

Model United Nations of the University of Chicago

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#### **CHAIR LETTERS**

Dear Delegates,

Welcome to MUNUC and CSD!

My name is Laura Giugno and I will be co-chairing the Commission on Social Development. Olivia and I are looking forward to running this committee for you in MUNUC 35 and hearing your discussion on these fascinating ideas. I'm a third year at UChicago, planning to double major in Political Science and Law, Letters and Society! I'm originally from Rochester, New York and have competed in rhetorical activities all four years of high school, in Lincoln Douglas Debate. My main involvement on campus is in the Chicago Debate Society, which provides another perspective to the rhetorical activities and engagement with others that MUNUC will give you. I'm excited to see how you all engage with the debate about these topics that we'll have during MUNUC and how you communicate the crux of the argument.

Over the course of the committee, you'll have an opportunity to discuss the rights of prisoners and rehabilitation of soldiers. You'll get to come up with creative solutions to discuss how countries around the world handle issues of rights and rehabilitation. The discussion that we will have involving the rights of prisoners will examine how prisons around the world try to protect human rights in carceral institutions. It will look at the successes and failures that each country deals with in the protection of these rights. Our second topic is a significant shift away from this, discussing the challenges regarding employment and mental health struggles that face soldiers that are returning home. The background guide, created by Olivia and me, should provide a good starting place for much of your research. We are looking forward to hearing everyone's ideas and research on how to address these salient issues.

If you have questions, concerns, comments, or want to chat, please reach out to me by email at <a href="mailto:lauragiugno@uchicago.edu">lauragiugno@uchicago.edu</a>! I'm looking forward to seeing you all for the conference in February!

Best wishes,

Laura Giugno

Co-Chair, CSD

To the members of the CSD:

My name is Olivia Degen, and I am your co-chair for the Commission on Social Development for MUNUC 35! Laura and I are very much looking forward to running this committee this year and have some really interesting topics set up. I'm very excited to hear all your ideas! Here at UChicago, I'm on the Pre-Med track, and I'm planning to double major in Biology and Spanish literature. I'm in my third year at UChicago, and I am an alumnus of Li Po Chun UWC in Hong Kong. In high school, I did Model UN for three years, and I decided to continue being involved with MUN in college on the side of the dais. For the past two years, I was on the dais for the Organization of American States. It was a great experience, so I'm super excited to be chairing this committee and to be involved for a third time! Outside of Model UN, I work for a lab in the biopsychological department and am also involved with the OI here on campus.

Laura and I have put together this Background Guide, which is a really great place to start with your research! Our two topics, while based around similar themes regarding rights and rehabilitation, touch upon very different topics. Rights of Prisoners will involve a focused look at prison systems across the globe, analyzing the effectiveness and humanity of different types of penal institutions. In discussing the Reintegration of Soldiers, we will focus on rehabilitation relating to both mental obstacles and employment difficulty after military deployment. Both topics should open some very interesting debates, and I am looking forward to hearing everyone's perspectives and plans!

If you have any questions, comments, concerns, or just want to tell me something interesting, please feel free to email me at <a href="mailto:odegen@uchicago.edu">odegen@uchicago.edu</a>. I can't wait to see everyone in February!

Take care,
Olivia Degen

Co-Chair, CSD

### HISTORY OF COMMITTEE

The Commission for Social Development (CSocD / CSD) was established by ECOSOC resolution 10 (II) in 1946, around the time of the inception of the United Nations. It was originally called the Social Commission until 1966<sup>1</sup>. The purpose of this commission was to evaluate general social issues in order to advise ECOSOC and to specialize in all social matters not covered by one of the other seven ECOSOC-established functional commissions. This was especially relevant in the post-WWII period.

The Commission's focus was realigned following the World Summit for Social Development in Copenhagen in 1995, and has since been tasked with specifically implementing the Copenhagen Declaration and Programme of Action<sup>2</sup>. The aforementioned declaration makes ten general commitments which aim to promote developments in the areas of poverty eradication, social integration, assistance in developing nations, and gender equality, to name a few. The World Summit for Social Development officially recognized the importance of individuals, families, and communities' material and spiritual needs, arguing that social justice is necessary for the maintenance of secure and peaceful societies.

There were an original eighteen members in the Social Commission at its inception, and there have been several membership increases over the years. In 1996, the commission was expanded to include 46 members, and it remains with 46 members today. Throughout the history of the commission, it has met at different intervals, but it now meets annually in New York. It now sets priority themes for discussion at each annual meeting, and recent themes have included "affordable housing and social protection systems for all to address homelessness" (2020), "the role of digital technologies on social development and well-being" (2021), and "inclusive and resilient recovery

<sup>&</sup>lt;sup>1</sup> "Commission for Social Development." UN | Department of Economic and Social Affairs . Accessed September 12, 2022. https://www.un.org/development/desa/dspd/united-nations-commission-for-social-development-csocd-social-policy-and-development-division.html.

<sup>&</sup>lt;sup>2</sup> "A/Conf.166/9: Copenhagen Declaration on Social Development." United Nations. Accessed September 12, 2022. https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A\_CONF.166\_9\_Declaration.pdf.

from COVID-19 for sustainable livelihoods, well-being and dignity for all: eradicating poverty and hunger in all its forms and dimensions to achieve the 2030 Agenda" (2022).<sup>3</sup>

<sup>&</sup>lt;sup>3</sup> "UN/DESA Policy Brief #101: Challenges and Opportunities for Indigenous ..." UN | Department of Economic and Social Affairs. Accessed September 12, 2022. https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2021/04/PB\_101.pdf.

### **TOPIC A: RIGHTS OF PRISONERS**

#### Statement of the Problem

A common characteristic of modern civilization is law, and with the law comes a conversation on how to ensure that it is upheld. The legal system in many countries focuses on how to punish transgressions, but pays little attention to what happens once a citizen is sent to jail. In the United States, 81 billion dollars<sup>4</sup> of taxes are spent each year on incarceration, but citizens have very little knowledge of what actually happens when someone is deemed to be guilty by the criminal justice system. Prisoners, despite being wards of the state, are an incredibly vulnerable population with social stigma stemming from a "tough on crime" attitude, the inability to vote in some countries, and a lack of funding resulting in poor prison conditions. Although documents, such as the Universal Declaration of Human Rights of 1948 by the United Nations<sup>5</sup> outline the right to be thought of as innocent until proven guilty and prohibit torture, few actually look at the material treatment of prisoners.<sup>6</sup> This is a hole that the UN has previously sought to fill.

The Nelson Mandela Rules, laid out by the UN, are one of the few sources of guidance on how to treat prisoners with provisions such as the requirement of healthcare and mental health services for those incarcerated. The Nelson Mandela Rules emphasize the need for the protection of human rights of prisoners, especially women and children in detention centers. However, these guidelines are frequently not enough. The global prison population has risen astronomically in recent years, creating issues like overcrowding and an increase in the incarceration of already vulnerable groups. The *Global Prison Trends 2017* report cited significant increases in the prison population. There was a

<sup>&</sup>lt;sup>4</sup> Kuhn, Casey. 2022. "The U.S. Spends Billions To Lock People Up, But Very Little To Help Them Once They'Re Released". *PBS Newshour*. https://www.pbs.org/newshour/economy/the-u-s-spends-billions-to-lock-people-up-but-very-little-to-help-them-once-theyre-released.

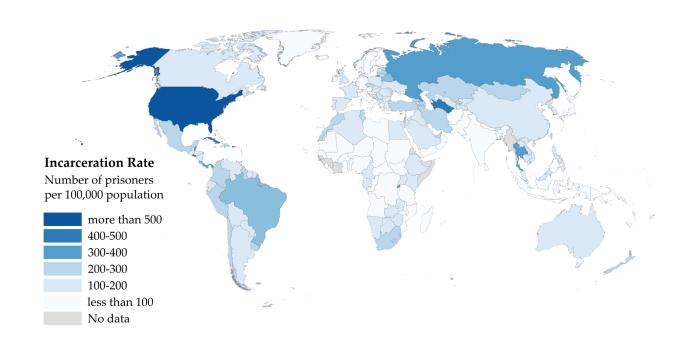
<sup>&</sup>lt;sup>5</sup> Nations, United. 2022. "Universal Declaration Of Human Rights | United Nations". *United Nations*. https://www.un.org/en/about-us/universal-declaration-of-human-rights.

<sup>&</sup>lt;sup>6</sup> Nations, United. 2022. "The Nelson Mandela Rules: Protecting The Rights Of Persons Deprived Of Liberty | United Nations". *United Nations*. https://www.un.org/en/un-chronicle/nelson-mandela-rules-protecting-rights-persons-deprived-liberty.

<sup>&</sup>lt;sup>7</sup> Team, ODS. 2022. "ODS HOME PAGE". *Documents-Dds-Ny.Un.Org*. https://documents-dds-ny.un.org/doc/UNDOC/GEN/N15/443/41/PDF/N1544341.pdf?OpenElement.

<sup>&</sup>lt;sup>8</sup> "GLOBAL PRISON TRENDS 2017". 2022. *Penal Reform International*. https://cdn.penalreform.org/wp-content/uploads/2017/05/Global\_Prison\_Trends-2017-Full-Report-1.pdf.

29% increase in the prison populations in Asia between 2000 and 2015 and a 15% increase of the prison population in Africa. The rise in the worldwide incarcerated population is significant, as it strains the prison system and leads to fewer resources available per capita in each detention center.



Prison overcrowding is a big issue, in part caused by the high rate of incarceration<sup>9</sup>

Prison overcrowding is becoming a large issue in prisoners' rights. In 2017, 79 countries had prisons that were above 120% of their capacity. 51 of these countries experienced extreme overcrowding in their prison system, with their incarcerated population reaching 150% occupancy. Although there is limited data measuring this problem, it is hypothesized that prison overcrowding can result in higher levels of illness among inmates and higher assault rates among the prison populations, and that overcrowding may result in higher rates of recidivism, or repeat offenses once inmates are released. In overcrowded prisons around the world, it is difficult to maintain sanitary conditions

<sup>&</sup>lt;sup>9</sup> "Prisoners World Map Png2.Png - Wikimedia Commons". 2022. *Commons.Wikimedia.Org.* https://commons.wikimedia.org/wiki/File:Prisoners\_world\_map\_png2.png.

<sup>&</sup>lt;sup>10</sup> "GLOBAL PRISON TRENDS 2017". 2022. *Penal Reform International*. https://cdn.penalreform.org/wp-content/uploads/2017/05/Global\_Prison\_Trends-2017-Full-Report-1.pdf.

