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UNITED NATIONS OFFICE ON DRUGS AND CRIME
STUDY GUIDE

TOPIC A: Countering drug-traffic financed terrorism

TOPIC B: Treatment of juvenile offenders in correctional facilities

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LETTER FROM THE CHAIRS

Honorable delegates,

It is our great pleasure to welcome you to the 2018's United Nations Office on Drugs and Crime at SGMUN!

During four days of debates, compromises resolution writing and diplomacy, you will take the roles of delegates facing problems and finding solutions to challenges concerning the world these days. Keep in mind that at MUN, we discuss issues that the UN has not yet managed to settle or solve. Therefore, in many cases there is no obvious best practice and you may have difficulties to find specific instructions on how your country would like these issues to be tackled. In this case, we encourage you to be creative, while sticking to the general convictions of the country you represent, and together with your fellow delegates come up with your own original solutions. **This is what Model United Nations is about.**

Regarding that the UNODC is considered to be an intermediate committee, this does not mean that we do not have the highest of expectations of you. Preparation is the key for being a successful diplomat which is the exact purpose of this study guide: providing you with the first basic understanding of both topics on the agenda.

Nevertheless, no one is born as the perfect diplomat or negotiator, so please do not hesitate to contact us at any time with questions of any kind - no questions are unnecessary!

We are very excited to meet you in the beautiful city of St. Gallen and wish you all the success for your preparations and SGMUN 2018!

Yours,

Shai, Max and Jana



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Introduction to the Committee

The United Nations Office on Drugs and Crime (UNODC), was established in 1997 when the United Nations merged the UN Drug Control Programme and the Centre for International Crime Prevention into a single entity and received its current status in 2002 (UNODC, 2004).

In addition to dealing with crime prevention and criminal justice, the UNODC's also aims to educate the world about the dangers of drug abuse while strengthening international cooperation and action against drug production, trafficking and international and national crime, including drug related crime (United Nations, 2014).

The UNODC has a broad range of initiatives that include alternative development projects, anti-money laundering and illicit crop monitoring programmes put in place to achieve its mandate. Working alongside member states, the Office promotes stable and viable criminal justice systems, strengthens the rule of law and combats the growing threat of transnational organized crime and corruption (Ibid).

With over 20 national and regional locations spread around the world capable of reaching over 150 countries, the UNODC primarily relies on voluntary donations from Governments that make up 90 percent of its budget. The various field offices work directly with local governments and non-governmental organizations, developing and implementing drug control and crime prevention programmes tailored to the specific requirements of the countries in need of assistance.

The three pillars of UNODC's work include:

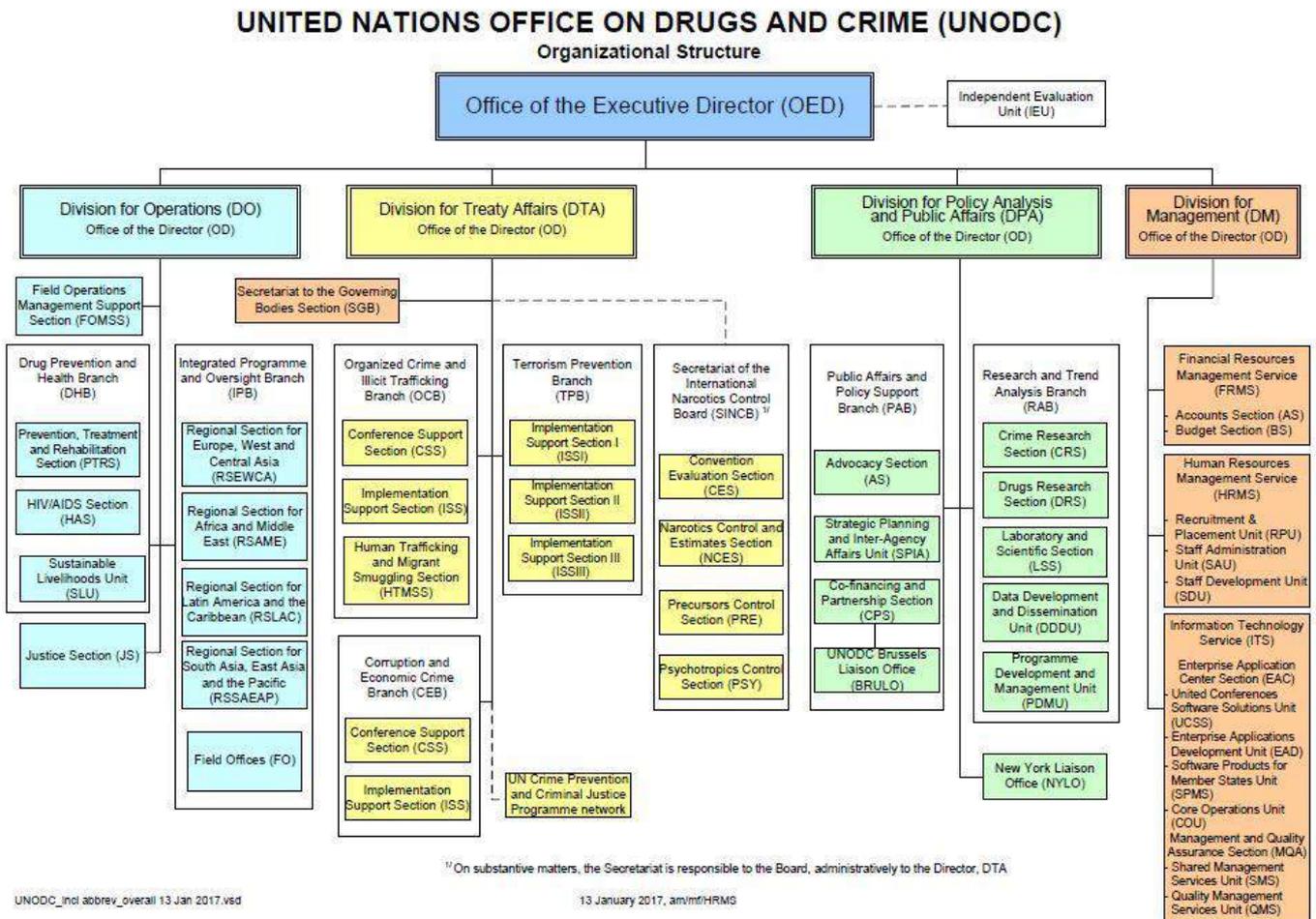
- Research and analytical work to increase knowledge and understanding of drugs and crime issues and expand the evidence base for policy and operational decisions;
- Normative work to assist States in the ratification and implementation of the international treaties, the development of domestic legislation on drugs, crime and terrorism, and the provision of secretariat and substantive services to the treaty-based and governing bodies; and
- Field-based technical cooperation projects to enhance the capacity of Member States to counteract illicit drugs, crime and terrorism.

