Committee Description

In January 1946, the Disarmament and International Security Committee held its first meeting to resolve numerous security issues and political tensions the Second World War accentuated.

In the present day, with all 193 UN members, DISEC is at the forefront of ensuring international peace on concerns ranging from small arms trade to nuclear proliferation and covering regions from the Arctic Circle to the digital world of cybersecurity.

As the First Committee of the General Assembly, Disarmament and International Security Committee (DISEC) deals with “disarmament, global challenges and threats to peace that affect the international community”. ¹ It seeks out solutions to the challenges that come with maintaining the security of the international community. Working closely with the United Nations Disarmament Commission and the Geneva-based Conference on Disarmament, the First Committee is also entitled to verbatim records coverage.

Its sessions are structured as follows: 1) General debate, 2) Thematic discussions, 3) Action on drafts. Throughout the past years, efforts have been made to rationalize the work of the Committee while focusing on its agenda and improving its organization of work. ² Notably, this was done through: the 48th session on “Rationalization of the work and reform of the agenda of the First Committee”, the 59th session on improving the effectiveness of the methods of work of the First Committee, and the 60th session on the “Revitalization of the work of the General Assembly”.

As DISEC cannot enforce any legally binding decisions or direct interventions, it tackles international security concerns through their global influence, promotion of cooperative arrangements, creation of countless peace treaties, and insightful recommendations that broaden the scope of the UN. Some notable resolutions passed by the First Committee include: Resolution 1 entitled “Establishment of a Commission to Deal with the Problems Raised by the Discovery of Atomic Energy” and Resolution 1378, the very first General Assembly resolution that was co-sponsored by all Member States at the time.³

² Ibid.
³ Ibid.
Topic A: Prisoners of War
Overview

Prisoner of war (POW) refers to any person captured by a belligerent power during a war. In the strictest sense, it only applies to regularly organized armed forces. In a broader sense, it also encompasses irregular fighters such as guerrillas. In early history, a label such as POW did not exist, as the defeated enemy was either killed or enslaved by the victor. During religious wars, it was even considered a virtue to put non-believers to death. However, as warfare evolved, so did the treatment of prisoners.

The 16th and early 17th centuries became a time for some European political and legal philosophers to express their opinions on the treatment of POWs. One of the most famous examples of these philosophers is Hugo Grotius. Grotius stated in his De jure belli ac pacis that “victors had the right to enslave their enemies”. However, he still advocated exchange and ransom instead.

The 18th century marked the rise of philosophers such as Montesquieu, Jean-Jacques Rousseau, and Emerich de Vattel. Montesquieu developed the idea that the only right captors had was the right to prevent the prisoner from harming. The following two philosophers expanded the idea. From this point in time, treatment of prisoners improved.

The philosophical foundation initiated countless promises to improve the treatment of POWs and the failure to carry out such promises. The treatment of POWs in both the American Civil War and the Franco-Prussian War served as legal reasoning for the Brussels Declaration. The declaration helped The Hague Convention to develop a legally binding document that ensured the fair treatment of POWs. Even after substantial documents were established, POWs still experienced horrific treatment throughout the two world wars. In order to handle the matter in more detail and to protect more actors, the Geneva Conventions (1929 and 1949) took place.

In the present day, even with tenacious pressure from the international community to ensure humane treatment of POWs, problems still occur. These problems consist of both blunt violations as well as abuse of loopholes, especially when it comes to labeling individuals as

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4 https://www.britannica.com/topic/prisoner-of-war
5 http://www.veterans.gc.ca/eng/remembrance/history/historical-sheets/pow
6 Ibid.
7 http://www.efm.bris.ac.uk/het/montesquieu/spiritoflaws.pdf
POWs. Often, individuals who are not labeled as POW are exempt from the umbrella of international regulations and treaties. As the international community, putting an end to these problems is a first step to humanizing warfare.

