

GOMUN 2026 OFFICIAL DOCUMENT

Study Guide

Human Rights Council

Emma Kastlová, Eva Sekyrová

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COMMITTEE INTRODUCTION

The Human Rights Council (HRC) is a UN body responsible for addressing violations of basic human rights at a global range. Despite serving as a subsidiary body to the UN General Assembly, it is absolutely vital to the practice of international diplomacy. It provides crucial insight on ongoing Global Crises and brings awareness to possible violations to basic human rights, as outlined in the 1948 Universal Declaration of Human Rights. The HRC is also influential to the discussions within the Security Council. To tackle the two complex topics selected for this year's GOMUN, delegates will need to conduct thorough research, get a comprehensive understanding of the legal frameworks involved and suggest effective solutions which balance sovereignty with intervention from a humanitarian point of view.

First Topic: Rights of Prisoners

Emma Kastlová

TOPIC INTRODUCTION

Protection of prisoners' rights is a fundamental pillar of international human rights law, because they ensure that prisoners receive adequate food, clean living conditions, proper medical care and fair treatment amongst all. Most importantly, they prevent prisoners from losing their status as a human being. All these factors are apart of a process, which allows prisoners to reintegrate into society after they've done their time without freedom. These rights are outlined in the UN Standard Minimum Rules for the Treatment of Prisoners, first approved in 1955 (renamed to the Nelson Mandela Rules in December 2015 at the UN GA - in honor of Mandela's life work).

KEY TERMS

Impartiality – The quality of making decisions based on objective criteria, without bias, favoritism or prejudice, promoting fair treatment.

Nelson Mandela Rules – A total of 122 rules considering the treatment of prisoners, covering areas of human dignity, adequate healthcare as state responsibility, strict limits on solitary confinement (prohibiting prolongment or indefinite versions), record keeping of prisoner files and independent inspections of detention facilities, based on the UN Standard Minimum Rules for the Treatment of Prisoners, adopted by the UN GA in December 2015.

(Indefinite/Prolonged) Solitary Confinement – Severe form of imprisonment, where a prisoner is locked in a single cell for 22 hours or more, without human contact. Its prolonged version typically lasts for about 15 days in a row, and the indefinite version is recognized as isolation that does not have a specific date of release and follows vague rules. The punishment itself, and its more extreme versions are seen as highly problematic by the Nelson Mandela Rules. Experts observe that permanent mental damage can be an outcome of the punishment, for this reason it is banned completely within the document.

Pre-trial detention – The practice of leaving an individual in jail or a holding center after they are arrested or charged with a crime, but before their actual trial takes place. From a legal point of view, this practice is problematic because it puts a strain on the law that a person that is innocent until proven guilty.

Re-integration – The process of bringing a former prisoner back into society and helping them regain community, stability and purpose.

Justice – Treating people impartially and reasonably, ensuring that actions have equivalent moral consequences and harm caused is remedied.

OVERVIEW OF THE TOPIC

The Rights of Prisoners remain a global debate as the international community strives to identify a solution which balances sovereignty, criminal justice and human rights oversight. The previously mentioned Nelson Mandela Rules created a general guideline which UN Member States are expected to respect and abide by, however the UN Standard Minimum Rules for the Treatment of Prisoners is not a legally binding document, therefore the UN does not have the right to sanction countries in case that the rules are violated. Often times, countries adjust the globally respected guidelines and allow for the occurrence of systemic abuses, prolonged/indefinite solitary confinement, severe overcrowding, inadequate medical care, poor sanitation, and torture.

As aforementioned, the main issue the international community is facing, is the balancing of sovereignty over domestic affairs, oversight to prevent human right violations and criminal justice.

Deprivation of basic necessities frequently stems from underfunded infrastructure, political corruption, and disciplinary national policies. This has a heightened effect on more vulnerable groups (women, juveniles, immigrants, inmates with disabilities, etc.) as they often experience neglect and exploitation. This is where the Human Rights Council steps in, to set global standards, advocate for penal reform and support re-integration into society.

TIMELINE OF THE TOPIC

1955 – Adoption of the UN Standard Minimum Rules for the Treatment of Prisoners (UNSMR) at the First UN Congress on the Prevention of Crime and the Treatment of offenders in Geneva.