In short, the UNODC serves as a liaison between all states in the fight against transnational organised crime and the drug trade— it is also the main body assisting states in the ratification and implementation of international agreements and treaties. The UNODC therefore does not mandate action in and of itself, operating in more of an advisory capacity to states in helping

them resolve pertinent issues (UNODC, 2014).

Perhaps the most significant public output of the organisation are its reports; the UNODC produces an annual World Drug report, as well as a variety reports on the other issues it covers – including, for instance, crop monitoring surveys for countries and regions.

Figure 1- UNODC Organizational Structure (UNODC-
<https://www.unodc.org/unodc/en/evaluation/organizational-structure-of-unodc.html>)





HISTORY OF THE TOPIC

Although the link between terrorism and other related crimes, such as drug trafficking, is evident and has been recognized by the United Nations Security Council, a deeper understanding is needed in order to develop solid strategies to prevent and disrupt these crimes.

During the Cold War, state sponsors such as the Soviet Union and its allies, including Cuba, provided funding and other support for terrorist organizations. Since the collapse of the Soviet Union and its East European allies and the end of the Cold War, state sponsorship of terrorism has come under greater international scrutiny and condemnation.

International pressure against Islamic terrorist and extremist groups, in particular, and state sponsors of terrorism in general, increased dramatically after al Qaeda's terrorist attacks against the World Trade Center and the Pentagon on September 11, 2001. During the Cold War, state sponsors such as the Soviet Union and its allies, including Cuba, provided funding and other support for terrorist organizations. Since the collapse of the Soviet Union and its East European allies and the end of the Cold War, state sponsorship of terrorism has come under greater international scrutiny and condemnation. International pressure against Islamic terrorist and extremist groups and state sponsors of terrorism in general increased dramatically after al Qaeda's terrorist attacks against the World Trade Center and the Pentagon on September 11, 2001 (Beers & Taylor, 2002).

Since the end of the Cold War, there has been a significant decline in funding of guerilla and terrorist groups by ideologically motivated state sponsors. These groups have become dependent on drug trafficking as a funding source.

In most cases, the relationship between insurgent groups and drug-trafficking organizations or cartels is a mutually beneficial one that allows exchanges of drugs for weapons, use of the same smuggling routes, use of similar methods to conceal profits and fundraising. Guerilla and terror

groups operating in drug-producing regions of Afghanistan, Colombia, and Peru, for example, are heavily involved in the drug trade (Library of Congress, 2002).

