Economic and Social Council

Research Report

The Question of:

Finding alternatives to imprisonment as a part of crime prevention and criminal justice policies

Introduction

Around the world, the prison population increased by roughly 25-30% between 1998 and 2013, despite that the world population only rose by 20%. As a result, the number of incarcerated persons compared to the general population rose from 135 per 100 000 to 144 per 100 000 between 1998 and 2013. This drastic increase resulted from a combination of factors, including insufficient measures to prevent crime, excessive pre-trial detention, a lack of access to legal advice, and punitive criminal justice policies.

As a result, the world's prisons are in a state of crisis. The modern prison system is expensive and prisons are overcrowded, and conditions are inhumane. Many prisons do not meet international CPT standards, and they fail to do their job to rehabilitate offenders to protect society from crime.

Both to prevent prison overpopulation and to improve rehabillitation, it is essential to find valid alternatives to incarceration.

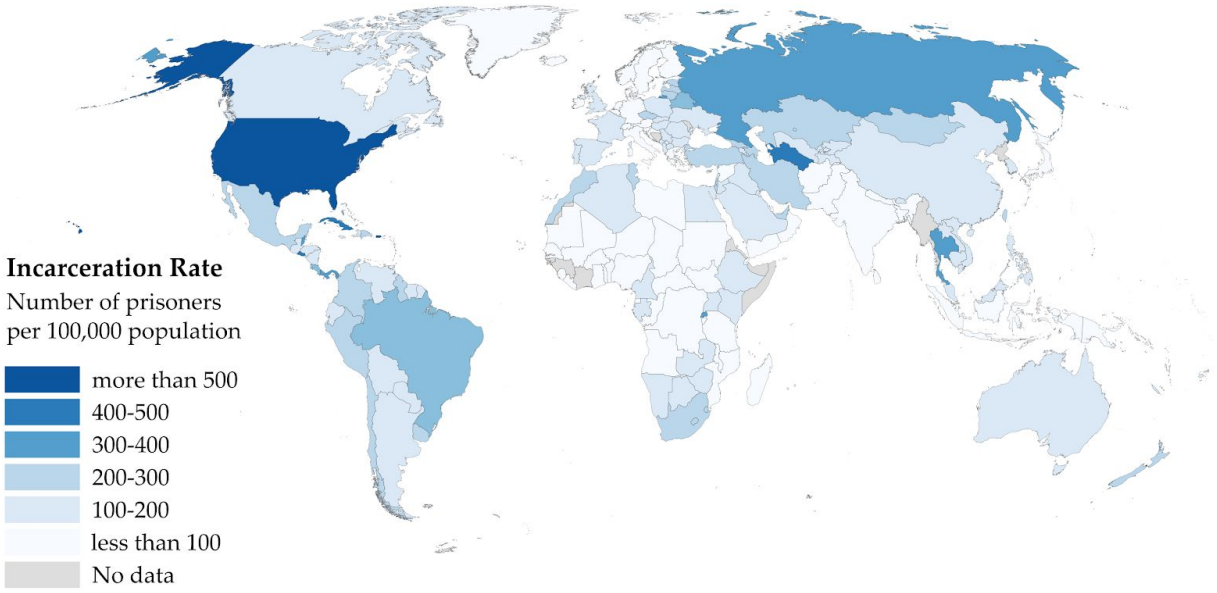


Fig 1: Global Incarceration Rates

("List of Countries by Incarceration Rate." *Wikipedia*)

The Committee

As one of the six primary organs of the UN, the Economic and Social Council (ECOSOC) is a forum responsible for discussing and writing policy recommendations regarding international economic and social problems. Founded in 1945, ECOSOC consists of all member states in the UN, as well as a number of NGOs who have been granted consultative status to participate in the UN. The committee meets annually for a four-week session during July. Since 1998, ECOSOC also holds one meeting each year in April, during which it consults with the finance ministers representing the World Bank and the International Monetary fund.

The rules of procedure for ECOSOC are the same as the rules for all of the general assemblies:

1. The committee will begin with lobbying, during which delegates merge clauses to form resolutions.
2. The chair will open debate on a resolution.
3. Delegates can speak for or against the resolution or submit amendments (up to the second degree)
4. Delegates will vote on the resolution as a whole.