1957 - The Economic and Social Council (ECOSOC) formally approves the *UNSMR*, establishing a baseline for the treatment of prisoners.

1984 - The UN GA adopts the Convention against Torture and Other Cruel, Inhuman, Degrading Treatment or Punishment (CAT) strengthening international legal mechanisms against abuse in custody.

2002 - The Optional Protocol to the Convention Against Torture (OPCAT) is adopted by the UN GA introducing independent international inspections and visits to detention facilities.

2010 - The UN GA begins a multi-year international effort to reform the 1955 *UNSMR* to reflect modern correctional and human rights standards.

2015 - The UN GA unanimously adopts Resolution 70/175, designating the *Nelson Mandela Rules* the modern, reformed, international standard for detention facility inmate treatment.

Present day - Countries continue to implement these non-binding guidelines into domestic laws, focusing on principles like dignity, healthcare access and strict limits on solitary confinement.

PAST ACTIONS

UN Office on Drugs and Crime (UNODC) Technical Assistance Programs - Developed Capacity-Building initiatives, assisting Member States in improving prison infrastructure, training staff in human rights, and recommend reforms.

UN Bangkok rules - Formally known as the UN Standard Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders. This document, adopted in 2010, addressed gender-specific needs, maternal healthcare and alternatives to imprisonment for female offenders.

GA Resolution 65/230 - In December 2010, this resolution formally endorsed the Salvador Declaration on Comprehensive Challenges on Global Strategies which emerged in April, earlier that year. It focuses on fair, effective and humane criminal justice systems and emphasizes the need for global effort to tackle international crime and improve administration of justice.

Resolution 70/175 - Passed on December 17, 2015, designating the *Nelson Mandela Rules* the modern, reformed, international standard for detention facility inmate treatment.

COUNTRY POSITIONS

Germany

With a highly progressive stance, Germany consistently complies with the Nelson Mandela rules, with no large deviations or violations and argues for maximum alignment on a global scale. Their penal system focuses primarily on rehabilitation of inmates and re-integration into society. Their strategy has allowed them to uphold one of the lowest recidivism rates in the world (about 38%). It emphasizes strong limits on solitary confinement, independent inspection mechanisms (e.g. the *OPCAT)* and extensive medical and mental health protections.

USA

In general, the United States support international human rights norms against torture and abuse of prisoners, however because of their heavily complex domestic justice system with atypical features, such as state vs. federal jurisdiction, private prisons, etc. it often deviates from international standards, and defends its national security exceptions - restricted housing or solitary confinement for administrative control.

China

China upholds strict non-interference policy and sovereignty in national administration. It rejects binding external oversight, unannounced inspections or the publication of country-specific UN resolutions. On an international basis, China highlights its modern legal frameworks, such as its overhauled prison law, emphasizing inmate management and psychological care. And it pushes for voluntary guidelines, non-interference, voluntary capacity-building initiatives, and respect for national sovereignty.

Russia

Russia strongly opposes foreign interference or jurisdiction over its penal system, including e.g. independent inspections. It asserts that detention and law-enforcement is a strictly internal matter, thus It rejects any form of Western influence especially in its decision making considering the limits on solitary confinement. In debate Russia would not advocate for mandatory reporting mechanisms, independent external inspections done by the UN, or UN-led investigative mandates into domestic systems.

UK

The UK is a strong advocate for the adherence to the Nelson Mandela rules, the prohibition of torture and robust independent inspection mechanisms, like the OPCAT. The UK emphasises humane conditions, legal representation, transparency, and targeted protections for vulnerable populations in custody. It also frequently addresses systemic challenges within its own system, while maintaining support for global standards.

France

Advocates for absolute adherence to the Nelson Mandela rules and universal respect for prisoner dignity within the international framework. It focuses on penal reform, alternatives to incarceration, security, and the integration of specialised healthcare in prisons. Its very active in debates on banning torture and promoting independent monitoring mechanisms. France seeks progressive, human-rights centered resolutions that mandate strict limits on prolonged solitary confinements, enforce independent medical care for detainees, and guarantee unannounced inspections by national and international oversight bodies

The Global South and Resource-restricted Countries

Including South Africa, Mexico, Argentina, Egypt, Turkey, Thailand, Brazil, India, Indonesia, Nigeria, Vietnam, Kenya, the Philippines.