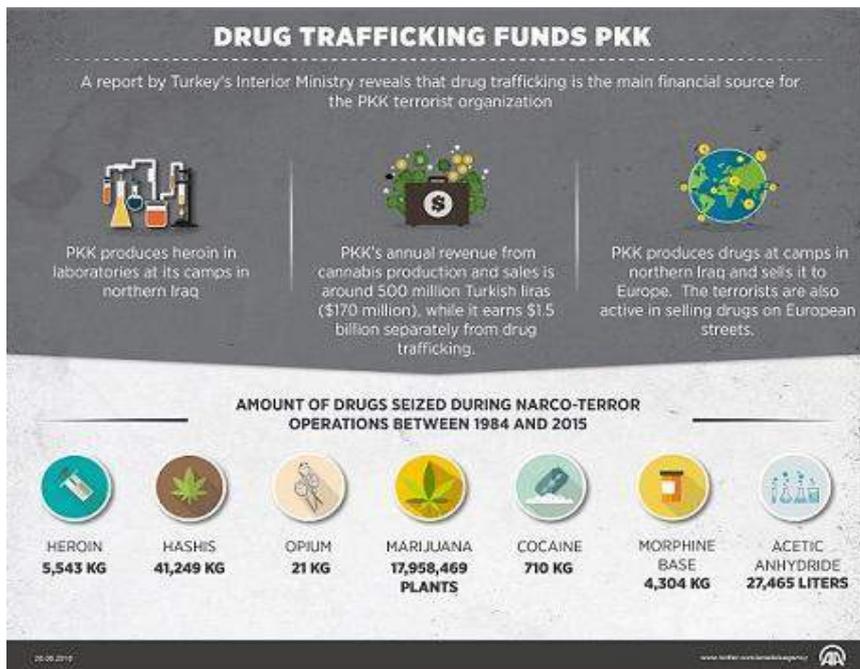


Figure 2: Drug trafficking funds PKK: Ministry report

(<https://www.aa.com.tr/en/anadolu-post/drug-trafficking-funds-pkk-ministry-report/597995>)

The Islamic terror network is not likely to give up using guns to destroy America and its Western allies. The increasing use of the same smuggling routes by terrorist groups and drug-trafficking organizations could have serious national security implications. As Tom Riley, spokesman for the Office of National Drug Control Policy, explained, “If you wanted to smuggle bombs into America, there is a ready-made network to do that. It is the drug network.” Canada and Mexico, sharing long borders with the United States, provide easy access and escape routes for terrorists. Numerous foreign terrorist groups, such as the Liberation Tigers of Tamil Eelam (LTTE) from Sri Lanka, are known to have branches in Canada (Jacoby, 2002).

ISSUES AND ASPECTS OF THE TOPIC

Financing of terrorism through drug money:

It has been recognized that amongst the methods of funding used by terrorists, the usage of money received from drugs has been an important, one, with many organisations in the past, and till this date receiving the sponsorship they need for their activities this way. It is seen that different regions are affected by this issue in different ways. It can, however, be concluded that the main benefactors of this, at this point, is the Islamic extremists. President Obama has stated that “terrorists are increasingly turning to crime and criminal networks for funding.”

It is important to bear in mind that there is no definitive proof to establish that, as a trend, the funds derived from drug trafficking is going to fund the terrorist and their activities, owing to limited intelligence. However, it is an accepted fact that such large sums of money are getting into the hands of terrorist organizations and guerilla groups. It is a given fact that drug traffickers are in business to make money while terrorists need funds to achieve their objective, and both, as seen in the literatures present, are interconnected.

Several reports made by many researched of the US library of Congress have observed and confirmed that many terrorist groups and indigenous guerrilla groups operate in drug producing regions. it also points out that the relationship between the insurgent groups and drug trafficking organizations are a mutually beneficial one. in some bases, as pointed out by Barry in his 2002 documentation, they have a modus vivendi relationship where one offers protection for various aspects of the drug production and trade operations within the territory they control for the funds they acquire. And in some instances, the terrorist organizations are directly involved with the production of the drugs, gaining all the funds acquired from its trafficking, as was documented by researchers in regions of Afghanistan.

TABLE 2 - Links Observed Between Terrorism and Illicit Drugs

YES	NO	Don't know / No answer
Algeria, Colombia, Comoros, Ecuador, Germany, Guernsey, India, Italy, Japan, Kenya, Kyrgyzstan, Lithuania, Mauritius, Mexico, Panama, Saudi Arabia, Senegal, Turkey, the United Kingdom, the United States of America, Uzbekistan, Yemen	Australia, Bahrain, Barbados, Burkina Faso, Denmark, El Salvador, Egypt, Estonia, Finland, Isle of Man, Latvia, Lebanon, Liechtenstein, Malta, Marshall Islands, Myanmar, Namibia, New Zealand, Oman, Poland, Romania, Sao Tome and Principe, the Slovak Republic, Switzerland, Ukraine	Azerbaijan, Costa Rica, Croatia, Greece, Qatar, Sweden, Syria, Uganda

Figure 3: Link observed between terrorism and illicit drugs: https://icclr.law.ubc.ca/wp-content/uploads/2017/06/LinksBetweenTerrorismLatest_updated.pdf

The Table above is from a UN Link questionnaire which asked the respondents whether they notice any link between terrorism and illicit drug trade, with about half of the respondents answering that they do.