<sup>&</sup>lt;sup>11</sup> Gaes, Gerald. 1985. "The Effects Of Overcrowding In Prison: Crime And Justice: Vol 6". *Crime And Justice*. https://www.journals.uchicago.edu/doi/10.1086/449105; "Recidivism". 2022. *National Institute Of Justice*. https://nij.ojp.gov/topics/corrections/recidivism.

and order. If there is a corresponding shortage of prison officers, it can be challenging for prisoners to get access to even basic mental health and medical treatments, as the prison lacks the manpower to be able to escort these people to their appointments.<sup>12</sup>

To illustrate the problem in the United States, let's take a look at the New Orleans Parish Prison, which has a long history of prisoner neglect, specifically regarding safety. Back in 2005, when New Orleans was hit with Hurricane Katrina, the New Orleans Parish Prison was the 9th largest local jail in the country, despite the overall population of the city ranking outside of the top twenty in terms of size. The prison was not evacuated during the hurricane, with thousands left stranded in the hot sun and flooded conditions without food or water. 13 Despite the backlash faced from the blatant disregard for the treatment of its inmates during Hurricane Katrina, the New Orleans Parish Prison has continued to violate the basic rights of prisoners, with routine overcrowding of jail cells and lack of access to basic healthcare needs. 14

Overcrowding, and the general lack of resources funneled into prisons has numerous impacts on the basic wellbeing of prisoners. It is not difficult to imagine that being locked up without freedom and without a stable community to turn to would significantly harm one's mental health. However, there are no pathways in place in the prison system to address the mental health crisis faced by prisoners on a daily basis. Without this intervention, incarcerated individuals, particularly younger inmates, are more likely to have high levels of recidivism. Additionally, young inmates are "18 times more likely to commit suicide in prison than in the community", clearly illustrating the devastating impacts of incarceration. 15 Recent studies have shown that 95% of young incarcerated individuals display the signs of at least one mental illness, showing that the criminal system is punitive especially to those

https://www.aclu.org/other/orleans-parish-prison-big-jail-big-problems.

<sup>&</sup>lt;sup>12</sup> "Overcrowding And Its Impact On Prison Conditions And Health | Emerald Insight". 2022. *Emerald.Com*. https://www.emerald.com/insight/content/doi/10.1108/IJPH-04-2018-0014/full/html.

<sup>&</sup>lt;sup>13</sup> "Orleans Parish Prison: A Big Jail With Big Problems". 2022. American Civil Liberties Union.

<sup>&</sup>lt;sup>14</sup> Maggi, Laura. 2022. "Report Shows New Orleans' Jail Overcrowded". *NOLA.Com*. https://www.nola.com/news/article\_ab88fgec-2244-5b4c-bbe8-fgec65ofgbg5.html.

<sup>&</sup>lt;sup>15</sup> Fraser, A, A Gatherer, and P Hayton. 2009. "Mental Health In Prisons: Great Difficulties But Are There Opportunities?". Science Direct. https://www.sciencedirect.com/science/article/abs/pii/Soo3335060900095X?via%3Dihub.

struggling with their mental health.<sup>16</sup> Conditions such as solitary confinement, a lack of privacy, social isolation, lack of activity, and violence all contribute to this mental health crisis.<sup>17</sup>

All of this is just a part of a larger systemic lack of access to healthcare that exists in many of the prison systems around the world. A lack of funds, an overabundance of inmates, and a general apathy towards the wellbeing of incarcerated people are all factors that contribute to the inability of inmates to access help when experiencing health crises. In Italy for instance, a study that looked at access to health services within the prison system found that 60% of inmates believed that their health worsened or even significantly worsened during their time being incarcerated. These problems often developed in prison, with 30% of the prisoners surveyed reporting a health problem when they were incarcerated and 82% reporting a health problem at the time that they were being surveyed. The prisoners, however, only had access to general doctors an average of six times a year to address their health issues. Returning to the state of Louisiana to further illustrate this lack of access to healthcare in prisons, over 50% of the men who are incarcerated in Allen, LA are diagnosed with the condition of hypertension (high blood pressure). There is a significant lack of access not only to preventative care to limit the onset of diseases, but also access to treatment and care more generally.

Finally, we want to draw attention to the violation of human rights in the form of sexual violence that occurs in many prison systems. Rape results in significant trauma, not to mention the possibility of sexually transmitted diseases. Non-consensual sexual contact is found to be prevalent within prisons, although the estimated number of sexual assaults within prisons varies. Instances of staff

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>&</sup>lt;sup>18</sup> Nobile, Carmelo GA, Domenico Flotta, Gaetano Nicotera, Claudia Pileggi, and Italo F Angelillo. 2011. "Self-Reported Health Status And Access To Health Services In A Sample Of Prisoners In Italy". *Springerlink*. https://link.springer.com/article/10.1186/1471-2458-11-529.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

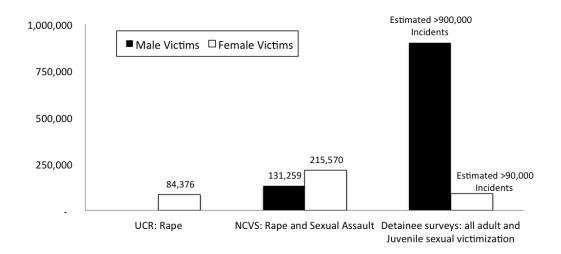
<sup>21</sup> Ibid.

<sup>&</sup>lt;sup>22</sup> "Loyola Law Professor Releases Report On State Of Healthcare Services In Louisiana Prisons | Loyola University New Orleans". 2022. *Loyno.Edu*. https://www.loyno.edu/news/may-17-2021\_loyola-law-professor-releases-report-state-healthcare-services-louisiana-prisons.

abuse of inmates as well as inmate on inmate abuse is a significant problem that varies in prevalence based on the prison that one is sent to.

#### **Annual Incidents of Sexual Victimization, USA**

Uniform Crime Report (UCR) and the National Crime Victim Survey (NCVS), 2012; the National Inmate Survey-2, 2008–2009; and the National Survey of Youth in Custody 2008–2009



The incidents of sexual victimization are very high in incarceration<sup>23</sup>

A study found that 21.2% of female inmates had reported that they faced sexual abuse from other inmates, whereas 7.6% reported that they faced sexual abuse from prison staff.<sup>24</sup> To put this in context, it is found that inmate on inmate rape is ten times higher than the instances of rapes of adult women in the total population, whereas staff on inmate rape was found to be six times higher than the instances of rape in the total population.<sup>25</sup> This inhumane treatment of prisoners increases their trauma that they face, undoubtedly increasing recidivism.

<sup>25</sup> Ibid.

<sup>&</sup>lt;sup>23</sup> "Annual Incidents Of Sexual Victimization, USA.". 2012. *Upload.Wikimedia.Org*. https://upload.wikimedia.org/wikipedia/commons/f/f5/US\_Sexual\_Victimization\_2014.png

<sup>&</sup>lt;sup>24</sup> Wolff, Nancy, Cynthia L. Blitz, Jing Shi, Ronet Bachman, and Jane A. Siegel. "Sexual Violence inside Prisons: Rates of Victimization - Journal of Urban Health." SpringerLink. Springer US, May 23, 2006. https://link.springer.com/article/10.1007/s11524-006-9065-2.

The problem is global, and the problem is pervasive. Prisons are underfunded and overpopulated. Prisoners are given little regard, often treated in inhumane manners and forgotten during their incarcerations. Inmates are incredibly vulnerable, cast at the mercy of the criminal justice and prison system. We will be spending time in this committee examining these issues and coming up with solutions to confront them head on.

## **History of the Problem**

Note: For the purposes of this history, jails for short-term confinement and prisons for long-term confinement will both be grouped under the umbrella term "prisons".

Up until modern times, prisons involved temporary confinement in which offenders were housed leading up to corporal, financial, or capital punishment. Confinement lasted for an undetermined period while each prisoner's punishments were being decided on. The earliest prisons can be traced back to the ancient world and were found in Mesopotamia and Egypt. In Mesopotamia, prisoners were mentioned in both the *Code of Ur-Nammu* and in the *Code of Hammurabi*<sup>26</sup>. The government in these societies did not favor imprisonment as a method of punishment, however. Rather, debtors could be imprisoned by those they owed money to, and the state provided some protections for these individuals. In the later Assyrian state of Mesopotamia, the government showed preference for imposing sentences of forced labor rather than imprisonment. In ancient Egypt, prisons tended to be used as temporary holding spaces leading up to more severe punishments — common sentences for lesser crimes included mutilation and flogging, while serious crimes received punishments like penal servitude and execution<sup>27</sup>.

Like ancient Egyptian prisons, ancient Greek prisons were used only as temporary confinement for prisoners awaiting trial or execution<sup>28</sup>. Execution in ancient Greece tended to involve indirect deaths, through both physical and chemical methods, away from the public eye<sup>29</sup>. Corporal punishments were also used. In ancient Rome, there were three types of prisons — those which held convicts condemned to death, private prisons which held debtors, and public prisons where people awaiting

<sup>&</sup>lt;sup>26</sup> Dhwty. "Prisons and Imprisonment in the Ancient World: Punishments Used to Maintain Public Order." Ancient Origins. Ancient Origins, October 25, 2015. https://www.ancient-origins.net/history-ancient-traditions/prisons-and-imprisonment-ancient-world-punishments-used-maintain-public-020588.

<sup>&</sup>lt;sup>27</sup> "Egyptian Law." Encyclopædia Britannica. Encyclopædia Britannica, inc. Accessed September 6, 2022. https://www.britannica.com/topic/Egyptian-law.

<sup>&</sup>lt;sup>28</sup> Cereno, Benito. "Here's What It Was like for Prisoners in Ancient Greece." Grunge.com. Grunge, February 22, 2022. https://www.grunge.com/421849/heres-what-it-was-like-for-prisoners-in-ancient-greece/

<sup>&</sup>lt;sup>29</sup> Brouwers, Josho. "The Death Penalty in Athens." Josho Brouwers. Accessed September 6, 2022. https://www.joshobrouwers.com/articles/death-penalty-classical-athens/.

trial were held<sup>30</sup>. In *The Twelve Tables*, one of the earliest Roman attempts at drafting codified law, eight kinds of punishment are mentioned, none of which involve long-term imprisonment<sup>31</sup>.

In India, prisons have existed since the reign of Ashoka thousands of years ago, and rivals for the throne were detained within them. Incarceration was a very uncommon form of punishment as a consequence for a crime until the 1700s, before which execution, fines, and mutilation were used more frequently. As with Mesopotamia, Egypt, and Greece, temporary detention centers, known as Hajats in India, housed those awaiting trial or punishment<sup>32</sup>. Prisons for long-term confinement of many people in places like India and Burma (now Myanmar) were primarily instituted by the British during colonial rule. In late imperial China, short-term confinement was used to house those awaiting trial or execution and those sentenced to penal servitude. Incarceration was not a very common sentence in China, however, and corporal or capital punishment were more common<sup>33</sup>. In the vast majority of the world, long-term incarceration as punishment was introduced either directly through European colonization or by its indirect influence. In much of the African continent, prisons were introduced through force by colonial powers<sup>34</sup>.

In each of the aforementioned societies, those with money or certain valued characteristics lived under a different set of rules, and were often simply kept under house arrest when accused of crimes. In Ancient Rome, for example, criminals received varying sentences based on their citizenship.<sup>35</sup> Roman citizens could not be crucified, as crucifixion was not only especially painful but was also considered very humiliating.<sup>36</sup> Those without Roman citizenship, including prisoners of war, were

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<sup>&</sup>lt;sup>30</sup> "Roman Prisons." Ancient Rome History at UNRV.com. Accessed September 6, 2022. https://www.unrv.com/government/roman-prisons.php.

