

II TECMUN

en línea



United Nations

Interregional Crime and

Justice Research Institute

II TECMUN en línea
Horario de sesiones

Miércoles 14 de abril

Ceremonia de Inauguración	9:30 – 10:00 h.
Receso	10:00 – 10:30 h.
Primera Sesión	10:30 – 12:00 h.
Receso	12:00 – 12:30 h.
Segunda Sesión	12:30 – 14:00 h.
Comida	14:00 – 15:00 h.
Tercera Sesión	15:00 – 16:30 h.

Jueves 15 de abril

Conferencia Magistral	8:30 – 10:00 h.
Receso	10:00 – 10:30 h.
Cuarta Sesión	10:30 – 12:00 h.
Receso	12:00 – 12:30 h.
Quinta Sesión	12:30 – 14:00 h.
Comida	14:00 – 15:00 h.
Sexta Sesión	15:00 – 16:30 h.

Viernes 16 de abril

Séptima Sesión	8:00 – 9:30 h.
Receso	9:30 – 10:00 h.
Octava Sesión	10:00 – 11:30 h.
Receso	11:30 – 12:00 h.
Novena Sesión	12:00 – 14:00 h.
Comida	14:00 – 15:00 h.
Ceremonia de Clausura	15:00 – 16:30 h.
TECMUN GLOOM ¹	18:00 – 19:00 h.

¹ TECMUN GLOOM es una experiencia únicamente para los delegados donde habrá actividades en las que los delegados y las mesas se podrán conocer.

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Agenda

Secretaria General: Nuria Vidal Castillo

ASAMBLEA GENERAL

Subsecretaria General: Aiko Valeria Aguilar Jiménez

Reunión del Alto Nivel para la Asamblea General

Presidenta: Vanessa Arroyo Jerez

- A) Estrategias para contrarrestar la expansión territorial del Ejército de Liberación Nacional en la República Bolivariana de Venezuela
- B) Medidas para poner un fin al bloqueo económico, comercial y financiero impuesto por los Estados Unidos de América a la República de Cuba

Asamblea de las Naciones Unidas para el Medio Ambiente

Presidenta: Daniela Mejía Salgado

- A) Estrategias para contrarrestar la pérdida de biodiversidad a causa del tráfico ilegal de especies con énfasis en el Sudeste Asiático
- B) Medidas para reducir y revertir la desertificación y la degradación de las tierras en América Latina y el Caribe

Sexta Comisión Jurídica de la Asamblea General

Presidenta: Samaria Sánchez Ramírez

- A) Derechos de los pueblos indígenas en la Unión Europea: cuestión territorial y la propiedad de la tierra
- B) Medidas para prevenir violaciones al derecho internacional en respuesta a la anexión ilegal de Crimea y las intervenciones militares rusas sobre el Estrecho de Kerch y el Mar de Azov

Alto Comisionado de las Naciones Unidas para los Refugiados

Presidenta: Rebeca Ávila Delgado

- A) Medidas para hacer frente a las migraciones masivas de Centroamérica a los Estados Unidos Mexicanos y a los Estados Unidos de América
- B) Medidas para hacer frente al desplazamiento masivo de Yemén como resultado de la crisis humanitaria

United Nations Committee on the Peaceful Uses of Outer Space

Presidente: José Mateo González Almanza

- A) Continued threat posed by falling space debris from developing space programs and further action to prevent civilian danger
- B) Elimination of the digital divide between developed and developing countries regarding internet access through the use of satellite constellations, focusing on Latin America and the Caribbean

Banco Mundial

Presidente: Elías Dávila Martínez

- A) Estrategias para evitar repercusiones económicas dentro de la economía venezolana a causa de la implementación de su criptomoneda: El Petro
- B) Estrategias para la reconstrucción económica en Latinoamérica tras el cierre económico a causa de la pandemia de COVID-19, enfocado en la República de Argentina y la República de Brasil