In order to prepare for the conference, it would be a good idea to:

1. Read the research reports
2. Research your country and their connection to the issue at hand
3. Write a brief policy statement explaining your country's opinion and what they wish to achieve (this may help you formulate arguments during the session)
4. Write some potential clauses for the topics that are most relevant to your delegation

Key Terms

Custodial Sentence: A court issued a sentence involving mandatory custody of the convict in a prison, an educational institution, or a therapeutic institution.

Non-Custodial Sentences: A court issued punishment that does not involve imprisonment, but rather a fine, a restriction order, community service, etc.

Penal/Correctional System: A network of agencies that oversees imprisonment, parole, and probation in a specific jurisdiction.

Recidivism: The tendency to relapse into previous criminal behavior.

John Howard: A late 18th-century prison reformer who used his position as High Sheriff on Bedford to inspect and report on prison conditions in the Bedfordshire county in England.

State Prison: A prison that is maintained by the government and which is paid for using government funds from taxpayers.

CPT Standards: Minimum standards for incarceration established by CPT, the European Committee for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment.

Human Development Index (HDI): A statistic used to measure human development, which is determined through an evaluation of life expectancy, education, and income per capita.

Latin America: A collection of states in the Western Hemisphere. In Latin America, the predominant languages spoken are Romance languages (such as Spanish Portuguese, and French).

Western Europe: A collection of European states that lie on or near the western coast of Europe. Although it is not always clear which countries in Europe are considered "western", Austria, Belgium, the Czech Republic, France, Germany, Ireland, Liechtenstein, Luxemburg, Monaco, the Netherlands, Switzerland, and the United Kingdom are generally considered western. The CIA, however, only classifies Belgium, France, Ireland, Luxembourg, Monaco, the Netherlands, and the United Kingdom as Western countries.

On the other hand, some definitions are based on economics and political standpoints rather than geographics. In this case, capitalist, democratic and high-income countries are generally considered western, meaning that Spain, Italy, Germany, and some Scandanavian countries (Denmark, Norway, and Sweden) are added to the list. Sometimes, "Western Europe" also refers to the states that were previously a part of the Western European Union. In this report, the term "Western Europe" is used loosely.

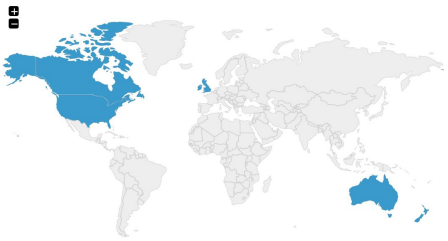
Anglosphere: A collection of English-speaking nations that share cultural and historical ties with the UK, and which currently cooperate closely in political, diplomatic and military matters. The Anglosphere does not include all of the countries in which English is the official language, but rather only the USA, the UK, Canada, Australia, New Zealand, Ireland, and sometimes the English-speaking Caribbean. This definition may also vary depending on the circumstances.

Fig 2: Latin America
("Latin America." *Wikipedia*)

Fig 3: Western Europe (from Union)
("Western Europe." *Wikipedia*)

Dak: members
Dark medium: Associated members
Light medium: observer countries
Light: associated partner countries

Fig 4: Anglosphere
("Anglosphere." *Wikipedia*)



The committees and organizations listed below are defined briefly. To learn about their roles in finding alternatives to incarceration, please reference the "Major Parties" section.

The United Nations on Drugs and Crime (UNODC): The UNODC (established in 1997) operates in all regions of the world to fight illegal drugs and international crime. The UNODC is a specialized organization (led by an executive board of member states) and is supported by the UN.

The Council of Europe: An international organization established in 1949 that aims to ensure that human rights, democracy and the rule of law are upheld throughout Europe.

The European Prison Observatory (PRI): An organization that operates in 16 European countries to monitor prison conditions.

Penal Reform International: An independent NGO (established in 1989) that promotes penal justice reform internationally.

The Inter-American Drug Abuse Control Commission (Spanish language acronym CICAD): An intergovernmental organization (established in 1986) that is the advisory body for OAS (the Organization of American States) on issues concerning drug abuse.

General Overview

Establishing Modern Prisons in Western Europe and the Anglosphere

In the late 17th and the early 18th century, a trend advocating resistance to torture and execution, which was used as a punishment even for petty crimes, became widespread across the United States and Europe. Many nations began to contemplate imprisonment as an alternative. In general, there were two major philosophies used to justify the need for a prison system, the first of which was based on the idea that prisons should be so terrifying that they deter the public from criminal activity, providing an effective alternative to corporal punishment. Later philosophies saw this as unjust and claimed that incarceration should be used to morally reform offenders through lessons in Christain morality and obedience.

