
Security Council

Distr.: General
23 May 2011

Original: English

MUNSA XVI

30 November – 2 December

Agenda item 1

Determining the future prospects of foreign detainees while respecting national sovereignty.

Report of the Chair

I. Statement of the problem

1. Because nations have diverse legal structures and practices, it becomes nearly impossible to extend the protection that every citizen enjoys outside their home country. Many journalists, diplomats, military personnel, and other civilians travel in order to learn, serve, and report international affairs. The rights of citizens are often denied as the legal status of the citizens become unclear. Many civilians are detained under a number of adverse conditions, and without the rights or resources to improve upon their condition abroad. Groups of people that detain are often those who support a sentiment that counters their detainees. Terrorist groups worldwide use captivity as a way to contain clandestine information and as a way to publicize the consequences of interfering with their plans.

2. The issue of foreign detainment is difficult to put parameters on, as a top priority of most nations is both national sovereignty and the federal protection of citizens. Federal officials and governmental organizations often delegate citizens to carry out federal engagements without taking safety into concern. In the past decade, this issue has become increasingly contentious and has resulted in the unlawful imprisonment and mistreatment of thousands. [1]

3. Leaving this issue unaddressed would result in further abuse of peaceful international diplomacy and practices. It would hinder a nations ability to conduct foreign policy and discourage international journalism. It would make militaristic alliance more difficult than it already is. Instituting legislation on this issue would benefit a number of nations present in the United Nations because it will encourage international journalism, promote improved communication globally, and enhance worldwide security.

II. History of the Issue

4. Since 2010 there have been 145 journalists being held internationally, with Iran and China having the most captives. These issues have gone unaddressed for too long and the security of human rights are hindered by foreign policies. As an ongoing example, the Sharia Muslim Law has been the Islamic code of conduct for hundreds of years. Many civilians who break federal law, through common crimes such as adultery, are sentenced to harsh punishments or by death. Although adultery is merely frowned upon in most countries, the Sharia Law states that it is punishable by death.

5. Internment applies mainly in relation to civilians of one of the warring sides in permanent or temporary residence on the territory of the other warring side. Military personnel falling into the hands of the enemy are not internees but prisoners of war. Internment of enemy troops can take place only during an armistice, when military action and consequently the taking of prisoners cease. Also subject to internment are military personnel of the warring sides arriving on the territory of a neutral state. Interned military personnel are disarmed and subjected to restrictions to prevent them from leaving the territory of the neutral state and resuming military activities. The neutral state supplies the internees with food and clothing and extends other services to them, which gives it the right to compensation after the end of hostilities. [5]

6. There are many situations and examples in which a persons human rights and an international conflict have been a detriment to the political relationship of nations. In 2009 Amanda Knox was convicted of the murder of her roommate when she was studying abroad in Italy. The accusation of her murder caused a major dispute between the United States and her conviction since she is an American citizen who was accused of breaking a law in Italy.[7]

7. In 2008, Emadeddin Baqi, a journalist, suffered many heart attacks while in prison merely for practicing his legal rights of freedom of expression, by questioning the validity of the Islamic Law. [6] After being hospitalized for a little while he was returned to prison in that same day. He was released for medical purposes but returned to jail three months later against his doctors orders. Another issue is the United States detainment center of Guantanamo Bay. The pentagon believes that the detainees there have no need for a lawyers and may no file charges of challenge during imprisonment. [2]

8. There has been little done in resolving this issue in the past but Human Rights has been closely looked at by the Amnesty International Club which is an organization that has freed thousands of prisoners and has began an International Criminal Court campaign. Amnesty International has urged the Egyptian military to stop torturing their detainees. [3]

III. Potential Solutions

9. There are many possible solutions to this issue that will encompass the goals of many nations. Establishing an effective protocol to declare multinational extradition treaties, requiring more countries to have extradition treaties, and strengthen the international law to protect human rights in foreign countries are all plausible solutions.

IV. Position and Research Tips

10. Delegates must remember to stay authentic to ones country and have credible sources of information. Find what your country has done recently that involves foreign detainees or what they have done. If your country doesnt have this issue in their country then look for

human rights treaties that the country has signed and what they have done to protect those rights. Helpful questions to answer might be:

- Does your country have foreign prisoners?
- Why would they be convicted and put in jail?
- What is your country's legislation like?
- How does your country deal with tourism or journalists?
- Who does your country generally ally with in terms of international travel security?

Useful Web Sources

- <<http://chartsbin.com/view/8ns>>
- <http://www.hmprisonservice.gov.uk/adviceandsupport/prison_life/foreignnationalprisoners/>
- <<http://twentyfortysix.wordpress.com/category/committee-to-protect-journalists/>>
- <http://www.actnow.com.au/Issues/Political_prisoners.aspx>

V. Note to Delegates

Thank you all delegates who are a part of MUNSA XVI and are delegating in Security Council. I hope that this will be a great and memorable experience for all of you. I am looking forward to monitoring the great debate that we will be having in our committee and I am excited to see resolutions being passed.

Maya Russo

References

- [1] "Amnesty International." Johns Hopkins School of Advanced International Studies (SAIS). The Paul H. Nitze School of Advanced International Studies (SAIS). Web. 22 May 2011. <<http://www.sais-jhu.edu/students/groups/amnestyinternational/amnesty/>>.
- [2] "International Pen: IRAN: Imprisoned Journalists Health Critical 88591886-E0C4-ED84-0991CA118B3FDA54." *International Pen*. 15 May 2008. Web. 22 May 2011. <<http://www.internationalpen.org.uk/index.cfm?objectid=00D0F542-E0C4-ED84-0779377D8180B0C1>>.
- [3] "CIA Admits Presidential Order Re: Foreign Detention Facilities." *The Politics Of Crime*. Web. 25 May 2011. <<http://www.talkleft.com/story/2006/11/14/11262/955>>.
- [4] "Arrest and Detention in International Travel." *PubMed.gov*. Public Medical. Web. 25 May 2011. <<http://www.ncbi.nlm.nih.gov/pubmed/11003729>>.
- [5] "Internment." The Free Dictionary. Web. 25 May 2011. <<http://encyclopedia2.thefreedictionary.com/Detainment+camp>>.
- [6] "International Campaign for Human Rights in Iran Emad Baghi." *International Campaign for Human Rights in Iran*. Intl. Campaign for Human Rights in Iran. Web. 25 May 2011. <<http://www.iranhumanrights.org/tag/emad-baghi/>>.
- [7] Griffin, Drew. "Murder Abroad: The Amanda Knox Story." CNN Press Room. CNN, 28 Apr. 2011. Web. 25 May 2011. <<http://cnnpressroom.blogs.cnn.com/2011/04/28/%E2%80%98murder-abroad-the-amanda-knox-story%E2%80%99-%E2%80%93-drew-griffin-reports/>>.