Historical Trusteeship Council

Presidenta: Andrea Michelle Martínez Lozano

- A) Strategies to avoid the conflict between Argentina and the United Kingdom caused by the sovereignty of the territory of the Falkland Islands (1982)
- B) Division and territorial changes after World War II, focusing on Europe and Africa (1945)

CONSEJO ECONÓMICO Y SOCIAL

Subsecretario General: Armando Daniel Navarro Sánchez

Fondo de las Naciones Unidas para la Infancia

Presidente: Manuel Alejandro Rosales Portillo

- A) Medidas para prevenir el involucramiento de infantes con el crimen organizado en América Latina y el Caribe
- B) Acciones para garantizar la protección y el bienestar de niños huérfanos de madres y padres víctimas de homicidio y feminicidio con enfoque en América Latina y el Caribe

Entidad de las Naciones Unidas para la Igualdad de Género y el Empoderamiento de las Mujeres

Presidenta: Paola González Zapata

- A) Estrategias para combatir la menstruación como un obstáculo para el desarrollo integral de niñas y adolescentes en las zonas rurales de Sudamérica
- B) Medidas para erradicar las violaciones a los derechos humanos de trabajadoras domésticas en Asia y el Pacífico

United Nations Interregional Crime and Justice Research Institute

Presidente: Germán Osvaldo Núñez Benítez

A) Measures to counter the use of children by extremist groups in the Republic of Iraq and the Syrian Arab Republic, focused on protection, and rehabilitation, and the standard-setting of procedures to protect victims

B) Measures to combat the distribution of child pornography in the Republic of India, focused on the enhancement of standards for the investigation of producers, distributors, and possessors of illicit electronic material

Organization for the Prohibition of Chemical Weapons

Presidenta: María Fernanda Anaya López

A) Measures to eliminate and prevent the spread of Novichok agents in the European Union

B) Strategies to develop arrangements for the fulfillment of the Chemical Weapons Convention in countries with recent breaches with emphasis in the Syrian Arab Republic

Organización de las Naciones Unidas para la Educación, la Ciencia y la Cultura

Presidenta: Mariana Cortés Gallardo

A) Estrategias para recuperar las industrias culturales y creativas afectadas por la pandemia de COVID-19 en Europa

B) Medidas contra las afectaciones sociales provocadas por la falta de inversión en el desarrollo científico y de nuevas tecnologías en América Latina

Conseil de l'Europe

Presidenta: Lianny Hernández Pérez

A) La menace de la traite des êtres humains et l'évolution des mesures de lutte contre ce phénomène en la Roumanie, la République de Bulgarie et au le Royaume d'Espagne

B) Élaboration de propositions pour l'éradication des "zones libres de toute idéologie LGBT" en la République de Pologne et la prévention de la propagation de ces pratiques à d'autres pays européens

AGENCIAS ESPECIALIZADAS Y ORGANISMOS REGIONALES

Subsecretaria General: Montserrat Olivas Ramos

United Nations Human Rights Council

Presidenta: María Fernanda Casillas Monrroy

A) Preventive mechanisms towards the enforced disappearance of Nigerian citizens caused by the extremist group Boko-Haram

B) Measures to prevent discrimination against Muslims under the new policy of the Indian Citizenship Amendment Bill

League of Arab States

Presidenta: Sofía Victoria Solís Uribe

A) Measures to ensure State and territorial protection to the State of Palestine to combat the humanitarian crisis as a result of extremists attacks by the Israeli army with special emphasis on violent military interventions in West Bank and the Strip of Gaza

B) Strategies for the Arab League to reinforce the partnership to help promote and support the flourishing of democracy of the the Republic of Tunisia and the State of Libya's governments

Comité Internacional de la Cruz Roja

Presidente: Javier Márquez Saucedo

A) Medidas para mejorar la calidad de vida de los desplazados y prisioneros de guerra en Sudán del Sur a causa de la reciente crisis humanitaria del conflicto entre las etnias Dinka y Nuer con énfasis en la reconstrucción de lazos familiares y sociales

B) Medidas para extender el impacto de la metodología "Acceso Más Seguro" en territorio brasileño, con enfoque en las medidas ISO 31000

