

MUNQSMUN '14

9-11 October 2014



United Nations Human Rights
Council
Background Guide

Letter from the Executive Board

Greetings Delegates,

We, as the Executive Board of the United Nations Human Rights Council at MUNQSMUN 2014, would like to welcome you all to MUNQSMUN 2014, organized by Delhi Public School, Mathura Road.

I am sure it will be a great learning experience for delegates both experienced and the ones who will experience it for the first time, I would want them to embrace this opportunity and participate.

From each of you, we expect impeccable diplomacy, high levels of debate, and of course, zeal to find solutions to the given problem at hand. Knowledge of international politics, the state of global affairs is required to make constructive progress to complex multi-lateral problems. Remember, it's the delegates who set the level of debate and maintain the flow of it.

Human Rights Council personally has always been an exciting committee due to the various aspects and certain limitations of the committee's mandate which makes the debate of the committee extremely strong and a fine balance of subjective and objective construct and argumentation. The agenda as a whole is also one of the most fascinating topics as it deals with various aspects of logic, reasoning and most importantly International law.

I suggest all delegates focus on the topics (divided further in the background guide) as a singular topic and research accordingly however a division in regards to the approach shall be also welcomed.

The Background Guide is intended to give you an insight as to what we as the Executive Board expect from you in terms of what to debate upon, and we hope you do not base your entire research on this document. Feel free to revert back to the executive board for

any queries or for any form of assistance you shall need. Looking forward to 3 days of impeccable diplomacy and debate!

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About The Human Rights Council

History:

The UN Human Rights Council was created by Resolution 60/251 of the UN General Assembly on March 15, 2006. It began its work on June 19, 2006. The Council replaced the discredited UN Commission on Human Rights. On March 15, 2006, one hundred seventy United Nations member states agreed to establish a new Human Rights Council to replace the UN Commission on Human Rights (UNCHR), which had fallen under the sway of human-rights abusers that became members solely to prevent the Commission from taking effective action against them. Six of the 53 UNCHR members—China, Cuba, Eritrea, Saudi Arabia, Sudan, and Zimbabwe—were classified as some of the world's "worst of the worst" abusers of human rights by Freedom House in 2005. In 2005, UN Secretary General Kofi Annan suggested that the Commission should be disbanded and replaced with a smaller Council that would stand as a "society of the committed." A year of intense negotiations resulted in the creation of the Human Rights Council, which held its inaugural election of 47 members on May 9, 2006, and its first meeting in Geneva on June 19.

Purpose and mission statement:

The Human Rights Council is an inter-governmental body within the UN system made up of 47 States responsible for strengthening the promotion and protection of human rights around the globe. The Council was created by the UN General Assembly on 15 March 2006 with the main purpose of addressing situations of human rights violations and make recommendations on them.

The resolution creating the Council gave it the following main responsibilities:

- To promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner;
- To address situations of violations of human rights, including gross and systematic violations;

- To promote effective coordinating and mainstreaming of human rights within the United Nations system;
- To promote human rights education and learning, advisory services, technical assistance, and capacity building;
- To serve as a forum for dialogue on thematic issues on all human rights;
- To make recommendations to the UN General Assembly for the further development of international law in the field of human rights
- To promote the full implementation by UN member states of their human rights obligations and commitments;
- To undertake a universal periodic review of every UN member state's fulfillment of its human rights obligations and commitments; and
- To contribute, through dialogue and cooperation, toward the prevention of human rights violations and respond promptly to human rights emergencies.

The resolution requires that the Council's work "shall be guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation with a view to enhance the promotion and protection of all human rights.

Membership and authority:

The 47 seats on the new Council are apportioned as follows: 13 seats to Africa; 13 seats to Asia and the Middle East; 8 seats to Latin America and the Caribbean; 6 seats to Eastern Europe; and 7 seats to the combined grouping of West European countries and what the UN refers to as the "Others Group." The "Others Group" includes the U.S., Canada, Australia, and New Zealand. Thus the countries included in the categories of Africa, Asia and the Middle East together account for 55 percent of the Council seats. To become a member, a country must receive the votes of at least 97 of the 192 states of the UN General Assembly. An additional consideration should be whether the given candidate country can meet the obligations of Council membership, which include

- (a) "To uphold the highest standards in the promotion and protection of human rights" and
- (b) To "fully cooperate with the Council."

