

Fair Lawn Model United

Nations Conference V

2016

**United Nations
Human Rights
Council**

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Letter from Your Chairs

Hello Delegates!

Welcome to Fair Lawn's Model United Nations Conference. My name is Yakov Kazinets and I will be chairing the Human Rights Council. I am currently a junior at Fair Lawn High School and have been involved with Model UN since freshman year. I have attended a few conferences from which I have gained amazing learning experiences, and this is my first time chairing. Chairing is such a rewarding skill, and it will be so interesting to watch the debate unfold and see how delegates develop and grow from the conference, which is why I am excited to be one of your co-chairs for this committee. I look forward to a interesting, challenging, and fun debate!

A warm welcome to all our delegates from your Fair Lawn peers. My name is Andrew Conin and I am also a junior at Fair Lawn High school. I joined Model UN a little late in the game, as a sophomore, but I can honestly inform you all that it was the most rewarding decision I have ever made! The conferences I have attended taught me numerous skills that I have used in the real world. I am thrilled to witness how all of you will grow as successful debaters as our debate unravels. I cannot wait for this committee and the excitement it will bring!

While this background guide provides a solid foundation to start with, come fully prepared with extra research and your position papers. The topics for the FAIRMUNC V UNHRC include: working conditions in Asia and treatment of prisoners of war or POW's. Both are highly debated topics within the UNHRC, so we're very excited to see what you can bring to the discussion and which resolutions will be made.

We'll see you on the floor,
Yakov and Andy

TOPIC 1: Working Conditions in Asia

For several years, the working conditions in Asia have been a massive human rights concern. People are forced to work in buildings that are overfilled, at constant risk of collapsing, and without proper ventilation, all the while earning wages that are barely enough to survive. Major violators are countries such as China, India, Bangladesh and other Southeastern Asian countries. The major reason why such abuse is able to continue is the lack of regulations. In China, workers are banned from creating labor unions independent from the government and 12-hour work days, without breaks, have become the norm. In many cases people are forced to take jobs with very low wages because they have no other options. The wages from these jobs are below the minimum wage in these countries. The countries in which worker's rights are not established must be given laws and regulations to protect their workers. Unfortunately, there is little being done to stop these inhumane working conditions due to the large amount of power and wealth yielded by the governments

and manufacturers, who are benefiting from such cheap labor.

In the late 20th century, monetary compensation was comparatively low, and all measures of work hours were comparatively high in Asian countries (Table 9.1). Job safety (inversely indicated by the fatal job accident rate) was greater in Asian countries. Turning to measures of labor rights, both measures of freedom of association – the Freedom House index, which includes but is not limited to workplace considerations, and the FACB index, which focuses on collective bargaining rights – indicate that freedom of association is stronger on average in non-Asian countries. (Recall that each of these indices is constructed so that lower scores denote superior rights.) Child labor force participation is roughly the same in each set of countries. Both measures of forced labor are higher in Asian countries. On average, they have more varieties of forced labor and more people subject to forced labor. Finally, there is less gender wage discrimination in Asian countries.

Table 9.1. Labor conditions in Asian and non-Asian countries, late 20th century

	Asian	Non-Asian
Working Conditions		
Annual compensation (1995)	2643	17630
Hourly compensation (1997)	1.5	13.1
Weekly work hours (1995)	46.7	39
Annual work hours (1997)	2123.5	1909.7
Percent working over 40 hours (1995)	73.4	57.3
Fatal accident rate (2000)	5.5	5.9
Labour Rights		
Child labour force participation rate (2000)	10	9
Civil liberties Index (2000)	4.6	3.1
Collective bargaining rights (mid-1990s)	7.7	5
Net gender wage differential	-0.085	-0.105
Forced labour varieties (mid-1990s)	1.26	0.03
Number of forced labourers (mid-1990s)	5312927	39670

When comparing the amount of work performed in an Asian nation to a western one, the results are staggering. On average, the Asian worker receives a fraction of what a western worker would receive.

But the countries' governments are not the only ones at fault. Companies such as Dell and Sony have come under fire in

recent years for controversies of working conditions in their factories in China. Some companies such as Intel have become more transparent in revealing their suppliers and sources, and they are striving to make the production of their products have little, or nothing to do with illegal laborers or violations of international labor

laws. They call this their “Conflict Free” supply chain.