**Timeline**

5th Century–15th Century – The Middle Ages mark an era where prisoners are being used for economic benefits like slavery instead of being executed.

1648 – Treaty of Westphalia is signed. The treaty first established the rule of releasing prisoners at the end of the conflict.

1748 – Montesquieu introduces a philosophy of guaranteeing certain rights for the captured through his publication: The Spirit of the Laws.

1861–1865 – American Civil War reveals the horrific conditions of POW treatment in the U.S.

1870–1871 – The Franco-Prussian War reveal the horrific conditions of POW treatment in Europe.

July 27 1874 – The Brussels Convention introduces the 1874 Brussels Declaration, in reflection of both the American Civil War and the Franco-Prussian War.

October 18 1907 – The Hague Convention sets up legally binding laws based on the 1874 Brussels Declaration.

July 28 1914 – November 11 1918 – World War I takes place. POW treatments are relatively less harsh (compared to World War II).


September 1 1939–September 2 1945 – World War II takes place. Legal loopholes allow the legal justification of violation of fair treatment of POWs.

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8 http://www1.umassd.edu/euro/resources/dutchrep/14.pdf
9 https://ihl-databases.icrc.org/ihl/INTRO/135
August 12 1949 – The Geneva Convention of 1949 is signed. Out of all the Geneva Convention, this Convention dealt with the POW situation with the most detail and even recognized some problems irregular fighters’ experience, like massacres.10

November 1 1955-April 30 1975 – Vietnam War takes place. Questions associated with U.S. POWs arise. This was mainly due to a) U.S. inability to search the battlefields for the dead and the missing and b) U.S. inability to search prisons or cemeteries in North Vietnam.

June 25 1950-July 27 1953 – Korean War takes place. North Korean forces refused to recognize the POW status of its South Korean captives, consequently bypassing the 1949 Geneva Convention and enlisted former South Korean soldiers into its own forces after weeks of re-education.

June 14 1967 – UNSC resolution 237 is signed to ensure further protection of POWs.

1971 – Indo-Pakistani War takes place. POWs are used to gain international political recognition. India’s release of POWs only started once Pakistan agreed to sign the Simla Agreement and recognized the independence of Bangladesh.11

August 2 1990-February 28 1991 – Gulf War takes place. The Iraqis never apologized for their treatment of American POWs. Unlike with Vietnam soldiers, American government never recognized or honored these soldiers. As a result, the American POWs were left alone to deal with the unbearable post-traumatic stress.

March 15 2011-Present – Syrian Civil War shows the violation of fair treatment of POWs happening in present wars.

Historical Analysis

Pre 15th Century
Throughout early human history, combatants of the losing side in a battle experienced slaughter or enslavement. The temperament of the victors often decided the treatment of the “prisoners”. Victors rarely spared “prisoners” unless for economic and social benefits as

11 https://history.state.gov/countries/bangladesh
slaves. In Ancient Greece, castration was common.\textsuperscript{12} Castration remained in practice in Chinese dynasties as well, until the late nineteenth century.

During the Middle Ages, religious wars took place in several occasions. Throughout the seventh century, the Islamic concept of Ma malakat aymanukum was introduced to the Divine Islamic laws of the Qur’an.\textsuperscript{13} The concept stated that female slaves obtained by war or armed conflicts to be the only persons to be used for sexual purposes.

Furthermore, after a religious war, the extermination of heretics or “non-believers” was encouraged. The Crusades against the Cathars and the Baltic people during the thirteenth century is a good example of this. Like the ancient times, the concept of taking “prisoner” was uncommon. Instead, rulers often used to trade the “prisoners” for significant ransom in treasury or land.

