



Manlius Pebble Hill Model United Nations

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United Nations Children's Fund (UNICEF)

Chairs:

Genevieve Morrow

Ari Nemes

Preface

Welcome to the United Nations Children's Fund. The chairs for this committee will be Genevieve Morrow and Ari Nemes. Ari enjoys walking her dog and watching Netflix. Genevieve loves to play tennis and ice hockey in her free time. This committee will be run resolution-style which means that all debated resolutions should be typed and turned in before the conference. Delegates who wish to be considered for an award must submit a position paper for at least one topic and resolutions for both topics by 11:59 PM on Thursday, October 22nd to unicefmphmun@gmail.com. Guidelines for submission can be found [here](#). **Anything received after this time will not be accepted.** This year, our conference will be held virtually. For more information on this, please refer to our website [here](#). We are very excited to see all of the debate and solutions that arise during the committee. If you have any questions, feel free to email us through the committee email at any time. We look forward to a great conference!

Genevieve Morrow & Ari Nemes

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Introduction to Committee

The United Nations Children's Fund (UNICEF) "works in the world's toughest places to reach the most vulnerable and disadvantaged children. UNICEF works with the United Nations and its agencies to make sure that children are on the global agenda." This was founded as a successor to the International Children's Emergency Fund (ICEF), to help with post World War II relief work. Every five to six years, the UNICEF committee reports to the United Nations Committee on the Rights of Children. This committee relies entirely on funding from governments and private donors, and in 2018 the entire income was equivalent to 5.2 billion US dollars. A total of two-thirds of that money came from governments, while the rest came from other sources. Most of UNICEF's staff work within the field, with 150 country offices and headquarters, along with 34 national committees that help carry out its mission.

Topic 1: Child Rights in the Judicial System

Introduction

Few groups of people are as vulnerable as children in the judicial system. Compared to adults, children are more vulnerable, emotional, and impulsive, yet they are tried often in adult courts. Regularly, kids are sent to court for conflicts with the law or other issues such as being an undocumented migrant due to their parents illegally crossing national borders. Children are often detained for a wide range of reasons such as missing school or even begging for money in some countries. Within the judicial systems of some nations, many children are discriminated against due to their race, religion, nationality, religious views, or ethnicity. More than 1 million kids worldwide are denied civil rights when presented in the judicial system and often are detained. If children are denied their rights in the judicial system, it can cause long term effects on their mental health, along with exposing them to assault and abuse.

Throughout the world, many systems do not have child-sensitive procedures that can assist in the children's rehabilitation and integration into society. Children are often detained with adult prisoners, which can make them more prone to torture, physical and emotional abuse, and assault. From their arrest to their sentencing, children in the adult federal system often receive little to no attention. While children are not allowed to vote, join the military, or use alcohol and tobacco products in many countries, they are still often tried as adults. This is unfortunate, as their prefrontal cortex of a child's brain is underdeveloped, which hampers their decision-making and other functions.

In addition to this, many children who are arrested have faced some sort of trauma in their lives, making being tried as an adult even more harmful for these children. The National

Center for Biotechnology Information (NCBI) found that many arrested children have had “unmitigated Adverse Childhood Experiences (ACEs), including psychological, physical, and/or sexual abuse; witnessing domestic violence; living with family members who are substance abusers, suffer from mental illness or suicidal ideation, or are incarcerated.” Around 90 percent of children in the juvenile system have suffered at least two ACEs prior to being incarcerated. Although it is banned under the U.N. Convention on the Rights of the Child and various other international laws, children all over the world are still sentenced to life in prison. Some countries have better juvenile justice systems, with greater friendliness of their family courts, and the provision for free youth attorneys. In some nations, a child cannot be tried as an adult until the child turns 18, however, this may be extended beyond this age when deemed appropriate. Punishments should be decided more based on the minor’s personal circumstances than with regard to the offense they committed, which is different compared to many other countries. UNICEF needs to address this issue promptly due to the risks that are involved with children being sent to adult institutions.

History

The fight for child rights in the judicial system is not new, and there have been many attempts to address this issue, with the US making strides that have helped on the global scale. This includes H.R 1949, which focused predominantly on mandatory minimum sentences on children that are in the federal criminal justice system. In this address, the US government decided that judges would have the power to consider how children differ from adult offenders before the sentencing and would “be allowed to depart up to 35 percent away from the otherwise

applicable mandatory minimum sentence.” However, this is just specifically for the United States.