Many factories employ underage workers in developing countries, many of which are located in Asia. The United

Nations has set rules for child labor in two conventions, one in 1973, where they set the minimum working ages to the numbers below:

	The minimum age at which children can start work	Possible exceptions for developing countries
<p>Hazardous work Any work which is likely to jeopardise children’s health, safety or morals should not be done by anyone under the age of 18</p>	18 (16 under strict conditions)	18 (16 under strict conditions)
<p>Basic Minimum Age The minimum age for work should not be below the age for finishing compulsory schooling, which is generally 15</p>	15	14
<p>Light work Children between the ages of 13 and 15 years old may do light work, as long as it does not threaten their health and safety, or hinder their education or vocational orientation and training.</p>	13-15	12-14

Then, in 1999, another convention was held on the worst forms of child labor, prohibiting kids to work certain jobs, such as those involving drugs or risking their safety, until they were legal adults.

Questions to Consider:

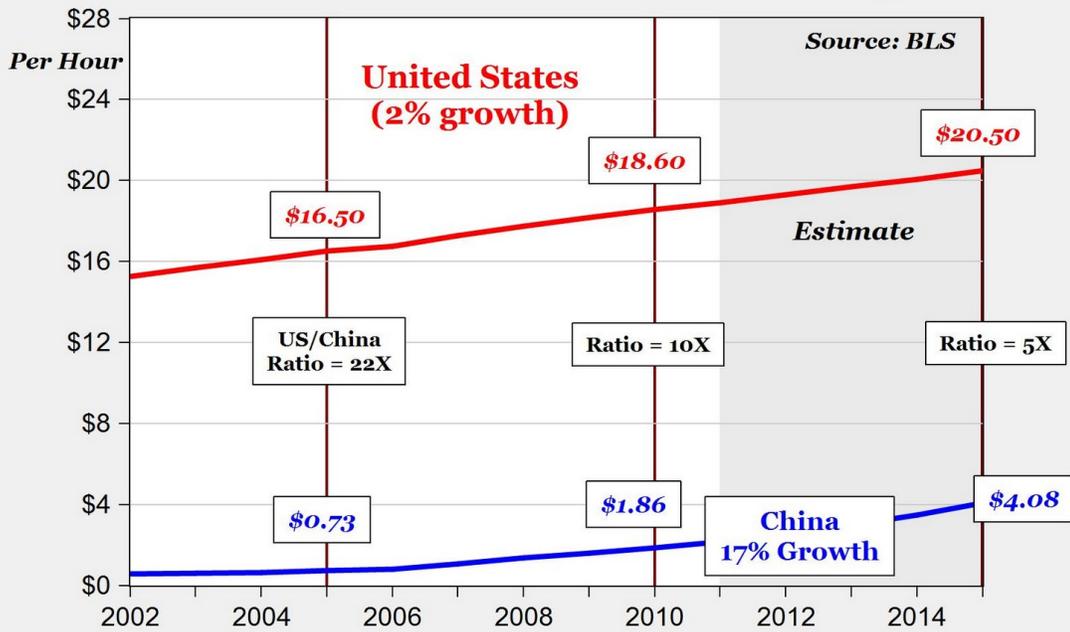
1. Is your nation violating international laws involving labor? If so, in what way and to what extent?
2. What is your nation's history of labor laws?
3. Is your nation allied with any other nation to prevent the continuation of mistreating workers/laborers?
4. How often do the factories get inspected for violations in your own nation?
5. What is your nation's policy regarding workers and their rights? Do these regulations protect your workers?

References:

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2. <http://mjperry.blogspot.com/2011/11/wage-gap-with-china-continues-to-shrink.html>
3. <http://www.spiegel.de/international/business/miserable-working-conditions-human-rights-group-condemns-computer-manufacturers-a-596712.html>
4. <http://www.un.org/apps/news/story.asp?NewsID=44826#.V8HJgigrKUk>
5. <https://www.theguardian.com/world/2015/apr/22/garment-workers-in-bangladesh-still-suffering-two-years-after-factory-collapse>
6. <http://www.un.org/en/globalissues/briefingpapers/childlabour/intlconvs.shtml>
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Manufacturing Wages: U.S. vs. China 2002-2010 Actual and 2011-2015 Est.