**Treaty of Westphalia (1648)**

Following the end of the Thirty Years War, the Treaty of Westphalia of 1648 first established the rule of releasing prisoners at the end of the conflict. The treaty also allowed prisoners to return to their homelands safely.\textsuperscript{14} Clause LXIII states: “All prisoners of war shall be released by both sides without payment of any ransom and without distinction or reservation concerning prisoners who served outside the Netherlands and under other standards and flags than those of the Lords States”.\textsuperscript{15}

**Charles de Montesquieu and the 18\textsuperscript{th} Century**

Charles de Montesquieu introduced a new perspective on prisoners of war (POW). In his writing, The Spirit of Laws, in 1748, Montesquieu defined his views on the rights of POWs.\textsuperscript{16} In general, he opposed slavery and argued for prisoners’ rights. Further, he advocated that captors have no right to harm their prisoners but only disarm, to prevent them from causing harm to others.

\textsuperscript{12} http://www.newworldencyclopedia.org/entry/Prisoner_of_war
\textsuperscript{13} Davies, Norman. *History of Europe*. Oxford University Press, 1996. 362 (This was a citation from a book, unfortunately there are no online versions. https://www.amazon.com/Europe-History-Norman-Davies/dp/0060974680)
\textsuperscript{14} Ibid.
\textsuperscript{15} Ibid.
\textsuperscript{16} Ibid.
American Civil War (1861 – 1865)
Even though not every experience behind camp walls was the same, many prisoners found Civil War prison camps horrific. In many of their journals, they wrote of the “carnage wrought by bullets smashing limbs and grapeshot tearing ragged holes through advancing lines”. Some camps provided acceptable shelter, clothing, rations, and relatively humane treatment by their captors. Others suffered from cramped living quarters, infestations, and inhumane treatment by their captors. In 1864, prisoner exchanges were suspended, which in result caused overcrowding in the camps. There were more than 150 prisons established but a notable example is the Andersonville Prison.

Andersonville Prison, also known officially as Camp Sumter, held more prisoners at any given time than any other Confederate military prisons. During its existence of 14 months, over 45 000 Union soldiers were imprisoned there. Out of the 45 000, 13 000 died from disease, poor sanitation, malnutrition, overcrowding, and exposure to the element. With the declining economy of the South, the Confederate government could not provide adequate housing, food, clothing or medical care to the prisoners. With the Confederate army needing a majority of the scarce resources, prisoners barely received anything.

Franco-Prussian War (1870 – 1871)
Unlike the horrendous conditions of prison camps in the American Civil War, the Franco-Prussian War reaffirmed the transition towards ensuring prisoners’ protections and privileges. However, the degree of protection and privilege was dependent on whether the prisoners were regular or irregular fighters. Since the defeat of the French army at Sedan on September 1st, 1870, the French government decided to utilize the infamous francs-tireurs (free shooters) alongside what remained of the regular French army. The guerrilla campaigns of the francs-tireurs, even though could not save the French from their defeat, caused Germans to devote a significant amount of resources for protection. Since francs-tireurs were technically not regular soldiers, the German Chancellor Otto von Bismarck labeled than as murderers and ordered them to be shot or hanged if captured.

On a legal basis, the Prussian decree of July 21st, 1866 executed civilian snipers. The German high command on August 22nd, 1870 reiterated the order. Only after French criticism and insistence for the francs-tireurs to be treated as legitimate part of the regular army, the

17 https://www.civilwar.org/learn/articles/civil-war-prison-camps
18 https://www.civilwar.org/learn/articles/andersonville-prison
chancellor allowed francs-tireurs to be sentenced to a minimum of ten years of forced labour if captured. Even then, executions of the francs-tireurs took place. Due to this harsh anti-francs-tireurs rhetoric from the Germans, the French government integrated the francs-tireurs into the French army in January 1871.

**1874 Brussels Conference**

Both the American Civil War and the Franco-Prussian War served as legal reasoning for the drafting of the Lieber Code and the Brussels declaration. The 1874 Brussels Conference led to the Brussels declaration. Both the Lieber Code and the declaration questioned who could claim the legal privileges of prisoner of war. Again, the use and treatment of irregular fighters arose. While a law that was hard on irregular combatants (e.g. guerrilla, resistance) would be beneficial for great powers such as Russia or Germany, smaller states such as Belgium or the Netherlands (supported by France and Britain) relied on irregular fighters for the defence of their borders.

