Preventing torture for people deprived of freedom: The Atlantic Hope and Black Swan Prison Model

Ernest N. Ogbozor,* Mara L. Schoeny, PhD, Ass. Prof.* Andrew E. Baer*

Key points of interest
- Simulation exercise trains participants to be aware of and deal with torture from the point of arrest.
- Highlights risk of torture from point of arrest and throughout the penal chain.

Abstract

International law and minimum standards provide certain protection for detainees and prisoners of war (POW) against torture and ill-treatment. Places of detention and parties to conflicts are often monitored to ensure that they adhere to the required standards through, for example, visits to individual detainees and the assessment of facilities. However, monitoring between the point of arrest and eventual remand in prisons is largely inadequate. This paper explains an emerging model to enhance protection of prisoners through readiness training for prospective humanitarian personnel. The Atlantic Hope simulation exercise on monitoring detainees and visits to the mock Black Swan prison represents a teaching model to enhance sustainable protection of detainees and POW during incarceration. The simulation entails comprehensive monitoring, assessment, visits and provision of services to prisoners from the point of arrest, during the transition to places of custody, and imprisonment. These enhance protection of detainees to avoid deaths in custody, disappearance and torture throughout the chain of imprisonment.

Keywords: Simulation, prisoners, detainees, sustainability, protection

*) George Mason University, Virginia, USA

Correspondence to: ernestogbozor@gmail.com

Background

Detainees and prisoners of war (POW) are protected under international law.[1] Both international humanitarian law (IHL) and human rights law (HRL) provide explicit protection for people deprived of liberty during an international armed conflict (IAC), non-international armed conflict (NIAC), and peacetime. IHL applies in situations of armed conflict, whereas HRL provides protection in situations of both armed conflict and peacetime.[2] A number of treaties work to ensure that people deprived of freedom are treated humanely in line with the Standard Minimum Rules (SMR) for the Treatment of Prisoners. These rules were first adopted in 1957[3] and were revised in 2015.[4] Now known as the UN Nelson Mandela Rules, they include a revision with respect to the investigation of deaths and torture in custody, complaints and independent inspection as well as enhanced external monitoring of places of custody by a two-fold

system of regular inspections by both an internal and independent external body.[2] The Rules also specify the powers of inspectors and require written inspection reports as well as the publication of the findings.

In addition to the UN Nelson Mandela Rules, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT) adopted in 1984 is a blueprint for prevention. UNCAT includes measures such as reforms, training of personnel, criminalization of torture, and the obligation to prosecute alleged torturers and provisions for victim's redress. The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) established a system of regular visits undertaken by independent international and national bodies to places of custody.

The inspiration for the role of a visiting mechanism for torture prevention and protection of detainees grew originally out of the work of the International Committee of the Red Cross.[5] The ICRC has agreements with states to allow preventative monitoring visits to security detainees during international armed conflict, the rules protecting prisoners of war having first been promulgated in the 1929 Geneva Convention relating to the Treatment of Prisoners of War (and subsequently refined in the Third Geneva Convention of 1949 and the Additional Protocol I of 1977).[6] Whilst the Third and Fourth Geneva Conventions empowered the ICRC with the mandate to visit detainees during international armed conflict, there is no equivalent for non-international conflicts or during peacetime. Other shortcomings of the ICRC visits include being dependent on the government for access to prisons and only being able to issue confidential reports on detention conditions. These limitations necessitate an independent preventive mechanism that does

not depend on the goodwill of the government, and that can make reports of detention conditions available for public scrutiny.

In 2007, the Subcommittee on Prevention of Torture (SPT) was established in accordance with the provisions of OPCAT. The SPT undertakes visits to State Parties and plays an advisory role on how to establish a National Preventive Mechanism. Under OPCAT, the SPT has unrestricted access to all places of custody, their installations and facilities, and to all relevant information. Carver notes that the discussion of torture prevention since the adoption of the OPCAT has focused on the visiting mechanism.[5] Carver and Handley acknowledge that prevention measures do work, but some mechanisms are much more effective than others; they maintain, for example, that the results from monitoring in police stations and detention centers are more important than treaties ratified or laws on the statute book.[7]