However, since prisons were expensive to build and maintain, gallery slavery and forced labor were often used as cheaper and more productive alternatives to corporal punishment until the late 18th century. In France, gallery servitude was used until 1748, after which convicts were forced to work in naval arsenals. In Britain, convicts were shipped to America and Australia, especially when the transportation act in 1717 made indentured servitude available for lesser crimes. As a result, the informal prisons that did exist were underfunded and often unstructured.

After the American Revolution, however, Britain experienced a temporary end to transportation and an increase in crime, which renewed discussions about confinement as a sole punishment for crime. When John Howard's book "The State of the Prisons in England and Wales" was published in 1777, it publicized the prison reform movement and introduced liberal ideas including the implementation of separate cells for each prisoner, a professional staff paid directly by the government, required external inspections, and a healthy diet for prisoners. As a result, the Penitentiary Act was passed in England in 1779, creating two separate state penitentiaries for men and women and putting into practice solitary confinement, religious instruction, and labor regimes. The first state prison, with a capacity of 860 inmates, was established in England in 1816.
The 'modern' prison system soon spread across the anglosphere: State prisons were built in the US during the 1840s, and there were more than 17,000 prisons in England and Wales by 1950. Although the modern prison systems were not as popular in the rest of Europe, most European countries had implemented state prison systems by the end of the 19th century.

Reforming Modern Prisons in Western Europe and the Anglosphere

In Europe and the anglosphere, many prison reforms followed the establishment of state prison systems. Debtors prisons, which were still present across Western Europe, were banned in 1833 by the US. In 1966, the UN adopted the International Covenant on Civil and Political Rights, which declared debtor's prisons to be a human rights violation worldwide.

Naturally, maintaining prisons was expensive, and many European governments aimed to establish financially self-sustaining institutions. During the mid-19th century, some nations attempted to do this by offering prisoners apprenticeships in trades of their choice. However, when the recidivism rates grew in the second half of the 19th century, criminologists argued that imprisonment still had not been successful in reducing crime.
Consequently, prisons began to focus more on the rehabilitation and reintegration of the individual. In doing so, Belgium implemented the first suspended sentence in 1888, followed by France in

1891. Parole, which was first implemented experimentally in France in the 1830s, was approved at the International Prison Congress of 1910. As a result, the prison population in many European countries halved in the first 40-50 years of the 20th century. However, after a significant increase in imprisonment during the world wars, postwar reforms emphasized the need to tailor criminal punishment to each individual convict. In March 1925, the US introduced the National Probation Act, followed by Sweden in 1965, inspiring a trend that spread across Europe during the latter half of the 20th century. As a result, many European prison populations shrank dramatically. For example, the number of women serving long term sentences in France declined from 5,231 in 1946 to 1,121 in 1980.

More recently, hundreds of European Court statements about degrading prison conditions have led to a decrease in the prison population, which dropped from 109.7 people per 100,000 in 2016 to 102.5 in 2018. Similarly, the incarceration rate in the US decreased from 716 people per 100,000 to 655 per 100,000 in the two years following 2016. Despite this, incarceration rates in the US are still the highest in the world, due in part to the longer prison sentences implemented in response to the increase in criminal activity during the 1980s.

Establishing of Modern Prisons in Africa

The penitentiary systems in European countries had a notable influence on European colonies in Latin America and Africa. Prisons were often used as a tool to suppress the native people living in these colonies.

In Africa, the use of prisons to punish offenders was a nonexistent concept up until the late 19th century: Confinement was used only to house criminals until a sentence had been carried out. However, when European settlers began to arrive in 1870, they brought with them the modern prison system, using it to punish offenders and to subjugate and divide indigenous peoples to establish European superiority. As a result, rehabilitation was a rarity, and inhumane treatment was common. While European prisons eliminated torture in the late 1800s, colonial prisons in Africa still relied on such methods to control the indigenous population. The oppressive nature of African prisons did not end with the colonial rule: Discrimination in prisons persisted even after the decolonization of Africa in the 1960s and 1970s.