<sup>&</sup>lt;sup>31</sup> Adams, John Paul. "The Twelve Tables." CSUN. Modern and Classical Languages and Literatures, 2009. http://www.csun.edu/~hcflloo4/12tables.html.

<sup>&</sup>lt;sup>32</sup> Dikötter, Frank, and Ian Brown. "Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America." JSTOR. Cornell University Press, 2007. https://www.jstor.org/stable/10.7591/j.ctv2n7n8d.

<sup>&</sup>lt;sup>33</sup> Dikötter, Frank, and Ian Brown. "Cultures of Confinement: A History of the Prison in Africa, Asia, and Latin America." JSTOR. Cornell University Press, 2007. https://www.jstor.org/stable/10.7591/j.ctv2n7n8d.

<sup>&</sup>lt;sup>34</sup> Bernault, Florence. "A History of Prison and Confinement in Africa." ResearchGate. Heinemann, 2003.

https://www.researchgate.net/publication/334492183\_A\_History\_of\_Prison\_and\_Confinement\_in\_Africa.

<sup>&</sup>lt;sup>35</sup> "Roman Prisons." Ancient Rome History at UNRV.com. Accessed September 6, 2022. https://www.unrv.com/government/roman-prisons.php.

 $<sup>^{\</sup>rm 36}$  Hays, Jeffrey. "Punishments in Ancient Rome." Facts and Details, 2018.

largely kept as slaves in Ancient Rome, serving hard labor sentences until death.<sup>37</sup> Ancient governments of the time were not entirely unfair to their prisoners, however — legislation like *The Theodosian Code* (*Codex Theodonsianus*) in the Roman Empire and *The Code of Justinian* in the Byzantine Empire provided a legal basis for prisoner treatment and classification for all.<sup>38</sup>

In the Aztec Empire, criminals received severe physical punishments, often resulting in their deaths. Other punishments included destruction of property, restitution, enslavement, shaving of the head, and imprisonment.<sup>39</sup> The Aztec Empire utilized a tiered prison system, which had four different types of prisons — (1) the cuauhcalli, where those awaiting execution were held, (2) the teilpiloyan, a debtors' prison, (3) the petlacalli, where those guilty of minor crimes were held, and (4) a confining punishment which involved a judge designating areas where a convict could go by drawing lines or placing sticks on the ground<sup>40</sup>. The petlacalli was notorious for its harsh conditions, under which many prisoners died. Execution was the most common punishment by far in the Aztec Empire.

Incarceration itself was not really used as a punishment for criminal offenses until after the Age of Enlightenment, when an English philosopher and social theorist named Jeremy Bentham, known as the father of modern utilitarianism, opposed the death penalty. Bentham believed that imprisonment was not only a more effective deterrent to crime than death, but allowed convicts to repay what they owed to society after committing a crime. Bentham proposed the first design of what would be considered a modern prison, known as the Panopticon, which was a circular building with prisoner cells all facing a central guardhouse<sup>41</sup>. The prisoners could not see inside the central building, and the reasoning for this was that it'd be more cost effective to employ as few guards as possible. Prisoners were expected to modify their behavior as they could never be sure when they were being watched. Because of Bentham's Panopticon, London is known as the birthplace of

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https://ethics.org.au/ethics-explainer-panopticon-what-is-the-panopticon-

<sup>&</sup>lt;sup>37</sup> "Ancient Roman Slaves - History Facts for Kids." History for kids, April 2, 2020. https://www.historyforkids.net/roman-slaves.html.

<sup>&</sup>lt;sup>38</sup> Long, George. "P302 Codex Theodosianus." LacusCurtius • Roman Law - Theodosian Code (Smith's Dictionary, 1875), 2009. http://penelope.uchicago.edu/Thayer/E/Roman/Texts/secondary/SMIGRA\*/Codex\_Theodosianus.html.

<sup>39</sup> "Tarlton Law Library: Exhibit - Aztec and Maya Law: Aztec Criminal Law." Home - Tarlton Law Library at Tarlton Law Library. Accessed September 6, 2022. https://tarlton.law.utexas.edu/aztec-and-maya-law/aztec-criminal-law

<sup>4° &</sup>quot;Tarlton Law Library: Exhibit - Aztec and Maya Law: Aztec Criminal Law." Home - Tarlton Law Library at Tarlton Law Library. Accessed September 6, 2022. https://tarlton.law.utexas.edu/aztec-and-maya-law/aztec-criminal-law

<sup>&</sup>lt;sup>41</sup> "Ethics Explainer: The Panopticon - What Is the Panopticon Effect?" THE ETHICS CENTRE, 2017. https://ethics.org.au/ethics-explainer-panopticon-what-is-the-panopticon-

 $effect/\#: \sim : text = The \%2 opan optic on \%2 o is \%2 o a \%2 o disciplinary, not \%2 o they \%2 o are \%2 o being \%2 o watched.$ 

modern imprisonment<sup>42</sup>. By the 1800s, prisons were built for the sole purpose of housing prisoners long-term, although capital punishment was still being instituted for more severe crimes. The first modern state prison in England was the Millbank Prison, which was originally constructed as the National Penitentiary with the intention to be built according to Bentham's Panopticon plan<sup>43</sup>. There were many problems with this first National Penitentiary, which ranged from labyrinthine construction to national epidemics, and the British Empire eventually began relocating prisoners to Australia. After the practice of banishment ended alongside a movement away from capital punishment for many crimes, imprisonment became a more common sentence across societies.

At first, this creation of modern prisons was hailed as a humanitarian development — the movement away from corporal and capital punishment was believed to be more effective in society at large as well as more humane<sup>44</sup>. However, there has since been a shift in the intention behind incarceration — rather than focusing on rehabilitation and reform, prisons largely aim to simply remove offenders from society, evidenced by the use of life sentences by 183 countries across the globe.<sup>45</sup>

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<sup>&</sup>lt;sup>42</sup> "History of Imprisonment." Crime Museum, June 23, 2021. https://www.crimemuseum.org/crime-library/famous-prisons-incarceration/history-of-

imprisonment/#:~:text=London%20is%20known%20as%20the,as%20a%20form%20of%20punishment.

<sup>&</sup>lt;sup>43</sup> "Millbank Prison." Academic Dictionaries and Encyclopedias, 2010. https://en-academic.com/dic.nsf/enwiki/1301070.

<sup>&</sup>lt;sup>44</sup> Miller, Greg. "The Invention of Incarceration." JSTOR DAILY, 2022. https://daily.jstor.org/the-invention-of-incarceration/.

<sup>45</sup> Ibid.

#### **Past Actions**

The United Nations has looked at the problem of prison reform in the past, passing recommendations to attempt to encourage countries to comply with human rights principles. In 1955, the UN adopted the United Nations Standard Minimum Rules for the Treatment of Prisoners. These rules were not a detailed guide on how countries ought to build their criminal systems, but rather the important functions that are necessary to ensure that the most foundational human rights of prisoners are protected. The basic principles laid out by the UN include a broader look at the management of prison, a more focused look at categories of vulnerable prisoners, and a section that specifically looks at principles for the treatment of juveniles in the criminal justice system. 46

Since then, the United Nations has attempted to clarify its guidelines created for the protection of prisoners by releasing documents such as the "Body of Principles for the Protection of All Persons under any Form of Detention of Imprisonment", which recommends various basic reforms to incorporate into the prison system, such as leaving the sentencing of detention time up to a judicial body, having equal treatment of prisoners regardless of gender, race, language, political opinions, religion, ethnicity, or other any status. There were more practical additions included in this release as well, such as the principle that the reasons for a person's detention must be recorded, along with information about the place of custody and the time of arrest. The "Procedures for the Effective Implementation of the Standard Minimum Rules for the Treatment of Prisoners" outlines specific actions that the countries should be taking to ensure that they protect prisoners when creating a penal institution. The Standard Minimum Rules are recommended to be adopted by the member states of the United Nations and advised to be made available to law enforcement individuals and staff of the correctional institutions.

Next, the UN implemented Basic Principles of the Treatment of Prisoners. These recommendations range from protection of fundamental human rights — such as the protection of individuals from discrimination on the basis of sex, race, ethnicity, religious practice, and sexual orientation — to recommendations to ensure that prisoners are able to engage in cultural practices and education. Crucially, these recommendations address both the protection of necessary requirements for

<sup>&</sup>lt;sup>46</sup> "United Nations Standard Minimum Rules for the Treatment of Prisoners." Human Rights Watch. United Nations, 1955. https://www.hrw.org/legacy/advocacy/prisons/un-smrs.htm.

survival, like access to health care, as well as programs for success at the end of incarceration, such as vocational training. <sup>47</sup> Catalonia is one specific country that attempted to integrate the UN recommendations by reworking its prison health care systems to make them more sanitary, safe, and accessible. <sup>48</sup>

The final broad recommendation on overall treatment of prisoners was the "Arusha Declaration on Good Prison Practice", which focuses on pushing countries to engage in specific reforms against prison overcrowding. The mechanisms recommended for addressing this crisis include coming up with alternatives to incarceration, such as conditional release and community service. The resolution by the United Nations lists international funding systems, such as the World Bank and the International Monetary Fund as financial backers for those researching the issue of proper prison treatment. Further recommendations call for programs that improve the ability of prison staffers to work with incarcerated individuals, such as requiring training programs for these workers that focuses on improving human rights standards.<sup>49</sup>

The remainder of UN efforts to address prisoner rights have targeted three broad areas. (1) country specific guidance, such as the Kampala Declaration on Prison Conditions in Africa.<sup>50</sup> (2) the treatment of incarcerated juveniles. (3) treatment of incarcerated women in the prison system.

Regarding juvenile justice, the UN has passed "the Riyadh Guidelines", a document which recognizes the specific vulnerability of juveniles in the criminal justice system. A part of these guidelines is dedicated to reducing recidivism among juveniles as well as preventing juveniles from committing crimes in the first place. These guidelines encourage incarceration to serve as a last resort for dealing with juvenile crime, specifically noting that juveniles are at risk when put through the system.

<sup>&</sup>lt;sup>47</sup> "United Nations (UN)." International Penal and Penitentiary Foundation. Accessed September 6, 2022. https://www.ru.nl/ippf/legal-instruments/united-nations-(un)/.

<sup>&</sup>lt;sup>48</sup> Sander, Gen, Alessio Scandurra, Anhelita Kamenska, Catherine MacNamara, Christina Kalpaki, Cristina Fernandez Bessa, Gemma Nicolás Laso, et al. "Overview of Harm Reduction in Prisons in Seven European Countries - Harm Reduction Journal." BioMed Central. BioMed Central, October 7, 2016.

https://harmreductionjournal.biomedcentral.com/articles/10.1186/s12954-016-0118-x.

<sup>&</sup>lt;sup>49</sup> "Arusha Declaration on Good Prison Practice." Penal Reform International, September 25, 2013. https://www.penalreform.org/resource/arusha-declaration-good-prison-practice/.

