

Issue: Implementing measures to decrease the imprisoning of political adversaries

Forum: Special Conference 1

Position: Chair

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Introduction

Politics of nations are some of the most controversial issues to discuss at a United Nations conference, due to the hard to navigate issues of nationalism, sovereignty and transparency. But when politics disregards a few of the basic notions of the United Nations Charter of Human Rights it is and should be regarded as not a national issue, but one of a violation of human rights, concerning the global interfering organizations and monitoring mechanisms.

“Political adversaries” is an umbrella term, used to discuss those who oppose their government’s views while being a civil servant or a government employee. The imprisonment of such people, results in political prisoners, whom, in theory have not actually performed an incapacitating act but instead have been imprisoned often due to exercising freedom of speech or acting against the governments and leaders’ opinions and views.

Definition of Key Terms

Adversary: An enemy and someone who will oppose you

Political Prisoner: Someone who has been imprisoned due to their political activities particularly when in opposition of the country’s government and leaders

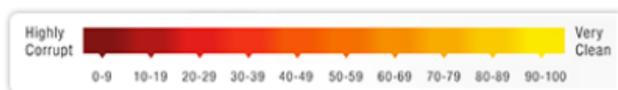
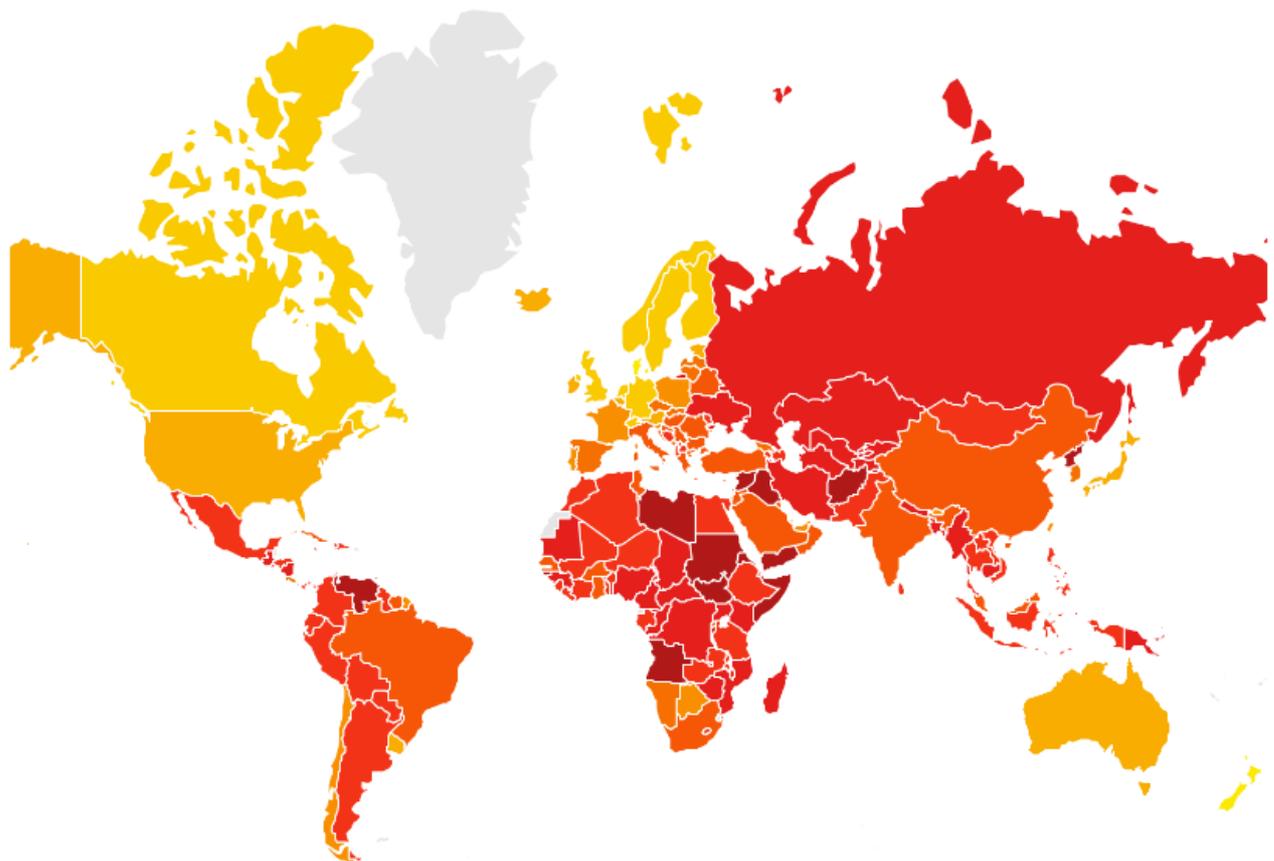
Adversary Politics: When there is major disagreement and dispute between the biggest parties of a country

Consensus Politics: When there is general agreement over one issue between political parties

General Overview

The imprisonment of political adversaries comes with the major issue of corruption that is identifiable in the majority of the world's nations, especially those that are developing countries.

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There is a clear correlation between the countries that are more corrupted and the ones that have, in the last decades, had tyrant leaders and have had the highest recordings and rates of the imprisonment of political adversaries.

We can see this, firstly in Sub-Saharan Africa, where there have been several instances of leaders imprisoning their political 'enemies'. For example, the imprisonment of Paulin Makaya, the

opposition leader of the President of the Republic of Congo, Denis Sassou Nguesso. Makaya was imprisoned for taking part in an “unauthorized” protest, but Amnesty International declared him a “prisoner of conscience” and wrongfully charged in order to aid the President.