Security Council

Presidenta: Alejandra Bañuelos González

A) Strategies to address the violence and insecurity in the Central African Republic, focused on rebel coalitions' attacks towards the government and the possible restoration of State authority

B) Measures to prevent current Ethiopia's Tigray conflict from becoming a threat to international peace and security

Corte Interamericana de Derechos Humanos

Presidenta: Fernanda Valeria Martínez Reyes

A) Masacre de la Aldea Los Josefinos vs. República de Guatemala (2019)

B) Mujeres Víctimas de Tortura Sexual en Atenco vs. Estados Unidos Mexicanos (2016)

International Court of Justice

Presidenta: Carolina Elizabeth Vásquez Regalado

A) Opposition on territorial claims under the Exclusive Economic Zone and Continental Shelf Act (Vietnam, Philippines, Malaysia, Indonesia, and Brunei v. People's Republic of China)

B) Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation)

“Vision without action is just a dream, action without vision just passes the time, and vision with action can change the world”.

-Joel Arthur Barker.

Participante,

En nuestras manos está el destino de la humanidad, es cierto. Suena como una tarea grande, pero no lo es para el gran grupo de jóvenes que somos. Te darás cuenta de eso en estos tres días. El cambio nunca se logra gracias a un individuo, se necesita a un colectivo con individuos con distintos talentos, oportunidades y capacidades inspiradxs por hacer un cambio real, y eso es lo que somos: personas inspiradas por otras personas motivadas a realizar cambios en el mundo. Lo único que te quiero pedir en este modelo es que esa chispa no se quede en este foro y en estos tres días; te pido que no acabe en un premio, un diploma, o una experiencia. Te pido que salgas y hagas un cambio por ti y por todxs nosotrxs.

Esta no va a ser una carta positiva, ni una carta que te diga que todo estará bien y que des lo mejor de ti, porque eso ya lo deberías de saber. Lo que quiero que saques de este texto es un incentivo para cambiar las cosas, porque el mundo está muy mal. Tan solo ponte a leer algunos de los tópicos que existen en este modelo y trata de abrir tu mente y ser empácticx con las personas que están pasando por esas situaciones tan complicadas. Ahora pregúntate ¿Qué querría que hicieran por mi si estuviera en sus zapatos? ¿Ya? Muy bien, aplícalo. Aplícalo dentro y fuera del Modelo, predica con el ejemplo. Sé extraordinario. Cambia el mundo y ve un paso más allá.

Deja de postergar las cosas, de ver todo tan lejano. Mientras tú lloras y piensas acostadx en tu cama que el mundo está muriendo y que nadie está haciendo nada para detenerlo, hay gente haciendo vacunas, campañas, limpiando las calles y los océanos, haciendo máquinas de energía renovable o bañándose en menos de 5 minutos. Levántate y haz algo, no esperes resultados distintos si sigues haciendo las cosas exactamente igual todos los días. Este modelo representa una mínima parte de tu potencial, úsalo como una prueba contra ti mismo, supérate aquí y ahora. Finalmente, participante, te pido que nunca te conformes, que nunca dejes de tomar pasitos hacia hacer un mejor tú, un mejor nosotros. Y gracias, porque tú que estas leyendo esto, aunque aún no tenga el placer de conocerte en persona, ya cambiaste mi vida.

Nuria Vidal Castillo
Secretary General for the
II TECMUN en línea

For my friends, my presidents, my High Secretariats, my delegates, the Secretariat, and each one of the persons that have been part of TECMUN; this journey lasts more than three days, it perpetuates itself in the mind and in the soul. Un, dos, tres, TECMUN.

