

UNITED NATIONS OFFICE | 2015 RESOURCE PACKET



United Nations Sunday Service

International Criminal Justice: From
Punitive to Restorative

Part II

In this packet

2015 GLOBAL RIGHTS TOPIC

Criminal Justice Issues at the UN

Criminal Justice: UU Perspective

2015 Spring Seminar

Think Globally, Act Locally

Also available for UN Sunday Planning

BACKGROUND INFORMATION

All About the UN

UN Sunday Background

PLANNING A UN SUNDAY SERVICE

Brainstorming for UN Sunday

Consulting for UN Sunday

Sample Order of Service

UN Sunday Religious Education

UN Sunday: The Day Of

UN Sunday: Follow-up

Envoy Report

Blue Ribbon & Dana Greeley Awards

ABOUT THE UU-UNO

UU-UNO Programs

Further Interest in our Office

UU Community Involvement

Visit www.uua.org/unsunday to download complete packet

2015 Global Rights Topic

Use these resources to educate yourself on this year's UN Sunday theme, International Criminal Justice: From Punitive to Restorative.

Criminal Justice Issues at the United Nations

One important function of the United Nations is that it sets standards for the protection of human rights and the responsibilities of governments that individual nations agree to uphold. Right after the UU-UNO's Intergenerational Spring Seminar *International Criminal Justice: From Punitive to Restorative*, the United Nations held its 13th quinquennial (every 5 years) conference on Criminal Justice and Crime Prevention from April 12th to April 19th in Doha, Qatar.



Every 5 years, countries send delegates and criminal justice experts to discuss topics related to criminal justice and share crime prevention best practices. Member states at the conference reaffirmed their commitment to justice for all, especially in light of the post-2015 development agenda as they acknowledged that "sustainable development and the rule of law are strongly interrelated and mutually reinforcing." The declaration they adopted, "The Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation," called for action on issues including reducing recidivism, prison overcrowding, violence against women, and human trafficking.¹

The Death Penalty: During debates at the Doha Conference on Criminal Justice and Crime Prevention, some delegates called for a moratorium (temporary prohibition of the death penalty), while others upheld individual states' rights to decide on the issue. Since 2007, the UN General Assembly has adopted five resolutions of Moratorium on the use of the death penalty, the most recent in December 2014. With increasing numbers of votes in favor, these resolutions encourage Member States to abolish the death penalty, while not constraining them to do so. As of 2015, over 160 UN Member States have either abolished the death penalty or do not practice it. The UN Human Rights Office continues to advocate for the universal abolition of the death penalty on the basis that it violates the fundamental nature of the right to life, as well as the very real risk of executing innocent people and the absence of proof that the death penalty serves as a deterrent to crime.

¹ http://www.un.org/ga/search/view_doc.asp?symbol=A/CONF.222/L.6

The UN Office on Drugs and Crime (UNODC) operates in all regions of the world, assisting UN member states with field-based technical cooperation projects, research, and analytical work to enhance each state's capacity to reduce illicit drugs, crime, and terrorism within and across their borders. The UNODC issued in 2006 a "Compendium of UN standards and norms in crime prevention and criminal justice." By compiling in one place all of the UN's standards and norms pertaining to crime prevention and criminal justice, this compendium is a resource for nations and will "reinforce respect for the rule of law and human rights in the administration of justice."²

UN & Treatment of Prisoners: Included in the Compendium is a set of "Standard Minimum Rules for the Treatment of Prisoners" – these were approved by the Economic & Social Council in 1977. The Standard Minimum Rules lay out generally accepted "good principles and practices" for the treatment of prisoners and management of institutions.³ Member States should use these as guidelines for their own justice systems. Importantly, the document states, that "As a rule, such young persons [who come within the jurisdiction of juvenile courts] should not be sentenced to imprisonment." These Standard Minimum Rules also lay out guidelines for personal hygiene, medical services, discipline and punishment, among other categories, in order to uphold prisoners' human rights.

UNIVERSAL DECLARATION OF HUMAN RIGHTS - CRIMINAL JUSTICE

The following articles of the Universal Declaration of Human Rights are particularly relevant to criminal justice issues.