Reforming Modern Prisons in Africa

Today, rehabilitation is still a rarity. However, some nations, including South Africa, Botswana, and Uganda are making efforts to improve their rehabilitation programs in line with the 2002 Ouagadougou Declaration on Accelerating Prison and Penal Reform in Africa. In 2002, donors provided African countries with 110 million USD to execute justice sector reforms. Additionally, South Africa has recently made efforts to decrease the prison population by reducing the sentences of thousands of offenders to a duration of six months, and Kenya has experimented with alternative sentencing involving community service. Uganda and Malawi have followed suit, and both Mali and Niger have penitentiary legislative acts pending. As a result of such measures, the prison population in Africa grew only 15% between 2000 and 2015, which is considerably low compared to the general African population growth of 44%.

Although Africa now has the lowest average prison rate of all continents (77 per 100 000), its prison facilities are limited and inefficient, meaning that Africa's prisons are overcrowded: Tanzania, Uganda, and Kenya have occupancy rates of 145%, 293%, and 343% respectively. Additionally, imprisonment rates vary significantly across different regions: while imprisonment rates are as low as 52 per 100 000 in some parts of Western Africa, prison rates in Southern Africa are significantly higher, at a rate of approximately 188 per 100 000 (2015).

Establishing Modern Prisons in Latin America

When European settlers colonized Latin America, they did not bring with them the modern prison system as they did when they settled in Africa. Most of Latin America was colonized earlier than Africa and independence was attained between 1810 and 1825, approximately a century and a half before the Western World had fully developed its modern prison system. As a result, the prisons used by Spanish and Portuguese settlers in Latin America were fairly primitive, built simply to detain offenders on trial and criminals waiting to carry out sentences.

In the 1830s, after colonization had ended, the majority of Latin America began to echo the prison reforms being carried out in Western Europe and the United States. However, the still-fragile political structure of many nations and continued racism against indigenous populations limited prison development. Despite this, much of Latin America had adopted the modern western prison system by the mid-19th century, and the first house of correction was completed in Rio de Janeiro in 1850.

Reforming Modern Prisons in Latin America

Unfortunately, most states in Latin America have not yet experimented with alternatives to incarceration or made significant prison reforms. Recent political instability has led to an increase in riots and arrests, while simultaneously depriving Latin American nations of the resources they need to reform the prison system. As a result, the prison population in most Latin American nations has doubled or tripled over the last 20 years, and inefficient court systems have led to imprisonment without sentencing. In fact, 90% of Honduran, Paraguayan, and Uruguayan prisoners are actually imprisoned due to a stagnation in their case.

General Global Trends

Generally, European settlers influenced trends in incarceration in the nations they colonized. After liberation, colonies that were occupied before the establishment of the modern prison system often struggled to implement modern prisons while still recovering from the turmoil of the occupation. In colonies that were occupied after the modern prison system was developed, European settlers often used the system to control the indigenous people, and the prison system remained even when the settlers left. The uncolonized in Eastern Europe and Asia often adopted the modern prison system on their own.

Negative Consequences of Incarceration

Incarceration can have negative consequences for both the imprisoned individuals and society as a whole. First of all, excessive imprisonment often results in overcrowding, contributing to mental health issues, increased gang activity, the spread of disease, and staff stress. In prisons in the Carribean specifically, overcrowding and its effects have reached an extreme Haiti is considered home to the most overpopulated prisons, with institutions generally operating at 454% capacity. Similarly, prisons in the Philippines, El Salvador, and Zambia have reached capacities of 436%, 348%, and 303% respectively. Even the United States, which has the 13th highest HDI in the world, still has a nationwide prison occupancy of 104% (2018). In 2013, 114 national prison administrations had occupancy levels over 100%.

Overcrowding and stressful conditions can have a significant impact on prisoner health. As a result of malnutrition and stress caused by overcrowding, approximately 37% of prisoners suffer from

hypertension, compared to 1% of the general population. Similarly, 30% of prisoners suffer from heart disease, which is significantly higher than the average rate of 10%.
Infectious diseases also spread quickly in crowded prison conditions: Since the early 1990s, prisons in Eastern Europe have reported significant increases in drug-resistant tuberculosis outbreaks. Tuberculosis is often between 11 and 81 times more common inside prisons than outside. Additionally, many infectious diseases, such as HIV, are transmitted through shared drug needles: According to a study conducted in 15 EU countries, between 2% and 56% of prisoners reported having used drugs while incarcerated, contributing to the spread of both disease and addiction.
Furthermore, imprisonment can have serious impacts on the families of incarcerated persons. In addition to exhibiting antisocial behavior, the children of incarcerated parents often suffer from significant economic disadvantages. Generally, an American family's income is 22% lower than average when a parent is incarcerated and 15% lower after that parent's release. As a result, the children of incarcerated parents are less likely than average children to live in stable homes and receive proper nutrition.
Lastly, incarceration is expensive for governments and taxpayers. In the United States, a country that houses about 25% of the world's prisoners, imprisonment costs about 36,000 USD per inmate every year (2017), meaning that taxpayers pay about 38.8 billion USD annually (2012) to maintain the prison system. In comparison, alternatives are much less expensive: Drug courts cost only about 2,500 to 4,000 USD annually for each offender, and house arrests cost about 5,000 to 8,000 USD per year.