<sup>&</sup>lt;sup>50</sup> "Kampala Declaration on Prison Conditions in Africa." Penal Reform International, September 25, 2013. https://www.penalreform.org/resource/kampala-declaration-prison-conditions-africa/.

Next, in regard to treatment of incarcerated women, the UN passed "The Bangkok Rules" to address the disparate treatment of these women and their children. These rules outline that many prisons were built with male prisoners in mind, and the number of women incarcerated for crimes is on the rise. The resolution also points out that many of these women are not a risk to society, but they are hindered in their reintegration efforts due to their criminal records. The resolution itself encourages the sharing of information on effective practices to mitigate the harm done to women in incarceration, as well prioritizing non-custodial measures for women who are the mothers and sole guardians of young children. Further guidelines were offered, urging for the creation and maintenance of adequate facilities for women to take care of personal hygiene, prisons that are close to the homes of those convicted, and medical training that is both individualized and trauma informed. The Bangkok Rules attempt to address the specific vulnerabilities faced by women prisoners, and encourage countries to examine the way that gender impacts and changes the experience that an incarcerated individual has with the prison system.<sup>51</sup>

Finally, the UN has taken multiple measures to ensure that these rules are properly implemented. The United Nations Office on Drugs and Crime (UNODC) has taken steps to assist countries in their attempts to create or reform their systems of incarceration by offering specific tools to build up alternatives to pre-trial imprisonment as well as craft a system to reintegrate prisoners post-incarceration. The focus of UNODC has been on creating legal safeguards to ensure the security and wellbeing of prisoners, finding ways to decriminalize non-violent acts, and offering more alternatives to traditional imprisonment. The toolkit that the UNODC provides also helps provide former inmates with the structural support that they need to reintegrate themselves into society, with resources provided looking at the rehabilitation of juveniles and prison alternatives.<sup>52</sup>

The majority of the United Nations' past actions in the realm of imprisonment have fallen into two categories. The first has been to come up with sustainable alternatives to imprisonment. With the rise of prison overcrowding, it's important to come up with alternatives to handle crime. The caging—the denial of freedom—to individuals is a serious thing, and the UN is trying to ensure that

<sup>&</sup>lt;sup>51</sup> "United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules)." OHCHR, 2010. https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial.

<sup>&</sup>lt;sup>52</sup> "Prison Reform." United Nations : Office on Drugs and Crime, 2010. https://www.unodc.org/unodc/en/urbansafety/prison-reform.html.

it is used only in unavoidable circumstances. The second thread of UN advocacy has been to improve conditions in prisons when incarceration is deemed necessary. Recognizing that prison populations are vulnerable to mistreatment, it becomes essential to build up safeguards against this abuse. However, much of this abuse still exists today, despite the best efforts of the UN. It will be the burden of this committee to come up with new and innovative ways to strengthen this advocacy for each and every prisoner incarcerated around the world.

#### **Possible Solutions**

Keeping in mind the very real human rights abuses that happen every day to incarcerated individuals around the world, there is much work left for CSD to do. We want you to avoid the mistakes made within the original "Procedures for the Effective Implementation of the Standard Minimum Rules for the Treatment of Prisoners", which was too broad and ultimately failed to take into account how prison sentences would affect inmates differently based on their experiences and identities. We are excited to see your innovative ideas for how to promote both access to alternatives to incarceration, and a more functional, humane prison system. Your threads of advocacy should fall into two main categories: a focus on the protection of vulnerable populations (specifically women and juveniles) who often have needs that prisons are not built to accommodate, and a reduction of overcrowding and the issues that stem from it.

To create a humane prison system will require international knowledge sharing on effective practices to promote humane treatment of prisoners, as well as country specific action that takes into account the cultures and unique criminal justice systems that exist and shape the prison system. On an international level, countries can cooperate in sharing their research and data on effective prison reform policies. On the domestic level, countries are able to consider numerous reforms including but not limited to: revitalizing the healthcare system that exists in prisons, restructuring prisons to allow individuals some basic levels of privacy, and providing robust training to staff members to ensure that they are upholding human right policies, with a strict punitive policy to discourage violations. Focusing on the rights of juvenile detainees, countries on the Commission for Social Development should take care in making sure that there are specialized facilities that cater to the needs of juveniles in the system. Countries can take further action to provide specialized prenatal and natal care for pregnant women and new mothers, including providing sanitary products and gender specific health treatments. Finally, by creating programs that are focused on training individuals in skills that they can use to gain meaningful employment post-incarceration as well as housing for once incarcerated individuals are released, countries on the CSD can create meaningful reintegration plans for those currently in the prison system.

A potential solution to investigate is providing meaningful programming in prisons. Prisons often do not have meaningful programming for incarcerated individuals, as previously mentioned when

discussing the symptoms of overcrowding. The impact of this is twofold: First, the addition of hobby and vocational training programs creates meaningful activities for incarcerated individuals to do throughout the day. In many prisons that exist at present, there is a lack of activity for prisoners, leaving them with few options to spend their days, making conflict in prison more likely (especially in prisons that are overcrowded). Programming could help to mitigate some of these issues, with US correctional facilities finding some success lowering recidivism and prison misconduct by providing employment and job training. Second, these programs are valuable in that they teach incarcerated individuals a skill that they can use after they are released to find employment. Having access to employment post-incarceration makes a world of difference in improving the quality of life of these individuals, with stable work and a living wage making repetition of crime far less likely.

The issue of meaningful prison reform does not just involve these internal changes, but a change in the way that we think of and talk about prisons. Much of the rhetoric surrounding prison systems focuses on them as punitive institutions, and ignores any obligations that exist to prisoners to make their conditions livable. The popular sentiment in most countries, including the United States of America, is that "tough on crime" means tough on incarcerated individuals. This line of thought damages any meaningful attempts at reform because it dehumanizes people who are inmates in the prison complex. When approaching prison reform, a language that instead focuses on the rehabilitation of these individuals, with the end goal of them becoming productive members of society, avoids dehumanization and instead prioritizes providing incarcerated individuals with the necessary tools that they need to avoid future recidivism.

The United Nations also holds a commitment to investigate alternatives to prison. Conditions that lead to overcrowding include a willingness to quickly turn towards incarceration for suspected individuals — even if those individuals are not a threat to society — and sentencing nonviolent offenders to prison time. Thus, we would like you to investigate alternatives to traditional prison time, especially for non-violent and low-level offenders. Considering that prison time often causes incarcerated individuals to lose their employment, to become estranged from their families, and to experience significant anxiety and trauma, alternatives must be explored immediately. Thus, a way

<sup>&</sup>lt;sup>53</sup> Prison Reform." *United Nations: Office on Drugs and Crime*, https://www.unodc.org/unodc/en/urban-safety/prison-reform.html.

to improve the rights of prisoners is to simply reduce what qualifies one for prison time, and instead focus on alternatives that are rehabilitative rather than isolating.

In this way, an understanding of the needs of groups that are incarcerated, as well as looking at realistic ways to distribute resources to prisons will be critical when presenting solutions. When coming up with your solutions for conference weekend, we desire you to take into consideration previous actions that have been taken by the UN, as well as what the UN has previously decided to be the most salient needs of prison reform. We encourage you to come up with innovative new solutions as well, based on your understanding of new technologies that could be utilized to improve prison conditions. With millions of people facing inhumane conditions of incarceration while under the care of the state in which they are held with no recourse to advocate for an improvement of these conditions, the issue of prison reform has never been more important. We are excited to see what you come up with to improve the lives of incarcerated individuals over the course of committee.

#### **Bloc Positions**

While prison systems around the world now have a similar focus — removal of guilty parties from society and punishment of criminals through said removal — prisons between nations tend to vary wildly. The treatment and dehumanization of prisoners varies wildly between countries, much of which can be attributed to guard-prisoner relations and the rights of prisoners within this dynamic. Additionally, the nation's level of modernity and development changes the prisoner experience, as prison infrastructure can have a huge impact on inmate experience and mental health.

Penal Reform International (PRI) is a non-governmental organization which works globally and releases briefings on the state of prisons around the world in relation to a variety of issues.<sup>54</sup> In addition, PRI publishes an annual report on global prison trends each year, focusing on the number of people in prisons worldwide, COVID-19 measure effectiveness, investment in prisons, pre-trial detention rates, and more. One thing PRI noted in the 2022 report is that the global prison population is the highest it has ever been, with 11.5 million people in prison today.<sup>55</sup>

Dutch photographer Jan Banning traveled to prisons in Uganda, France, the United States, and Colombia for Vice News in 2019 in order to compare prisons around the world and to evaluate if prisons are successfully correcting behavior, rehabilitating inmates, and deterring people from committing crime. Banning decided to visit these countries based on their division between civil law and common law and their level of development. Based on these metrics, Banning decided on two high-GDP nations, with civil law in France and common law in the USA, and two nations with less developed prisons, with civil law in Colombia and common law in Uganda. According to Banning, "the atmosphere was by far the most relaxed in Uganda", as the inmates "seem to be treated well". Furthermore, "France, materially speaking, was the best," as inmates "have a lot of things in their cell" and "can cook for themselves". To Banning, Uganda and France seemed to have the systems that were relatively humane. According to Banning, "prisons in the US were institutionalized

<sup>&</sup>lt;sup>54</sup> "Issues." Penal Reform International, May 5, 2021. https://www.penalreform.org/issues/.

<sup>&</sup>lt;sup>55</sup> "Key Messages." Penal Reform International, August 24, 2022. https://www.penalreform.org/global-prison-trends-2022/key-messages/.

<sup>&</sup>lt;sup>56</sup> Woods, Laura. "Photos of Prisons around the World." Photos Of Prisons Around the World, March 13, 2019. https://www.vice.com/en/article/qvymg7/how-the-worlds-prisons-look-from-within%5C. <sup>57</sup> Ibid.

<sup>&</sup>lt;sup>58</sup> Ibid.

punishment, despite the fact they were under the Department of Corrections." He added, "first and foremost, US jails are designed to be a punishment". <sup>59</sup> In Colombia, overcrowding was rampant, but Banning was generally prevented from photographing most areas. In the closing of his interview, he added that incarceration rates in his native Holland are so low that prisons are being rented out to Norway and Belgium. Some of Banning's photographs appear below.



A prisoner in cell at Maison D'Arrêt de Bois-D'Arcy, France. 60

<sup>59</sup> Ibid.

<sup>60</sup> Ibid.



Men's dormitory in Calhoun County Jail in Morgan, Georgia, US. $^{61}$ 



Lessons by a prisoner on death row (recognizable by his white clothes) at Kirinya Main Prison in Jinja, Uganda. 62

<sup>&</sup>lt;sup>61</sup> Ibid. <sup>62</sup> Ibid.