In other nations, such as the Soviet Union in the 1930s, many children were sent to the gulag, the prison system at the time. The gulag was a forced labor camp that was put in place to re-educate enemies of the Communists, along with excavating natural resources from the soviet land. Many kids were just sent to the gulag system because their own parents were arrested, while some were born into the camps. These children faced social stigmatization, political and economic marginalization, and compromised opportunities for security in their future. The harsh nature of gulags gave many children PTSD along with trauma from being torn from society and abused within the labor camps. Many children essentially had their childhoods taken away from them, being forced to live in the labor camps throughout their childhood. Children under Nazi Germany were also sent to concentration camps, and around 1.5 million children were killed under the rule of Hitler.

However, many countries have made efforts to improve their judicial systems. Throughout Europe, nations have implemented laws to suit their history, culture, and values. For example, France decided to focus on education primarily in the Juvenile Justice System, with its first juvenile court legislation being passed in 1912. While there have been several efforts to strengthen child rights, they have remained poor throughout history.

Despite specific countries enforcing new laws, there is a national Convention on the Rights of Children, hosted by the United Nations Human Rights Office of the High Commissioner. Article 40 of Resolution 44/25 specifically focuses on the rights of children in the judicial system, which ensures that children have a fair trial in court, along with having their

privacy respected, and a minimum age a child can be determined to not have infringed against a penal law. However, the resolution never mentions an age in which they should be tried as an adult, which gives many nations the ability to place children in adult judicial systems. In terms of child's rights, this is one of the largest faults of the global community: the failure to set clear and thought-out laws to protect children, leading to loopholes within institutions, and putting these minors at risk.

Current Situation

Recently, child rights in the judicial system have been obstructed due to the amount of incarcerated kids within adult institutions and courts. The downfall of the global juvenile justice system is the lack of proper help for children with mental health needs. In the US, these children make up 65-70 percent of the population in the justice system. Children who are sent to prison often deal with mental health issues, which are often worsened by the living conditions in prison. Another major issue in the justice system is the crossover between children in both the welfare system and the justice system. This crossover of youth is disproportionately youth of color and girls. Most children in the welfare system are also poor, which makes them less likely to be able to afford a good lawyer, increasing their chances of getting longer sentences or possibly being wrongly convicted. When released from prison, these children face trouble reintegrating back into society due to past trauma.

There have been reports of nations such as Israel violating the rights of Palestinian children within the judicial system. Since 2000, at least 8000 Palestinian children have been prosecuted in Israeli military courts and around 75% of child detainees experience some sort of

physical violence. According to Israeli NGO B'Tselem, the conviction rate in military courts “verges on 100 percent” as Palestinian kids are often advised to plead guilty in exchange for shorter prison sentences. The most common cause of the arrest of Palestinian children is stone-throwing, which carries a maximum sentence of 20 years and sends approximately 500 children into detention centers each year.

Israel is just one of numerous nations around the world that does not provide adequate support for juvenile justice. Throughout Africa, South Africa is the only country that has a widespread legal aid system that is readily available and accessible to children. In other countries, such legal aid is harder to access, especially for those living in rural areas and in poverty. Courts are often situated in large towns, far away from the rural regions many live in. Gender imbalances also make it hard for girls within the system to get the recognition they need. These rural areas need child-friendly justice, which provides age accessible, timely, and thorough help for youth. The injustices children face internationally are widespread and in regards to the death penalty, while the International Covenant on Civil and Political Rights states that the death penalty should not be given to those under eighteen, the United States executed children until 2005, and countries such as Saudi Arabia, Iran, and Somalia are reported to continue such practices. Evidently, this issue is not localized to a particular region; it is widespread and needs to be addressed promptly.

While there is still a lot to improve, some countries, especially located in Europe, have already implemented some effective laws that have helped with keeping children safe. Since the 2000s, UNICEF has been working throughout Europe and Central Asia to create new reforms. Some examples of these reforms include: creating alternatives to detention, strengthening the

capacity in various institutions, and having professionals work with children in conflict with the law. These include social workers, police, judges, and prosecutors. Due to the work between UNICEF and the EU, the number of children in detention, before and after trial, has fallen by almost 60 percent from 2006-2012. Due to these reforms, children have had fewer encounters with abuse and assault which results in trauma and mental health issues.