The flawed approach of these countries is what the HRC committee has come together to discuss. In general, all of the nations above support the human rights principles highlighted in the *Nelson Mandela Rules,* however they argue that despite agreeing and wanting to abide by international guidelines, not having enough resources to fully implement the reforms bars them from enforcing high human rights standards. They struggle with prison overcrowding (This issue is driven primarily by the high rates of pre-trial detention), Inadequate infrastructure which often does not comply with basic expectations - f.g. Lacking sanitation, ventilation and clean water, and due to the low budget, also lacks adequate (trained) personnel. These states push for international cooperation, financial aid and voluntary capacity building programs, on the other hand they also stress the importance of national sovereignty and oppose invasive inspections, sanctions and mandatory reporting.

QUESTIONS A RESOLUTION SHOULD ANSWER

As delegates you will try to create a resolution which recognizes basic human dignity, impartiality, prohibition of abuse, categorical separation, and medical service as its core principles, while balancing these with respective national interests.

- What mechanisms can restrict prolonged solitary confinement?
- What measures can be taken to ensure equal medical access/care?
- How can states protect vulnerable groups (such as women, the disabled, juveniles, etc.) in custody?
- What steps need to be taken in order to reform the justice system into one that focuses on rehabilitation, in order to achieve lower recidivism?
- How can independent, unannounced inspections be realized while fully respecting national sovereignty?
- How can prison overcrowding be prevented?
- What specific areas of detention facility infrastructure need to be reformed to comply with modern standards?

CONCLUSION

The protection of prisoners' rights remains a vital test of the international community's commitment to fundamental human dignity. While lawful imprisonment restricts liberty, it must never strip individuals of their status as human beings or expose them to systemic abuse, neglect or torture. The Nelson Mandela Rules establish a universal standard for humane penal management. It is important that correctional systems must prioritize basic health, safety and rehabilitation over purely punitive measures. By promoting non-punitive oversight, support networks and constructive dialogue, the HRC can empower member states to implement lasting justice reforms that uphold human dignity and lower recidivism worldwide.

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Second Topic: Impacts of Sexual Tourism

Eva Sekyrová

TOPIC INTRODUCTION

Sexual tourism is a global phenomenon in which people travel to another destination to engage in sexual activities, sometimes in exchange for money or other benefits . It has been defined as a travel planned and arranged specifically with the intention to engage in sexual activities. However, sexual tourism can be associated with human trafficking, child sexual exploitation, forced prostitution, and other forms of abuse. Although local residents may also participate in the industry, some individuals are subjected to exploitation and coercion. In case of human trafficking, victims may be transported across national borders or exploited within their own country.

The impacts of sexual tourism are especially critical in economically disadvantaged countries, where limited employment opportunities, poverty, and social inequality can increase economic dependence on the industry and make some individuals vulnerable to exploitation. Women and children can face particular risks, including discrimination, coercion, and sexual exploitation, although the extent of these risks vary between destinations. In some less economically developed countries limited resources for law enforcement and weak enforcement of existing legislation can make it more difficult to hold perpetrators accountable. Insufficient international cooperation can further complicate investigations when offences involve people from different countries.

KEY TERMS

End Child Prostitution in Asian Tourism (ECPAT) – It is a global network made up of 140 organisations in 100 different countries. Established in 1990, it is determined to end the sexual exploitation, trafficking of children .

UN World Tourism Organization (UNWTO) – UN agency responsible for the promotion of responsible, sustainable and accessible tourism.

Human trafficking – Crime involving exploitation of people for forced labour or commercial sex using force, fraud or coercion in order to achieve it.

Commercial sex – Any sex act or sexually explicit performance for anything of value.

Sexual exploitation – Actual or attempted abuse of power imbalance for sexual purposes including monetary, social or political benefit from another person.

OVERVIEW OF THE TOPIC

The topic of sexual tourism closely converges with human rights, economic development and child protection. Although it creates employment and can generate significant revenue in some economically disadvantaged countries, it can also place women and children into vulnerable positions and contribute to wider social and economical problems that require responses from both local governments and the international community .