Establecimiento Carcelario de Reclusión Especial in Sabana Larga, Colombia has an official capacity of 50 inmates but houses over 100. <sup>63</sup>

The World Prison Brief provides information on global prison systems through an online database. <sup>64</sup> One statistic which is quite relevant when it comes to prison conditions is the average occupancy level of prisons in a country based on their official capacity. Congo, Haiti, Philippines, and Guatemala are among the countries with the most overcrowded prisons, with average occupancy levels of 617%, 454%, 362% and 355% respectively. Many countries in South Asia and Africa are similarly overcrowded. There are a number of European nations and eastern Asian nations with prisons that are overcrowded, but to a lesser extent than the nations mentioned above. France, Taiwan, China, Greece, Italy, Belgium, and Malaysia all have prison occupancy levels over 100%. Surprisingly, the United States has an occupancy level of 96%, but due to the concentration of overcrowding in certain states and the lack of a prison population in others, prison overcrowding depends on the state. In Alabama, prisons are operating at 168% of designed capacity, making Alabama's prison system among the most overcrowded in the United States. <sup>65</sup> Armenia, Japan, Seychelles, Ukraine,

<sup>&</sup>lt;sup>63</sup> Ibid.

<sup>&</sup>lt;sup>64</sup> "World Prison Brief." World Prison Brief | an online database comprising information on prisons and the use of imprisonment around the world. Accessed September 6, 2022. https://www.prisonstudies.org/.

<sup>&</sup>lt;sup>65</sup> Admin, Madeo. "Alabama Has Most Overcrowded Prisons in the Nation According to Analysis." Equal Justice Initiative, June 3, 2022. https://eji.org/news/alabama-has-most-overcrowded-prisons-in-the-nation/.

Barbados, and Latvia are among the countries with the lowest occupancy levels in prisons, with respective levels of 40%, 57%, 54%, 62%, 62%, and 65%.

Bloc positions are expected to be divided on each nation's belief in rehabilitation versus punishment, extent of overcrowding, practice in privatization of prisons, availability of healthcare in prisons, and much more. With this said, each delegate is expected to work to improve the lives of prisoners throughout the weekend, and we as the chairs will not tolerate blocs espousing hate for or towards incarcerated individuals and their current positions.

### Glossary

**Civil law versus Common law**: "Civil law is primarily derived from Roman law. In civil-law jurisdictions, codified principles serve as the primary source of law. By contrast, common law is based on medieval English law. In common-law jurisdictions, judicial decisions serve as the primary source of law."<sup>66</sup>

**Hypertension**: Elevated blood pressure is a serious medical condition that significantly increases the risk of heart, brain, and kidney disorders, among other diseases <sup>67</sup>

**Recidivism**: A tendency to relapse into a previous condition or mode of behavior, especially a relapse into criminal behavior<sup>68</sup>

<sup>&</sup>lt;sup>66</sup> Adams, Kenneth A, and Jan Asmus Bischoff. "Common-Law Drafting in Civil-Law Jurisdictions." americanbar.org, 2019. https://www.americanbar.org/groups/business\_law/publications/blt/2020/01/common-law-drafting/#:~:text=avoid%20that%20confusion.-,Civil%20Law%20and%20Common%20Law,the%20primary%20source %20of%20law.

<sup>&</sup>lt;sup>67</sup> "Hypertension." World Health Organization, World Health Organization, "Hypertension." World Health Organization. World Health Organization. Accessed September 6, 2022. https://www.who.int/news-room/fact-sheets/detail/hypertension.

<sup>&</sup>lt;sup>68</sup> "Recidivism Definition & Meaning." Merriam-Webster. Merriam-Webster. Accessed September 6, 2022. https://www.merriam-webster.com/dictionary/recidivism.

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### **TOPIC B: REINTEGRATION OF SOLDIERS**

#### Statement of the Problem

War has existed at least since the beginning of recorded history, and soldiers have therefore had to reintegrate into civilian society throughout this time. During the process of reintegration, soldiers face challenges including mental health issues like post-traumatic stress disorder (PTSD), depression, anxiety, problematic alcohol use, and suicidal ideation, as well as physical conditions resulting from war. <sup>69</sup> In addition, sexual trauma affects both men and women who serve in militaries worldwide, both in the forms of harassment and assault. <sup>70</sup> Veterans face unemployment and homelessness at higher rates than average as a result of poor mental health and physical handicaps, and reintegration of soldiers into civilian life thus becomes guite difficult after they return from war.

According to the RAND Corporation, a non-profit research organization that helps improve public policy through analysis, a soldier's reintegration into civilian life depends on the following factors: readiness for war, good communication with loved ones, financial stability, dynamics within one's assigned unit, and return home without a combat-related physical injury or psychological issue<sup>71</sup>. A significant factor in readiness for war or deployment and returning home without mental health issues is the state of the military itself — if a country's military deals with rampant sexual violence or harassment, for example, soldiers are much more likely to suffer from long-term mental health effects.

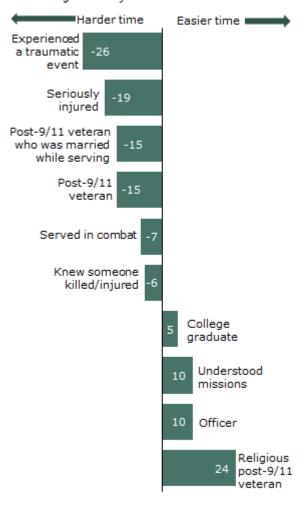
<sup>&</sup>lt;sup>69</sup>Dee, Bumble. "What are the biggest problems facing veterans returning home from conflict?" *The Science Behind It.*, https://thesciencebehindit.org/what-are-the-biggest-problems-facing-veterans-returning-home-from-conflict/. Accessed 1 September 2022.

<sup>&</sup>lt;sup>70</sup> "Military Sexual Assault Prevention." *RTI International*, https://www.rti.org/focus-area/military-sexual-assault-prevention. Accessed 1 September 2022.

<sup>&</sup>lt;sup>71</sup> Werber, Laura, and Agnes Gereben Schaefer. "Reintegration After Deployment: Supporting Citizen Warriors and Their Families." *RAND Corporation*, https://www.rand.org/pubs/research\_briefs/RB9730.html. Accessed 1 September 2022.

### Factors that Predict an Easy or Hard Re-entry into Civilian Life

Percentage-point change in the likelihood that a veteran with each characteristic had an easy time re-entering civilian life



Notes: For percentages based on full sample of veterans, n=1,842; for post-9/11 veterans, n=710. Unless otherwise noted, subsequent charts are based on all veterans.

PEW RESEARCH CENTER

Study on American veterans by the Pew Research Center.<sup>72</sup>

<sup>&</sup>lt;sup>72</sup> Morin, Rich. "The Difficult Transition from Military to Civilian Life." *Pew Research Center*, 8 December 2011, https://www.pewresearch.org/social-trends/2011/12/08/the-difficult-transition-from-military-to-civilian-life/. Accessed 1 September 2022.

Before going further into describing the issues facing total reintegration of soldiers into civilian society, it is important to mention that reintegration of returned soldiers varies widely between different countries. To begin with, some nations are not as impacted by this issue, as they do not have militaries. Among these countries with no standing military are Andorra, Liechtenstein, Iceland, Saint Vincent and the Grenadines, Mauritius, Panama, Costa Rica, and a number of other countries in Oceania — many of which are associated with New Zealand or Australia for defense purposes<sup>73</sup>. Because these nations do not have standing militaries, combat veterans' services are not necessary.

One study conducted in the Netherlands found that compulsory military service results in lower wages long-term and lower levels of educational attainment. He UK and Italy also experience a similar reduction in level of education among those who have served in the military. However, in Germany, the potential of conscription makes the population more likely to complete higher education, and military service has no significant impact on future wages. Germany put an end to its policy of conscription in 2011 despite the findings proposed by the aforementioned study, in part as an effort to make the armed forces more professional. The Institute of Labor Economics conducted a generalized study across all the OECD countries, compiling evidence from each military, and found that the military draft generally has negative outcomes on educational attainment, supporting the findings from the Netherlands, the UK, and Italy. Those who are serving in militaries due to mandatory conscription spend years of their youth serving for the military rather than completing higher education. Thus, the policy of conscription versus voluntary military service creates very different outcomes when it comes to reintegration of soldiers.

Interestingly, one thing that makes reintegration slightly easier in the United States is the social image of the veteran which has been created by the government throughout the past few decades.

The public recognizes veterans as having served the country, and many businesses offer special deals

<sup>&</sup>lt;sup>73</sup> Suderman, Chris. "Which Countries Have No Armed Forces?" *Forces.net*, 8 July 2021, https://www.forces.net/world/which-countries-have-no-armed-forces. Accessed 1 September 2022.

<sup>&</sup>lt;sup>74</sup> "The long-term effects of military conscription on educational attainment and wages." *IZA Journal of Labor Economics*, https://izajole.springeropen.com/articles/10.1186/s40172-015-0026-4. Accessed 1 September 2022.

The long-term effects of military conscription on educational attainment and wages." IZA Journal of Labor Economics, https://izajole.springeropen.com/articles/10.1186/s40172-015-0026-4. Accessed 1 September 2022

<sup>&</sup>lt;sup>76</sup> The long-term effects of military conscription on educational attainment and wages." *IZA Journal of Labor Economics*, https://izajole.springeropen.com/articles/10.1186/s40172-015-0026-4. Accessed 1 September 2022.

<sup>&</sup>lt;sup>77</sup>Poutvaara, Panu. *Does Military Draft Discourage Enrollment in Higher Education? Evidence from OECD Countries*, https://d-nb.info/997351195/34. Accessed 1 September 2022.

for former US soldiers. Being a soldier that has reintegrated into civilian life is a particular identity, and there are many in the United States that would identify themselves personally with their past military service. In Sweden, mandatory military service ended in 2010, and a volunteer force was created instead. Following this change, the Swedish government essentially invented the identity of the Swedish Veteran, who had never been recognized as a special member of society previously. Through media campaigns, veterans are now recognized as being self-sacrificing in Sweden, as the government has portrayed former military servicemen as especially deserving of recognition. What Sweden has done within the last decade or so shows that the veteran identity does not arise naturally, but can be created by the government to further certain projects or agendas. While positive attitudes towards veterans are meant to encourage more military enlistment, these attitudes also shape the reintegration process for soldiers who have left combat zones.

Of course, the outcome of mandatory conscription depends heavily on the organization that a soldier is joining. While national armies follow laws which dictate what a soldier is exposed to and what they have the right to do during their conscription, rebel or terrorist groups force conscription and expose soldiers — especially youth — to situations that result in detrimental outcomes long-term. For example, one study following former abductees of the Lord's Resistance Army in Uganda examined the type of violence these former soldiers have been exposed to, as well as the effects of this violence on their overall well-being. Thousands of individuals were surveyed, and over two-thirds of these people met the criteria for PTSD diagnoses. For Long-term exposure to unrestricted violence results in much worse mental health outcomes than those seen in former soldiers from national militaries, as rebel or terrorist organizations do not abide by international human rights law. This particular factor makes reintegration especially difficult, as many former abductees have been the unwilling perpetrators of horrible violence.

The aforementioned situation is further compounded by the abduction and subsequent reintegration of child soldiers by rebel or terrorist organizations. The United Nations Children's Fund

 $<sup>^{78}</sup>$  Additional informationFundingThis research received no specific grant from any funding agency in the public.