Delegate, this will be the last time that I write you a letter. First of all, I would like to congratulate you for the challenge that you are about to start off. It is brave to enter yourself on a challenging experience, full of obstacles, drags, and falls with the only purpose of learning and having an effect on the world, as is TECMUN. It does not matter if it is your first time on the model, or the second one, or the umpteenth one; I assure you that each edition is completely different, and the person that you are when the floor is opened for the first time, will not be the same as the one who will vote a motion to pass a resolution paper, the one who will get a trophee, the one who will get a *chafi*, or in a few words, the one who concludes this TECMUN. As it is my last letter I want to give you everything that this experience has gifted to me. I have told you that on each TECMUN there are stumbles and frustrations, but I may also tell you that there are joys that arrive unforeseen between all the chaos that you will live during these three days. Those feelings can come through on the shape of a proposal which is accepted by your president; or in the moment when you meet again that delegate who became your friend on the last model; also in that emotion that you feel just before the winners of your committee are mentioned; and clearly in the adrenaline you have at the beginning of each of the nine sessions. TECMUN gives us the chance to create from our experience, our words, and our minds, a way to save the world, although you already know this and that is why you are here. The one thing that you do not know is that this project was made 36 years ago exclusively thinking about you, thinking about an experience that would change the life of more than 50,000 youngsters like you with the will to change the world. Maybe now you only see a Model of United Nations just like many others, but it is more like that. Behind your chair there are people like you who once felt or not interested in lifting their placard and talking on a Moderated Caucus where they fell in love with TECMUN; behind your president there were sleepless nights writing the Handbooks that now you have the opportunity to read, as well as days thinking on how to save the committee; behind of each member of TECMUN there were more than 20 meetings full of laughs, crying, emotions, and opinions, preparing to give you this once in a lifetime experience; behind me there were all of the above and more. I passed days on which I did not know where does this project would bring me, nights where I taugt if you would read the four letters I wrote you, months searching the way to make you fell in love with this project as I did and maybe one day you would write a letter as this one, and years thinking if I would ever meet you and thank you for being part of the best experience of my life. A purpose, fun, thirst for change, friendships, love, insomnia, knowledge, empathy, interest, sleepovers, karaokes, handbooks, badges, signed placards, a trophee, thousands of ushers, a Subsecretary, two committees, three partners in crime, four committee pictures, five members of Chair and six letters... TECMUN has given to me all of this and know I give it all to you. I hope what you learn today, and tomorrow, and the day after takes you to the destiny you desire not just for you, but for the world, the choice is yours. "I don't know what your future is, but if you're willing to take the harder way, the more complicated one, the one with more failures at first than successes, the one that has ultimately proven to have more meaning, more victory, more glory, then you will not regret it. As you commence to your paths, press on with pride and press on with purpose" (Boseman, 2018).

Armando Daniel Navarro Sánchez
Subsecretary General for the Economic and Social Council
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“The UN was not created to take mankind to heaven, but to save humanity from hell.”

Dag Hammarskjöld, second secretary-general of the United Nations.

Dear delegates,

Welcome to a new edition of a model that may change the perspectives of those who attend it and a forum where voices can be raised against injustices upon people or groups, TECMUN. Thank you delegate, for being part of the United Nations Interregional Crime and Justice Research Institute, an institute that seeks the proper treatment and prevention of crime around the world. You, a delegate, have taken the challenge to be a reformer for 3 consecutive days, daring to do what is in your hands to look for a world better than it has ever been. You will discuss the crimes against humanity and the war crimes done by extremist organizations to children who are unable to defend themselves from any form of recruitment or trafficking. It is our moral responsibility to use our tools and strength to stand up, as one, for the greater good of all humanity. For better living conditions of people affected by crime, and the incompetence of authorities to counter it, we must take the fight for peace, justice, and the protection of every human being.

Although a single person may seem to be insignificant when it comes to the magnitude of this world, all it takes to change the world as we know it is just the will of a few, and the persuasion of the goal to unify our species for the greater good. Most of you will learn about the detrimental situation some people in this world live in, and I have faith you will be able to grow and continue the search for a better world. Willingness to change your mind, and to keep the change coming, is all that you need to become a change agent who will seek for humankind to continue to outgrow the need to fight in order to exist peacefully. Now is the time to be a change agent.

Germán Osvaldo Núñez Benítez

President of the United Nations Interregional Crime and Justice Research Institute.