Additionally, some states have failed to sign or to ratify the relevant treaties making effective independent monitoring unlikely. For example, the United States of America has not signed or ratified OPCAT, asserting in 2002 that the inspection mandate of the protocol would be overly intrusive.[8] It was maintained that complaint mechanisms already existed for detainees under domestic law, despite independent oversight not being provided for. Whilst the United States of America has ratified UNCAT, it was subject to certain declarations, reservations, and understandings.[8] The U.S. administration have maintained that the state may engage in criminal investigation treatment not amounting to torture, if the subject is a foreigner and out of the country when it occurs.[8]

In practice, assessing and monitoring detention conditions are usually limited to places of custody, and in most cases, it remains irregular.[9] Torture, summary execution and

death or disappearance from detention continue despite international protection mechanisms for people deprived of freedom. Additionally, the focus of current practice is on monitoring visits and assessments in places of custody (police cells and prisons), when, in reality, detention starts from the point of arrest. Some transition phases from the point of arrest to eventual remand in custody are often neglected. Detainees have disappeared, been executed, or subjected to inhumane and degrading treatment during transitions to places of custody.[10]

Introduction

In view of these challenges, the Consortium for Humanitarian Service and Education (CHSE) designed a teaching and simulation model to enhance the understanding of the sustainable protection of detainees and prisoners of war among entry-level humanitarian practitioners. The CHSE is a collaborative effort of academic, government, and non-governmental organizations in the United States of America which develops curriculum and organizes annual training events for prospective humanitarian professionals. CHSE provides intensive hands-on opportunities for students and practitioners of international humanitarian response to learn how to conduct safe and efficient relief and protection operations. Since 2005, the CHSE has implemented a mock simulation exercise for undergraduate students with an added focus on visits to prisons and POW exchange. In 2012, the program expanded to include graduate students. This paper is an examination of the sustainable protection model for torture prevention and the protection of people deprived of freedom.

The purpose of this article is to present an emerging torture prevention model for people deprived of liberty through readiness training for prospective humanitarian personnel. The

first section of the paper is an overview of the Atlantic Hope exercise and the mock Black Swan Prison (Part I); the second section examines the application of the sustainable protection model (SPM) for detainees (Part II); the third section introduces the different sections of the SPM and the simulation prompts for participants and their rationale (Part III); and the final section presents a limitations and conclusion (Part IV).

Part I: The Atlantic Hope and Black Swan Prison

The Atlantic Hope and Black Swan Prison exercise merges ongoing classroom work with field experience by simulating real-life experiences for students. Initially, it simulated complex humanitarian crises[i] in a fictional country, "Atlantica,", i.e. earthquake and inter-communal conflict.[11] The "Atlantic Hope" simulation was designed to host between 20 to 40 undergraduate students and provided a hands-on opportunity to work as members of a mock NGO (International Humanitarian Action). Over four days, a sequence of interlinked scenarios were carried out, starting with entry into the country vis-à-vis an international airport.

The program continues to flourish due to the experiences and contributions of a core student-alumni cohort who return every year in a train-the-trainer fashion. Five universities or consortium schools have participated in the undergraduate version.[ii] In 2007, the Indian River State College conducted the first Summer Institute on International Relief and Humanitarian Assistance in

---

i The Indian River State College in Florida pioneered the exercise.
ii Northwest Missouri State University, Northern Oklahoma College, University of Florida, Washington Adventist University, and the Indian River State College.

Macedonia.[i] The program has also had strong support from the administration of the Indian River State College, Florida (IRSC).

The graduate-level "prototype" program was first run in March of 2013 with the participation of four universities.[ii] The notion for furthering an interdisciplinary training program designed for graduate students in the humanitarian and conflict intervention fields was a follow-up to a meeting between CHSE and Harvard University faculty who direct a similar simulation experience in Parker State Forest loosely based on "Doctors without Borders" operations in post-conflict post-disaster environments. A primary culmination of the collaboration effort in 2011 was the co-edition of *Humanitarian Operations: A Field Guide (2013)* which is a comprehensive field guide for participants.[iii] In order to accomplish this, developments in the program design offer additional scenarios in negotiations, conflict assessment, issues of identity, and reconciliation processes, including those specifically linked to the protection of detainees and Prisoners of War.