Additionally, both the Lieber Code (Article 49) and the Brussels declaration (Articles 23 – 34) addressed the creation of standards when it came to treatment, labour, and release of POWs. Beyond that, the two contributed to the development of the modern law of armed conflict. Notably, the Brussels declaration laid the groundwork. Legitimate belligerents encompassed regular armies, militias, and volunteer corps (a small section of irregular fighters), provided they fulfilled four criteria: 1) They have a head that is responsible for his subordinates, 2) wear some settled distinctive badge recognizable at a distance, 3) carry arms openly, and 4) in their operations, conform to the laws and customs of war.\(^{20}\)

**The Hague Convention of 1907**

The Hague Convention of 1907 was an initial step to form an international definition of prisoners of war (POW) status.\(^{21}\) This convention states:

- Prisoners are in the power of the hostile capturing government, not the actual captors; and must be treated humanely and that their belongings remain theirs (with the exception of arms, horses, and military papers)
- Prisoners may be interned in a town, fortress, or other similar facility but cannot be confined unless absolutely vital to public safety
- The capturing state may put prisoners to work, but not for the war effort and must pay wages to the prisoner upon their release

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\(^{20}\) Ibid.

● The capturing government is responsible for the well-being of prisoners and barring some other agreement must house and board prisoners to the same standards as their own soldiers
● Relief societies for prisoners of war must have access to the prisoners
● Prisoners must be able to contact representatives from their states
Prisoners are bound by the laws of their captor state

The above criteria were reiterated through the 1907 Hague Rules on the Laws and Customs of War on Land and therefore became an internationally binding law.

**World War I (1914 – 1918)**
Throughout World War I, approximately 8 million men were held in POW camps until the end of the war.\(^2\) In general, many POWs had relatively a higher survival rate due to all nations pledging to follow The Hague rules on treatment of POWs.\(^3\) There were around 1.4 million prisoners from the Allies (not including Russia, which lost between 2.5 to 3.5 million men) and 3.3 million prisoners from the Central Powers.\(^4\)

Once the surrendered soldiers reached the prison camps, general conditions were adequate (much better than World War II conditions). Additionally, the efforts from International Red Cross and inspections by neutral nations allowed the satisfactory conditions to continue.\(^5\) One exception was Russia, where 15% – 20% of the prisoners died, often from starvation. However, it is important to note that starvation was not only exclusive to the prisoners but common among civilians as well.\(^6\) Unlike most European nations, the Ottoman Empire treated POWs very poorly.\(^7\) Around 11 800 British Empire soldiers were taken prisoner after the five-month Siege of Kut, in Mesopotamia, in April 1916. Many were weak and starved at the time of the surrender, and 4 250 died in captivity.\(^8\)

\(^2\) Ibid.
\(^3\) https://www.jstor.org/stable/i229758
\(^7\) http://www.nationalarchives.gov.uk/pathways/firstworldwar/battles/mesopotamia.htm
\(^8\) Ibid.
World War I brought attention to another aspect of POWs: the release. After the war, many of the POWs were released en masse and sent across without any food or shelter. Not only did this create difficulties for the Allied forces, but many POWs also died from exhaustion.

**World War II (e.g. Gulag, German camps, Japanese camps)**

During World War II, Germany and Italy treated prisoners from the British Commonwealth, France, United States of America, and other Allies states in accordance with the Geneva Convention of 1929. On the other hand, the Soviet Union and the Japanese Empire disregarded the Geneva Convention. Further, while Germany treated Western POWs in accordance with the Geneva Convention, non-Western prisoners were treated harshly.