Introduction

Although combatants and other persons taking a direct part in hostilities are military objectives and may be attacked, the moment such persons surrender or are rendered *hors de combat*, they become entitled to protection.

Humanitarian treatment of prisoners of war was not emphasized until the second half of the nineteenth century. The Hague Regulations did not prevent many of the hardships that prisoners suffered during World War I; they did provide an enlightened basis for regulation. Besides the failure to anticipate the problems that arose in World War I, the chief defect of the regulations were a lack of specificity and the absence of any enforcement procedures. After the First World War, a conference at Geneva adopted new, more elaborate rules. Like the prior rules, the new rules did not anticipate the new modes of warfare adopted in the World War that followed their acceptance.

After the widespread and blatant human rights violations of detainees and prisoners of war after World War II, the international community looked to put down certain rules and regulations for the treatment of detainees and prisoners of war and systematically protect their basic rights. The major international treaties today with this regards are the [Third Geneva Convention](#), [International Convention on Civil and Political Rights](#), [European Convention for the Prevention of Torture and Inhuman or degrading treatment or punishment](#), [UN Standard Minimum Rules for the treatment of prisoners](#).

Today, with the advent of increased sensitivity towards rights of detainees, the debate over the conditions and terms of their incarcerations wages on, with various different tangents emerging vis-a-vis refugees, asylum seekers, non state actors and such.

Torture And Protection From Inhuman Treatment In Detention Centers:

Torture, as defined by the [UN Convention Against Torture](#) is, “*any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession,*

punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.”

Keeping in mind the severe human rights violations happening in the process of extraction of information from detainees, a legal framework for prevention of torture and other inhuman practices were put into force on the 26th of June 1984. The UN Convention against Torture is one of the foremost legal tools for the prevention of torture in prison. Article 10 and 11 stress upon this fact. The Global War on Terror and the subsequent detention of ‘terrorists’, members of the Al-Qaida and Taliban, by the United States of America and its allies in locations around the world have led to criticism from various sections over the conditions of their detention and possible use of methods of torture for the purpose of extraction of information. Guantanamo Bay is one such detention center from where various reports of torture and use of methods such as waterboarding and forced feeding of inmates have led to a heated international debate over the detention of these suspects by the sole will of United States of America, without proper trials

Detention Authority

Detention authority and obligations can differ depending on the characterization of any given scenario in five key areas: the basis for detention; procedural requirements for detention; the conditions of detainee release; outside monitoring of detention; and detainee contact with the outside world.

Although fundamental notions of respect for human dignity underlie the parameters for detention in any legal regime, international or domestic, the precise content of the legal rights and obligations do differ between international armed conflict, non-international armed conflict, and non-conflict situations. As a result, uncertainty about the governing legal paradigm can lead to ambiguity or confusion regarding the appropriate approach.

Basis For Detention

In an international armed conflict or occupation, LOAC (Law of Armed Conflict) provides for the detention of combatants and of civilians who either participate in hostilities or pose a threat to the security of the occupying power. Prisoners of war (“POWs”) may be detained for the duration of hostilities and must be repatriated at the close of hostilities. Under the POW detention regime in the Third Geneva Convention and earlier customary and conventional law, preventing a return to hostilities is the underlying purpose of detention. In particular, POWs are not liable to prosecution for their lawful wartime acts, which reinforces the fact that they are not held as a form of punishment for engaging in combat.

Persons who do not qualify for POW status can nonetheless be detained during international armed conflict as well. The Fourth Geneva Convention explicitly contemplates the detention of civilians during international armed conflict “only if the security of the Detaining Power makes it absolutely necessary,” or during belligerent occupation for “imperative reasons of security.”

In situations of non-international armed conflict, Common Article 3 clearly contemplates detention of one or more forms, referencing individuals who are *hors de combat* because of detention, among other reasons. However, no specific provision in LOAC delineates authority for detention in internal armed conflict, where POW status does not exist. Military necessity thus forms the foundation for detention pursuant to LOAC in such conflicts

Prisoners Of War Definitional Aspect

The Third Geneva Convention of 1949 is concerned with prisoners of war, and consists of a comprehensive code centered upon the requirement of humane treatment in all circumstances. The definition of prisoners of war in GC III, Article 4(A) is of particular importance since it has been regarded as the elaboration of combatant status. It covers members of the armed forces of a party to the conflict, as well as irregulars such as members of militia or volunteer corps that fight alongside a party to the conflict, provided they satisfy four conditions: being ‘commanded by a person responsible for his subordinates; having a fixed distinctive sign recognizable at a distance; carrying arms openly; and

conducting operations in accordance with the laws and customs of war.’