- Article 1: All human beings are born free and equal in dignity and rights...
- Article 3: Everyone has the right to life, liberty, and security of person.
- Article 4: No one shall be held in slavery or servitude...
- Article 5: No one shall be subject to torture or to cruel, inhuman, or degrading treatment or punishment.
- Article 6: Everyone has the right to recognition everywhere as a person before the law.
- Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law...
- Article 9: No one shall be subjected to arbitrary arrest, detention, or exile.
- Article 10: Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.
- Article 11: Everyone charged with a penal offence has the right to be presumed innocent until proven guilty...

² http://www.unodc.org/pdf/criminal_justice/Compendium_UN_Standards_and_Norms_CP_and_CJ_English.pdf

³ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx>

International Criminal Justice and the Seven Principles of Unitarian Universalism

Here is a brief breakdown of UU principles and their connection to Criminal Justice issues mentioned in this year's UN seminar:

The inherent worth and dignity of every person:

People who are or have been incarcerated deserve to be treated with respect and recognized as human beings with inalienable rights. We must all work to heal and empower these people, giving them a chance to change themselves and their lives for the betterment of society.

Justice, equity, and compassion in human relations:

We must create a world where innocent people are not incarcerated, tortured, or executed and the convicted are not treated inhumanely. People who are or have been incarcerated deserve to be treated with kindness and compassion despite their prior mistakes.

Acceptance of one another and encouragement to spiritual growth in our congregations:

People who are or have been connected to the criminal justice system are all members of our communities. We must remember that victims of crime, those who have been accused or convicted of a crime, and all their families and friends are in need of spiritual healing and community. We must look beyond whatever may have happened in their pasts and welcome them into our congregations.

A free and responsible search for truth and meaning:

When individuals are imprisoned and told what they did was wrong but not why, they often spend their time in prison simply dwelling on their own misfortune and misery. Giving incarcerated individuals the opportunity to interact with their victims or victims' families allows them to discover for themselves why what they did is wrong, and how others were affected by it. This sort of restorative justice, as well as education programs within prisons, allows prisoners to actively seek their own truth and meaning from the world. Victims are also given the opportunity to come to peace with the situation, which does not happen when prisoners are punished.

The right of conscience and the use of the democratic process within our congregations and in societies at large:

All citizens of a democratic country are entitled to a voice in government and society. In some countries, people are permitted to vote from prison; however most countries

(including most US states) forbid prisoners from voting. Even upon release, structural barriers in society often prevent them from voting and keep them from equal access to education and careers.

The goal of world community with peace, liberty, and justice for all:

We must look to restorative justice as a way for victims of crime, those who have been accused or convicted of a crime, and all their families and friends to find peace. The punishment paradigm typical of most of our world's prison systems is not a humane one. A world community is built upon trust and sympathy between neighbors; this cannot exist when immigrants experience racism and discrimination within their host countries, constantly living in fear of abuse by law enforcement officers or the threat of deportation.

Respect for the interdependent web of all existence of which we are a part:

Even though we each might not personally know someone who has been through the criminal justice system, we are all affected by it. When people are incarcerated, locked away and forgotten about until their release, at the end of their sentence they rejoin society just as troubled as when they left it, if not more so. Education and therapy programs within prisons and re-entry programs allow formerly incarcerated individuals to return to society as productive citizens, allowing their neighborhoods to develop, to become safe, and to thrive economically.

UU United Nations Office Intergenerational Spring Seminar

International Criminal Justice: From Punitive to Restorative

What we discussed at this year's Spring Seminar

The United States of America has 4% of the world's population, but 25% of the world's incarcerated population. Many people throughout the world have either been involved in the criminal justice system themselves, or know someone who has. It is a privilege not to know anyone who has been involved in the criminal justice system.

The UU-UNO's 2015 Spring Seminar on International Criminal Justice presented an opportunity for our participants to deepen their understanding of privilege, oppression, racism, diversity, equality, and human rights. Youth and adult participants contributed to the seminar by serving on the planning committee, taking leadership roles during the