To the western POWs in German camps, main complaints included the poor quality and miserly quantities of food provided and the harsh treatment during forced marches. It is important to note that the lack of food was heavily due to the blockade conditions. It was only through the International Red Cross, did the prisoners receive sufficient food rations.

To the Soviet POWs in German camps, myriad of neglect and deliberate, organized brutality awaited. The Nazi Government treated Soviet POWs in accordance to the Third Reich’s policy of “racial purification” and as a result, thousands of Soviet POWs died from starvation and disease. Beyond that, most prisoners were put into forced labour until their death. After the war, justification used by the German government was that the Soviet Union has not signed the Geneva Convention and therefore, could not receive the benefits of it. To prevent such loopholes from taking place in the future, article 82 of the Third Geneva Convention of 1929 allowed both signatory and non-signatory countries the rights assigned by the convention.

At the same time, treatment of German soldiers in Soviet camps was equally inhumane. For example, after the Battle of Stalingrad, 91,000 captured German soldiers were forced to march to Siberian war camps in the bitter cold at a state of illness and starvation. From the 91,000, only 5,000 survived. The justification from the Soviet Union was that during the German invasion of the Soviet Union, the Germans have committed widespread crimes against Soviet civilians and therefore they forfeited the right to fair treatment.

Approximately 1 million German soldiers who surrendered to American forces were put in Rheinwiesenlager (officially the Prisoner of War Temporary Enclosures [PWTE]). The German POWs were labeled as “Disarmed Enemy Forces (DEF)” who could be denied the rights of POWs guaranteed by the Geneva Convention. Within the PWTE, anywhere from 3

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29 Ibid.
000 to 10 000 German POWs died. The reasons for their deaths included: starvation, dehydration, and exposure to the elements.

POWs from America, Australia, Britain, Canada, Netherlands, and New Zealand captured by the Japanese were met with brutal treatment. They were subjected to forced labour, medical experimentation, starvation rations, and poor medical treatment. Furthermore, unlike POW camps in Europe, International Red Cross was banned from accessing the Japanese camps. As a result, death rate reached 27% for Western prisoners. To make matters worse, escape was virtually impossible for Westerners due to difference in appearance.

**Current Situation**

**War in Vietnam (1945 – 1946)**

The Paris Peace Accords on January 27th, 1973 marked the end of the American war in Vietnam. One of the provisions of the accords was the return of all U.S. POWs. Former president Richard M. Nixon’s statement: “all our troops have returned from Southeast Asia—and they have returned with honor” supposedly meant the return of all U.S. POWs. However, many Americans started to question if all U.S. POWs indeed returned. In 1991, the Wall Street Journal/NBC News poll stated that 69% of Americans believed some U.S. POWs were still being held in Indochina. The Vietnam POW issue became a nation-wide concern.

The reason for this controversy was due to numerous reasons. Firstly, since the Vietnam War was the first war the U.S. lost, it was impossible for the U.S. to search the battlefields for the dead and missing. Secondly, since North Vietnam was never occupied by U.S. troops, prisons or cemeteries could never be searched. Finally, due to Vietnam’s dense jungle-like geography, finding and recovering remains was near-impossible. Even after U.S. extended diplomatic recognition to Vietnam and gained greater access to the country, the concern remains. The Vietnam War is a notable example of common doubts that arise when it comes to the release of POWs, especially when the victors of the war are the ones releasing the POWs.

**Indo-Pakistani War of 1971**

In India, the Indo-Pakistani War is recognized as a moment where the Indian Army took one of the biggest surrenders of modern history and yet stuck to the honourable code of conduct. Even through meticulous conflicts, India treated all 90 000 POWs in strict accordance with

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the Geneva Convention and released all of them slowing through a six-month duration. It’s important to note that the release only started once Pakistan agreed to sign the Simla Agreement and recognized the independence of Bangladesh. While few countries, including the U.S., saw India’s detainment of 90,000 POWs as a threat against the Pakistani (to have them recognize Bangladesh independence), many other countries, such as the Soviet Union and the Warsaw Pact, supported the “threat”. As a result, Bangladesh gained international recognition as a nation and India’s 90,000 POWs proved to be a successful political move.