In contrast to combatants, civilians may not take part in hostilities, except in the relatively rare event of a *levée en masse*, where inhabitants of a non-occupied territory on the approach of the enemy spontaneously take up arms to resist the invading forces. If the population rises spontaneously, there is no need to be organised or to wear emblems, although they are required to carry arms openly and to respect the laws of war. The resisting civilians should not be treated as marauders or criminals, for all they have done has been to spring to the defence of their country. Once captured, such inhabitants become prisoners of war. Due to the prohibition to take part in hostilities, civilians enjoy general protection against dangers arising from military operations. The belligerents must, accordingly, at all times distinguish between civilians and combatants and direct their operations only against military objectives. If civilians, nevertheless, choose to take direct part in hostilities, they remain civilians but become lawful targets of attacks for as long as they do so.

Rights Of Prisoners Of War

The Third Geneva Convention is now the authoritative statement concerning prisoners of war. An outstanding innovation of the convention, in addition to its application to all other armed conflicts is that it makes reference to internal wars. The convention defined prisoners in a way calculated to include every person likely to be captured in hostilities. Full and primary responsibility for the treatment of prisoners of war fall upon the Detaining Power, not upon the individuals. The Detaining Power is under a general obligation to treat prisoners humanely and protect them from danger. They must be supplied with food, clothing and medical attention they should be protected from public curiosity. They are also entitled to elaborate due process guarantees, including trial by the courts that respect the same standards of justice as those respected by the courts that would try the military of the detaining state. Medical and scientific experiments are prohibited. Prisoners are to be treated alike regardless of race, nationality, religious beliefs or political opinions.

At the time of detention, the prisoner is required to give a minimum of information. He is not to be subjected to torture and may retain his personal effects. Conditions at the detention camp must meet standards provided in the convention. The work that the prisoner is required to perform must not be inherently dangerous, humiliating or directly connected with the operations of war. The prisoner must be permitted contact with his family and correspondence privileges. Procedures must be established for registering complaints against the administration of the detention camp. Penal and disciplinary sanctions, including procedures for determining guilt, are prescribed by the convention. The convention also provides that the properties of prisoners shall not be disposed of them when arrested. When hostilities have ceased, POWs must be repatriated.

The convention elaborates the idea of a Protecting Power appointed by mutual agreement, which determines whether the provisions of the convention are being followed. When the belligerents are unable to agree upon such an appointment, the detaining power is required to request a neutral state, an impartial organization, or a humanitarian organization to substitute for the Protecting Power. Each contraction party undertakes to provide penal sanctions against person who violates the established norms. Parties to the conventions are obligated to search out those persons alleged to have committed such breach.

Fair Trial And Prosecution

In respect of prosecution of prisoners of war, the law stipulates basic fair trial rights, which must not be derogated from. Specifically, if detainees were formerly privileged combatants (entitled to be treated as POWs); they may not be prosecuted for acts of war, while those unprivileged combatants, who fought absent the right to do so, may. All categories of prisoners, however, may equally be prosecuted for the commission of international crimes such as war crimes or crimes against humanity. GC III provides that any POW subject to judicial proceedings is entitled to a fair trial. So seriously are these rights taken that 'willfully depriving a prisoner of war of the rights of fair and regular trial prescribed in this convention' is a grave breach, which states parties are obliged to prosecute.

Monitoring

The law of international armed conflict establishes a framework for external monitoring and implementation of the obligations of states. The concept of a “protecting power,” which first appeared in a treaty in the 1929 Geneva Convention on the Treatment of Prisoners of War, relies on neutral third states to protect the rights and duties of parties to international armed conflicts. Articles 8 and 9 of the Third and Fourth Geneva Conventions set forth the protecting powers system.⁷⁸ The ICRC also plays an essential role in monitoring the implementation of LOAC during armed conflict, particularly with regard to POWs and other detainees. In particular, given that the protecting power system has barely, if ever, been used in the years since World War II, “the role of the ICRC has taken on an increasing importance in the light of the failure of states to appoint protecting powers.”