It is acknowledged that the involvement of terrorist groups in drug trafficking is a serious threat to international security, firstly, it weakens the efforts of the states to combat the group and its attacks. This increases their ability to further their goals, undermines the legal market of



firearms, also have an increased access to resources such as arms. In cases such as Afghanistan, the cultivation and trade of drugs have become so integral to the economy and everyday life of the citizens there, that the influence or attempts to eradicate this might end up hurting the national economy, driving thousands of people into poverty. as Felbab-Brown had pointed out to Vice, “Opium is the economic lifeline in Afghanistan. The Taliban's message now is all about being 'protectors of the poppy', preserving the nation's livelihoods against Kabul's 'kaffir government'." Use of drug trafficking channels by terrorist groups can promote the radicalization of addicted populations and the rallying of local support, as was seen in the case of Al-Qaeda and their branches in India and central Africa, which can lead to political destabilization in the area.

The issue of laundering drug money:

"Money laundering" is not a legal term, but is used to describe the act "turning of dirty money into clean money" through various methods. UN Convention Against Transnational Organized Crime defines money laundering as: *“The conversion or transfer of property, knowing that such property is the proceeds of crime, for the purpose of concealing or disguising the illicit origin of the property or of helping any person who is involved in the commission of the predicate offence to evade the legal consequences of his or her action; or the concealment or disguise of the true nature, source, location, disposition, movement or ownership of or rights with respect to property, knowing that such property is the proceeds of crime” (Article 6, UN Convention Against Transnational Organized Crime).*

There are many known methods of laundering money, which have all been used by many terrorist and non-terrorist organisations to launder money which include casinos, bank deposits, pre-paid cards, bitcoins to name a few. However, it is important to note it is hard to detect when money laundering is happening in some of the methods, as Mr James had pointed out in his testimony to the US Senate, that some of the systems used to launder money “are also used for legitimate purposes like the simple transfer of money.”, pointing to the fact most systems are financed by drug money and are used by terrorist, owing to the anonymity provided and the covert movement of money required to support their activity. One of the most commonly used methods is the Black-Market Peso Exchange,

Back in the early 1980's, when Carlos Lehder, Pablo Escobar and the Ochoa brothers began their massive business of distribution of cocaine, forming the Medellin cartel, they did not



foresee the sheer quantity of US dollars they would end up making. and as the banks tightening their regulations, they began using the forum now known as the Black-Market Peso Exchange (BMPE). The Black-Market Peso Exchange is a trade-based technique to launder money and it has been used mainly to launder money obtained from narcotics trafficking. The main ones are based in Colombia and Mexico, and its attraction is that the dollars from the trade, mainly from the US, are used to purchase any number of legitimate commodities from unsuspecting businesses on behalf of legitimate South American businesspersons whose legitimate imports are used to obtain pesos for the drug cartels.

This has attracted a lot of traffickers since it:

1. avoids the problems of having large amount of cash detected at international borders,
2. avoids the depositing of large quantities of cash that would ring the alarms of many financial institutions in many jurisdictions
3. it is easy and quick to achieve access to such pesos.

The money traders are considered to be the linchpins of the BMPE, they are provided the cash by the cartels and then, the money traders will provide the equivalent amount in pesos to the cartel. In exchange for the commission the traders receive, the cartels have avoided the costs and dangers of smuggling and laundering the money through borders.

After the money has been laundered, the now clean money in the hands of terrorist organisations can be used legally to fund their activities and attacks.

