

**Forum:** The Commission on Crime Prevention and Criminal Justice

**Issue:** Measures to Reform the Juvenile Justice System to Ensure Fair Treatment for Minors.

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## Section One: Introduction Of The Issue

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### Introduction

The aim of the juvenile system is to take care of the unique needs and vulnerabilities of minors who have come into contact with the law. Challenges that chip away at the purpose of reintegration, equal treatment, and rehabilitation are often faced within this system around the globe. The psychological development of individuals under the age of 18 (minors) is not considered with punitive measures which is one example of the challenges faced today. Other examples include systematic biases and unequal access to legal representation.

The importance of reforming the juvenile justice system has never been more urgent in order to not only protect countless minors and safeguard their rights but also in order to encourage a just society that cares for its future and the overall well-being of its youth.

The juvenile justice system should be multifaceted resulting in the establishment of appropriate rehabilitation and education programs, sentencing and rules considering age, and providing legal protection against abuses in this system. According to the United Nations Convention on CRC which stands for the Rights of the Child, to which the majority of nations are currently signatories, all children have the human right to be treated in a manner promoting worth, dignity, and potential to be reintegrated into society.

However, despite these international commitments, disparities occurring in the treatment of minors by the justice system still exist. For example, in some jurisdictions, certain crimes committed by minors result in them being tried and tested as though they were adults, resulting in their exposure to harmful environments that hinder their development.

Furthermore, Minors from marginalized communities often face biases in the system which result in disproportionately harsher sentences. This is another example which emphasizes the need to reform the system.

The shift from retribution to rehabilitation is at the core center of the juvenile justice system reform. It has been demonstrated by research that mental health support, restorative justice practices, and community-based intervention reduce recidivism among the youth far more effectively than through unjust punitive methods.

The fact that juvenile justice intersects with numerous other critical issues, on the internet, such as access to education. Systemic discrimination or poverty should not be overlooked in the reformation process. Addressing the root causes is of utmost concern in order to deter further delinquency as well as provide fairness. Furthermore, the international community has an undeniable role in setting expectations and supporting cooperation throughout the journey of the juvenile justice system reform.

Mechanisms at the level of the UNODC and CCPCJ are crucial as forums for discussion, provision of gaining relevant support to other member states, and dissemination of best practices.

This position paper discusses the wages in which national policy may be brought into accordance with international standards and focuses on capacity building, integration of restorative practices, and legislative change.

This must be done in order to ensure the international community will move towards a juvenile justice system with equity, fairness, and the best interests of the child at its core principles.

## **Definition of Key Terms**

### **Recidivism**

Recidivism refers to an individual relapsing into criminal activities, usually after the person receives a penalty or intervention for previous crimes.

### **Restorative Justice**

Restorative justice refers to the examination of the aftermath of a crime and what can be done to salvage the harm that has been caused while holding the criminal accountable for their actions.

### **Rehabilitation**

When an individual is in the process of restoring their health through therapy and training after imprisonment, addiction, or illness.

### **Incarcerated**

To be confined in a prison.

### **Juvenile detention**

Short-term confinement for youth who have been arrested before a court has determined whether the minor is innocent or guilty.

## **Background Information**

The call to reform the juvenile justice system has arisen due to the fact that all cases revolving around juveniles must be treated with rehabilitation rather than punishment as well as fairness and protected rights. Despite international standards having been established previously. Disparities continue to persist and far too often power cycles of crime, discrimination, and poverty,

### **The condition of the juvenile justice system globally**

#### ***Disparities occurring within Legal standards and treat***

Different juvenile systems vary from across the world as in some countries this system includes treating juveniles as though they were adults for severe crimes with incredibly serious sentences, such as life sentences.

Many other countries are currently lacking the specific frameworks needed for juvenile offenders resulting in juveniles in adult courts. These inconsistencies highlight the lack of stability in the methods used in regard to juvenile justice.