With regard to detention in international armed conflict, Protecting Powers and the ICRC “shall have permission to go to all places where prisoners of war may be, particularly to places of internment, imprisonment and labour, and shall have access to all premises occupied by prisoners of war . . . and be able to interview the prisoners, and in particular the prisoners’ representatives.” Article 143 of the Fourth Geneva Convention provides for the same rights for Protecting Powers and the ICRC regarding protected persons detained during the course of international armed conflict.

Internment and/or Administrative Detention

Under the Fourth Geneva Convention, internment is the severest measure of control that may be taken against a protected person by a party to an international armed conflict. The Convention provides that internment, which is a form of deprivation of liberty without criminal charges, may be imposed only for “imperative reasons of security” (Article 78) or if the security of the detaining power makes it “absolutely necessary” (Article 42). Internment must cease once the reasons for it no longer exist, or at the very latest upon the end of active hostilities. The Convention also spells out basic procedural rules to ensure that States do not abuse the considerable measure of discretion they have in determining what acts constitute a threat to their security. It must be admitted, however, that the rules are fairly rudimentary from the point of

view of individual protection. Moreover, recent State practice – e.g. internment by States party to multinational coalitions – has been characterized by divergences in the interpretation and implementation of the relevant rules, which has given rise to serious concern.

Internment is also practised in non-international armed conflicts, and is explicitly mentioned in Additional Protocol II, which further elaborates on Article 3 common to the Geneva Conventions.

However, the treaty provisions provide no further guidance on what procedure is to be applied in cases of internment. It is submitted that the gap must be filled by reference to applicable human rights law and domestic law, given that IHL rules applicable in non-international armed conflicts constitute a safety net that is supplemented by the provisions of these bodies of law.

The challenge of interpreting the existing provisions of IHL in relation to internment is therefore not a new one. What has posed a problem more recently, mainly as a result of counter-terrorist operations conducted outside armed conflict, is the administrative detention, i.e. the detention without criminal charges, of persons suspected of various degrees of involvement in acts of terrorism. While international human rights law does not prohibit all forms of such detention (e.g., confinement, under certain circumstances, of immigrants with a view to expulsion), it has been argued that administrative detention for national security reasons is not one of them. A related but separate issue is whether and when cases of administrative detention require States to derogate from the right to liberty of person under the relevant human rights treaties.

The recent practice of States in drafting and implementing anti-terrorism legislation has shown that administrative detention is being increasingly used as a preventative tool in the fight against terrorism. However, it has also demonstrated wide divergences in the interpretation of human rights law as regards the procedural rights of persons affected. Moreover, there is no agreement at the international level on whether administrative detention for security reasons is lawful. While many States seem to think so, some non-governmental organizations and experts vigorously contest that approach.

In addition to obvious protection needs and in order to ensure consistency in its dialogue with various detaining authorities, the ICRC has developed institutional guidelines, entitled “Procedural

Principles and Safeguards for Internment/Administrative Detention in Armed Conflict and Other Situations of Violence.” It sets out a series of broad principles and specific safeguards that the ICRC believes should, at a minimum, govern any form of detention without criminal charges. The accompanying commentary serves to illustrate the sources – both treaty-based and other types, including policy and best practice – from which the standards were derived. It is important to stress that the principles and safeguards enunciated in the guidelines provide minimum standards that are meant to be further calibrated in each specific context of application.

Conditions Of Release

A fundamental feature of the POW regime is that POWs must be repatriated as soon as possible after the end of active hostilities. Once the fighting is over, the justification for holding enemy personnel—removing them from the battlefield—no longer exists. The Third Geneva Convention then sets forth detailed procedures for such repatriation, including the restoration of any articles of value to POWs and provisions for POWs to take their personal effects with them upon repatriation or have them forwarded. For civilians interned for imperative reasons of security during occupation or international armed conflict, the regime for release includes an additional element. Like POWs, civilian internees must be released as soon as possible after the close of hostilities. In a clear demonstration of a key difference between POW detention and civilian internment, however, the Fourth Geneva Convention also requires that each individual internee be released as soon as the reasons necessitating his or her internment have ended, which may be during the conflict. This rule thus reinforces “that internment may be ordered only if the security of the Detaining Power makes it absolutely necessary.”