Although UNICEF and the EU have conquered a lot, there are still many remaining challenges. This includes to “further reduce the average length of pre-trial detention based on the experience of countries like Moldova, Montenegro, and Kyrgyzstan, which achieved significant declines. This will require cross-country collaboration, learning, and exchange.” Another aspect that UNICEF needs to address is adequate treatment for girls within the system, ensuring that girls are not forgotten in the reform. Many judges throughout judicial systems are predominantly male, which can create a certain bias against females being trialed. There is currently a large justice gap for girls within the system, with many unmet legal needs that have to be established. Finally, UNICEF needs to work towards increasing access to information so that all children know their rights when they come in contact with law enforcement.

Around the world, children continue to face unjust conditions in judicial systems and prisons. With many children who are detained coming from low-income backgrounds or struggling with mental health issues, it is imperative for UNICEF to ensure the wellbeing of these children devising creative solutions that take a child-friendly approach to children and aid these children within facilities that harm the ability of the youth to learn and recover.

Questions to Consider

- How should nations handle children who repeat their actions after being released multiple times?
- How can developing countries gain the aid they need to fund the construction of better detention centers that provide the right resources for children to live?
- What are some alternatives to arresting children for smaller crimes, such as the use of drugs?
- What steps can be taken to ensure the equal treatment of girls and minorities within the judicial system?

Further Reading

1. A useful document that provides key facts on children in the justice system
<http://cfyj.org/images/factsheets/KeyYouthCrimeFactsJune72016final.pdf>
2. A resource that explains what juvenile detention can do to kids
<http://content.time.com/time/health/article/0,8599,1914837,00.html>
3. A PDF on how the UN can help children who are looking for justice
https://www.unodc.org/pdf/criminal_justice/Protecting_children_en.pdf

Topic 2: Reproductive Rights for Youth

Introduction

Reproductive rights, while often not spoken about due to archaic stigmas, are important rights relating to reproduction and reproductive health. These rights have been heralded by the United Nations, and at the United Nation's 1968 International Conference on Human Rights, it was stated that “reproductive rights embrace certain human rights that are already recognized in national laws, international human rights documents “and that “the right of all to make decisions concerning reproduction free of discrimination, coercion, and violence as expressed in human rights documents” is available. Reproductive rights are especially necessary for children due to their vulnerability and rapidly changing bodies. However, these rights are often denied to youth due to poor access to reproductive education, health facilities and care, and the prevalence of harmful practices like female genital mutilation (FGM), that violate such rights.

The lack of reproductive education has significantly contributed to a loss of reproductive safety and rights. Curriculum regarding sexual health and reproduction is often left out of schools due to views that it encourages youth to engage in inappropriate sexual practices. However, statistics show that denying the existence of reproduction does not promote abstinence, but rather it leads to unsafe sexual practices, increased rates of teenage pregnancies, and the spread of sexually-transmitted diseases.

The World Health Organization estimates that around 17 million girls under the age of 19 give birth every year, and complications due to pregnancy are the leading cause of death among teenage girls around the world. This devastating statistic reveals the low access to contraceptives, as well as the poor state of global healthcare for pregnant teens. Adolescent births are

particularly likely to occur in low-income communities, where a lack of employment and education are more frequent. This disparity has furthered the stigma and shame surrounding these issues and made it more difficult for reproductive rights to be recognized as an important issue. Evidently, reproductive rights for the youth is a multifaceted issue, and ensuring reproductive rights of young people around the world is imperative to ensure the safety of the future generation.

History

The fight for reproductive rights for youth has been a tumultuous and difficult road. Within the US, Margaret Sanger is often credited with beginning this fight, as she opened the first clinic focused on reproductive health in 1916. This was considered radical at the time, as the Comstock Act was in effect, which outlawed the sale and distribution of contraceptives and birth control in the United States. Sanger was charged with violating the Comstock Act, but she went on to establish the National Committee for Federal Legislation for Birth Control as well as the American Birth Control League and is seen as a pioneer in this field worldwide.