**Korean War (1950 – 1953)**

Due to current relations between South Korea and North Korea, the exact number of South Korean POWs detained in North Korea remains unknown. In the October 2007 report of the South Korean Ministry of Defense, “a total of 41,971 South Korean soldiers were missing during the Korean War. 8,726 were repatriated through POW exchanges after the Armistice of 1953. 13,836 have been determined to have been killed. To date, the status of 19,409 soldiers remains unconfirmed”. According to numerous testimonies from defectors and former POWs who escaped from North Korea, the South Korean government estimates that 560 South Korean POWs remain alive in North Korea.

Beyond the South Korean POWs in North Korea, the New York Times reported on September 17th, 1996 the possible presence of American POWs in North Korea. Their citations of recently declassified documents revealed that the U.S. Defense Department, in December 1953, knew that “more than 900 American troops were alive at the end of the war but were never released by the North Koreans”. Varying claims on the topic remains standing with the Pentagon refusing to confirm the report, the North Korean government denying holding any Americans, and defectors claiming they have seen American prisoners.

North Korean forces refused to recognize the POW status of its South Korean captives. By refusing to label them a POW but instead a “liberated fighter”, North Korea bypassed the 1949 Geneva Convention and enlisted former South Korean volunteers into its own forces after weeks of re-education. Under North Korea, both South Korean and UN POWs were horrific. Out of 7,000 US prisoners, 2,800 (40%) died in captivity.

32 Ibid.
33 http://journals.sagepub.com/doi/abs/10.1177/000944551104600308
36 Ibid.
Chinese forces initially did not recognize the Geneva Conventions and instead followed its own “Policy of Tolerance”. Based on Confucian codes and traditions, soldiers who surrendered were allowed to join their captors. It was not until July 13th of 1952 did the Chinese forces changed their policy to be in accordance with the Geneva Convention. Alarmed by rising death rate and recognizing the POWs’ propaganda value, the Chinese tried to improve the treatment of POWs.

After the armistice, lives of South Korean POWs in North Korea changed slightly. They were given North Korean citizenship and were assigned to work at coal mines.\(^{39}\) On a legal standpoint, they were full citizens.\(^{40}\) However, they still faced discrimination in their employment and residence. Under the strict caste system of North Korea, the former South Korean POWs were among the lowest castes. Even until now, these South Koreans are under surveillance by the State Security (secret police).

**Gulf War (1990 – 1991)**

American POWs held captive in Iraq is less known than American POWs in Vietnam. Hence, less people know about the horrific conditions that they had to endure. The 22 Americans who were taken prisoner testified for their captivity at “Baghdad Biltmore”.\(^{41}\) Inside the basement cells of the Iraqi secret police headquarters, known as “Baghdad Biltmore”, unrelenting torture and misery awaited the POWs. According to former Iraq officers, treatment of American POWs was overseen by Odai Hussein, Saddam Hussein’s notoriously brutal son. Odai has been accused of holding mock executions, mock castrations, chemical injections, several beatings, and starvation of the POWs. Often, these cruel treatments were to extract classified information or to manufacture footage for propaganda. For example, the torture of Jeffrey Zaun, one of many American POWs, did not stop until he openly stated under video: “I believe this war is unjust”.

Even after enduring the torture of “Baghdad Biltmore”, unlike American POWs held at Vietnam, these American POWs never received any medals of honor, White House reception, or a post-traumatic therapy session. Further, the Iraqis never apologized for their treatment of American POWs and the violation of the Geneva Conventions. As a result, the American POWs were left alone to deal with the unbearable post-traumatic stress.


\(^{40}\) Ibid.