Currently, "Atlantic Hope" includes a scenario centered on assessing prison conditions and visiting prisoners held by opposing armed factions in Atlantica. Participants, as members of IHA, are tasked with negotiating prisoner access and conducting assessments in accordance with the principles of International Humanitarian Law and best practices of ICRC. The mock prison managed by the military of the Republic of Atlantica, known as "The Black Swan," is an actual facility with role-player prisoners, guards and wardens who have undergone extensive training and are tasked with actualizing the experience for participants; human rights advocacy NGOs have accused the government of detaining politically-excluded identity groups without due process. Prior to visiting the prison and conducting the assessment, participants undergo readiness training with expert faculty advice based on the ICRC mandate to visit all persons deprived of freedom, assess detention condition, and facilitate contacts with detainee's families.[12]

After the completion of the scenario, participants regroup for debriefing, discussion, and must prepare for follow-up visits, continued assessments, and the facilitation of contact channels with the broader aim of developing an understanding of IHL pursuant to prisoners and detainees, related ICRC best practices, and a hands-on comprehension of impacts and challenges associated with the judicial-penal chain. In sum, the Atlantic Hope exercise provides an educational experience concurrent with Lederach's[iv] approach.[13]

Since inception in 2005, a total of 512 students, including both graduate and undergraduate level, have participated in the Atlantic Hope training exercise. At the undergraduate level, about 390 participants at an average of 20 to 40 students per year have

[i] The Indian River State College, Northwest Missouri State University, Institute for Defense and Peace Studies at the University of St. Cyril and Methodius in Skopje, and the Macedonian Ministry of Defense.
[ii] Indian River State College, Kennesaw State University, George Mason University, and the University of North Carolina, Greensboro.
[iii] "Humanitarian Operations: A Field Guide" Spring 2013. A request for an e-copy of the field guide can be directed to the coordinator of the Consortium for Humanitarian Services and Education, info@foragecenter.org.

[iv] "People are helped to forge new experiences, and to use the feelings these situations evoke to challenge prior viewpoints. They are helped to reframe fundamental viewpoints based on new feelings that are triggered by seeing, feeling, hearing, touching, or otherwise seeing the world in new ways. They are freed from the bonds of having to name and rationally explain what they may sense but have not yet fully experienced."

Figure 1: *Atlantic Hope/Black Swan Model for Protection of POW and Detainees*

Atlantic Hope & Black Swan. Sustainable Protection Model for Detainees and POW
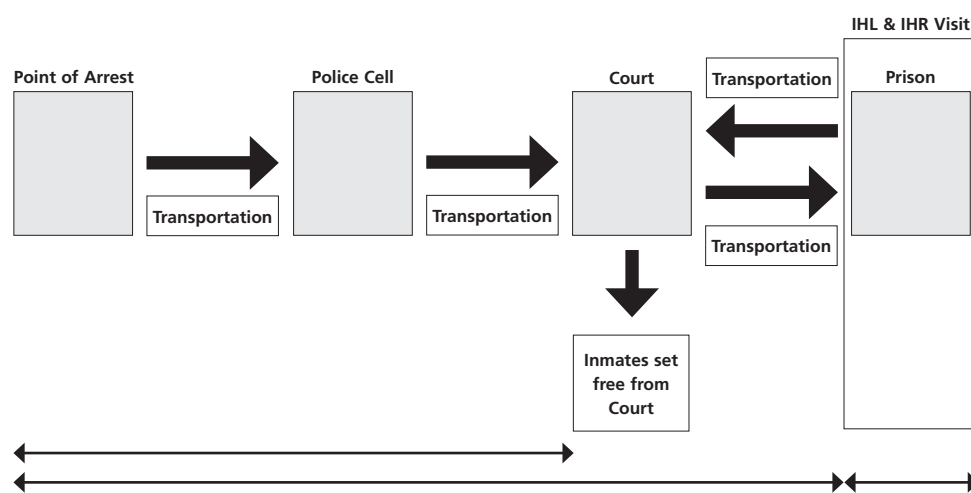
taken part in the yearly training, whereas 125 participants at an average of 25 to 30 per year participated in the graduate level exercise since 2013. The number of participants has remained relatively constant every year, both at the undergraduate and the graduate level due to limited training resources and to allow for full participation. The need to increase involvement and impact particularly at the graduate exercise led to a review of the program in 2014. Following the successful completion of the second graduate training, participants were surveyed about their opinion on the four-program sectors of Atlantic Hope. Division leaders were also tasked to suggest areas of improvements. Out of a total of 28 participants surveyed, 32% reported that the reconfiguration of the political processes section of the simulation exercise was of highest priority.