Current Global Trends

One of the main difficulties in this debate is the wide variety of conditions throughout the world. Some countries are taking steps to finding and implementing alternatives to imprisonment, whereas other countries struggle to simply ensure basic human rights of detainees.
Prison Insider (PRI), an independent NGO, identified several current global trends:

- **Pre-trial detention** is over-used and remains the automatic response to criminal offences. International standards advocate for using it as a last resort. This recommendation is not implemented.
- Prison sentences are getting longer, especially for serious offenses.
- The NGO Fair Trials conducted a study in 2017. The results showed a 300% increase in **plea bargains** worldwide since 1990.
- Almost half a million people are serving **life sentences** around the world. The number of "lifers" especially grew in the last decades. "Tough on crime" and "war on drugs" policies play a key role in this trend.
- Harsh criminal policies targeting drug use are a major contributor to prison overcrowding.
- **People from minority groups and Indigenous communities** are over-represented in detention.
- The number of **women and girls** in prison worldwide increased by 53% between 2000 and 2017. They remain a minority in prison, accounting for 6.9% of the global prison population (from 3.4% in Africa to 8.4% in the Americas)
- **Elderly prisoners** are more and more numerous, especially in Singapore (x 2 between 2012 and 2016), Australia, England and Wales (x3 in 15 years). In Japan, it is estimated that 14% of the country's over60 prison population has dementia.
- Incarcerated children are still subjected to solitary confinement, despite a prohibition in international standards.

- **LGBTI people** continue to be arrested and imprisoned because of their identity in many countries. They keep facing discriminatory special treatments while detained. A new set of principles focusing on LGBTI people in detention were adopted in November 2017 by the United Nations to supplement the original 2006 Yogyakarta Principles.
- Acts of **torture** are rising, mainly due to the security policies implemented nationally.
- **Violence, deaths, and riots** are widely spread in detention. Gangs continue to control many prisons in Latin America. Prison staff work under very poor conditions.
- **Cholera epidemics** stroke prisons in Kenya, Yemen, and Zimbabwe. Research Report Leiden Model United Nations 2019 ~ fresh ideas, new solutions ~ 10
- As of February 2018, only 66 countries had designated independent monitoring bodies to visit places where people are deprived of liberty.
- Technology is increasingly used in prison management. It facilitates online education and visits. A few concerns arise, including the security breaches, the enforced surveillance within detention or the replacement of face-to-face contact visits by video visits.

Major Parties Involved

Most national governments have started exploring alternatives to incarceration, some more rigorously than others. The organizations listed below have made considerable contributions to international progress in the search for alternatives to incarceration.

The United Nations on Drugs and Crime (UNODC)

In December 2018, the UNODC cooperated with more than 40 justice and health practitioners from Kenya to promote rehabilitation options as an alternative to imprisonment. Currently, the UNODC advocates for the use of alternatives to address overcrowding in North African and Middle Eastern prisons. In 2007, the UNODC published a handbook on alternatives to imprisonment, which was supported by the governments of Canada, Sweden, and Norway.

The Council of Europe

In 2013, the Council adopted a draft resolution focusing on alternatives to imprisonment. The resolution recommends non-custodial sentences, including fines, intermittent/weekend sentences, probation supervision, community service, restorative justice, house arrest, and more. The Council states that imprisonment should be used only as a last resort.

The European Prison Observatory

The Observatory studies the conditions of national prison systems and the alternatives to imprisonment offered by the government. The Observatory compares these conditions to international standards to determine if the offenders' fundamental rights are being upheld. The Observatory advises European prison managers on which practices are most efficient and humane, and it encourages nations to adopt CPT standards to ensure that their facilities are well maintained.