<sup>&</sup>quot;Inventing the Swedish (WAR) Veteran." Taylor & Francis,

https://www.tandfonline.com/doi/full/10.1080/23337486.2018.1481267.

<sup>&</sup>lt;sup>79</sup> "Returning home: forced conscription, reintegration, and mental health status of former abductees of the Lord's Resistance Army in northern Uganda - BMC Psychiatry." *BMC Psychiatry*, 16 May 2009, https://bmcpsychiatry.biomedcentral.com/articles/10.1186/1471-244X-9-23. Accessed 1 September 2022.

(UNICEF) is specifically in charge of the reintegration of former child soldiers, which becomes more difficult than adult reintegration because children are more impressionable. The UN finds that sensitization and reconciliation efforts tend to be necessary when it comes to reintegrating former child soldiers. When child soldiers face extreme violence at a young age, they become desensitized to violence and may initially pose a threat to others in their communities. <sup>80</sup> The UN has published a number of recommendations regarding children and armed conflict, which will be elaborated upon further in the Past Actions section. Generally, professional psychosocial support is recommended. <sup>81</sup>

While sexual violence, mandatory conscription, and young age during combat all result in worse mental health outcomes for soldiers attempting to reintegrate into their respective societies, there are also factors affecting reintegration that have little to do with veteran mental health. For example, there are a number of soldiers who exit the military after decades of service, and while they are no longer able to work in the military due to their older age, these people are in need of new jobs in order to be successfully reintegrated into civilian life. In Spain, there have been numerous efforts made to ease the reintegration of former soldiers who left the armed forces at 45+ years of age. In the autonomous Spanish city Melilla, former soldiers are offered specific vocational training, and a defined number of jobs are saved for veterans trying to enter the labor market. For instance, at least 10% of vacant jobs in Melilla's police force are expected to be filled by reintegrated soldiers. 82 The country of Spain itself has also changed the training of soldiers to make the process of reintegration easier by identifying specific skills learned during military service and translating these known skills to civilian positions. 83 This way, employers can more easily know what former soldiers are capable of as a result of their years in the military — skills are meticulously documented and endorsed. By making it simpler for discharged soldiers to get civilian jobs, veterans are less likely to be faced with financial hardships that would make reintegration more difficult.

<sup>&</sup>lt;sup>80</sup>van Zyl, Isel. "Trauma counselling enables the reintegration of former terrorists." *ISS Africα*, 13 January 2020, https://issafrica.org/iss-today/trauma-counselling-enables-the-reintegration-of-former-terrorists. Accessed 1 September 2022.

<sup>81</sup> Ibid.

<sup>&</sup>lt;sup>82</sup>Pioneer and Decisive Agreement between Atme and Melilla - EUROMIL. https://euromil.org/wp-content/uploads/2019/04/1904\_ATME\_Melilla.pdf.

<sup>&</sup>lt;sup>83</sup> Jongerius, Agnes. "Reintegration of Spanish Soldiers in the Labour Market." *European Organisation of Military Associations and Trade Unions*, 24 June 2022, https://euromil.org/reintegration-of-spanish-soldiers-in-the-labour-market/. Accessed 1 September 2022

While the process of reintegration is difficult in and of itself regardless of the scope of combat experiences, reintegration becomes immeasurably more difficult when soldiers have been exposed to unbridled and unrestricted violence that does not follow international codes protecting human rights. Reintegration and rehabilitation are affected by a plethora of factors, and a soldier's experience during their time in the military is especially significant. One significant problem facing militaries worldwide is that of sexual harassment and assault. Militaries are male-dominated, with over 90% of military staff being male across the globe. All In Israel, where there is mandatory military service, there were 893 reported cases of sexual assault in 2017. In the UK, 4 out of every 10 women in the military are victims of sexual violence who reported their assaults. In Canada, 27% of women in the armed forces have experienced documented sexual assault. In Importantly, many victims of sexual assault do not report their experiences for a variety of reasons, including shame, fear, and hopelessness. Therefore, the numbers reported above are, if anything, the lower bound of this issue.

Adding to the lack of reliable data, most countries do not release official military reports on sexual violence experienced by servicemembers. In India, the military has no laws against sexual harassment and is actually exempt from laws that apply to civilians. A leaked video from 2016 showed three female soldiers in the Syrian army reporting that the senior officers of Battalion 130 were sexually harassing them and many others. North Korean defectors who have served in the country's military have said that sexual assault is widespread and that female officers are not given proper protections from these abuses nor necessary menstrual products. For example, the North

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<sup>&</sup>lt;sup>84</sup>Fatima, Quratulain. "Across the world, militaries have a sexual violence problem." *Al Jazeera*, 4 May 2018, https://www.aljazeera.com/opinions/2018/5/4/across-the-world-militaries-have-a-sexual-violence-problem. Accessed 1 September 2022.

<sup>85 &</sup>quot;Report: 893 cases of sexual harassment in Israeli army last year." *Middle East Monitor*, 9 March 2018, https://www.middleeastmonitor.com/20180309-report-893-cases-of-sexual-harassment-in-israeli-army-last-year/. Accessed 1 September 2022.

<sup>&</sup>lt;sup>86</sup> Buchanan, Rose Troup. "4 in 10 women in the military victims of sexual harassment, new survey finds | The Independent." *The Independent*, 14 July 2015, https://www.independent.co.uk/news/uk/almost-40-per-cent-of-female-servicewomen-victims-of-sexual-harassment-new-survey-finds-10386742.html. Accessed 1 September 2022.

<sup>&</sup>lt;sup>87</sup> "Canada military survey finds 960 victims of sexual assault in a year." *The Guardian*, 28 November 2016, https://www.theguardian.com/world/2016/nov/28/canada-military-sexual-assault-survey. Accessed 1 September 2022. <sup>88</sup>Chaudhry, Lakshmi. "Code of injustice: Silencing sexual assaults in the military-India News." *Firstpost*, 15 March 2013, https://www.firstpost.com/india/code-of-injustice-silencing-sexual-assaults-in-the-military-660748.html. Accessed 1 September 2022.

<sup>&</sup>lt;sup>89</sup>MacDonald, Alex. "Assad's women soldiers complain of sexual harassment." *Middle East Eye*, 6 October 2016, https://www.middleeasteye.net/news/assads-women-soldiers-complain-sexual-harassment. Accessed 1 September 2022.

<sup>&</sup>lt;sup>90</sup> Mohan, Megha (2017). "Rape and no Periods in North Korea's Army." *British Broadcasting Channel*, 21 November 2017, https://www.bbc.com/news/stories-41778470. Accessed November 28 2022.

Korean army offered no sanitary products or separate bathrooms for women.<sup>91</sup> Female soldiers are left feeling especially vulnerable while relieving themselves within the sight of male soldiers in an army where sexual harassment and assault is allegedly rampant.

Reintegration depends heavily on a soldier's level of exposure to violence, age at the time of enlistment, readiness for deployment, support from loved ones, financial stability, and access to both mental and physical healthcare. Not only do issues within militaries need to be reckoned with, but there must be services made available to veterans to aid them in their transition back to civilian life after combat. These veterans' services require funding on independent national levels as well as a global sphere. As many of the nations which are most in need do not have the resources to put these necessary programs into practice, we are looking forward to your creative plans to address this topic!

91 Ibid.

# **History of the Problem**

The best way to approach the reintegration of soldiers into civilian society has been a question since the creation of the first armies. Military Service Member and Veteran (MSMV) reintegration is defined as "both a process and outcome of resuming roles in family, community, and workplace which may be influenced at different levels of an ecological system." Veterans tend to report a higher prevalence of mental and physical health problems, many of which are tied to their service, such as post-traumatic stress disorder (PTSD), anxiety, and depression. The question of reintegration becomes salient in the very real implications that it has for veterans dealing with the tragedy and trauma of war, especially as they work to rebuild their civilian lives and restore relationships with family members and friends.

Reintegration of soldiers has been handled differently by countries throughout the ages. Even in ancient kingdoms, where survival was less likely and violence significantly more common than modern societies, they had unique ways to deal with PTSD in soldiers. Just as there is a long-documented history of PTSD and soldiers facing psychological problems dating back to as early as Assyrian Mesopotamia, there is a long tradition of treatment methods for soldiers facing psychological challenges with integration. <sup>94</sup> Physiological problems faced by soldiers, such as PTSD, were often attributed to acts of spirits of the men killed in battle who wanted revenge against the soldiers who killed them. Ancient societies created rituals to deal with these spirits and to reintroduce soldiers to society. The Ancient Romans practiced one such ritual, in which Vestal Virgins bathed soldiers who returned from war to cleanse them of corruption. Similarly, some Native American Tribes had soldiers share their stories in sweat lodges, to sweat out any malicious spirits. <sup>95</sup>

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 <sup>&</sup>lt;sup>92</sup>Elnitsky, Christine A., et al. "Military Service Member and Veteran Reintegration: A Conceptual Analysis, Unified Definition, and Key Domains." Frontiers https://www.frontiersin.org/articles/10.3389/fpsyg.2017.00369/ful
 <sup>93</sup> Elnitsky, Christine A., et al. "Military Service Member and Veteran Reintegration: A Conceptual Analysis, Unified Definition, and Key Domains." Frontiers https://www.frontiersin.org/articles/10.3389/fpsyg.2017.00369/ful
 <sup>94</sup>McInerney, Kieran, and Chris Roberts. "How Did Ancient Warriors Deal with Post Traumatic Stress Disorder?" Australian Army Research Centre (AARC) https://researchcentre.army.gov.au/library/land-power-forum/how-did-ancient-warriors-deal-post-traumatic-stress-disorder

<sup>&</sup>lt;sup>95</sup>McInerney, Kieran, and Chris Roberts. "How Did Ancient Warriors Deal with Post Traumatic Stress Disorder?" Australian Army Research Centre (AARC) https://researchcentre.army.gov.au/library/land-power-forum/how-did-ancient-warriors-deal-post-traumatic-stress-disorder



Roman Soldiers returning home.<sup>96</sup>

While it is not clear how effective these rituals were, they had enough of a measure of success to be used for a long period of time. Another possible explanation for ancient societies dealing with soldier reintegration is that soldiers had to return after war by ancient methods of transportation, which often involved walking with pack animals carrying equipment. This extra travel time likely allowed soldiers to reflect and process the effects of war before dealing with the expectations and realities of their returns to civilian life.<sup>97</sup>

Knights in the Middle Ages, too, were plagued with difficulty reintegrating into society. Societies in the Middle Ages were often more comfortable with violence as a way to uphold honor and to enforce laws that authorities in society were unable to enforce. Still, knights struggled with the gruesome aspects of war. Society in the Middle Ages attempted to deal with this by emphasizing honor in violence. A book written by Geoffroi de Charny, a famous knight, described symptoms of PTSD, but also suggested that knights are able to resist these struggles by focusing on the causes they were

<sup>&</sup>lt;sup>96</sup>Toynbee, Arnold J. 2022. "Julius Caesar | Biography, Conquests, Facts, & Death." Britannica. https://www.britannica.com/biography/Julius-Caesar-Roman-ruler

<sup>&</sup>lt;sup>97</sup>McInerney, Kieran, and Chris Roberts. "How Did Ancient Warriors Deal with Post Traumatic Stress Disorder?" Australian Army Research Centre (AARC) https://researchcentre.army.gov.au/library/land-power-forum/how-did-ancient-warriors-deal-post-traumatic-stress-disorder

fighting for. This pointed focus was how knights tried to reintegrate and serve as productive members of society. <sup>98</sup>

Bringing us to more modern times, as war has grown in intensity, the desire to try to diagnose and create programs for soldier reintegration has grown. During World War I, reintegration was pushed away in favor of avoidance. As atrocities of wars became more pronounced and all consuming, many soldiers were told to leave their experiences on the battlefields when returning to civilian life. The problem with this method quickly became clear— avoidance wasn't treatment.