Part II: Sustainable protection model (SPM) for detainees and POW

The Atlantic Hope/Black Swan Sustainable Protection Model (AH/BS-SPM) for detain-

ees and POW is a framework to demonstrate a sustainable model for the protection of people deprived of liberty (see Figure 1). The model entails monitoring detainees from the point of arrest until their eventual release by building on the current emphasis of monitoring conditions of places of detention (police cell and prison), as well as often neglected stages in the prison chain (points of arrest, during transportation and judicial trials). AH/BS-SPM protects people deprived of liberty as they move along the chain of incarceration: point of arrest, transportation, police custody, trial, and prison. The model also maximizes the capability of protecting detainees from torture, summary execution, disappearance, and other abuses.

The model is based on the premise that current monitoring mechanisms fail to adequately protect detainees before they arrive at a place of custody, when many human rights abuses in fact occur at this early stage.[14] The specific problems that the model seeks to address are: arbitrary arrest,

protection against disappearance or summary execution during transportation of detainees, delays and unfair judicial trials, elimination of the possibility of jail break and prison riots, and communication between detainees and their families.

The model entails empowering a neutral organization, IHA, with a legal mandate to work alongside criminal justice agents, such as, law enforcement, security agents, judiciary officials and prison authorities. IHA also monitors detainees as soon as they lose their freedom at the point of arrest and continues throughout the various stages of imprisonment. It is anticipated that the vulnerability of people deprived of freedom will be reduced due to constant and regular independent oversight.

Part III: Sustainable protection model (SPM) as a training platform

The purpose of the SPM as a training platform is to cultivate an awareness among graduate students in the field – the future cohort of humanitarian workers and practitioners in peacebuilding - surrounding the current systematic gaps in the judicial-penal chain in order to generate an impetus for critiquing current conventions, cultivating a familiarity with relevant best practice, and facilitating a recognition of broader conflict linkages related to the primary, secondary, and tertiary effects associated with imprisonment on a micro- and meso-level. Primary impacts include the vulnerabilities prisoners face, starting at the point of arrest to the social stigmas that follow upon release. Secondary and tertiary effects include the exploitation of prisoner and former prisoner populations by insurgent groups and even host governments, e.g. prisoner breakouts and recruitment, ill-health and disease associated with detention center conditions, overcrowding, and malnutrition.

The SPM training model offers a proactive template for both treating gaps in and providing education on the judicial-penal chain with potential for replication beyond graduate experiential programs, ranging from training associated with governmental and non-governmental readiness training to organizations affiliated with security sector reform and governance to consulate services. The overall design is enmeshed with the broader Atlantic Hope exercise design and formulated according to Bloom's Taxonomy of learning objectives: knowledge, comprehension, application, and analysis.[15] Thus, participants, prior to and upon arrival for the Atlantic Hope exercise, are introduced to the current conventions through training materials and briefings ("knowledge"), which serve as a 'tool box' for later application; materials include the ICRC *Code of Conduct for Combatants*, 'Country Reports' related to the simulation, and supplemental materials from organizations such as the International Center for Prison Studies. Trainees then receive additional on-site training and guidance from faculty during the planning phases for negotiating prison access and conducting prison visits and assessments ("comprehension"). They are able to experience the challenges of the simulation and scenario prompts through practice ("application"), and can consequently highlight linkages between the detainee experience and broader conflict concerns, and offer informed, reflective critiques of the existing conventions through facilitated de-briefs ("analysis").

This section is structured in the following manner: first, to provide the context for the scenario prompts; second, to replicate the respective role-play simulation based on each node in the SPM and judicial continuum; and, third, to lay out the rationale behind the SPM, specific prompts, and desired outcomes among the trainees. Outside of the

scenario prompts themselves, field experiences, contemporary issues pursuant to the judicial-penal chain, and international and domestic aid agency protocols are utilized to inform the overall design, objectives, desired outcomes, and profiles generated for the various role-players employed.

