to find violators of the quarantine regime.

Recommendations:

Delegates must keep track of their country's ongoing or newly found engagements to fight the pandemic. Stressing on surveillance and tracking that may go against the rights of privacy. It is highly recommended that delegates have an insight about their country's economic and political status and keep them in mind while searching for possible solutions to the topic.

Questions to Consider:

1. What actions has your country taken to combat and restrict its levels of the virus and do those actions invade your civilians' privacy?
2. Does your country have the capabilities (financial, economic, political...etc.) to combat the virus?
 3. Does your country take part in any program or international project to help fight the pandemic in a way that oversteps their people's confidentiality?
4. Is your country using any tracking strategy to reduce COVID'19 cases?
5. Has your country bought information from cell phone providers?

References:

<https://www.commondreams.org/views/2020/04/28/let-prisoners-go-during-covid-19-pandemic>

<https://www.ohchr.org/EN/pages/home.aspx>

[https://onezero.medium.com/the-pandemic-is-a-trojan-horse-for-surveillance-programs-around-the-](https://onezero.medium.com/the-pandemic-is-a-trojan-horse-for-surveillance-programs-around-the-world-887fa6f12ec9)

[world-887fa6f12ec9](https://onezero.medium.com/the-pandemic-is-a-trojan-horse-for-surveillance-programs-around-the-world-887fa6f12ec9) <https://www.un.org/en/universal-declaration-humanrights/index.html>

<https://policyreview.info/articles/news/new-un-resolution-right-privacy-digital-age-crucial-and-timely/436>

<https://www.natlawreview.com/article/privacy-global-pandemic-analysis-covid-19-guidance-data-protection-authorities>