TOPIC 2: Treatment of Prisoners of War (POWs)

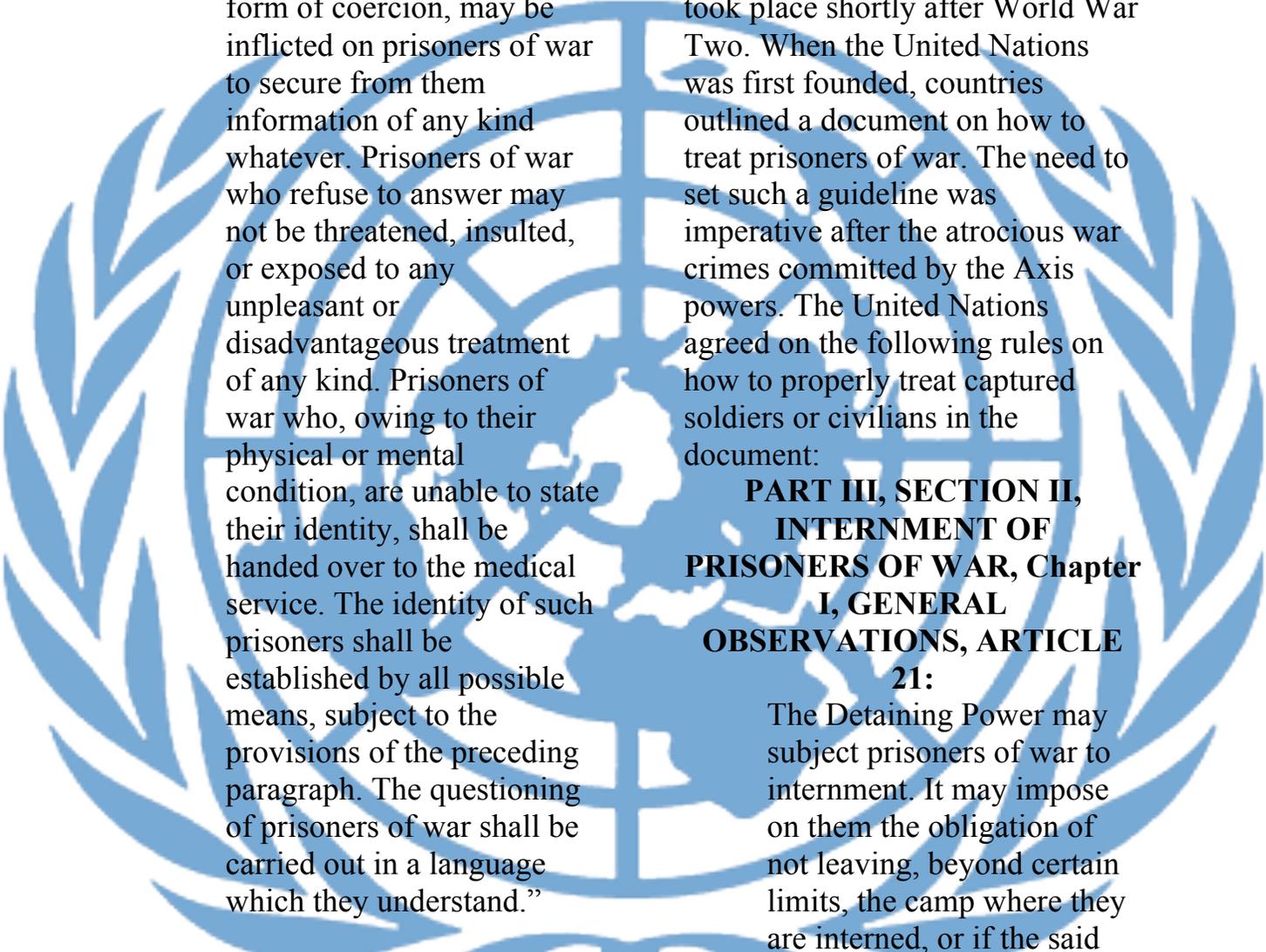
Introduction:

As more extremist leaders rise into power, the treatment of political war prisoners has become a responsibility of UNHRC. The United Nations has condemned North Korea for doing little to uphold proper living conditions for the prisoners in their prison camps. The United States has also been criticized by the Human Rights Council for the U.S. prison in Guantanamo Bay, which although it has been in the process of shutting down, the prison remains a fault of the U.S. judicial system.