Moving forward to 2004, ineffective methods of coping with PTSD still existed in many places, making it hard for more advanced methods of soldier reintegration to work. For example, in South Africa, ex-combatants are given access to the joining the South African National Defence Force (SANDF), which provides a cohesive network of vocational training and financial packages to aid soldiers with their reintegration into society. Even with programs like this in place, soldiers struggle with retaining jobs due to difficulty dealing with the trauma of war and outbursts that are characteristic of PTSD. This points to the increasingly acknowledged need for soldiers to receive psychological support as well as support in career and other activities.

The United States provides various resources for the reintegration process, including suggestions for soldiers looking to reconnect with their children. This programming is essential both for the children not used to having their parent at home, and the parent looking to assume a larger role in the lives of their children. Soldiers looking to strengthen their relationships with others while reintegrating have access to websites such as Military OneSource, which provides local access for military-related questions. <sup>99</sup> There are also local veterans centers for resources, and veteran hospitals for the unique medical problems and psychological challenges that soldiers face when they are returning home. Finally, there are often local military chapters that provide support for veterans once they come home. <sup>100</sup>

100 Ibid.

<sup>&</sup>lt;sup>98</sup>Sjøgren, Kristian. "Violent Knights Feared Posttraumatic Stress." ScienceNordic https://sciencenordic.com/anthropology-denmark-depression/violent-knights-feared-posttraumatic-stress/139855

 $<sup>^{99} \</sup>mbox{The Difficult Reintegration of Soldiers to Society and Family after ...}$ 

 $https://dc.cod.edu/cgi/viewcontent.cgi?article= {\tt 1384\&context=essai.}\\$ 



A soldier returning home to his daughter. 101

Reintegration programs around the world have also grown in diversity, aiming to meet intersectional needs throughout the years. The UN published a 2017 article discussing child-specific reintegration programs. Children reintegrating into society following military service do, as mentioned above, face unique challenges throughout the process. Not only do they need support to overcome the significant mental strain of being in war, they also need to be provided access to education to learn the skills that they miss out on while they serve. Comprehensive reintegration is important both to help children to overcome the trauma that they were forced to endure, and to break cycles of violence that are often caused by children's trauma being left unaddressed. These issues can be particularly salient for young women and girls who face stigma in their reintegration, especially if they became pregnant or a mother during the course of the war. 103

<sup>&</sup>lt;sup>101</sup>Baier, Elizabeth. 2017. "PHOTOS: Capturing The Emotion Of A Military Homecoming." WUNC. https://www.wunc.org/arts-culture/2017-01-27/photos-capturing-the-emotion-of-a-military-homecoming.

<sup>&</sup>quot;More than 5,000 Child Soldiers Released in 2017, but Tens of Thousands Still Being Used in Conflict – Un | UN News." *United Nations*, United Nations, news.un.org/en/story/2018/02/1002501.

<sup>&</sup>lt;sup>103</sup> Reintegration of Former Child Soldiers - United Nations. https://childrenandarmedconflict.un.org/wp-content/uploads/2018/09/Reintergration-brochure-layout.pdf.



Child Soldiers in Algeria. 104

In summary, the problems that are associated with returning home from active military service have existed since the beginning of warfare. However, as faster transportation reduces the time that soldiers have to process the end of war and their return, and modern warfare makes service more all-consuming, these problems intensify. While the past rituals that were used to address these issues are no longer mainstream in society, new methods have been developed to assist soldiers in reintegration. Encouraging the discussion of war experiences, as well as providing support for soldiers to receive vocational training and financial assistance following their service, have become common. While war will always take a large toll on the soldiers who participate – willingly or otherwise – in the battles, positive action can be taken to assist soldiers in the process of reintegration.

<sup>&</sup>lt;sup>104</sup>"Human Rights NGOs pin responsibility on Algeria for letting Polisairo use children as soldiers – The North Africa Post." 2022. The North Africa Post. https://northafricapost.com/56277-human-rights-ngos-pin-responsibility-on-algeria-for-letting-polisairo-use-children-as-soldiers.html.

## **Past Actions**

While the UN has not drafted any significant legislation that touches upon the rights of all veterans, there have been a number of actions taken to reduce violence between nongovernmental armed groups and to deal with terrorism in a way that positively impacts society at large. More specifically, there have been two major actions taken by the UN with regard to reintegration of soldiers. The Disarmament, Demobilization, and Reintegration (DDR) initiative, with programs passed throughout the 1990s and early 2000s, attempts to comprehensively support soldiers with the reintegration process worldwide. Similarly, the Global Programme on Prosecution, Rehabilitation and Reintegration (PRR), developed in the mid-2010s, looks to repatriate and reintegrate soldiers specifically working against terrorist organizations in other countries. Regarding the status of these soldiers, the Under-Secretary-General in the UN Office of Counter-Terrorism, Vladimir Voronkov, has said, "The situation of foreign terrorist fighters and associated family members will only become more protracted without our joint efforts to protect, prosecute, rehabilitate and reintegrate."

United Nations Peacekeeping Operations has partnerships with various national institutions to implement DDR initiatives, focusing on the creation of specific programs that would yield the best results for each country's soldiers. DDR is thought to build up the capacity for long-term benefits like peace and security. DDR programmes may run parallel to violence reduction programmes led by the UN in communities where it may be impossible to fully disarm some groups.

Initiatives support former combatants with three different types of activities during the process of mediation necessary for DDR. First, there is mediation support, which involves provisional agreements and guidance during negotiations. Secondly, there is analysis, involving mapping of the armed groups and UN identification of entry points for engagement with these groups. Third, there

<sup>&</sup>lt;sup>105</sup> "Disarmament, Demobilization and Reintegration." United Nations Peacekeeping,

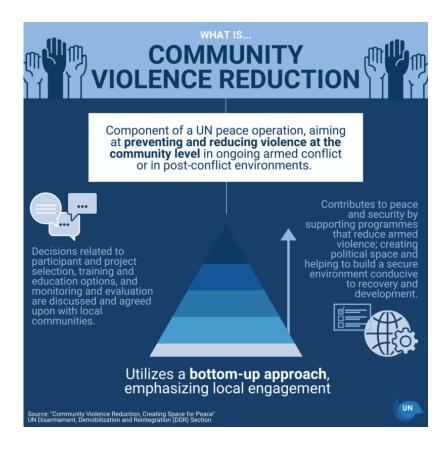
https://peacekeeping.un.org/en/disarmament-demobilization-and-reintegration. Accessed 31 August 2022.

<sup>&</sup>lt;sup>106</sup> "The Global Programme on Prosecution, Rehabilitation and Reintegration (PRR) | Office of Counter-Terrorism." the United Nations, https://www.un.org/counterterrorism/cct/prosecution-rehabilitation-reintegration. Accessed 31 August 2022.

<sup>107</sup> Ibid.

<sup>&</sup>lt;sup>108</sup> "Disarmament, Demobilization and Reintegration." *United Nations Peacekeeping*, https://peacekeeping.un.org/en/disarmament-demobilization-and-reintegration. Accessed 31 August 2022.

is capacity building, and each party is supported in its needs to work towards an agreement in mediation. This has worked for armed groups in Darfur, Central African Republic, Colombia, Mali, and Yemen, according to the UN Peacekeeping website. DDR is also centered around an approach called community violence reduction, as armed groups are often woven into civilian communities. The details of this approach are shown in the infographic below. This community-focused approach is considered second-generation DDR. Violence reduction involves labor-intensive projects, community dialogue forums, and direct engagement with combatants and at-risk youth. The DDR site does not mention the availability of mental or physical health support.



Community Violence Reduction Infographic. 113

<sup>&</sup>lt;sup>109</sup> "Disarmament, Demobilization and Reintegration." *United Nations Peacekeeping*, https://peacekeeping.un.org/en/disarmament-demobilization-and-reintegration. Accessed 31 August 2022.

<sup>&</sup>lt;sup>111</sup>Fitz, Ann M., and Hilary Mason. "SECOND GENERATION DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR) PRACTICES IN PEACE OPERATIONS." *United Nations Peacekeeping*, 18 January 2010, https://peacekeeping.un.org/sites/default/files/2gddr\_eng\_with\_cover\_o.pdf. Accessed 31 August 2022.

<sup>&</sup>lt;sup>113</sup> https://peacekeeping.un.org/sites/default/files/ddr-and-cvr-creating-space-for-peace.pdf

PRR initiatives similarly work to support those who have been involved with foreign terrorism in some way to be repatriated in line with international law. In these cases, at least one of three outcomes is to be prescribed according to the PRR acronym (Prosecution, Rehabilitation, and/or Reintegration). All member states of the United Nations are required to develop PRR strategies according to Security Council resolutions 2178 (2014), 2349 (2017), and 2396 (2017). PRR is meant to enhance deterrence of terrorism, reduce recidivism, and increase social cohesion of those affected by terrorism with their communities. The United Nations Office on Counter-Terrorism has created a Global Framework for the use of PRR initiatives, and as of 2021 the framework has been implemented in Tajikistan, Uzbekistan, Kyrgyzstan, Kazakhstan, and Iraq. The framework itself is shown below. Among the key principles of PRR initiatives is that individual assessment must be carried out to determine each person's terrorist affiliation or victimhood, and children should be treated first and foremost as victims.

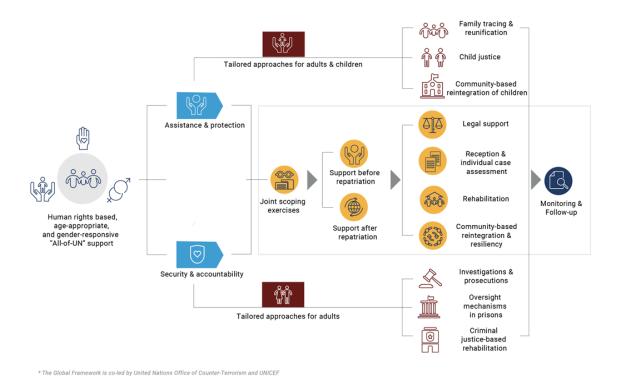
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<sup>&</sup>quot;The Global Programme on Prosecution, Rehabilitation and Reintegration (PRR) | Office of Counter-Terrorism." the United Nations, https://www.un.org/counterterrorism/cct/prosecution-rehabilitation-reintegration. Accessed 31 August 2022.

