

FORUM: Human Rights Commission 1

QUESTION OF: Promoting initiatives for community-based alternatives to imprisonment and greater use of early release from prison

SUBMITTED BY: Switzerland

CO-SUBMITTERS: Pakistan, Vietnam, Saint Kitts and Nevis, Bhutan, Angola, Yemen, Bangladesh, Slovenia, Kazakhstan, Togo, Marshall Islands, Gambia, Spain, Argentina, Mauritania, Niger, Uganda, Amnesty International, Guinea Bissau, South Sudan, Honduras

THE HUMAN RIGHTS COMMISSION,

Realizing that several studies have shown that most offenders do not rehabilitate or integrate into society after their prison sentence, but rather commit a crime within the next three years, so that the increasing use of custodial sentences probably does not make the public safer,

Guided by the United Nations Standard Minimum Rules for Non-custodial Measures (Tokyo Rules) which intends to promote community-based alternatives in the management of criminal justice,

Noting with concern that most prisons around the world face problems such as prison overpopulation, low-quality nutrition, uncleanliness and inadequate medical facilities,

Bearing in mind that the United Nations International Children's Emergency Fund (UNICEF) promotes diversion and alternatives to detention of adolescents in order to prevent the punishment from having a bad impact on the development of minors,

Having considered that low level offenders are sentenced to years in prison everyday, and being prioritized over bigger criminals,

Noting that failure to rehabilitate criminals results in further economic losses and it is therefore, the fair treatment of prisoners is a sound long-term investment,

1. Asks the United Nations Office on Drugs and Crime (UNODC) to conduct international and representative studies on:
 - a) how productive imprisonment is in reintegration and rehabilitation of those charged with minor crimes
 - b) the extent to which the various tested alternatives to imprisonment were able to fulfill those criteria and how they perform in comparison to normal incarceration
 - c) how much the different forms of punishment of offenders cost a state on average and in total
 - d) recidivism within the criminal justice system, in order for it to be measured and track what the best outcomes are, according to the punishment the criminal received;

2. Expects the creation of an inspection team whose personnel will be trained by the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), on the topic of training of personnel in criminal justice administration, which will investigate whether the prisons of a Member State are in inhumane conditions such as overcrowding or violence which pose a threat to the prisoners' health and safety and the reintegration of the criminal in order to:
 - a) have a better understanding of which Member States are suffering more from overcrowding of prisons in order to have a better understanding of which countries should be assisted first
 - b) develop the conditions of these prisons with the help of Penal Reform International; an organization with the goal of making all prisons respect the rule of law
 - c) implement penalties to the Member States which does not collaborate on improving the prison conditions in their nation;

3. Strongly emphasizes all Member States to improve prison conditions so that they at least maintain human rights standards in areas such as but not limited to:
 - a) education
 - b) medical facilities
 - c) cleanliness
 - d) adequate space
 - e) staffing ratios
 - f) providing decent assistance for those with mental issues;
4. Encourages every Member State to make greater use of early release in order to prevent offenders who have committed minor crimes for absorbing disreputable practices from the criminal environment by:
 - a) decreasing the sentences of prisoners who work without incident for various services within the prison while noting that there must be a small but mandatory monetary reward for these hours,
 - b) creating more intermediate (“half-way”) houses for minor offenders, especially those associated with the drug trade, to establish a new community, job, and life that benefit all of society
 - c) releasing legislation information about safety and benefits of early release to local communities to prevent fear and confusion
5. Suggests every nation to incorporate the following community-based alternatives to imprisonment into their justice system, since they have shown to be successful in the past:
 - a) semi-detention, in which offenders continue to carry out their work during the day and only spend weeknights and weekends in prison
 - b) electronic tagging, in which allows offenders to continue to live at home and carry on with their everyday life, while they are tracked by an electronic tag attached to one leg, conditional on the crime
 - c) community service, in which gives offenders the chance to work off their sentences in public utilities such as retirement homes, hospitals and parks;
 - d) implement a strict probation system which would:
 - i. require offenders to regularly report to a case manager,
 - ii. be required to attend educational programs, community work, and drug treatment programs
6. Promotes social reintegration programs for released prisoners, not only in order to control them, but also teach them how to deal with their new environment and help them with everyday problems they did not face in prison;
7. Promotes increased funding for UNAFEI to expand to global operations and assist in prison development by means such as but not limited to:
 - a) educating the applicable national branches of service on improving penal and prison systems
 - b) assisting community service and reintegration programs to be set up in LDCs that do not have the required funds;
8. Recommends all nations to give prisoners a thorough examination every year of:
 - a) their medical, and psychological state in order to check and report to the superintendent on unexplained injuries, and be able to provide better medical assistance when it is needed
 - b) their education in order to put them into classes with an adequate difficulty level;
9. Encourages all Member States suffering from prison overcrowding to collaborate with NGOs to raise public awareness of alternatives to imprisonment and how they work in order to improve the reintegration of former criminals into society and reduce recidivism by informing people about non-

custodial measures, how these measures will protect their own society and the issue of overcrowding in prisons to gain the support of the public by:

- a) having seminars conducted by experts chosen from necessary organizations
- b) publishing informative commercials on television broadcasts
- c) using mass media organs such as Twitter, Instagram, and Facebook to spread the news amongst a group
- d) having conferences in the most crowded regions of these respective nations in order to attract the maximum number of attendants
- e) creating brochures and pamphlets seeing that mass media organs access is extremely low and such physical documents are the closest alternatives.