Past action of the international community

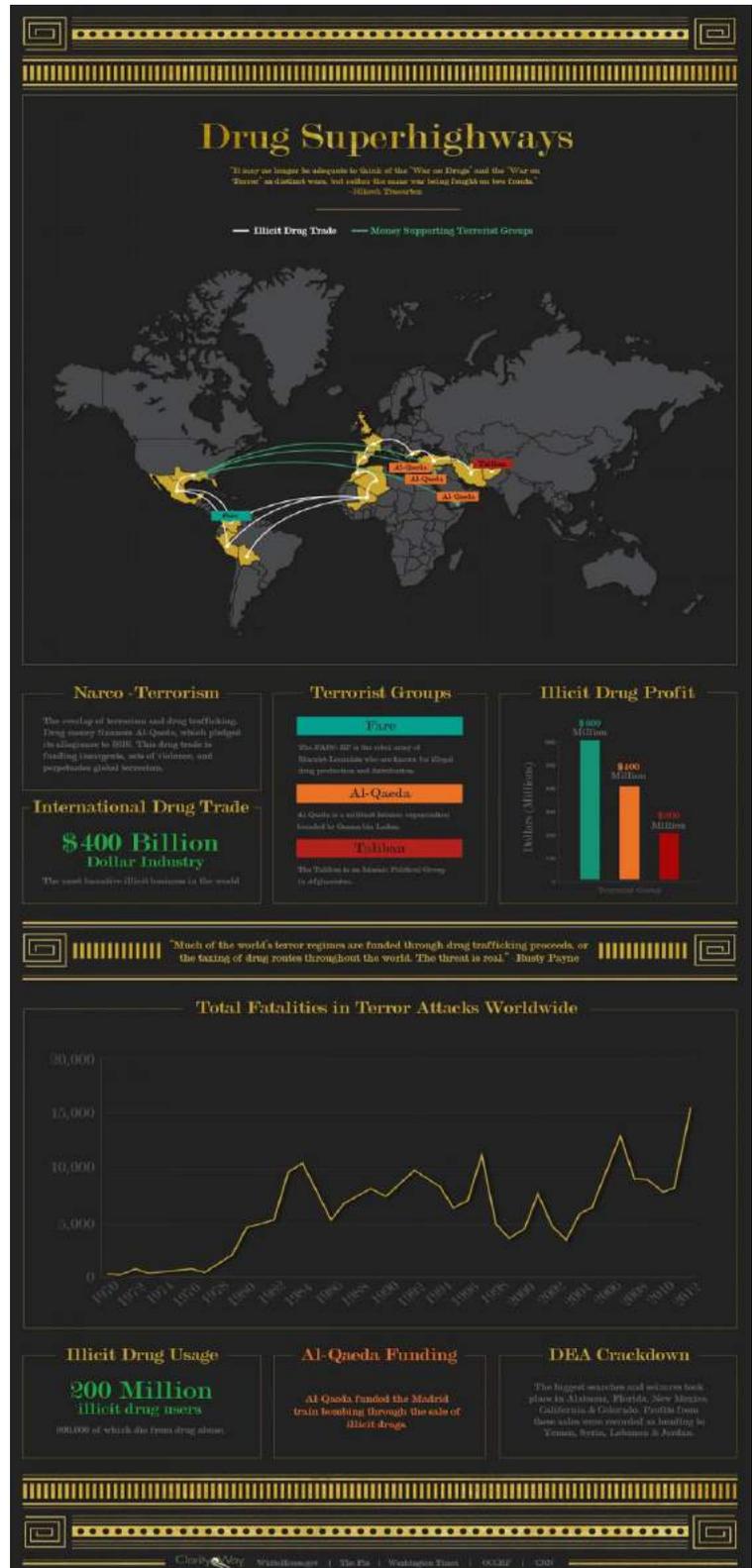
- UN Global Counter-Terrorism strategy, Pillar 2 in particular
- International Convention for the Suppression of the Financing of Terrorism
- Resolution 2178 (2014), Adopted by the Security Council at its 7272nd meeting, on 24 September 2014
- Resolution 2253 (2015), Sanctions framework, Outline Efforts to Suppress Terrorist Financing
- The 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime

Insights on the positions of the most important blocks and countries

Figure 4: Drug Superhighways: <https://visual.ly/community/infographic/health/high-way-between-drug-trafficking-and-terror-organizations>

Middle East and West Africa-

It has, for many years been seen that the terrorist organisations in the middle east have relied on the money obtained from drug trafficking to finance their activities. An FatF study regarding the opiate trade in the Afghanistan region discovered that multi-million-dollar profits were being made throughout the drug traffic networks having leaked into the funds of terrorist organisation. As per the United Nations Al-Qaeda and Taliban Sanctions Monitoring Team’s assessments, out of the total 2011/2012 budget of the Taliban of \$400 million - about one third was raised from the poppy trade. There have also been strong correlations between drug trafficking and TF in West Africa, involving groups like FARC and Hezbollah to name a few. An instance of drug smuggling from the region is in April 2011, when authorities arrested a British national at Islamabad’s Benazir International Airport who was attempting to smuggle 1.75 kilograms of heroin to the United Kingdom in his shoes. A female was arrested at Pakistan's Allama Iqbal International





Airport with 9kg of heroin valued in the millions of dollars. That same month, French authorities detained an entire crew from Pakistan's national carrier in the duration of a drug-smuggling investigation. Plus, in May 2017, UK border officials impounded a flight from Islamabad on arrival at London Heathrow airport. A quantity of heroin was found hidden in panels of the plane. A senior official in Pakistan's Anti-Narcotics force had stressed that *"Pakistan used to be the transit country for Afghanistan-produced drugs to the world. We have done a great job to counter it. We are still working hard to bring it to zero level,"*. However, the source of funding for such organisations in the region is not merely from trade within the middle east region, spanning all the way to America and Russia. It was stated that back in 2005, Afghanistan produced 87% of the worlds global supply of heroin, having grown from less than 5% in 2001.

The Italian prosecutor and anti-terrorism chef Franco Roberti stated that "Decriminalizing cannabis sales would strike a blow against Islamic State militants... who according to ongoing investigations, are smuggling hashish together" posing the question of whether decriminalization of drugs in states would be a feasible way to tackle the issue of drug trafficking and the money made from those trades funding terrorist organisations and their activities.

Boko Haram, reportedly, was also involved in the drug trafficking networks, smuggling heroin and cocaine across West Africa. During a Chadian criminal case against Boko Haram members, there were testimonies that in the UN World Drug report (Vol 5) that "considerable quantities of psychotropic substances had been recovered and that Boko Haram members were regularly involved in the trafficking in and consumption of those substances."