Countries have repeatedly disregarded the United Nations laws for how to treat war prisoners, and so have extremist groups, who have an even greater likelihood to abuse and mistreat their prisoners of war (POW's); extremist groups, like ISIS, are especially known to murder their prisoners in gruesome ways and tape it. The UNHRC must take action against these crimes against humanity.

Under the United Nations Geneva Convention, relative to the treatment of prisoners of war, in **PART III, CAPTIVITY, SECTION I, BEGINNING OF CAPTIVITY, Article 17**, it states:

“Every prisoner of war, when questioned on the subject, is bound to give only his surname, first names and rank, date of birth, and army, regimental, personal or serial number, or failing this, equivalent information. If he willfully infringes this rule, he may render himself liable to a restriction of the privileges accorded to his rank or status. Each Party to a conflict is required to furnish the persons under its jurisdiction who are liable to become prisoners of war, with an identity card showing the owner's surname, first names, rank, army, regimental, personal or serial number or equivalent information, and date of birth. The identity card may, furthermore, bear the signature or the fingerprints, or both, of the owner, and may bear, as well, any other information the Party to the conflict may wish to add concerning persons belonging to its armed forces. As far as possible the card shall measure 6.5 x 10 cm. and shall be issued in duplicate.



The identity card shall be shown by the prisoner of war upon demand, but may in no case be taken away from him. No physical or mental torture, nor any other form of coercion, may be inflicted on prisoners of war to secure from them information of any kind whatever. Prisoners of war who refuse to answer may not be threatened, insulted, or exposed to any unpleasant or disadvantageous treatment of any kind. Prisoners of war who, owing to their physical or mental condition, are unable to state their identity, shall be handed over to the medical service. The identity of such prisoners shall be established by all possible means, subject to the provisions of the preceding paragraph. The questioning of prisoners of war shall be carried out in a language which they understand.”

Any violations of these rules are considered heinous and the UNHRC must strategize in order to enforce more effective regulations. In some countries, these rules are often completely forgotten about or disregarded when handling and treating

POW's. In many cases, POWs are forced into hard labor, humiliation, and coercion. In more rare, extreme cases, it sends the POW to insanity and/or suicide.

The Geneva Convention took place shortly after World War Two. When the United Nations was first founded, countries outlined a document on how to treat prisoners of war. The need to set such a guideline was imperative after the atrocious war crimes committed by the Axis powers. The United Nations agreed on the following rules on how to properly treat captured soldiers or civilians in the document:

**PART III, SECTION II,
INTERNMENT OF
PRISONERS OF WAR, Chapter
I, GENERAL
OBSERVATIONS, ARTICLE
21:**

The Detaining Power may subject prisoners of war to internment. It may impose on them the obligation of not leaving, beyond certain limits, the camp where they are interned, or if the said camp is fenced in, of not going outside its perimeter. Subject to the provisions of the present Convention relative to penal and disciplinary sanctions, prisoners of war may not be held in close confinement



except where necessary to safeguard their health and then only during the continuation of the circumstances which make such confinement necessary. Prisoners of war may be partially or wholly released on parole or promise, in so far as is allowed by the laws of the Power on which they depend. Such measures shall be taken particularly in cases where this may contribute to the improvement of their state of health. No prisoner of war shall be compelled to accept liberty on parole or promise. Upon the outbreak of hostilities, each Party to the conflict shall notify the adverse Party of the laws and regulations allowing or forbidding its own nationals to accept liberty on parole or promise. Prisoners of war who are paroled or who have given their promise in conformity with the laws and regulations so notified, are bound on their personal honor scrupulously to fulfill, both towards the Power on which they depend and towards the Power which has captured them, the engagements of their paroles or promises. In such cases, the Power on which they

depend is bound neither to require nor to accept from them any service incompatible with the parole or promise given.