\(^{41}\) http://abcnews.go.com/2020/story?id=123740&page=1
Syrian Civil War
One of most well-known conflicts currently in the world, the Syrian Civil War, embodies horrific treatment of POWs. According to a Syrian doctor, approximately 18,000 detainees in regime jails died during the civil war.\(^2\) Amnesty International also states that an average of 10 people is killed every day by beatings, disease, or general neglect. Testimonies from survivors reveal horrendous accounts of rape and abuse in an overcrowded environment. Like the Gulf War POWs, prisoners are tortured to gain information or confessions.

Two common regime jails, Damascus and Latakia Military Intelligence branches were listed by Human Rights Watch as torture centers in their 2012 report. Certain countries such as Britain imposed military sanctions of Syrian Military Intelligence branches. With continuous violations of international law on fair treatment of POWs, the international community should prioritize stopping these abuses during peace talks on Syria.

United Nations Involvement

Geneva Convention of 1929
While the Geneva Convention of 1929 seldom reiterated The Hague, it differentiated itself by regulating the treatment of prisoners in more detail. For example, it contained extended provisions on prisoner labour and strengthened supervision of the application of the legal rules established.\(^3\) Even with a detailed legal foundation, violation of fair treatment of POWs took place in the Second World War, in a fashion far worse than the First World War. This was not due to the weakness/poor structure of the Convention, but rather, due to the unwillingness of some states to follow the Convention.\(^4\) As highlighted in more detail in the above sections, the Japanese Empire refused to follow the Convention while Germany and Soviet Union gave legal reasoning to bluntly violating the Convention. As the international community, finding a mechanism to ensure all states partaking in holding POWs following the Conventions is crucial.

Geneva Convention of 1949
Following the horrendous war-crimes of the Second World War, the Geneva Convention of 1949 served as the most comprehensive of the four Geneva Conventions. While it added even

\(^3\) Ibid.
\(^4\) https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/52d68d14de6160e0c12563da005f6db1b/eb1571b00daec90ec125641e00402aa6
further details on the standards of POW treatment, it still used the same definition. In result, the problems some irregular fighters (of not being recognized as POW and being exempt from the protection of the Conventions) experienced still stood.\textsuperscript{45}

However, it did help irregular fighters to some extent when it introduced minimum standards for their treatment. This was primarily to prevent mass executions and atrocities.\textsuperscript{46} Lawmakers understood and saw firsthand through the Second World War how vulnerable irregular fighters were to massacres. Even with minimum standards in place, a complete revamp of the definition of POWs should be considered by the international community.


Adopted by the United Nations Security Council on June 14\textsuperscript{th}, 1967, this resolution highlights POW issues specifically around the Middle East.\textsuperscript{47} By specifically calling upon governments (e.g. Israel) to ensure the 1) “safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities”, it hopes to mitigate the harms done by armed conflicts.\textsuperscript{48} By reiterating the need for following humanitarian principles set by the Geneva Conventions, it hopes to uphold the humane standards of war.

**Possible Solutions**

**Changing the Nature of Combat**

Changing the nature of combat to lower the number of soldiers on foot is a statistically sound solution to reduce POW numbers. By reducing the literal number of POWs being produced in wars, the chances of more people having their POW rights violated is lowered. However, it is important to recognize that this is not a long-term solution for the POW rights violation issue that is happening currently, but only a short-term solution to mitigate the harms.