Point of Arrest
According to the United Nations Body of Principles for the Protection of All Persons Under any Form of Detention or Imprisonment, "Arrest" means the act of apprehending a person for the alleged commission of an offence or by the action of an authority.[16] Arbitrary arrest, detention or exile is of course not permitted under the 1948 Universal Declaration of Human Rights (Article 9).[17] Such rights are also often enshrined in domestic law. To take an American example, the Baltimore Office of Public Defender emphasizes that, "If you are taken into police custody, you have the right to: be informed of the charges against you and the allowable penalties; obtain a lawyer, including the right to have one appointed if you cannot afford one; have a judge decide whether you should be released from jail until your trial; and remain silent."[18] Whilst this theoretically establishes that these rights should begin upon arrest and continue throughout the process, there have been instances which suggest these rights are not upheld, not least the death of Freddie Gray in Baltimore in 2015 from spinal injuries. His death sparked violent protests that lasted for several days in Baltimore.[19]

Arrest must not be overlooked as it is importantly the first point of deprivation of liberty of the individual and, in most cases, individuals are unaware of or unprepared for it. However, the question that remains unanswered is: who monitors the law enforcement agencies, particularly the police, at the point of arrest? The AH/BS-SPM acknowl-edges this gap and suggests the need to monitor detainees from the point of arrest, if proper protection of detainee is to be achieved.

Point of arrest – scenario prompt: IHA personnel are tasked with conducting a needs assessment of a local village in the Republic of Atlantica impacted by both intra-state conflict and a natural disaster. During the needs assessment, security elements associated with the host government enter the village as part of a broader security sweep and detain a local national in the village for unknown reasons. Some local villagers aggressively protest the arrest or react emotionally, particularly a female villager who claims the detainee is her husband; other villages seem either impartial or partially in favor of the arrest. The detainee is immediately escorted out of the vicinity with no information provided to the IHA team.

Explanation of point of arrest prompt: The point of arrest is the instance in which judicial authorities have actualized their decision to confiscate the "liberty of the person" and "deprive some people of that right for a period of time as a consequence of the actions of which they have been convicted or of which they are accused."[20] For any individual subject to detention, the point of arrest results in the immediate deprivation of all basic human needs – security, welfare, identity, and freedom – and the complimentary satisfaction of having those needs met.[21] Applied within the theoretical construct of Maslow's need hierarchy, arrest constitutes the absolute stripping of welfare and deference values of an individual. Furthermore, detainees potentially suffer decremental deprivation, "angered over the loss of what they once had or thought they could have… by reference to their own past condition."[22] The scenario prompt above is subsequently designed to provide participants with a porthole into not only common

security operations which culminate in the arrest of an individual or individuals, but a snapshot of the socio-psychological impacts of the individual and those who witness the arrest or possess communal or familial ties to the detainee. Subsequently, the SPM prompt is designed in tandem with the village scenario lane as an integrated segment in order to facilitate a more holistic experience. The other village role-players each maintain a unique relationship to or perspective on the detainee and the possible causes for his arrest, thereby adding a more layered experience to the IHA trainees tasked with conducting a needs and conflict assessment.

Figure 2: *Point of arrest*

Picture by the Consortium for Humanitarian Service and Education(CHSE)

Transportation
Safe transportation of detainees is similarly contained in international law and guidelines for handling detainees by law enforcement agencies. For example, the Mandela Rules acknowledge: "The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship, shall be prohibited (Rule 45.2)."[2] However, death or injury during transportation has continued to occur reflecting the fact that there are few

or no monitoring mechanisms for detainees during transit. For example, in August 2013, at the peak of the Arab Spring in Egypt, 35 members of the Muslim Brotherhood movement were killed while being transported to custody after arrest. The circumstances behind the death of the detainees remain unclear as there are contradicting reasons and explanations about the cause of the incident.[23] The AH/BS-SPM addresses the problem of protecting detainees by instituting a monitoring and a supervision mechanism for detainees in transit.