Other examples include the Russian President, Vladimir Putin, who jailed Mikhail Kodorkovsky, a well-known opposition to Putin and the publisher of the Moskovskiy Novosti newspaper which contained critiques of Putin. However, he was released right before the Sochi Winter Olympics, leaving many suspicious of it being a possible publicity stunt.

Major Parties Involved

Parliamentary Assembly of the Council of Europe

The Parliamentary Assembly of the Council of Europe (PACE), has defined and outlined the requirements for a prisoner to be called a political prisoner. In the 33rd sitting of the Council in an assembly debate on 3rd of October 2012, PACE discussed a text/resolution created in order to address this issue. In point three of the text this is stated:



3. The Assembly reaffirms its support for these criteria, summed up as follows:

- “A person deprived of his or her personal liberty is to be regarded as a ‘political prisoner’:
- a. if the detention has been imposed in violation of one of the fundamental guarantees set out in the European Convention on Human Rights and its Protocols (ECHR), in particular freedom of thought, conscience and religion, freedom of expression and information, freedom of assembly and association;
- b. if the detention has been imposed for purely political reasons without connection to any offence;
- c. if, for political motives, the length of the detention or its conditions are clearly out of proportion to the offence the person has been found guilty of or is suspected of;
- d. if, for political motives, he or she is detained in a discriminatory manner as compared to other persons; or,
- e. if the detention is the result of proceedings which were clearly unfair and this appears to be connected with political motives of the authorities.” (SG/Inf(2001)34, paragraph 10).

With this, the organization has clearly outlined the circumstances in which a prisoner may be called having been incriminated due to political reasons and being an adversary of the imprisoning party’s political views and opinions.

Venezuela

Venezuela, a country of crisis at the moment, has a history but also a current image of corruption in the government. With the election of Hugo Chavez in 1999 came the 1999 constitution in which presidential terms were extended and re-elections could be infinite.

The country has been found, not only to have held many civilians as political prisoners, but also to have held Hugo Chavez’s political enemies behind bars. These people included judge Maria

Lourdes Afiuni who defied Chavez in a corruption case. This case prompted involvement from the United Nations.

Rashida Manjoo, the UN special rapporteur on violence against women said this on the issue:

“It is unacceptable that Venezuelan authorities are not acting with due diligence to investigate the acts perpetrated against Judge Afiuni in an immediate and impartial manner, and severely punish those responsible,”

China

China is infamous for their political prisoners. The countries most well-known political prisoner was Liu Xiaobo. Xiaobo, a Nobel Peace Prize winner, who was imprisoned for approximately eight years essentially due to opposing the Communist led government.

This is the cause for which many of China’s political prisoners have been taken in, examples ranging from Liu Ping, a member of the “New Citizens Movement” to Yu Wensheng, a human rights lawyer. China remains a harsh imprisoner of political prisoners, being one country who is rarely dissuaded from a course of action.

Timeline of Key Events

- **1929 – 1945:** Nazi Germany became one of the biggest examples of the imprisoning of political prisoners based on not only political views and opposition of the government, but also purely based on race, religion and so forth. The totalitarian principals and the dictatorship of Adolf Hitler meant that tens of thousands of Germans were charged of “political crimes” and were moved to concentration camps.
- **2011:** Supreme Leader Ali Khamenei of the Islamic Republic of Iran arrested in this year, Mehdi Karroubi and Mir Hossein Mousavi along with both their wives. These two men were candidates for the 2009 presidential election and were placed under house arrest, apparently for ‘contesting’ the results of the election. They were not given a trial and Khamenei did not formally file charges, despite them to this day still being under this house arrest.
- **2011:** The imprisonment of Yulia Tymoshenko, Ukraine’s former Prime Minister happened in October of this year apparently due to charges where she was said to have put the country at harm by negotiating with Russia over natural gas prices. This was condemned a politically motivated imprisonment by Human Rights Watch, Amnesty International, the European Union and the United States. This resulted in her seven-year

sentence not being completed as she was released three years in when after the Ukrainian Supreme Court and the European Court of Human Rights found that no crime was actually committed by Ms. Tymoshenko.

- **1999 – 2013:** Hugo Chavez, former president of Venezuela, was found to have imprisoned more than one hundred of his political adversaries. These people were jailed purely for varying forms of dissent meaning. After his death and thus the consequential end of his presidential term, Chavez's prisoners were called to be released, with the United Nations eventually getting involved as well.

Previous attempts to resolve the issue

This is an issue that has not had many attempts to a consensus, due to the very national point of the imprisonment of politicians and opposing parties. The only solution of major influence was the guidelines set by PACE that were intended on separating political prisoners from others and realizing that they were wrongfully convicted.

Possible Solutions

As previously mentioned, the problem that is preventing action is the fact that the issue in itself implies many paths that countries will claim 'cross their sovereignty'. Therefore, in order to combat the issue, preventative methods are not plausible since then it would be a monitoring of the governance of countries. The best option is to go for monitoring methods after there is talk of imprisonment such as reviewing cases and requiring governments to go through legal obligations when looking to charge a major politician/opposing force.

Appendix/Appendices

Appendix 1: What Defines a Political Prisoner

<https://www.rferl.org/a/explainer-political-prisoners/24881810.html>

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