<sup>&</sup>lt;sup>115</sup>"Office of Counter-Terrorism |." United Nations, United Nations, https://www.un.org/counterterrorism/.

<sup>&</sup>lt;sup>116</sup> "UNITEDNATIONSNATIONS UNIES KEY PRINCIPLES FOR THE PROTECTION, REPATRIATION, PROSECUTION, REHABIL." the United Nations,

https://www.un.org/counterterrorism/sites/www.un.org.counterterrorism/files/key\_principles-april\_2019.pdf. Accessed 31 August 2022.



UN Global Framework to Support Soldiers Returning from Iraq and Syria. 117

<sup>&</sup>quot;The Global Programme on Prosecution, Rehabilitation and Reintegration (PRR) | Office of Counter-Terrorism." the United Nations, https://www.un.org/counterterrorism/cct/prosecution-rehabilitation-reintegration. Accessed 31 August 2022.

## **Possible Solutions**

As represented by the above sections, the process of reintegrating soldiers is extremely complex, with different situations seen across the globe. Delegates are expected to think of plans to respond to each of the issues mentioned in the statement of the problem, and should think of gaps in what the UN is currently doing to support former combatants around the world. It is especially important to note that there are two main dimensions to this topic; what happens while a soldier is part of a military or armed group, and what happens during the process of that soldier's reintegration into civilian society.

Plans therefore must first touch upon problems that combatants face as members of a military or armed group. These issues include sexual harassment or assault, loss of personal identity, loss of family connection, physical injury, or development of mental health issues. Former combatants who have been affected by these factors are likely to continue to be affected by them in the long-term. Significant problems faced by combatants in nongovernmental armed groups and national militaries remain as these soldiers work to reintegrate into civilian life.

Reintegration itself is a difficult process due to the differences between civilian life and life as a combatant. While the physical and psychological ailments that may result from armed service carry over into civilian life, there are a number of less visible factors that also worsen the reintegration process. These factors include financial instability, feeling of disconnection from loved ones due to trauma, and difficulty accessing care.

As a UN body facing this issue, this committee will be expected to draft a series of creative recommendations to guide nations facing issues with their state militaries and with the reintegration of their soldiers. In countries that are working towards disarmament and reintegration of armed groups, however, national recommendations may not be enough. The committee should analyze what the UN has been doing so far within the DDR and PRR initiatives, and should provide alternative guidelines to work towards the most comprehensive solutions possible.

More specifically, potential plans could include creating more vocational opportunities for returning soldiers, widening mental health support, increasing access to long-term physical and mental care,

and standardizing military training for resumé-boosting purposes when former soldiers return to civilian life. Vocational training is one example of a program that can benefit all soldiers returning from an armed group, as many join prior to having received any higher education or on-the-job experience. With mental health support, plans may include the provision of this support, training of therapists or psychologists where necessary, and plans for funding. We are looking forward to hearing your proposed solutions to this multifaceted issue!

## **Bloc Positions**

Every country has a slightly different approach to soldier reintegration, based on the cultural experience and perception of war, along with available resources to put into reintegration efforts. Of course, this is heavily affected by the proximity of the region to war, the types of war that have been fought in recent memory, and general attitudes towards war. Wars that have been characterized by a high level of popular support create different public sentiment around reintegration than wars that did not have popular support, or resulted in a large loss of privately owned land. Finally, countries largely involved in armed conflicts will have a larger stake in the disarmament and reintegration processes, than countries that tend to be neutral or have not experienced significant warfare in recent memory. These bloc positions are suggestions, and are by no means requirements. We encourage you to explore the different possible positions of regions and the unique history of the countries within the regions. The following information is merely included to provide some basic context for the country that you will be assigned and the general sentiment present in the region.

### Countries with Big Militaries

Countries with large militaries invest a lot of money into military upkeep, often because they are in a position where they fear threat or have a large geopolitical role that they want to back up with an equally large army. These countries include Vietnam, North Korea, South Korea, India, China, Russia, the U.S., Brazil, Taiwan, and Pakistan. They tend to have more well-developed soldier reintegration programs, because their militaries have a larger presence in society.

For example, the United States has multiple veterans' affairs offices and a website (Military OneSource) that provide a number of resources for returning soldiers. Ranging from confidential help for mental health concerns to guides on rebuilding relationships with family members, to financial and legal help, these resources aim to be comprehensive in their scopes. China, similarly, has clear laws dealing with the resettlement of soldiers, including monthly pensions, job placement, recruitment into the party, and educational and vocational training for veterans, with subsidies being

<sup>&</sup>lt;sup>118</sup>"Military Size by Country 2022." n.d. World Population Review. Accessed August 31, 2022. https://worldpopulationreview.com/country-rankings/military-size-by-country.

<sup>&</sup>lt;sup>119</sup> Military Financial & Legal Assistance • Military OneSource." Military OneSource. Accessed August 31, 2022. https://www.militaryonesource.mil/financial-legal/.

provided for tuition and enrollment through a separate admissions plan that is specifically for veterans.<sup>120</sup> In a similar vein, India has recently created the Department of Defence, which provides pensions for veterans through the pension division, and resources to take care of the wellbeing of veterans, war widows, and children of veterans through the resettlement division.<sup>121</sup>

#### Countries Currently Engaged in Conflict

Countries that are currently engaged in conflict have an increased focus on veteran affairs and resettlement, due to both the constant presence of armed conflict and the knowledge that these nations need to prepare for a large influx of veterans in the near future. The countries in this suggested bloc, whether in the midst of war, fighting terrorist forces within their country, or dealing with drug related conflict, are Afghanistan, Algeria, Burkina Faso, Cameroon, Chad, Colombia, Democratic Republic of Congo, Ethiopia, Iraq, Libya, Mali, Mexico, Mozambique, Myanmar, Niger, Nigeria, South Sudan, Tunisia, Yemen, Russia, and Ukraine.<sup>122</sup>

Some of these countries, like Chad, are unable to provide much support for veterans because the armed conflict resulted in a transition in government. Due to government instability, these programs for veterans are less established. Similarly, in the Democratic Republic of Congo, the main issue that is facing the military is the desperate need for reform of the structures that determine military policy and protect against abuse. The chaos of war resulted in issues such as child soldiers, soldier displacement, and lack of economic growth. The lack of political will for military reform makes it difficult to establish the programs necessary for the government to aid their soldiers in the reintegration process. The stability of the country is tied up in the ability of the country to implement

<sup>&</sup>lt;sup>120</sup> Veterans Law of the People's Republic of China, 11 November 2020,

http://www.npc.gov.cn/englishnpc/c23934/202112/3c7c1fd2241f4500ad628df82be6846f.shtml. Accessed 31 August 2022 "Department of Ex-Servicemen Welfare: Ministry of Defence: GOI." Department of Ex-Servicemen Welfare. https://www.desw.gov.in/en/about-us/about-desw

<sup>&</sup>lt;sup>122</sup> Countries Currently At War 2022." n.d. World Population Review. Accessed August 31, 2022. https://worldpopulationreview.com/country-rankings/countries-currently-at-war.

<sup>&</sup>lt;sup>123</sup> Keeping Chad's Transition on Track | Center for Strategic and International Studies." 2022. Center for Strategic and International Studies |. https://www.csis.org/analysis/keeping-chads-transition-track.

reforms working towards a more equitable recruitment and a smoother reintegration of soldiers, once harmful military practices are discontinued. 124

### Countries Not Currently in Conflict

There are some countries that are not currently in conflict and do not spend a large portion of their budget on their militaries. In these countries, veteran affairs programs tend to be less visible, although the nations have passed reforms to aid the veterans that live within their borders.

Countries like this include Canada, the United Kingdom, Switzerland, Belgium, South Africa, and Thailand.

As mentioned, these countries do engage in some important program offerings for their veterans. For example, in Canada, veterans are able to apply for a lump sum for disability compensation, as well as financial counseling to help veterans handle the lump sum.<sup>125</sup> However, Canada does not provide counseling on housing or finances. The United Kingdom provides rehabilitation treatment for veterans that is managed by their Department of Health, along with income support that is calculated on the basis of the disability caused to the veteran by conflict, and health coverage that includes dental coverage. However, they do not provide the dedicated program that the United States has for severely disabled veterans that includes resources to address personal and family transitions.<sup>126</sup> Finally, South Africa provides lump sum compensation for veterans based on the disability or trauma caused by military service, along with an ability to apply for counseling, health care coverage as long as certain requirements are met, and certain housing benefits.<sup>127</sup> Although these countries tend to have fewer specialized programs than countries where the military serves a more present role, there is still a robust presence of veteran support. Since these nations are not

<sup>&</sup>lt;sup>124</sup>"Democratic Republic of Congo: Military Reform Urgently Needed." n.d. Open Society Foundations. Accessed August 31, 2022. https://www.opensocietyfoundations.org/newsroom/democratic-republic-congo-military-reform-urgently-needed.

<sup>&</sup>lt;sup>125</sup>2014. Comparison to Other Countries - New Veterans Charter Evaluation - Phase I - Veterans Affairs Canada. https://www.veterans.gc.ca/eng/about-vac/publications-reports/reports/departmental-audit-evaluation/2009-12-nvc/4-

<sup>4.</sup> <sup>126</sup> Ibid.

<sup>&</sup>lt;sup>127</sup>Mabuza, David D. n.d. "Criteria to qualify for housing through the Department of Military Veterans." Military Veterans. Accessed August 31, 2022. http://www.dmv.gov.za/benefits/housing-benefit.htm..

currently faced with pressing influxes of soldiers returning from war, they can focus their resources and efforts on aiding other nations who are.

## Glossary

**Community reintegration**: "The return of individuals to their role functions or participation in life roles" 128

**Government Program:** "Any program or directive established by Applicable Law which directly or indirectly affects the rights or obligations of the Parties under this Order and which obligates or authorizes DWR to make payments or give credits to customers or other third parties under such programs or directives"

**Reintegration**: "The resumption of age, gender, and culturally appropriate roles in the family, community, and workplace" <sup>129</sup>

**Transition:** "The adjustment following combat deployment, including the experience of psychological benefits and the emotional toll of deployment" <sup>130</sup>

**Veteran**: "A person who served in the active military, naval, or air service, and who was discharged or released therefrom under conditions other than dishonorable" 131

<sup>&</sup>quot;Military Service Member and Veteran Reintegration: A Conceptual Analysis, Unified Definition, and Key Domains." 2017. NCBI. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5348503/..

<sup>&</sup>lt;sup>129</sup> Department of Veterans Affairs. "VHA handbook 1172.04." *Physical medicine and rehabilitation individualized rehabilitation and community reintegration care plan. Washington: Veterans Health Administration* (2010).

<sup>&</sup>lt;sup>130</sup> "Military Service Member and Veteran Reintegration: A Conceptual Analysis, Unified Definition, and Key Domains." 2017. NCBI. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5348503/.

<sup>&</sup>lt;sup>131</sup>"Verification Assistance Brief." n.d. Verification Assistance Brief. Accessed August 31, 2022. https://www.va.gov/OSDBU/docs/Determining-Veteran-Status.pdf.

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