Transportation – scenario prompt: IHA personnel are managing a refugee camp when security elements associated with the earlier security sweep arrive on scene. Security elements momentarily stop to evaluate the security conditions of the camp and check the roster for any wanted personalities. During the stop, refugees seem to recognize the detainee from the Point of Arrest scenario and begin to congregate in protest. It remains unclear whether the agitation is against the detainee or his detention, an uncertainty shared by the security forces who immediately surround and secure their vehicle and leave the refugee camp with their original detainee to avoid confrontation.

Explanation of transportation prompt: Phases of transportation from the point of arrest to detention centers, to and from court, and to and from remand or long-term holding cells are often the most vulnerable points in the prison chain due to the inability to monitor mobile personnel; security concerns related to convoy integrity or heightened opportunity for escape, and road hazards. The scenario prompt above offers trainees insight into the inherent security difficulties associated with transporting prisoners, the vulnerability of detainees during transport, and the difficulties associated with third party monitoring. Furthermore, the scenario

is engineered to shed light into the lack of enforcement mechanisms related to the earlier mentioned Mandela Rules.

Figure 3: *Transportation*

Picture by the Consortium for Humanitarian Service and Education(CHSE)

Police custody
The OPCAT, SPT and the Mandela Rules are some of the preventive mechanisms that provide for visiting and inspection of places of custody, including police cells, to prevent torture and other degrading treatment. Additionally, organizations such as the Association for the Prevention of Torture (APT) work to improve detention practices and to strengthen public oversight. Whilst these measures go a long way, it is undeniable that human rights abuses in these settings continue to occur. The AH/BS-SPM reflects the importance of continued monitoring in police custody by providing regular external scrutiny of police custody and temporary detention centers.

Police custody - scenario prompt: IHA personnel are tasked with negotiating access to the police cell in order to conduct an assessment of the police facility. The detainee from the earlier two scenarios is just leaving the director's office after in-processing and appears to have received physi-cal trauma, which the police attributes to outside persons and an incident during transport, subsequently demanding that IHA visit and treat his guards as part of potentially granting access for the assessment. The remand prisoner is adamant that the abuse was received by security officials during transit, but is primarily concerned with his legal situation. He has not yet been provided with a hearing date nor been able to secure legal representation and is concerned that he will be indefinitely held.

Explanation of police custody prompt: The policy custody phase in the chain is often the most precarious due to the uncertainties surrounding the fate and circumstances of remand prisoners. This tends to be the period in which conflicting attitudes begin to ferment due to the high degree of uncertainty, stress and ambiguity associated with perceptions of indefiniteness. If not released on bail, remand prisoners frequently remain in custody until their preliminary hearing and sentencing, which rarely follows a distinct timeline, and are tasked with the additional difficulty of securing legal representation and continuing to attempt to make arrangements for dependents on the outside from their position of confinement. Foreign nationals in remand situations, especially those without diplomatic representation in the host state, face additional challenges in the form of language, cultural, and judicial barriers. This scenario prompt provides trainees with a more comprehensive understanding of the situational differences between remand and sentenced prisoners, especially in assessing their separate needs and concerns and facilitating contacts with relatives. Furthermore, it offers insight into the monitoring gaps, vulnerabilities, and difficulties associated with remand prisoners in securing legal representation and certainty over judicial proceedings.

Detainees in Court

"Fear, ignorance and poverty" can mean that, in addition to physical maltreatment being possible at court, detainees have difficulty in obtaining legal representation even in developed countries.[24] Recognizing the occurrence of this issue accentuates the importance of instituting a sustainable protection mechanism for detainees at court. The AH/BS-SPM attempts to address the challenges of poor detainees by monitoring court proceedings of vulnerable detainees in courts.

In court - scenario prompt: Due to the unlikely nature of NGO personnel actually being present during trial, IHA personnel receive a briefing on the legal process and general trial procedures specific to Atlantica based on Human Rights Watch and Amnesty International reports. Purportedly, the system is partial; detainees from the south report lacking access to legal representation, discrimination from predominantly northern judges and prosecutors, often indefinitely delayed hearings, and the conduct of hearings in the traditional language of the north thus requiring southern defendants to rely on interpreters (who are accused of poorly translating both what the defendant says and what is being discussed in court).