**Convincing Countries to Ensure Humane Standards**

Recognizing the nature of the nations violating international laws on POW rights is important. Often, nations who do violate these laws violate them against specific nations. For example, during the Gulf War and the Iraq War, Saddam’s forces deliberately tortured and

\begin{itemize}
\item \textsuperscript{45} https://www.icrc.org/eng/assets/files/publications/icrc-002-0173.pdf
\item \textsuperscript{46} http://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.32_GC-III-EN.pdf
\item \textsuperscript{47} http://repository.un.org/handle/11176/76936
\item \textsuperscript{48} http://repository.un.org/bitstream/handle/11176/76936/S_RES_237%281967%29-EN.pdf?sequence=2&isAllowed=y.
\end{itemize}
killed U.S. troops for power over the U.S.\textsuperscript{49} Even in World War II, Imperial Japan treated U.S. troops harshly. There are multiple methods to resolve such issue. Firstly, nations can better foreign relations with these nations to a point where these nations don’t have to retaliate by torturing POWs. Alternatively, sacrificing foreign relations to push hard for a stricter punishment and forcing these nations to give up their prisoners for something in return (e.g. freedom from military sanctions) is a possibility as well.

**Redefining POW**

A legal loophole to the current regulations on treatment of POWs is most commonly rooted from the mislabeling of prisoners. The protection of the Geneva Conventions covers regular fighters and only a fraction of irregular fighters. The international community should question if all irregular fighters should be protected in the same way as regular fighters. Further, the need of irregular fighters for certain nations should be questioned as well.

**Bloc Positions**

**Nations Occupied by Violators (e.g. Syria)**

This bloc consists of nations that currently and actively violate international protection on prisoners of wars. However, there are plethoras of cases where these nations are often in a state of conflict (e.g. civil war) and the violation is coming from a third-party group (e.g. terrorist organizations) that takes prisoners. Recognizing the violation is done by third party groups, international pressure/coercion to stop such act may end up hurting the innocent factions that have no association with the violation of POW rights. Furthermore, questions of who is responsible of primarily convincing these third-party groups to follow the international laws rise. Do the official governments of these nations hold enough power to enforce these third-party groups to listen? Are POW issues enough for foreign nations to enter to resolve the issue?

**Nations Who Actively Condemn Violators (e.g. Britain, France)**

The bloc consists of nations who have more political basis when it comes to actively condemning and shutting down POW rights violations. By having a more positive view from the public regarding POW treatment, there’s less backlash for these nations to be the face of stopping POW violations in foreign states. However, even for these nations, they can’t simply ignore all issues associated with sovereignty for the sake of resolving POW issues.

\textsuperscript{49} https://www.theatlantic.com/international/archive/2014/05/why-there-are-so-few-pows-from-todays-wars/371951/
Nations with Past Violations (e.g. Germany and Nazi camps, U.S. with Guantanamo Bay)

This bloc consists of nations who have violated POW rights before. Whether they are under serious allegations, simply refusing to apologize for the crime, or already apologized and made reparations, these nations all have their share of experience when it comes to violating POW rights. These nations understand the loopholes that exist in the current legal system dealing with POWs. Beyond that, especially for nations who have not yet dealt with their poor treatment of POWs in the past, gaining political basis to enter a foreign nation to be the “prosecutor” of POW rights violations is difficult to justify.

Discussion Questions

1.) To what extent should all irregular fighters (e.g. guerrillas) be protected under the same umbrella as regular fighters?
2.) In which situations could violators be pressured or coerced to follow the international laws on POW treatment? If pressured, what type of pressure is the most effective (e.g. military, economic, social)? If coerced, what type of benefits are the most effective (e.g. military, economic, social)?
3.) To what extent and how should nations be held responsible of POW rights violations carried out by third-party groups within their nation (e.g. terrorist organization)?
4.) How can foreign relations be improved to higher the chance of fair treatment of prisoners?
5.) What is the correlation between evolution of warfare and number of soldiers surrendered?
6.) NGOs such as Red Cross have been effective at providing necessities of life (e.g. food supplements) to POWs, how can one convince violating nations to allow these NGOs to provide aid?
7.) How can one ensure 100% of the POWs are returned to safety at the end of the war? Are there any mechanisms to ensure no POWs or MIAs go undocumented?
8.) To what degree should nations with history of mistreating POWs be held responsible?
Works Cited

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