



37th Annual MVHSMUN Conference

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The Work of Justice Shall be Peace

Committee: UNODC

Topic: Juvenile Justice Reform & Migrant Smuggling

Chair Bios:

Hello delegates! My name is Rachel Soo, and I will be your head chair for this conference! This is my third year in MUN, and it has been an absolutely amazing experience! In school, I'm a member of the varsity girl's water polo team and a captain for the girls swim and dive team! I'm also a part of Mission's IB program and clubs like CSF, NHS, and YANA. When I'm not completely swamped with work, I like to dabble in art and hang out with my friends! I'm super excited to be chairing for you all, and I look forward to seeing you all in committee! If you have any questions, you can contact the dais at mvhsmunadvunodc@gmail.com!

Hello Delegates! My name is Jenna Parsio and I'm excited to be your vice chair for the upcoming conference! I'm a sophomore at El Toro High School and I have participated in MUN for the first two years of high school. Besides MUN, I am also involved in ASB, Best Buddies, Girls League, CSF, and Capstone. I am on my school's varsity soccer and track team and I can't wait to meet you all in conference!! I look forward to hearing about all your solutions for the UNODC in January!

Position papers due on:

January 3rd, 2020

Email to:

mvhsmunadvunodc@gmail.com



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Juvenile Justice Reform

I. Background of Topic

Juvenile Justice is the part of criminal law that applies to people who are not legal adults. In the US, the age of adulthood is officially 18, however global consensus sets the age of responsibility at 12. Although the idea of disciplining children differently adults is sound, the international application of it has some major drawbacks. Some countries lower the age of responsibility. Others try children as adults and subject them to adult sentences. Some cases, however, are legitimate, and UN statistics show that youth crime rates have been increasing in recent years. Aside from addressing flaws in the juvenile justice system, it's also important to note the genuine increase in crime.

The age of responsibility varies greatly from country to country. In some countries, it's as low as 6 years old, and in others, it is set at 18 years. The median age is 12 years old, meaning that any person above the set age will be entered into the criminal system. This can have long-lasting effects on future jobs because it applies a negative stigma to a child that will stick with them throughout all of their adult lives. It makes it harder to integrate into society despite the fact that most youths do not commit multiple offenses.

On a similar note, there is also a problem regarding the unfair application of the adult justice system; some countries try children as adults. This situation is closely related to the effect of lowering the age of responsibility, except it has much more to do with the corruption of the legal system. Children can be arrested and detained for crimes that are not as extremely applied to children as they are to adults.

Addressing problems within the juvenile justice system is a large focus, however, there are also issues regarding juvenile justice in general. According to UN statistics, the age for crime has been decreasing while youth crime rates are increasing, so it's becoming more and more important to address. The reasons for violence in youth differ from country to country. Social,



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Economic, and political issues, however, often play a large role with each one being a different motivation for crimes.

The issue of juvenile justice reform affects every country. It's a major problem seeing as it concerns the upcoming generation, and it needs to be addressed. Every country has its own way of enacting justice, and the differences are as apparent as the wide range in age of responsibility is. Some countries are in violation of what is generally considered fair by the international community, which is why the UN must step in and ensure that the issue is handled peacefully.

II. UN Involvement

Clearly, the UN Office on Drugs and Crime (UNODC) has a large role in the UN in subjects regarding the reform of the juvenile justice system. Surprisingly, however, the formation of this branch wasn't the UN's first move towards reformation. In 1995, the UN adopted the World Programme of Action for Youth (WPAY). This program has three basic steps: prioritizing preventative measures, preventing violence, and rehabilitation of the affected youth. The program advised countries on signs to look for that might lead to increased rates of crime in children like poor family life, subpar living conditions, and inadequate education. The UNODC was formed two years after the program was adopted, in 1997. Although juvenile justice reform is not the main focus of the branch, it is addressed more specifically than it was before. Later in 1997, the Interagency Panel on Juvenile Justice (IPJJ) was also formed by the ECOSOC Resolution 1997/30. This panel consists of 13 UN agencies that work with NGOs like Penal Reform International (PRI) to create specialized plans for countries struggling with their juvenile justice system and policies. They also help enforce the rights of children in countries that do not necessarily respect adolescents.

III. Possible Solutions

Delegates, it's your job to create solutions to address the topic. Juvenile justice reform is a serious issue that varies extensively from country to country. Delegates are encouraged to be



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creative and original in creating solutions and realistic compromises between countries with differing opinions. One solution would be to continue to develop the work being done by the WPAY and the IPJJ. These organizations work to create country-specific solutions to disorganization in the juvenile justice system. Creating more specific branches of preexisting bodies that specify making international changes to the juvenile justice system could also help address the situation. Clearly, progress is being made, however, there is always more to be done. It's important to educate the public on what is going on. Education is always a good step to take, but it should never be used as a stand-alone solution. Juvenile justice reform is an international issue, so delegates should strive to create solutions that are compatible with countries all over the world.

IV. Bloc Positions

Asian: The Asian bloc has developed a very developed juvenile justice system to address the mistreatment of children and the implementation of international standards.

Latin American: The Latin American bloc places a heavy influence on the rehabilitation of adolescents already in the system in order to reincorporate them as working members of society.

European: The European bloc is extremely involved in their juvenile justice systems as they are constantly changing to implement new international standards.

African: Juvenile justice reformation is slow-moving in the African bloc, but it's moving in the right direction. Countries are slowly coming around to equal and fair treatment of children.

Middle Eastern: The Middle Eastern bloc is probably the most controversial when it comes to the subject of juvenile justice, however the push for reform is growing.