Explanation of detainees in court prompt: Even when defendants are granted what can be seen to be a fair trial or hearing, they still face a broad range of hurdles, including a potential lack of meaningful legal representation, an understanding of the accusations against them and the legal proceedings. Furthermore, an inability to afford any fines imposed may mean they have to remain in custody instead. While international standards, bodies of law, and watchdogs such as Human Rights Watch and Amnesty International monitor discrepancies, enforcement mechanisms and monitoring agents are limited, especially in states facing

NIAC, where organizations such as ICRC only have a limited mandate to offer services. Furthermore, those services often apply to pre- and post-hearing situations, not necessarily hearings and legal proceedings themselves. Subsequently, this scenario prompt is designed to introduce participants into a reality-based situation involving defendants subject to a perceived or actual partial legal system. The intent of the scenario is primarily two-fold: first, to cultivate an awareness of the hardships endured by defendants during trial proceedings, which are linked to post-trial grievances and the continuum of their experience in the penal system; and, second, to accentuate the monitoring gaps associated with trial proceedings and to prompt a discussion following the brief on linkages between detainee custody and broader conflict concerns.

Figure 4: *Arrival at court*

Picture by the Consortium for Humanitarian Service and Education(CHSE)

Prisons

As set out in the background section, there are numerous existing mechanisms in place which allow for the protection of detainees and POW in prison. The AH/BS-SPM suggests the additional or alternative of designating a legal mandate of monitoring to an independent

agency such as the simulated agency IHA.
Prisons – scenario prompt: During the actual prison visit negotiated by IHA personnel, the detainee from the previous scenes is now a sentenced prisoner within the long-term holding section of Black Swan. Prior to the visit, a local national in the village claims to be the detainee's wife and says he is an activist and journalist who opposes the regime in power, hence the reason for his arrest and subsequent detention. During the prison visit, the now sentenced detainee acknowledges that he is a journalist, but claims he is a third country national and denies the local national villager as his wife. This prompt is designed as a sub-prompt to the broader prison assessment and visit conducted based on ICRC best practices.

Explanation of prisons prompt: This scenario prompt relates to the overall simulation associated with a broader assessment of prison conditions related to the stipulations of Geneva Conventions III and IV and the ICRC limited mandate for offering services to visit and assess prisons during NIAC. It is specifically designed to follow the detainee role-player from his initial point of arrest to sentencing and final transport to long-term central holding in the Black Swan. The broader intent of the prison visit as a training module is to cultivate an awareness of general prison populations "who have been deprived of their liberty, many of whom are likely to be mentally disturbed, suffer from addictions, have poor social and educational skills and come from marginalized groups in society."[17]

Discussion and conclusion
The limitations of the Atlantic Hope and Black Swan model include the fact that it does not differentiate between legal mechanisms under IHL and IHRL and with respect to the monitoring mechanisms under UNCAT/OPCAT and the ICRC. For

example, it does not explain in detail how the framework could be applied to different categories of detainees. Additionally, no full analysis of participant feedback has been done to date. The *Humanitarian Operations: A Field Guide (2013)* is currently being tested with a view to revision, which is likely to have an impact on the current model. Additionally, it is recognized that, even though the scenario is intended to be in a country where humanitarian workers are posted, it is inevitably influenced by the political and historical backdrop in America where the participating universities are based.

Despite these drawbacks, the Atlantic Hope simulation exercise on monitoring detainees and visits to the Black Swan prison represents an useful teaching model to enhance the sustainable protection of detainees and POW during incarceration. The simulation entails comprehensive monitoring, assessment, visits, and the provision of other services to detainees from the point of arrest, during transition to prison, imprisonment, and eventual release. It is hoped that, as a result of this training, graduates' awareness is heightened and they will use aspects of the sustainable protection model in their future important work in the field.

This study acknowledges that international humanitarian law and human rights law provides protection for detainees and prisoners of war (POW). However, there remain concerns that monitoring, particularly between the point of arrest and eventual remand in prison, can be inadequate[8] or absent.[7] The AH/BS-SPM represents a framework to achieve this objective through readiness training for potential humanitarian personnel. Additionally, the CHSE recommends the testing of SPM with a view to establishing further international legal protection of people deprived of freedom right from the point of arrest.