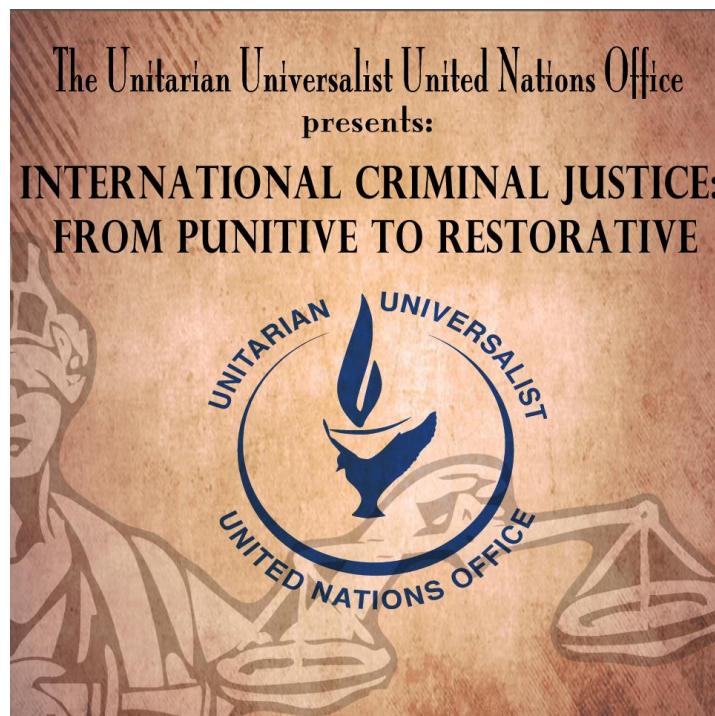
seminar, asking thought-provoking questions, and participating in the talent show. They took the positive experience, knowledge, friendships, and ideas for social justice activism back to their communities. Participants were inspired to become better advocates for human rights issues on a local and a global scale.

Our first panel was an overview of the relationship between racism and mass incarceration. The panel focused on the maltreatment of incarcerated people. This provided foundational knowledge for those of our participants who have had limited experience with the topic. Our second panel looked at life in prison, human trafficking, and torture. On that panel, an Iranian musician described his experience being detained in prison in his home country.

Our third panel was on crime prevention, and the lives of incarcerated people. This panel debunked some negative stereotypes that exist regarding incarcerated people. Our fourth and last panel, which spoke to the death penalty and solitary confinement, was held at the United Nations Headquarters. Rick Halperin, Director of the Southern Methodist University Embrey Human Rights Program, argued that "No one deserves death sentence for a wrong decision they had made at the worst moment of their life." Dr. Cornel West, a prominent and provocative democratic intellectual, addressed the participants virtually, focusing on various criminal justice issues around the world, including the maltreatment of indigenous people in Canada.

Other issues that arose at the seminar included torture, human trafficking, solitary confinement. Participants' comments on the seminar include, "I was not exposed to all these issues before, so this seminar was very eye-opening", and "I am motivated to go back to my community and be an advocate on international criminal justice issues".

At the end of the seminar, participants worked together to draft a statement that was presented to the United Nations and to Unitarian Universalist congregations around the world. In the statement, the participants called on each other and on their fellow Unitarian-Universalists to fight for change in the international and domestic criminal justice systems through education, empowerment, advocacy, and coalition building.



For more information on this year's spring seminar, check out our blog:

<http://international.blogs.uua.org/international-uu-organizations/uu-uno/2015-spring-seminar-recap/>

2015 Intergenerational Spring Seminar Statement

International Criminal Justice: From Punitive to Restorative

Whereas:

Unitarian Universalism is a faith that champions compassion and justice in human relations, principles which many judicial systems do not uphold for all people, especially those in marginalized groups,

Unitarian Universalists affirm the inherent worth and dignity of all people and recognize that there are negative stereotypes surrounding incarcerated and formerly incarcerated people,

Everyone is entitled to due process under the United Nations Universal Declaration of Human Rights, yet many people are convicted of crimes without sufficient evidence,

People should be defined by their humanity, and not by a single bad choice made in their worst moment,

Each human being's inherent capacity for good and positive growth is not acknowledged in the current punishment paradigm,

Racial bias is rampant in criminal justice systems around the world, and prison systems stunt growth and change,

Solitary confinement is an inhumane punishment and form of torture that removes an individual from the interconnected web of life,

There is no evidence that the death penalty deters violent crime,

The rate of recidivism is higher for incarcerated people who do not receive education in prison than for those who do,

Human trafficking is illegal everywhere, but practiced in all countries, affecting people of all classes, nationalities, ethnicities, races, and genders,

Ignorance of human trafficking in our own communities helps perpetuate the system,

All sides of a story need to be considered with an open mind, rather than passing automatic judgment on others,

Unitarian Universalists believe in the goal of world community with peace, liberty and justice for all,

We Therefore Resolve To:

Acknowledge the humanity of those incarcerated.