Sexual exploitation violates fundamental human rights, including the right to personal security and freedom from slavery , trafficking, and exploitation. It can also affect access to healthcare and education, particularly when exploitation disrupts individuals' ability to attend school and seek medical assistance. Survivors often face long-term physical, psychological, social and economic consequences.

Poverty, unemployment and limited educational opportunities increase people's vulnerability to exploitation. Children living in conditions of poverty or instability may face an increased risk of sexual exploitation, particularly when they lack access to education, adequate protection, or reliable support systems.

Insufficient legislation, inadequate investigations, corruption and limited coordination between countries allow perpetrators to avoid accountability. When human trafficking or sexual exploitation involves multiple countries, investigations can become more complicated because authorities must coordinate across different legal systems and jurisdictions.

The Tourism Industry, such as hotels, travel agencies and booking platforms could contribute to prevention by training staff to recognize exploitation and implementing reporting systems and other child-protection policies. UNICEF has emphasized that governments, businesses and civil society need to cooperate together to address exploitation in the travel and tourism industry.

HRC needs to address the issue of sexual tourism in order to encourage states to strengthen human rights protections, support victims, improve international cooperation and address the root of this complex global issue.

TIMELINE OF THE TOPIC

1970s-80s – The expansion of the local sex industry in locations such as brothels, bars and clubs, especially in Southeast Asia, developed during and after the

Vietnamese and Korean wars. Contributed to by American and allied troops who fought in the region and needed pleasure on rest or recreation breaks. Creating demand for prostitution, sometimes even involving children. After the wars ended the owners of brothels and bars were looking for a way to maintain or expand their networks. So, they started providing these services for Asian and foreign businessmen, which were demanding sex with children. Fortunately, people started noticing the exploitation of children and vulnerable individuals in touristic sex industries, which started promoting the beginning of international advocacy in this subject.

1990 – Sex tourism kept expanding internationally, especially with the clear difference between Global North' s economic wealth compared to the developing countries. However, the public started being more cautious of the issue and the first organization aiming to combat sexual tourism was established. ECPAT was established in Thailand aiming to end sexual exploitation by foreign tourists with this campaign.

1995 – The World Tourism Organization addressed and recognized the depth of this issue. It urged governments to find solutions, prevent and combat the sexual exploitations of children in tourism.

1996 – First World Congress against commercial sexual exploitation of children was held in Sweden. ECPAT collaborated with UNWTO. 122 governments committed to the Stockholm Declaration and Agenda for Action, promoting prevention, protection, recovery, and international cooperation.

2000 – The Palermo Protocol was established, which was essential for establishing the definition of human trafficking and made a foundation to address the crime through three “Ps” - prevention, protection and prosecution.

2001 – The progress since the Congress in Sweden was reviewed at a second World Congress in Yokohama, in addition they renewed few international commitments.

2010-2020s – After the various conferences international attention has been increased, focusing on combating child sexual exploitation and human trafficking connected to travel and tourism. Since then governments, UN agencies and tourism organizations promoted stronger legislation, enhanced protection of victims and improved international cooperation. The expansion of social media platforms has also highlighted the need to address online recruitment and exploitation.

PAST ACTIONS

United Nations Convention on the Rights of the Child – An international agreement on childhood, helping to transform children's lives around the world. Established international obligations to protect children from sexual exploitation and abuse.

Human Rights Council Resolution 8/12 – Urged states to address trafficking by implementing stronger legislation, victim assistance and action to address the root causes of exploitation.

Human Rights Council Resolution 23/5 – Addressed trafficking in persons, especially women and children. Emphasized efforts to combat human trafficking in supply chains of business.

Global Study on Sexual Exploitation of Children in Travel and Tourism – Global Study examining the depth and common characteristics of child sexual exploitation in travel and tourism all around the world.

Bogotá International Summit on Child Protection in Travel and Tourism – Gathering of stakeholders to agree an action agenda to end the sexual abuse and exploitation of children in travel and tourism. UNICEF, UNODC, WTTC and ECPAT brought more than 400 participants to commit to an action. Including awareness campaigns, anti-trafficing measures, training for tourism employees and regulating activities that involve children.