References

1. Gasser H-P. International humanitarian law. In: Haug H, editor. Humanity for All Henry Dunant Institute/Paul Haupt: Berna/Stuttgart/Viena; 1993.

2. Gasser H-P. Choices more ethical than legal - The ICRC and human rights. International Review of the Red Cross (1961 - 1997). 1994a;34(298):81–3.

3. United Nations Economic and Social Council. Standard Minimum Rules (SMR) for the Treatment of Prisoners. Approved 31 July 1957 and 13 May 1977. Available from: http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx.

4. United Nations Economic and Social Council. Standard Minimum Rules (SMR) for the Treatment of Prisoners (the Mandela Rules). Approved 18-22 May 2015. Available from: http://www.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx.

5. Carver R. Torture, International Law and the Enigma of Prevention. Paper presented at: "Instituciones Nacionales de Derechos Humanos (INDDHH) y la Implementación de las Recomendaciones del EPU Relacionadas a la Prevención de la Tortura; December 2011; Universidad de Palermo, Buenos Aires.

6. ICRC. Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I): Annex I - Regulations concerning identification (as amended on 30 November 1993).

7. Carver R, Handley L. Does torture prevention work? Liverpool: Liverpool University Press; 2016.

8. Forcese CA. New Geography of Abuse-The Contested Scope of US Cruel, Inhuman, and Degrading Treatment Obligations. Berkeley J Int'l L. 2006;24:908.

9. Hounmenou C. Monitoring Human Rights of Persons in Police Lockups: Potential Role of Community-Based Organizations. Journal of Community Practice. 2012 Jul; 20(3):274–92.

10. Pinard, Michael, Poor, Black and 'Wanted': Criminal Justice in Ferguson and Baltimore. Howard Law Journal 58(3);2015.

11. Forage PC. Field Training for Humanitarians and Peacebuilders. In Smith D, Peacebuilding in Community Colleges. United States Institute of Peace; 2013. P.189–198.

12. Customary IHL, Rule 124. Available from: https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule124

13. Lederach J. The Little Book of Conflict Transformation: Clear articulation of the guiding principles by a pioneer in the field. Intercourse, PA: Good Books; 2003.

14. Kobler AL. Figures (and Perhaps some Facts) on Police Killing of Civilians in the United States, 1965–1969. Journal of Social Issues. 1975 Jan 1;31(1):185–91.

15. Anderson LW, Krathwohl DR, Airasian PW, Cruikshank KA, Mayer RE, Pintrich PR, et al. A Taxonomy for Learning, Teaching, and Assessing: A Revision of Bloom's Taxonomy of Educational Objectives, Abridged Edition. 1 edition. New York: Pearson; 2000.

16. United Nations. Body of principles for the protection of all persons under any form of detention or imprisonment. Adopted by General Assembly resolution 43/173 of 9 December 1988.

17. United Nations. Universal Declaration of Human Rights. Adopted by General Assembly in December 1948.

18. The Office of the Public Defender for Baltimore City and the Public Awareness Committee of the Maryland State Bar Association. Your Legal Right if Arrested. 2015 [Internet] Available from: http://www.msba.org/publications/brochures/arrestrights.aspx.

19. Scriven D. Blue on Black violence: Freddie Gray, Baltimore, South Africa, & the quietism of Africana Christian theology. Journal of Pan African Studies. 2015;8(3):119–27.

20. Coyle A. A human rights approach to prison management. Criminal Behaviour and Mental Health. 2003;13(2):77–80.

21. Burton J. Conflict: Human needs theory. Springer; 1990.

22. Gurr TR. Relative deprivation and the impetus to violence. Why Men Rebel. 1970;22–58.

23. Los Angeles Times "In Egypt, More than 35 Muslim Brotherhood Prisoners Reported Killed - Los Angeles Times," accessed January 18, 2014, http://articles.latimes.com/2013/aug/19/world/la-fg-wn-egypt-violence-muslim-brotherhood-prisoners-20130819.

24. Semple K. New Help for Poor Immigrants Who Are in Custody and Facing Deportation. New York Times. 2013 Nov 6.