Another factor is the socioeconomic and cultural biases that occur, playing a vital role in the unequal treatment often received. For example, the living conditions of minors from marginalized communities are usually influenced by systemic discrimination resulting in high rates of detention and arrest. Therefore these minors are being deprived of their right to legal representation, exacerbating injustices.

### ***Conditions within detention facilities***

A large majority of juvenile detention facilities across the globe are faced with overcrowding, restricted access to basic human rights such as education and mental health support as well as inadequate facilities. Furthermore, minors detained with adult criminals can result in the juveniles becoming victims of abuse and violence. Therefore such states reduce the efficiency of rehabilitation and can increase the physical harm, resulting in the juveniles' reintegration into society becoming more difficult.

## **Emphasizing the need for reformation: Rehabilitation overcoming Punishment**

### ***The significance of developmentally appropriate practices***

According to scientific evidence, both adolescents and children have yet to fully develop cognitively or emotionally. The United Nations CRC has made it clear that the approach for juvenile offenders must be oriented towards rehabilitation, aiming to prepare the minors for reintegration. Moreover, the punitive methods do not consider the possibility of change possessed by a juvenile and mostly lead to increased recidivism.

Restorative justice practices such as community service and victim-offender mediation have proven to be effective in promoting accountability while reducing harm. These approaches have reduced reoffending as they focus on repairing relationships and supporting personal growth.

## **Looking at the Root causes of juvenile crime.**

The foundations of juvenile justice reform require targeting other social factors such as poverty, systematic discrimination, or lack of education which contribute to the overall likelihood of juvenile crime.

Preventative measures include increasing mental health support availability and education. Numerous other countries such as the country of Sweden have illuminated the investment in community-based interventions that have the potential to significantly lower juvenile incarceration rates. Therefore what is needed is a comprehensive reform of the juvenile justice system around the globe, focusing on protection of the rights of minors, rehabilitation and reintegration into society, and fairness. Turning towards Better Detention conditions, disparity reduction, and developmentally appropriate methods are crucial steps in achieving these objectives.

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## Section Two: United Nations and International Involvement

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### Major Countries and Organizations Involved

#### United Nations Office on Drugs and Crime

The United Nations Office on Drugs and Crime (UNODC) holds a crucial role in the UN's efforts to promote juvenile justice reform through policy guidance, technical support, and capacity building to the member states.

Through the Global Programme on Violence against Children in the Field of Crime Prevention and Criminal Justice, the UNODC calls for the alignment of national juvenile justice systems with international standards, specifically including the United Nations standard minimum rules also known as the Beijing rules for the administration of juvenile justice.

Close collaboration with the UNODC with governments improves good practices in restorative justice and provides alternatives to detention, including counseling, probation, and community service. Furthermore, it minimizes exposure to minors who can easily have a disposition to recidivism, including poor rehabilitation programs or prolonged detention.

Based on research by UNODC, the organization demonstrates best practices around the world and encourages member states to undertake evidence-based reforms. UNODC's efforts are especially visible in locations where juvenile justice systems are underdeveloped, such as parts of Southeast Asia and Africa. Within these regions, this organization supports training for law enforcement, judicial officers, and social workers in order to handle cases involving minors more sensitively. By focusing on international cooperation and the rights of minors, the UNODC remains a key advocate for large-scale reformation in the juvenile justice system.

#### Norway

Norway has established itself as a strong global leader in regard to juvenile justice reform, by showcasing its commitment to rehabilitation and the protection of minors' rights numerous times. Despite countless countries relying on punitive methods in such cases, Norway's juvenile system is directed towards prevention and the reinsertion process into society through community interventions and restorative practices.

The Norwegian model prioritizes using alternatives to detention, ensuring that incarceration is the last possible option. The majority of the minors who find themselves in conflict with the law are often guided to special institutions for youth care, rather than to traditional detention centers. The focus of these facilities is on educating, providing psychological support, and building and developing skills; as a result, juveniles are provided with the means to successfully return to normal life and be reintegrated into society.