Latin America- Indigenous guerrilla and terrorist, and paramilitary groups found in the Latin American operate in drug-producing regions which is heavily involved in the drug trade business to acquire the required funds. Many international agencies have reported that radical Islamic activity in Latin America is closely connected to drug trafficking and arms dealing in the area. For example, they use the region to raise revenues through illicit activities that include drug- and arms trafficking, counterfeiting, money laundering, forging travel documents, and even pirating software and music. In addition to the terrorist links found in the regions of Colombia, Ecuador, Uruguay, Brazil, Argentina and Paraguay, U.S. border with Mexico and the porous borders of the Caribbean has provide a strategic haven for terrorists, given their links to drugs, arms, and money laundering.



(EU): As many as 5 EU member states have taken steps towards the decriminalization and legalization of drugs in order to eliminate their illicit use and trade. Deeply concerned about human rights violations, the EU supports humanitarian aid to the affected regions and cutting down funding for terrorist organizations as a way to weaken them (Björnehed, 2004).

Non-Aligned Movement (NAM): For some countries in this, the UN's largest bloc, this is a very sensitive issue. The vast majority of Latin American countries are pushing for the decriminalization and legalization of drugs. Through establishing legal ways to regulate drugs, cartels lose a significant part of their revenue and it will be easier to trace illegal channels of drug trade associated not only with cartels but with government officials as well. African countries, especially in Central and Western Africa are also primarily affected by this issue because of terrorist organizations' disregard of national borders. Causing drug addictions of local populations and undermining the official government are two of the most devastating consequences of the nexus between terrorism and illicit drug trafficking. Also, African countries have repeatedly expressed their complaint regarding lack of voice in the international dialogue about these problems (Roy, 2014).

Russian Federation: Drug control is a strict practice in Russia as well. The government shows little signs of moving towards decriminalization of drug possession or consumption. There are some local terrorist organizations financed by drug trade posing a threat to the Russian national security, which have been met with heightened security and preventative measures. Illicit drug trafficking is the biggest threat that the instability of the Middle Eastern region poses to Russia, since a significant portion of drugs originate in Afghanistan. Russia, therefore has been one of the most active fighters against Islamic terrorist groups via air strikes (Ibid).

United States: Even though attitudes towards some drugs are slowly changing, the U.S. maintains a non-tolerant policy towards the possession and consumption of the majority of drugs. When dealing with international terrorist organizations associated with drug trafficking, the US has attempted to impose sanctions by cutting financial and other types of aid. Once a terrorist organization poses a serious threat to national security, as it happened with Al Qaeda or more recently with ISIS, the U.S. has increased border security, monitoring of civilian activities suspect of terrorist association and of course drone strikes and training of government militia to respond to terrorist activity (Haupt 2009).



Guiding and critical questions

1. Who to create an international framework and global cooperation to end such drug trafficking?
2. Should the legalization of drugs be considered as a potential method of curbing drug money funding terrorist and their organisation?
3. What kind of mechanisms can be introduced to stop the laundering of money through the aforementioned methods?
4. How to stop the laundering of money through the peso brokers? Can we regulate and eradicate them?
5. Is the drug trafficking originating from one/targeted regions? How to stop the trafficking of such drugs from those regions into the international market?

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Topic B: Treatment of juvenile offenders in correctional facilities

History of the Topic

Differentiating between adult and juvenile convicts is seen as something almost natural in our society. The crimes of under-aged felloners usually are not punished as harshly. Often their sentences are supplemented with therapy and education. However, according to estimations of the UNODC, about one million minors find themselves deprived of liberty as a direct result of conflict with the law. The special status of children in legal systems already started in the 19th century. Different approaches such as private homes for criminal children or even an early division in prisons were implemented in various countries such as the United Kingdom, the German Empire or the USA. The latter officially established the state’s ability to act in the role of the parent in 1839. However, this was a long process. Only in 1990, the General Assembly of the United Nations adopted the “United Nations Rules for the Protection of Juveniles deprived of their Liberty “.

This concept of a distinct justice system for juveniles focused upon treatment has come under attack in recent years. Beginning in the late 1980s, communities across the nation began to experience dramatically increased rates of juvenile crime. The arrest rate for violent crimes of both males and females began to increase in 1987 and continued to escalate until the mid1990s. Although this trend appears to have reversed, rates of serious crimes committed by juveniles remain well above historical levels. The increasing incidence and severity of crimes committed by juveniles led many to question the efficacy of the juvenile court system and to call for a harsher response to juvenile crime. Juvenile delinquency that results in serious offenses has come to be viewed as more a criminal problem than a behavioral problem, resulting in a shift in public response to the management of juvenile offenders.

The criminal justice system is comprised of a range of different types of correctional facilities, as you can see in [figure 5](#) (Alexandra Gates, Samantha Artiga, and Robin Rudowitz, 2014).