The Comstock Act may seem shocking and archaic, but this was a normal kind of policy at the time, as abortion was not legal in any country during this era. The first government to fully legalize abortion was the Soviet Union in 1920, who then made it illegal again in 1936. Mexico also legalized it in 1931 but only in cases of rape. Besides reproductive rights being difficult legal issues, reproductive health was also a large social taboo and almost never discussed. It was barely a part of school curriculum in any nation, and concepts related to reproductive rights were seen as inappropriate due to the long history of stigmas surrounding this topic.

Reproductive rights have been stigmatized for thousands of years. For example, in religious scriptures, menstrual cycles are often described as dirty or impure. In the Quran, it states, “go apart from women during the monthly course, do not approach them until they are clean” (Quran 2:222). In the Bible it states, “...in her menstrual impurity; she is unclean... whoever touches...shall be unclean and shall wash his clothes and bathe in water and be unclean until evening” (Leviticus 15). Communicating that natural reproductive bodily functions like menstruating are unclean further the taboo and shame surrounding these issues. Additionally, these stigmas have kept sexual education out of education systems. Throughout many religions and cultures, it is traditionally believed that sexual intercourse should not occur before marriage, so discussion of sexual health and anatomy has often been deemed unnecessary and encouraging of premarital sex. Philosophers and historians debate about the origins of taboos surrounding reproduction, but these stigmas have taken a vast toll on the reproductive well-being of millions of youth for centuries.

As time progressed, despite the ever-present pressure of stigmas and taboos, in 1942, the American Birth Control League was changed to Planned Parenthood Federation of America. In the 1950s, Margaret Sanger and Planned Parenthood created the birth control pill. The birth control pill is an important tool for preventing unwanted pregnancy, especially for youth. Teenage pregnancy is a significant cause of high school dropouts, health issues, and financial and mental stress for those involved. The pill helps prevent such issues and is therefore an important facet of reproductive rights for youth. While created in the US, birth control has drastically changed reproductive health for youth worldwide. Rates of forced sterilization, homemade birth control methods, and other dangerous or harmful practices have decreased, and the birth control

pill is used by over 20 percent of women of reproductive age in 27 countries worldwide. The work of Sanger, Planned Parenthood, and the birth control pill drastically shifted the public view of family planning, contraception, and other issues involving reproductive health within America and abroad. They did this by making often taboo services and products available in a very public way, which deconstructed stigmas and widely increased access to tools for reproductive rights, especially for vulnerable and marginalized populations.

Despite this progress, gaining reproductive rights, especially for youth, has remained extremely difficult. For example, in many parts of the world, practices like forced sterilization and female genital mutilation are still in place, especially in areas like Africa, Asia, and the Middle East. Forced sterilization is the procedure of permanently eliminating one's ability to reproduce without their consent. This is an extreme violation of reproductive rights, because it removes a person's ability to make important decisions about their own body, and can cause long-term mental and physical damage due to the traumatic procedure. Youth are particularly vulnerable to forced sterilization because their guardians can often make legal and medical decisions without their consent. Forced sterilization was rampant throughout the United States in the 1900s. In 1927, the Supreme Court decided that it was a state's right to forcibly sterilize a person they deemed unfit to have children. Because of this, around 70,000 Americans were forcibly sterilized and many women who were low-income, minorities, or labeled "promiscuous" were targeted. The US also attempted to control the population of Puerto Rico by sterilizing women instead of providing alternative forms of safe and legal contraception. In the 1960s, women in Puerto Rico were 10x more likely to be sterilized than women in the United States. Additionally, female genital mutilation, or FGM, is a two-thousand-year-old tradition that

involves the partial or complete removal or altering of an (often young) female's genitalia. This invasive and unnecessary operation is performed with sexist beliefs that it will prevent premarital intercourse or prepare a female for marriage. However, there are no scientific health benefits to FGM, and it almost always causes mental and physical health complications.

While youth access to reproductive rights is still lacking, progress has been seen in the past few decades, as more than 50 countries have lifted restrictions on abortions, curriculum involving reproductive rights has increased in many nations' schools, and STD rates have decreased worldwide.

Current Situation

Millions of youth are still being denied basic reproductive rights worldwide. Even with ever-increasing communication and access to education, youth throughout the world are being silenced in matters regarding their own bodies, sexually mistreated in the hands of their guardians or medical professionals, and shamed by archaic reproductive stigmas. Much work must still be done before every child will have access to reproductive rights- a basic human right.