## **Relevant UN Treaties and Events**

The United Nations has long been a champion of juvenile justice reform, a framework for the protection of minor rights and fair treatment through treaties, resolutions, and global initiatives. A series of critical documents and events has framed the international agenda on this issue:

### **Foundational UN Treaties and Guidelines**

The Committee on the Rights of the Child, CRC, in 1989: The CRC forms the foundation of international initiatives aimed towards the protection of children. It sets the basic principles that juvenile justice systems must strive at rehabilitation, ensuring that detention should be imposed as a final resort and for the shortest possible sentencing.

### **The Beijing Rules, 1985**

United Nations Standard Minimum Rules for the Administration of Juvenile Justice or the Beijing Rules, set the minimum standards when dealing with cases involving juveniles in contact with the law, based on principles of dignity, fairness, and restorative justice.

### **The Havana Rules, 1990**

The minimum standards of treatment that minors, who are deprived of their rights and liberty should receive, considering access to education, humane conditions and health care, and rehabilitation.

## **Relevant UN Resolutions and Events**

General Assembly Resolution 69/157 (2014): This powerful resolution highlights the rights of children, calling upon countless member states to strengthen their juvenile justice systems in accordance with international standards.

### **UNODC Crime Congresses**

There are regular conferences held here discussing juvenile justice reform, developing global initiatives, and collaborating with other stakeholders in order to promote the sharing of best practices.

### **Sustainable Development Goal 16**

Promotes inclusive, diverse, and peaceful societies with equitable access to justice for all individuals and the development of efficient, accountable institutions. These events and treaties highlight important signals sent from the international community in favor of these systems that ensure that the rights, dignity, and potential of minors in contact with the law are safe and protected.

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## **Section Three: Solving The Issue**

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### **Previous Attempts to Solve the Issue**

#### **Beijing Rules, 1985**

The Beijing Rules set the standards that aimed towards developing rehabilitation rather than the detention of minors. Countless countries have accepted these standards, however their practice has been inconsistent. In numerous parts of the globe, politics and lack of resources prevented changes, and justice systems remained punitive rather than promoting restoration.

#### **The United Nations Office on Drugs and Crime Global Programme on Violence against Children**

The program has worked to support the alignment of juvenile justice systems according to international standards. It has enjoyed several successes in professional training and especially in restorative justice practices. However, its scope is significantly limited in under-resourced areas where systemic challenges persist.

## Regional Reforms in Scandinavia

Comprehensive juvenile justice reforms focusing on community-based rehabilitation have recently occurred in countries including Norway and Sweden which have shown the efficiency of restorative approaches.

## Possible Solutions

To ensure the equal and just treatment of juveniles and raise the juvenile justice systems to meet international standards, comprehensive reforms must emphasize the prevention of crimes, rehabilitation, and international cooperation.

### Strengthening Rehabilitation Programs

- **Restorative Justice Practices:** Implement programs including community service and victim-offender mediation to encourage accountability as well as reconciliation all while working towards reducing recidivism.
- **Education and Skill Development:** Provide minors with the crucial tools needed for reintegration into society through increasing access to vocational training, education, and mental health support both during and after detention.

### Legislative and Policy Reforms

- **Establish Age-Appropriate Sentencing:** Construct clear guidelines in order to differentiate the juveniles' offenses from crimes committed by adults and to ensure the sentences are in accordance with minors' developmental needs.
- **Alternatives to Detention:** Promote non-custodial measures, including house arrest or probation to limit unnecessary detention and the harms that could be caused as a result.

### Addressing Root Causes of Juvenile Crime

- **Community-Based Interventions:** Invest in early intervention programs that will focus on at-risk youth, including psychological support, guidance, and mentorship, as well as increased availability of education.
- **Reducing Systemic Biases:** Train judicial personnel and law enforcement to address biases that may affect marginalized communities disproportionately.



## International Cooperation and Capacity Building

- Encourage the sharing of best practices through member states by using platforms such as but not limited to the UNODC.
- Provide technical and financial assistance to developing countries in order to develop efficient juvenile justice systems.

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## Section Four: Resources

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