Figure 1
Overview of Types of Correctional Facilities

	Prisons	Jails	Community Supervision
Jurisdiction	Federal or State	Local	State, Federal, Local
Offender Status	Convicted of a felony	Pre-trial or convicted of a misdemeanor	In lieu of or post-incarceration
Length of Stay	More than one year	Less than one year	Varies

Issues and aspects of the topic

Recent reports showed, that crimes committed by minors often follow the pattern of gang-structures and are most likely to be committed by gang members. This is often sparked by social insecurity, poverty and inequality. However, they are not the prime causes for crimes, but simply act as important factors when combined with other triggers of criminal behavior. According to the latest UN reports on this topic, there seems to be a correlation between urban environments and juvenile delinquency. Often, incarceration is the immediate answer provided by penal codes, even for petty crimes such as drug possession or minor thefts. Studies have shown that minors sentenced to incarceration in a correctional facility rather than an education-focused intervention unit have a much higher chance of relapsing

Therefore, this topic needs discussion on various levels. An assessment of the actions of the international community must be made. Furthermore, a convenient solution within the framework of human rights as well as children's rights must be found, while respecting the boundaries of national sovereignty. The UNODC already agreed on an extensive code concerning non-custodial measures, thus innovating the debate of alternatives to imprisonment. These guidelines are known as the Tokyo-Rules.

Past action of the international community

The Prisoners' rights, in general, and juvenile in particular, in international law are found in a number of international treaties, while most of them came into existence following the two World Wars and the body of law continues to be added to and amended.

UNODC has developed, in cooperation with the United Nations Children's Fund (UNICEF) and the International Bureau for Children's Rights, a model law to assist States in adapting their national legislation to the provisions contained in the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime (resolution 2005/20 of the Economic and Social Council), which forms part of the United Nations standards and norms in crime prevention and criminal justice, as well as in other relevant international instruments (UMODC).

Most states recognize the need to treat juvenile offenders differently from adult offenders within the Criminal Justice System. The international community has also established guidelines and rules to promote the rights of a juvenile:

- In 1985, the “United Guidelines for the Prevention of Juvenile Delinquency” and the “United Nations Rules for the Protection of Juveniles Deprived of their Liberty” discuss the issue of treatment of juveniles and the prevention of juvenile delinquency/crime.



- In 2000, the Tenth United Nations Congress took place in Vienna. During this congress, the importance of taking measures to prevent juveniles from becoming delinquent, or to be recruited by adult criminal groups, was highlighted.
- In 1998, The Convention on the Right of the Child was adopted, which contains several provisions calling upon the State Parties to ensure an effective Juvenile Justice System.

In the United Nations Asia and Far East Institute (UNAFEI) Newsletter (2007:2), for example, it is highlighted that it is necessary for more countries to become aware of the issues surrounding the treatment of juvenile offenders, and the importance thereof, and to take action to implement changes in their legislation and/or practices to improve their Juvenile Justice System. Furthermore, in addition to improving the treatment of juvenile offenders, the need exists to establish a system that will assist juveniles to reintegrate into the community upon their release (Treatment of juvenile offenders and their reintegration into society, 2010).

Dangers and controversies

There are drastic differences between the UNODC Member States regarding the implementation and interpretation of the rights of juvenile convicts. Firstly, most countries disagree on the question, if minors should receive prison sentences at all. While this is seen as only the last resort in countries, such as Norway, other countries including the United states or Malaysia insist on harsh penal codes for juveniles or are reluctant to apply more liberal reforms. Furthermore, one can spot great diversion in the treatment of juvenile offenders in correctional facilities. This treatment might have a tremendous effect on the physical and psychological health of the inmates. The juvenile age is considered to be a critical age in the development of the psyche. Abuse and mistreatment cases have been brought up frequently in the past two decades. Being subjected to such a treatment seriously threatens the psychological health of the convicts, and might foster criminal behavior. Furthermore, recent reports issued by the UNODC suggest a link between minors being deprived of their liberty and cases of abuse, exploitation and physical violence.

Another controversial question is the use of so called “Bootcamps”. Those penal facilities modeled after military training camps. They aim to break the convict's spirit, and reshape them to what is considered the spirit of a sane member of society. However, there are massive doubts if such a treatment can be considered or humane, and if it is effective. Particularly since the death of a 14-year-old inmate in 2006, opposition against this system has gained popularity in