In non-international armed conflict, much like in the other areas covered here regarding detention, the conventional law offers little, if any, guidance regarding conditions of release and repatriation. Although Additional Protocol II refers, albeit obliquely, to the release of detained persons in Articles 2(2) and 5(4), treaty law governing non-international armed conflict contains no specific provisions detailing the timeframe or the obligations relevant to release and repatriation.

Transfer

The principle of *non-refoulement* and the associated human rights protections apply to the transfer of prisoners at all times.

According to these protections, individuals may not be transferred to states where they will likely suffer severe human rights deprivations, particularly torture or inhuman treatment. Most importantly, “the prohibition on torture is regarded as non derogable, not subject to any exclusions, and also binding where the

rendering state is a party to the treaty but the receiving state is not.” *Non refoulement* is a foundational principle in refugee law, which has an important role for the protection of persons caught up in armed conflict. Article 33 of the 1951 Refugee Convention prohibits the forcible return or expulsion of a refugee “in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

Within the context of armed conflict, recent experiences in Afghanistan and Iraq demonstrate the relevance of transfer and the applicable legal frameworks in today’s conflicts and military operations. In particular, the main transfer related issues that may differ based on the characterization of a given situation include where and to whom a detainee may be transferred, and post-transfer monitoring obligations.

Indefinite Detention, Repatriation

Another purported reason why affording POW status appears to have been considered too significant relates to the rules on repatriation. Article 118 of GC III provides that ‘POWs shall be released and repatriated without delay after the cessation of active hostilities’.

However, this right does not apply to persons who have been charged with a criminal offence where proceedings are pending, or where the detainee has been convicted and is serving a sentence, in which case Article 119 GC III provides an explicit exception to the duty to repatriate. There is therefore nothing to prevent any state from conducting criminal proceedings against persons responsible for criminal conduct.

The problem that the duty to repatriate was perceived to represent may be encapsulated by the words of one commentator who noted that 'if the captives are POWs, they must eventually be returned...the Taliban fighters may be too dangerous ever to be released...which...commits the US to detaining them indefinitely'. Concern about affording POW status may reveal an insidious assumption that if GC III does not apply there is no legal framework to limit the power to detain indefinitely.

Whether or not GC III applies, it is certain that at a certain point hostilities will cease and reasons 'related to the conflict' that may justify detention under IHL, will also cease to exist. The remaining question will then be whether there is any other basis justifying detention, in accordance with IHL and IHRL. In most cases, such justification arises where a person is suspected of, and charged with, a criminal offence.

Terrorists Under International Law

The drafters of the 1949 Geneva Conventions sought to base the treaty on past precedent. While the 1907 Hague regulations stipulated that "the laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps," those same regulations also presented a four-part test to determine eligibility of those irregular forces for lawful combatant status. In order to be recognized as legitimate combatants, the Hague regulations required irregular units to "be commanded by a person responsible for his subordinates; to have a fixed distinctive emblem recognizable at a distance; to carry arms openly; and to conduct their operations in accordance with the laws and customs of war." The drafters of the Third Geneva Convention adopted this four-part test as part of the criteria to determine eligibility for POW status. The delegates drafting the convention made quite clear in their debates that they did not want to confer automatic POW status on irregular forces. After much negotiation, a special committee of the conference resolved this question by crafting article 4(A) so as to differentiate between regular armed forces, constituent volunteer corps, and militias on one hand, from irregular resistance movements, on the other. The drafters agreed to apply the Hague four-part test to the latter.

Terrorists groups ranging from separatists like the PKK in Turkey, Chechen rebels in Russia, or the Pakistani-backed Harakat ul-

Mujahideen in India; to Palestinian groups like Hamas, Palestinian Islamic Jihad, and the Al-Aqsa Martyrs' Brigade, to the numerous cells that comprise the Al-Qaeda network all fail the four-part test. Hijacking civilian airliners and flying them into office buildings is not "in accordance with the laws and customs of war," nor is using human bombs to blow up buses, nor is lining up and executing school teachers. On these grounds, as well, the Taliban also forfeited claim to POW status. While they did carry arms openly, they neither observed the international humanitarian law, nor wore any recognizable sign to distinguish themselves from civilians.