For other parts of the treatment included were:

**PART III, SECTION II,
INTERNMENT OF
PRISONERS OF WAR,
CHAPTER III, HYGIENE AND
MEDICAL ATTENTION,
Articles 29 - 32:**

The Detaining Power shall be bound to take all sanitary measures necessary to ensure the cleanliness and healthfulness of camps and to prevent epidemics. Prisoners of war shall have for their use, day and night, conveniences, which conform to the rules of hygiene and are maintained in a constant state of cleanliness. In any camps in which women prisoners of war are accommodated, separate conveniences shall be provided for them. Also, apart from the baths and showers with which the camps shall be furnished, prisoners of war shall be provided with sufficient water and soap for their personal toilet and for washing their personal laundry; the necessary installations, facilities and

time shall be granted them for that purpose.

Every camp shall have an adequate infirmary where prisoners of war may have the attention they require, as well as appropriate diet. Isolation wards shall, if necessary, be set aside for cases of contagious or mental disease. Prisoners of war suffering from serious disease, or whose condition necessitates special treatment, a surgical operation or hospital care, must be admitted to any military or civilian medical unit where such treatment can be given, even if their repatriation is contemplated in the near future. Special facilities shall be afforded for the care to be given to the disabled, in particular to the blind, and for their rehabilitation, pending repatriation.

Prisoners of war shall have the attention, preferably, of medical personnel of the Power on which they depend and, if possible, of their nationality. Prisoners of war may not be prevented from presenting themselves to the medical authorities for examination. The detaining authorities shall, upon

request, issue to every prisoner who has undergone treatment, an official certificate indicating the nature of his illness or injury, and the duration and kind of treatment received.

A duplicate of this certificate shall be forwarded to the Central Prisoners of War Agency. The costs of treatment, including those of any apparatus necessary for the maintenance of prisoners of war in good health, particularly dentures and other artificial appliances, and spectacles, shall be borne by the Detaining Power.

Medical inspections of prisoners of war shall be held at least once a month. They shall include the checking and the recording of the weight of each prisoner of war. Their purpose shall be, in particular, to supervise the general state of health, nutrition and cleanliness of prisoners and to detect contagious diseases, especially tuberculosis, malaria and venereal disease. For this purpose the most efficient methods available shall be employed, e.g. periodic mass miniature

radiography for the early detection of tuberculosis. Prisoners of war, who though not attached to the medical service of their armed forces, are physicians, surgeons, dentists, nurses or medical orderlies, may be required by the Detaining Power to exercise their medical functions in the interests of prisoners of war dependent on the same Power. In that case they shall continue to be prisoners of war, but shall receive the same treatment as corresponding medical personnel retained by the Detaining Power. They shall be exempted from any other work under Article 49.

North Korea, the Middle East, and Africa are the areas showing the most alarming treatment of POW's. In North Korea, war and political prisoners are forced into hard labor camps, in which prisoners can and will be subjected to the removal of all their human rights. Many people do not even survive these camps due to the extremity of their harsh working conditions and quotas that must be filled. In the Middle East, misconduct can be seen from countries as developed as Israel, Saudi Arabia, and the U.A.E. But

the worst treatment of POW's in the Middle East lies with terrorist organizations such as ISIS and Al Qaeda, which follow absolutely no laws and go as far as beheading prisoners and posting these beheadings on YouTube as an example. In Africa, other countries have been responsible for misuse and mistreatment of war prisoners including Egypt, Libya, and Rwanda.

Questions to Consider:

1. Does your country have any POW's? If so, how many?
2. What has your country done regarding the regulations of war prisoners?
3. Is your nation allied with any other nation who conducts in the mistreatment of POWs?
4. How often are your POW prisons inspected for misconduct and mistreatment?
5. What is your nation's policy regarding POWs and their rights?
6. Is there any way to enforce POW regulations without infringing on a country's autonomy?

References:

1. http://www.un.org/en/prevent/genocide/rwanda/text-images/Geneva_POW.pdf

2. https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf