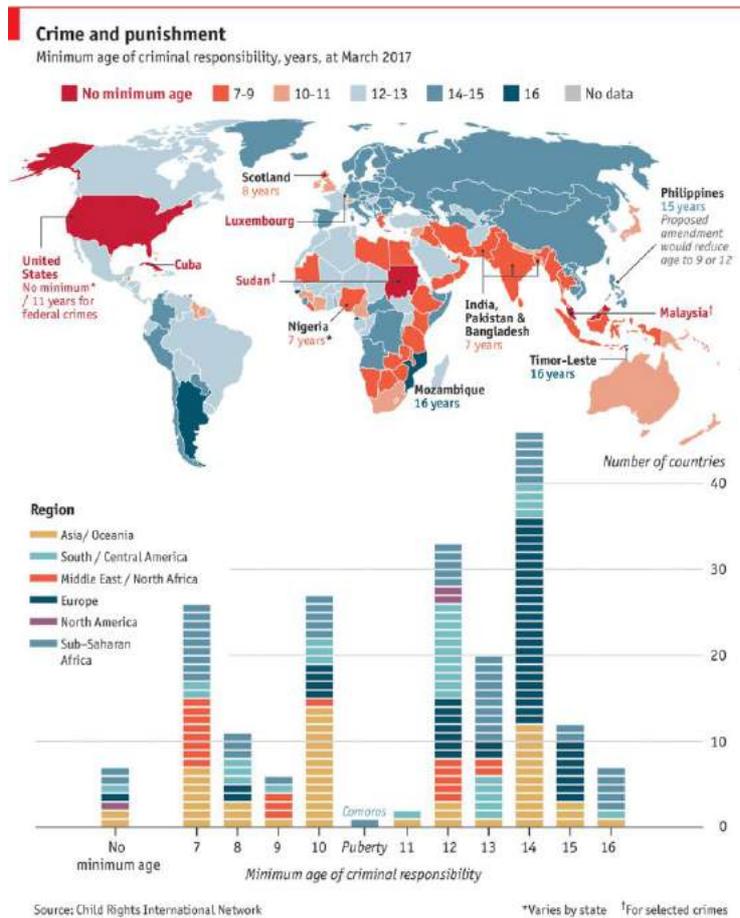
the US. Bootcamps can mostly be found throughout the anglophone world and differ in their respective systems.

Insights on the positions of the most important blocks and countries

This Topic can be divided into roughly three blocks: a liberal block, favoring education over punishment, a conservative block, mostly concerned with keeping the crime rate as low as possible using traditional punitive systems, and a punitive block, aiming to reduce the crime

rate by harsh punishments.

An Example for the first block would be Norway. Their system is based on the idea of restorative justice. The country differs between two minds of punishment: a juvenile punishment that can only be determined by a court, and a juvenile follow-up period of up to one year, that can also be applied by prosecutors. Norway is determined to prevent crimes to spread among minors by amending their surroundings and trying to create a better environment for juveniles. Similar approaches can be found throughout the Nordic countries, the UK and the Netherlands. The



United Kingdom additionally has a system of closed intervention units, where young offenders live in communities led by therapists and social workers. The goal of these units is, to remove troubled juveniles from their negative surroundings.

Germany is a prime example for the conservative block. Many German states integrated their juvenile justice codes into the general criminal code, which has been criticized as irresponsible by experts. While the federal government rather strives for an innovative form of justice favoring resocialization efforts, most regional governments beg to differ. The only German state following the federal governments aspirations is Nordrhein-Westfalen. Most European countries follow this trend.



Malaysia and the United States fall into the last category. Particularly the system of Bootcamps takes a key role in US juvenile correction. However, the United states is one of the few countries, which has no defense of infancy for state crimes, and sets the age of criminal responsibility to only 11 years for federal crimes. Malaysia does not make use of the bootcamp system but has installed a harsh treatment in specially approved homes for young offenders, even punishing petty offenses, such as running from home, with up to three years in those facilities.

Guiding and critical questions

1. Should the state differ between juvenile and regular convicts?
2. To what extent should society focus to educate or punish juvenile offenders?
3. Should the system of boot camps be implemented in more countries?
4. What alternatives to imprisonment of minors should exist?
5. At what age should juvenile offenders be eligible for prison sentences?
6. How can the international community solve these issues without harming state's sovereignty?

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Treatment of juvenile offenders and their reintegration into society, 2010-
https://www.saps.gov.za/resource_centre/women_children/book_layout.pdf

Justice for Children - Children in conflict with the law

<http://www.unodc.org/unodc/en/justice-and-prison-reform/childrensvictimswomensissues.html#children>

UN Standard Minimum Rules for Non-Custodial measures (Tokyo Rules)

http://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_Non-custodial_Measures_Tokyo_Rules.pdf

The Economist - The minimum age of criminal responsibility continues to divide opinion

<https://www.economist.com/graphic-detail/2017/03/15/the-minimum-age-of-criminal-responsibility-continues-to-divide-opinion>



Suggested Reading

- The United Nations Standard Minimum Rules for the Treatment of Prisoners (The Nelson Mandela Rules): https://www.unodc.org/documents/justice-and-prison-reform/GA-RESOLUTION/E_ebook.pdf
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"): <https://www.ohchr.org/Documents/ProfessionalInterest/beijingrules.pdf>
- United Nations Rules for the Protection of Juveniles Deprived of their Liberty
https://www.unodc.org/pdf/criminal_justice/United_Nations_Rules_for_the_Protection_of_Juveniles_Deprived_of_their_Liberty.pdf