Penal Reform International

PRI promotes fair and effective options for criminal justice around the globe. PRI has spent the last 30 years advocating for alternatives to incarceration. In 1997, they secured the adoption of the Kadoma Declaration, which supported community service as a substitute for imprisonment. Since PRI first introduced community service in Zimbabwe, 7,000 people have been sentenced to community service instead of imprisonment in Uganda, Kenya, Malawi, and Zambia. In 2000, PRI introduced additional non-custodial alternatives in Lebanon and Morocco. In 2013, PRI began working to rehabilitate incarcerated children in Armenia.

The Inter-American Drug Abuse Control Commission (CICAD)

During the 54th meeting of CICAD in 2013, the Columbian government proposed that CICAD should introduce a "Working Group on Alternatives in Incarceration." The group aimed to submit a report about existing and future alternatives to imprisonment, focusing specifically on drug-related sentences. The final report was published in 2015.

Timeline of Events

Date	Country/Region	Event
1600s-1700s	Europe and North America	A trend resisting punishment using torture and execution emerged.
1717	England	England made indentured servitude available for lesser crimes
1748	France	France was one of the first nations to ban gallery servitude, followed by England in 1809
1776	England	Prisoner transportation to the United States ended and an increase in crime ensued.
1777	England	John Howard published "The State of Prisons in England and Wales.
1779	England	The Penitentiary Act was passed.
1810-1825	Latin America	Spain colonized Latin America.
1816	England	The first state prison was established.
1833	United States	Debtors Prison was banned under national legislation.
Mid 1800s	Europe	Countries provided prisoners with apprenticeships.
1850	Latin America	The first Latin American house of correction was completed.

Late 1800s	Europe	Most European countries had established a modern state prison system.
Late 1800s	Europe	Eliminated torture of prisoners.
1870s-1900	Africa	European colonies formed.
1888	Belgium	Implemented first suspended sentence.
1891	France	Implemented first suspended sentence.
1910	Global	Parole was approved at the International Prison Congress.
1925	US	Introduced a National Probation Act.
1960s-1970s	Africa	Africa was decolonized.
1965	Sweden	Approved probation.
1966	Global	The UN adopted the International Covenant on Civil and Political Rights, declaring debtor's prisons to be a human rights violation.
2002	Africa	Donors provided African countries with 110 million USD for justice sector reforms.

Previous attempts to solve the issue

There are many existing alternatives to incarceration., some of which are listed below.

Drug Courts

Drug courts, a popular alternative to incarceration, are a branch of courts within the preexisting justice system that focus specifically on providing supervised drug treatment and community oversight to offenders with a history of substance abuse. In the United States, Drug courts are overseen by state governments. The state provides juvenile, adult and family treatment drug courts, the last of which help parents remain in custody of or reunite with their children.

An offender cannot decide whether or not they would like to participate in a drug court program. The prosecutor or judge must refer the offender to the drug court. Participants in such courts are often required to complete random drug testing, attend counseling, and inform the court of their progress. The court has the authority to reward the offender for successes and to incarcerate them for failures. If the program has been completed successfully, some states allow participants who have pled guilty of a drug conviction to remove the conviction from their record.

As with many rehabilitation programs, drug courts focus on preventing participants from committing another drug-related offense. An analysis conducted in 2005 revealed that drug courts reduce recidivism rates by an average of 7.5%. In 2012, another study showed that the recidivism rate for drug court participants is 45%, which is significantly lower than the 55% recidivism rate

for non-participants. According to the same study, rearrests of drug court graduates are also less frequent: On average, graduates have a rearrest rate of 66% within two years after the program is completed, compared with an average rearrest rate of 81% for those who do not participate in drug courts. Drug court graduates are arrested an average of 1.6 times in the two years after their graduation, while non-participants are arrested 2.3 times on average. In the 2.5 years after graduation, participants also have higher employment rates (2004). Additionally, participants relapse into substance abuse less frequently than non-participants and require shorter treatment periods after relapsing.

Mental Health Courts

Statistics show that 64% of local jail inmates suffer from mental health problems, compared with 18.1% of the general population (2006). Only 17.5% of American local jail inmates with mental illnesses are treated. Mental health courts, much like drug courts, are used as an alternative to incarceration for those suffering from mental illnesses, disabilities, or personality disorders.

Participants are supervised by the court. They are required to complete inpatient or outpatient mental health treatment and life skills training courses. Participants are provided with support in housing and healthcare. However, offenders must often plead guilty of the crime they were arrested for before being admitted into the mental health court program.