V. Guiding Questions

1. What are your country's policies on juvenile justice?
2. Does your country have any religions that may impact the rate of juvenile justice reform in the country?



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3. What are some negative aspects of international juvenile justice systems? What are some positives?
4. What are some aspects of the juvenile justice system that countries with differing opinions can agree on?

Helpful Links:

<https://www.penalreform.org/resource/justice-children-briefing-no4-minimum-age-criminal-responsibility/>

<https://www.hrw.org/topic/childrens-rights/juvenile-justice#>

<https://www.un.org/esa/socdev/unyin/documents/wyr11/FactSheetonYouthandJuvenileJustice.pdf>

<https://www.un.org/development/desa/youth/juvenile-justice-wpay.html>

<http://www.ipjj.org/about-us/ipjj/>



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Migrant Smuggling

Background:

With low risk of detection and punishment, migrant smuggling rates are rising in nearly every country around the world. As the numbers increase, criminal networks are beginning to uncover advanced routes to further decrease the chance of being penalized. The underground nature of this issue allows for smugglers to make a tremendous profit while putting the lives of thousands in immense danger. With a large number of migrants looking to improve life for themselves in another country, smugglers are given increasing opportunities to take advantage of this situation. Also, though human trafficking and migrant smuggling are often intermixed, they are two very different concepts. While they are both crimes, human trafficking punishes the individual, yet migrant smuggling is a crime that goes against the state. Next, migrant smuggling has become closely associated with the violation of several human rights and is in close relation with acts of terrorism, human trafficking, and money laundering. Last, depending on geographical location, specific countries have become more susceptible to these crimes. To conclude, with migrant smuggling rates at record levels and rising, it is important for countries to continue or start their discussion.

UN Involvement:

While putting a focus on implementing the smuggling of migrants protocol in most locations, the United Nations Office on Drugs and Crime is aiming to enforce three key factors. To begin, this protocol works to rid the smuggling of migrants around the world. In doing so, the high death rate of migrants whose lives are taken during the journey will be decreased tremendously or even combatted entirely. Another aim of the smuggling of migrants protocol is to protect the rights of smuggled migrants. This is an important focus to ensure the smugglers are not able to personally benefit off of the crime they have committed. The last aim of the protocol is to enforce the cooperation of all the states who will be implementing this protocol. This step is major because it is evident that some states have higher smuggling rates than others based on location. For example, a state that borders an ocean, and/or other countries, is more likely to have a high smuggling rate than a state surrounded by strictly other states. After a request from the General Assembly, the UNODC created a model law against migrant smuggling. This law was designed as a continuation to the protocol previously stated. The model was used to further enforce the use of the protocol throughout the states. The law was conducted over two meetings and the UNODC now offers the document in multiple languages to promote the usage. While these protocols and laws have been helpful, the UNODC has also held basic trainings to prevent this crime. The UNODC has held



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three meetings, These took place in 2008 and 2009 in Senegal, Egypt, and Nigeria. Lastly, the United Nations have developed a tool kit for as another was to enforce the statements made in the protocol. The toolkit is intended to provide information, scenarios, and resolutions to migrant smuggling in their countries. The UNODC is currently in the process of developing more advanced methods to combat migrant smuggling.

Case Study:

In the United States, migrant smuggling rates have been rising fast. With a majority of migrants coming from Central America towards the US-Mexico border. Though these migrants are often paying a smuggler for assistance, thousands are still dying on the journey. Of the migrant's expenditures, a majority is being forced into the possession of transnational criminal organizations (TCOs). These TCOs are benefitting from the smuggling acts that are occurring and have become a threat to the homeland security. In an attempt to combat this issue, the U.S. Department of Homeland Security (DHS) have worked hard to find substantial and usable evidence to prove the smuggling of migrants. The Homeland Security Operational Analysis Center (HSOAC) then developed a study to fill some of the gaps evidence could not be found for. The goal of the HSOAC was to prove the idea that migrant smugglers are fully structured, do business, and are well financed. Within this study a TCO that uses violence and corruption was uncovered. The researchers quickly discovered that the severity of these elements depended on the severity of the migrants. These networks of smugglers range from independent operators to formal networks. These and each group in between have their own set of services and structure. With these networks changing their routes and services often, the HSOAC is still investigating and looking for utilizable evidence.

Questions to Consider:

1. Has/is your country enforcing a law to discard the high migrant smuggling rates? If yes, have the impacts of this motion been positive or negative and why? If no, is your country currently working towards the removal of migrant smuggling and how?
2. Consider the viewpoints of your country, if any, are the punishments placed on smugglers who are caught reasonable? Will your resolution increase, or decrease the degree of these penalties?
3. Based on the geographical location of your assigned country, are migrant smuggling rates higher than in opposing countries, why or why not?



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Suggested Reading:

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Greenfield, Nunez-Neto Victoria A., Blas, Mitch, Ian, Chang, Joseph C., Rosas, and Etienne. “Human Smuggling Operations from Central America to the United States.” RAND Corporation, April 22, 2019. https://www.rand.org/pubs/research_briefs/RB10057.html.

“Illegal Chinese Immigrants Are Flocking to San Diego, Smuggled over the Border with Mexico.” *South China Morning Post*, January 10, 2018. <https://www.scmp.com/news/world/united-states-canada/article/1968984/illegal-chinese-immigrants-are-flocking-san-diego>.

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“Smuggling of Migrants.” *Migration data portal*. Accessed November 8, 2019. <https://migrationdataportal.org/themen/menschenschmuggel>