COUNTRY POSITIONS

Thailand

Is the most affected country by sexual tourism. Despite prostitution and and commercial sex being illegal, Thailand still hosts one of the largest prostitution markets per capita in the world. They gain enormous short-term profit from sexual tourism, the underground sex trade brings in an estimated 4-6.4 billion dollars every year. However the country faces deep social, legal and human costs in return. They recognize the severe threat regarding human trafficking and sexual exploitation that results from sexual tourism. Although the Thai government officially opposes sex tourism and they strictly prohibit prostitution under the Prevention and Suppression of Prostitute Act, they are still struggling to find a way to protect workers.

Brazil

Acknowledges the issue within their country with official condemnation and actively fights child exploitation. Adult prostitution is legal as long as it is just an individual, but both running brothels and human trafficking are illegal. Despite regulations the problem is still widespread due to Brazil's booming tourism industry. Since the 1970s national tourism has been promoted under the military dictatorship to improve the image of the country. Therefore, stereotypes of exoticism, samba and sensuality emerged, attracting foreign sex tourists. It has been relatively bad for centuries, however the issue worsened when the World Cup took place during 201., It created a working opportunity for young girls coming from poverty backgrounds, to recruit clients. Brazil tried to prevent this issue from spiraling out of control, so before the sports event took place, the Brazilian governments set aside $3.3 million to combat the child sex trade. A similar problem re-occured 2 years later with the Rio Olympics taking place. On the other hand these events increased public consciousness of the issue.

Philippines

Just like Thailand, Philippines sexual tourism dates back to the presence of United States military personel, which created demand for sexual services, and the Philippines failed to get rid of the industry ever since. One of the major issues is that it created the "Fatherless" Generation, thousands of children being left behind by foreign sex tourists, without any knowledge of their biological child or receiving financial aid. Million of Philippines citizens experience poverty and financial insecurity, which often drives individuals into commercial sex trade just to survive. Even though sex tourism does generate a sufficient amount of money for their economy, it leads to a cycle of dependency and further underdevelopment.

Spain

It is estimated that the sex trade generates billions annually, ranking Spain among the top global destinations for consumption of prostitution. Especially with popular vacation spots like Mallorca and Ibiza. The issue goes beyond the exploitation of women. Human trafficking is another concern, related to sexual tourism. It is speculated that there are over 150, 000 sex workers and around 80-90% are controlled by a criminal network or are trafficked victims. Criminal networks offer false jobs usually in the beauty or cleaning sectors, targeting these offers to women from economically vulnerable countries such as Colombia, Venezuela or Argentina. Victims are under conditions of enslavement, they have no freedom, heavily surveilled, restricted movement and their families back home receive direct threats. Spanish authorities coordinate with international organizations such as Europol, achieving some success. But Spain continues to face a surge in sex tourism and needs to take further law enforcement for protection.

QUESTIONS A RESOLUTION SHOULD ANSWER

- How can underdeveloped countries be supported to reduce vulnerability to sexual exploitation?
- How to ensure that the criminals face fair legal prosecution when engaging in sexual tourism in a foreign country.
- How to ensure transparency to improve investigations and evidence-sharing?
- How can governments ensure that survivors of sexual tourism receive appropriate medical, psychological and legal assistance.
- What measures can be taken while world sports events happen, to prevent sexual tourism?
- What roles should other international organizations such as INTERPOL, UNODC, UNICEF and others play?
- How can tourism be beneficial to local communities without exploiting them?
- What funding mechanisms should be established to support vulnerable communities

CONCLUSION

Sexual tourism is a complex issue. Its impacts can extend beyond individual criminal acts and affect wider social and economic structures. This topic connects several issues including trafficking, child exploitation, poverty, inequality, weak legal systems, and insufficient cooperation between countries.

The delegates have an opportunity to debate and develop a comprehensive approach which combines prevention, accountability, victim protection, and sustainable development. And enjoy a fruitful debate. Effective solutions should not focus solely on prosecuting criminal offences, but should also address the social and economic conditions that increase people's vulnerability to exploitation.

International cooperation is essential because cases of trafficking and sexual exploitation connected to tourism can cross national borders, requiring cooperation between countries with different legal systems and jurisdictions. A balance must be found between the responsibilities of governments, UN agencies, and tourism businesses, while protecting human rights and respecting national sovereignty.

Lastly, do not forget to enjoy the debate and ensure that tourism contributes to the development of poorer countries rather than supporting exploitation.

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