In general, studies regarding the impact of mental health courts on recidivism rates are controversial: while some say that mental health courts have little to no impact, other statistics show that the recidivism rates of those who complete mental health court programs are as low as 20%. This is significantly less than the recidivism rate of 72%, which is the average rate for those with mental health issues who do not complete a mental health court program.

Restorative Justice

Restorative justice is a holistic alternative focused on rehabilitating all of those who were involved in or affected by the crime, including the offender *and* the victim. Restorative justice is done through victim-offender mediation, victim restitution (payments from the offender to the victim), and, most importantly, sentencing circles. Sentencing circles are used to determine a sentence that accounts for the harm the offender has caused. This process involves discussions with judges, lawyers, and community members who witnessed or were affected by the crime. Restorative justice gives the offender an opportunity to apologize for their offense, and it gives the victim the chance to communicate the impact of the offender's crime. Restorative justice can be used as a replacement for or as an addition to a prison sentence, depending on the severity of the crime. Restorative justice is particularly popular in Native American communities in Canada and the United States.

Restorative justice is often considered an effective alternative to incarceration. 85% of victims who take part in restorative justice are satisfied with the results. Additionally, restorative justice reduces reoffense rates by 14%, resulting in lower expenses for national governments: Because prison costs are eliminated and rearrest court processes are reduced, restorative justice leads to 8 USD in savings for every 1 USD spent on restorative justice programs.

Finally, some previously established alternatives to incarceration include community service programs, fines for minor offenses, and periodic detention, during which the offender is incarcerated only on certain days of the week.

Resolutions

Please reference these resolutions for additional information on previously established international regulations.

- 1955: ECOSOC: Standard Minimum Rules for the Treatment of Prisoners
- 2016: ECOSOC: UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders
- 1990: GA: Basic Principles for the Treatment of Prisoners
- **1990: GA: The UN Standard Minimum Rules for Non-Custodial Measures:** states that
    - "Countries provide a wide range of non-custodial measures from pre-trial to post-sentencing disposition" and that "alternative penalties should be provided by law
    - These alternatives include:
        1. Verbal sanctions
        2. Conditional discharge
        3. Economic sanctions/monetary penalties
        4. Confiscation
        5. Restitution to the victim
        6. Suspended sentence
        7. Probation
        8. Community service
        9. House arrest

The Future

<u>Sustainable Development Goals</u>

Although alternatives to incarceration aren't explicitly mentioned in the 2030 Sustainable Development Goals, they are necessary in order to attain goal 16. The aim of goal 16 is to "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable institutions at all levels" by 2030. This goal reiterates that strong and sustainable institutions are necessary in order to ensure the future of our society. However, today's penal institutions are not strong or sustainable, leading to the conclusion that penal reforms (including the implementation of alternatives to incarceration) must be executed if goal 16 is to be achieved. Additionally, goals 1, 4, and 10 (focused on poverty, gender equality and reducing inequality respectively) cannot be reached without finding alternatives to incarceration, which contribute to the fair treatment and rehabilitation of offenders.

Questions a Resolution Must Answer (Q.A.R.M.A.)

Here are some questions to consider when writing a resolution:

- Under which circumstances should alternatives to imprisonment be considered? Should *all* offenders be provided with alternatives? If not, where should national governments draw the line between offenders for whom alternatives are available and for whom traditional incarceration is the only option?

- Can governments implement effective alternatives to incarceration without compromising the safety of the general public?

- Which alternatives are the most effective? How can different alternatives (such as community service, probation, and restorative justice) be combined to create the most effective alternative program possible?

- Is it the responsibility of the national government or private corporations to provide these alternatives?

- Should additional international legislation be established? Is this even possible, considering the varying political and economic viewpoints of each nation?

Please keep in mind that your resolution does not need to answer all of these questions. You may come up with your own questions as well.

Further Reading

Useful resolutions:

- https://www.un.org/en/ecosoc/docs/2010/res%202010-16.pdf
- https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf
- https://www.ohchr.org/EN/ProfessionalInterest/Pages/BasicPrinciplesTreatmentOfPrisoners.aspx
- https://www.ohchr.org/EN/ProfessionalInterest/Pages/TokyoRules.aspx

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https://berkleycenter.georgetown.edu/posts/the-danish-prison-system
https://www.cases.org/alternatives-to-incarceration/
https://www.cases.org/alternatives-to-incarceration/
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