FORUM: Human Rights Council

QUESTION OF: Evaluating the Situation Regarding Basic Human Rights in the Guantanamo Bay Camp

SUBMITTED BY: Viet Nam

CO-SUBMITTED BY: Burkina Faso, Cameroon, DPRK, Finland, France, Iran, Iraq, Libya, Morocco, Nepal, Netherlands, Norway Panama, Pakistan, South Africa, UN - Habitat, World Food Program, Ukraine

THE HUMAN RIGHTS COUNCIL,

*Recognizing* that the 8th amendment of the United States Constitution which prevents the use of “cruel and unusual punishment”,

*Further recognizing* the upcoming 98th year anniversary of the Geneva Convention,

*Reminding* all states about the UN Torture Convention signed in 1987 which forbids states to practice any degrading treatment, punishment or any other inhumane treatments,

*Further reminding*all states of the obligations that followed the signing and ratifying of the Geneva Convention including The United States of America,

*Recalling*the original aim of Guantanamo Bay camp, which was to detain extraordinary people,

*Taking note*that the prisoners are denied access to lawyers, to their families and to the outside world,

*Keeping in mind* that apparent suicide and hunger strikes have been occurring in Guantanamo Bay,

*Emphasizing* that the American Congress has voted against a law to close Guantanamo Bay detention camp,

*Taking into account* there have hardly been any investigations by objective researchers, such as Amnesty International and/or Human Rights Watch,

*Noting with deep concern* that only 1% of the prisoners at Guantanamo Bay have been charged and found guilty during a fair trial,

1. *Encourages* sanctions to be issued upon USA if no clear progress is seen regarding the treatment of prisoners at Guantanamo Bay according to the first signing and ratifying of the Geneva Convention in 1955 such as but not limited to:
   1. Removing solitary confinement as a punishment unless it is heavily justified such as but not limited to,
      1. Inmates directly putting a human being’s life at risk or depriving another human being of its life;
2. *Urges* the establishment of a war crime tribunal against the United States of America regarding the violations of the Geneva Convention and the Torture Convention in order but not limited to:
   1. Preventing any future violations of human rights,
   2. Forcing the USA to compensate for both physical and psychological damage caused to both victims and family;
3. *Requests* the Guantanamo Bay to treat prisoners according to the universal declaration of human rights passed by the United Nations General Assembly on 10 December 1948;
4. *Further requests* an extensive research to be carried out a by an objective organization, such Human Rights Watch or Amnesty International, to elucidate all malpractices executed by the United States of America and those who were in charge at Guantanamo Bay;
5. *Calls upon* the implementation of an organization consisting of lawyers who aim to defend prisoners of war in order but not limited to:
   1. Increase the number of fair trials,
   2. Decrease the amount of punishment used against prisoners,
   3. Increase the communication between lawyers and prisoners in order but not limited to prove both verbal and physical abuse against prisoners,
   4. Forcing the United States of America to recognize the prisoners as prisoners of war and not detainees;
6. *Recommends* the implementation of a tribunal aiming to eradicate all violations of the Geneva convention such as but not limited to:
   1. Giving this tribunal greater authority in order but not limited to:
      1. Simplifying the process of issuing sanctions against a sovereign state,
      2. Increasing the number of unannounced inspections against detainment facilities.