Educate our peers and congregations, raise awareness, and demand comprehensive reform of prison conditions.

Create and implement measures to promote rehabilitation not punishment.

Combat the rise of for-profit prisons that thrive on disproportionate sentencing.

Work to establish a system where inmates have the right to equal education and the ability to access it.

Advocate for elimination of solitary confinement as a means of punishment.

Dedicate ourselves to ending the death penalty.

Stand in solidarity with former convicts, and help create a supportive environment for their rehabilitation and new life.

Work to increase the self-esteem and self-worth of incarcerated people upon their integration back into society.

Focus on community building as an advocacy and crime prevention tool.

Educate local and global societies about the threat and signs of human trafficking, as a means of prevention.

Engage our Unitarian Universalist congregations with the United Nations in support for more just and humane criminal justice systems throughout the world.

Affirmed by the participants of the Unitarian Universalist United Nations Office Intergenerational Spring Seminar, New York City, 11 April, 2015.

Thinking Globally, Acting Locally

As part of the Global U/U Story, Unitarians and Universalists around the world work for social justice causes they care about. Here are just a few examples of the many important issues in the field of criminal justice that you can get involved with. How is your congregation already involved in these human rights issues? During your UN Sunday service or event, share an issue that your congregation can connect with.

PRISON VISITS

Those incarcerated are isolated to an extent that is hard to imagine and the few social interactions they do have are laced with latent hostility or outright violence. Prison visits provide a chance for them to have non-threatening face-to-face interactions, as to increase the chance that they will make a successful re-entry to society. If possible, consider looking into programs that would allow members to make visits to prisons or send supportive material to those imprisoned.

VOTING RIGHTS

Millions of people are disenfranchised as a result of felony convictions. This is not only blatantly discriminatory, it also violates the idea that prisoners should be brought back into regular society. By denying them one of the most basic human rights years or even decades after a crime was committed these laws help promote recidivism. As of now, only two states in America allow those in prison to vote and many states have extremely strict limitations on voting for ex-felons.

POLICE BRUTALITY

Apathy is one of the established order's strongest tools here. Many people think that they will never have violence or discrimination inflicted on them by the police and thus have little interest in bringing about change. However, here you can make your voice heard at many levels. Individuals can bring about change on the level of their town, district, or precinct by appealing to local politicians, while working alongside community leaders. In the event that you see or hear about such events happening, helping to get out the word is crucial. The more people know, the less they can excuse looking away.

REHABILITATION

Throughout the world, politicians face pressure to be "tough on crime," by inflicting harsh punishments on criminals. This leads to overly harsh punishments that increase the rate of recidivism and help create a cycle of helplessness and criminality that leads to more victims. Many criminal policies are formulated at the state level, so appealing to local state legislators is an important step towards meaningful change.

Documentaries, Films, and Videos on Criminal Justice

- HBO. *University of Sing Sing* (documentary)
- Hudson Link. *Zero Percent* (documentary)
- Human Rights Watch. *US: Teens in Solitary Confinement* (report on YouTube)
- Matthew Pillischer. *Broken on All Sides: Race, Mass Incarceration & New Visions for Criminal Justice in the US* (documentary)
- TED Talk. *Karen Tse: How to stop torture.* (TED Talk video)

Books, Websites, and Articles on Criminal Justice

- Alexander, Michelle. *The New Jim Crow: Mass Incarceration in an Age of Colorblindness*
- Blackmon, Douglas. *Slavery by another name: The re-enslavement of Black people in America from the Civil War to World War II*
- Boctor, Audrey. Human Rights Review. "[The Abolition of the Death Penalty in Rwanda](#)"
- The Economist (from the print edition). "Prisons in Latin America: A journey into hell"
- Gilmore, Ruth Wilson. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*
- Schenwar, Maya. *Locked Down, Locked Out: Why Prison Doesn't Work and How We Can Do Better*
- Waller, Irvin. *Smarter Crime Control: A Guide to a Safer Future for Citizens, Communities, and Politicians*
- Zehr, Howard. *The Little Book of Restorative Justice*