The legal standards for many facets of this issue such as abortion, birth control, forced sterilization, and sexual education widely varies by nation and region. In regards to abortion, only six countries prohibit the practice entirely, but many others only allow the procedure when it is needed to save the woman's life. It is estimated that only 59% of females of reproductive age live in a country that will broadly allow abortions. Laws that prohibit abortion do not largely prevent the practice, but simply deny access to a safe abortion from a trained, medical professional. Because of this, many women turn to unsafe abortions which are often performed

in unsafe environments by those that lack proper medical training, increasing the chance of dying during the procedure. WHO estimates that annually there 25 million unsafe abortions each year, most of which occur in developing countries. WHO also reports that almost every abortion death could be prevented by providing sexual education, contraception, and safe and legal abortion. Additionally, birth control and contraceptive distribution greatly vary worldwide. Low and middle-income women are denied or do not have the ability to access modern contraceptives at a much higher rate than high-income women. It is estimated that more than 218 million women have an unmet need for birth control or contraceptives. This lack of access has likely drastically increased rates of unwanted pregnancy and the transmission of sexual diseases. The pill is also often needed for removing hormonal acne, weight gain or loss, reducing risks of ovarian cysts and certain types of cancer, and more. This means that women who need birth control pills for health reasons still may not be able to access it due to the stigma surrounding one of the pill's uses.

Sexually transmitted diseases and infections, STDs or STIs, are still plaguing millions worldwide, causing worsened health and draining medical budgets. More than one million STIs are acquired every day, with the highest rates of transmission occurring within the 20 to 24-year-old age group, followed by 15 to 19-year-olds. Furthermore, within these age groups, marginalized populations such as sex workers and prison inmates, who often have limited access to adequate medical attention, are contracting STIs at higher rates. However, health services for screening, testing, and treatment of STIs remain weak worldwide. STI treatment is often a private matter and is not accessible within public medical ability, which means that it is much more expensive and difficult for low-income persons to access. This limited access to treatment

is concerning, as sexually transmitted diseases and infections can cause weakened immune systems, infertility, and even death. Limited access is especially hard for youth, because if STI treatment is not widely and easily available, they may have a more difficult time accessing it because they are usually not of legal age to make doctor's appointments and medical decisions for themselves.

Many dangerous medical traditions that are based on myths or misogyny are still in use and are being forcibly practiced on millions of youth every year. There have been many recent cases of the invasive practice of forced sterilization, which violates reproductive rights by removing the individual's ability to consent, in many nations throughout the world. For example, in 2011 and 2012, scores of HIV-positive Namibian females, many underage, reported being forcibly sterilized by authorization of the Namibian government. Similar cases have occurred in nations such as South Africa, in which the Gauteng Health Department paid nearly \$46,734 in an out-of-court settlement to a 32-year-old HIV-positive woman when she reported being forcibly sterilized when she gave birth in 2009. Another misogynistic and dangerous reproductive procedure that is still being widely practiced is female genital mutilation, or FGM. World leaders have pledged to outlaw the practice, yet half of all girls who have undergone FGM or are at risk live in three countries - Egypt, Ethiopia, and Nigeria - all of which have laws against FGM. There are also many countries that have no official laws or legislation banning the practice. Even in countries that ban FGM, enforcement is often lax, as seen in the three aforementioned nations. Because of this lack of legislature and the presence of archaic beliefs that promote FGM, more than 200 million women alive today have experienced this extreme violation of reproductive rights. While the United Nations, national governments, and non-governmental organizations

have made some progress in the fight for reproductive rights for youth, much work still must be done.

Questions to Consider

- How can stigmas and ideas regarding reproductive rights be lifted without disrespecting traditions and cultures?
- How can UNICEF work towards ensuring equal access to reproductive healthcare across socioeconomic backgrounds?
- Should parents be involved with their children's reproductive health or should children be able to seek care on their own?
- Is there a way to ensure that medical professionals do not abuse their power and violate reproductive rights?

Further Reading

1. An in-depth history of the legal aspect of reproductive rights:
<https://family.findlaw.com/reproductive-rights/reproductive-rights-law-and-history.html>
2. An international case for increased access to sexual and reproductive rights:
<https://www.guttmacher.org/gpr/2015/02/sexual-and-reproductive-health-and-rights-are-key-global-development-case-ramping>
3. A description of reproductive justice:
<https://www.dissentmagazine.org/article/reproductive-justice-not-just-rights>