During the chaos of combat, confusion often reigns supreme. In battlefield confusion, captured combatants' eligibility for POW status may not be clear. The ensuing murkiness is precisely why the Third Geneva Convention demands that a "competent tribunal" determine the status of prisoners where there is doubt as to their proper status. But, while it mandates that a tribunal be held, the convention does not dictate details of the process.

CASE STUDIES

People's Republic of China:

PRC is a one of the Permanent 5 members of United Nations Security Council. By virtue of its membership, PRC is bound "to fulfill in good faith" the obligations established under the UN Charter and the Universal Declaration on Human Rights. However, the criminal justice system and its strong focus on admission of culpability, confessions and re-education is particularly disturbing in relation to political crimes and the administrative detention system of 'Re-education through Labor'. The combination of deprivation of liberty as a deterrent for the peaceful exercise of freedom of expression, assembly and religion, with measures of re-education through coercion, humiliation and punishment aimed at admission of guilt and altering the personality of detainees upto the point of breaking their will, constitutes a form of inhuman or degrading treatment.

The People's Republic of China believes in re-education rather than retribution and for achieving this purpose Re-Education through Labor camps have been formed for changing the ideology of the prisoners, through hard labor and other means of compulsion.

Members of various religious, spiritual and political organizations, like the Falun Gong, the Uighur people and people demanding an independent Tibet, are often incarcerated, with the chances of them being convicted by the justice system being relatively less. Amnesty International has coined a term, '[Prisoners of Conscience](#)' for persons who are persecuted in this manner.

Treatment of Soviet Prisoners of War

From the very beginning, German policy on the treatment of Soviet prisoners of war (PoWs) was determined by Nazi ideology. German political and military leaders regarded Soviet PoWs not only as racially less valuable but as potential enemies, obstacles in the German conquest of "living space." The Nazi regime claimed that it was under no obligation for the humane care of prisoners of war from the Red Army because the Soviet Union had not ratified the 1929 Geneva Convention on Prisoners of War, nor had it

specifically declared its commitment to the 1907 Hague Convention on the Rules of War. Technically both nations, therefore, were bound only by the general international law of war as it had developed in modern times. Yet even under that law, prisoners of war were to be protected.

Soviet prisoners of war were the first victims of the Nazi policy of mass starvation in the east. In August 1941, the German army set a ration of just 2,200 calories per day for working Soviet prisoners of war. Even this was not enough to sustain life for long, but in practice the PoWs received much less than the official ration. Many Soviet prisoners of war received at most a ration of only 700 calories a day. Within a few weeks the result of this "subsistence" ration, as the German army termed it, was death by starvation. The large number of dead was due not just to irresponsible neglect by German officers but also to mass shootings. The Germans shot severely wounded Soviet soldiers to free the German army of their care. Time and again German forces were called upon to take 'energetic and ruthless action' and 'use their arms' unhesitatingly 'to wipe out any trace of resistance' from Soviet PoWs. Those attempting to escape were shot without warning. Moreover, a decree issued on September 8, 1941, stated that the use of arms against Soviet PoWs was, 'as a rule, to be regarded as legal' – a clear invitation for German soldiers to kill Soviet PoWs with impunity.

Conclusion

Do not forget to read beyond the given information. This is significantly insufficient for any research. The idea is to ask the important questions during the conference, while looking for answers in the information given out to you. Some of the issues you may research on:

- Legal significance of the trials of war criminals which occurred after World War II
- Status of Persons Who Accompany the Armed Forces without Actually Being Members Thereof
- Issues regarding sanctions on maltreatment of prisoners of war
- Whether ISIS is an organized group or not and who has the authority to grant the Syrian and Iraqi army captives the POW status, if at all
- The whole issue surrounding the Al Qaeda detainees at the Guantanamo Bay

Links For Further Reading

https://www.google.co.in/url?sa=t&rct=j&q=&esrc=s&source=web&cd=12&cad=rja&uact=8&ved=0CC4QFjABOAo&url=http%3A%2F%2Fwww.ohchr.org%2FDocuments%2FHRBodies%2FHRCouncil%2FCoISyria%2FOralUpdate18March2014.pdf&ei=bXcMVKDvEZagugSju4HoAg&usg=AFQjCNFJx_mb6-RDxvXHLpSQMXm8JEWJXA&sig2=jJFDzTlGz4mv04q1Z53Lxg&bvm=bv.74649129,d.c2E

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