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United Nations Interregional Crime and Justice Research Institute

Background

The United Nations Interregional Crime and Justice Research Institute (UNICRI) has its origin in 1969, when the United Nations Social Defense Research Institute (UNSDRI) was formally founded, following the approval of the Resolution 1086 B of the Economic and Social Council (ECOSOC). In 1989, ECOSOC renamed UNSDRI and established the statute of UNICRI, through the Resolution E/1989/56. Through UNICRI'S current statute, UNICRI's area of activities allows the institute to take actions upon crimes related to corruption, environmental threats, the treatment of mentally ill criminals, criminal policies, justice reforms, juvenile justice, drug abuse, violent extremism, and illegal trafficking, by conducting international projects and formulating analysis to survey crime and train personnel worldwide. Its headquarters are located in Turin, Italian Republic, and the Institute is governed by the Board of Trustees, which is formed by 11 trustees, who determine guidelines, policies, budgets, and programs. Trustees are conformed by 7 experts, including the president Jayantilal M. Karia, and four ex-officio members who are representatives of the United Nations Secretary-General, the Administrator of the United Nations Development Programme, the Host Country (the Italian Republic), and the Director of UNICRI. Funding of the Institution is based only on donations made by organizations and governments of the international community.

Faculties

UNICRI seeks to assist the Member States and other institutions to prevent crime, make the advancement of justice, protect human rights, and to rehabilitate offenders, by applying the following strategies:

- To retrieve information related to crimes in order to formulate analysis, and action plans to inform and enhance cooperation between the Member States, public and private sector, international organizations, United Nations organisms, and Non-Governmental Organizations (NGOs).
- To establish information and knowledge bases about crime combat and justice administration about diverse criminal areas and distribute them to the Member States.
- To design training courses for law enforcement members, judges, lawyers, and other justice personnel, to bolster their effectiveness against criminal activities.
- To assist the Member States in the rehabilitation and reintegration of violent offenders by designing strategies for treatment.
- To help countries to reduce risks created by crimes, by organizing regular meetings between the United Nations' Member States, and offering facilities and strategies to prevent and neutralize criminal activities.

Topic A

Measures to counter the use of children by extremist groups in the Republic of Iraq and the Syrian Arab Republic, focused on protection, and rehabilitation, and the standard-setting of procedures to protect victims

By: Germán Osvaldo Núñez Benítez

Stephanie Michelle Trejo Villa

Ximena Bretón de la Torre

Background.

After the attack on the twin towers on September 11th, 2001, the “Global War on Terrorism” started, countering insurgencies by extremist groups such as the Islamic State of Iraq and the Levant (also referred to as ISIL). Radical groups, seeking to counter the military strategies created by the participants of the “Global War on Terrorism”, began to make efforts to create a greater influence in their areas of operation to recruit personnel with greater ease. In 2014, ISIL declared a caliphate² in the Syrian Arab Republic and the Republic of Iraq, taking control of an area where there were an estimated 700,000 children in school areas were deprived³ of the right to continue with their education and were exposed to radical ideologies. Approximately 1,100 children between the ages of eight and 15 were recruited within a year of the establishment of the caliphate, as stated by the Syrian Observatory for Human Rights. The reasons why children are recruited in armed groups are to reduce economic cost and to reduce efforts in indoctrination⁴ to create loyal members for their organizations. These youngsters⁵ have also been used as spies in hazardous situations in which they may have to approach armed soldiers of national armies, or get close to areas where firefights between members of extremist groups and personnel of armed forces, because recruited children tend to be less aware of the situational danger, and thus, they are useful not to raise suspicion.

Even though strategies against extremist groups have been effective, the judiciary system in several states like the Republic of Iraq, the Islamic Republic of Afghanistan, and the Syrian Arab Republic have shown to be unable to properly address trials of children who participated in extremist groups. Infants who have faced trials have often been judged and

² **Caliphate:** the rule or reign of a caliph or chief Muslim ruler. (Oxford Languages, w.d.).

³ **Deprived:** suffering a severe and damaging lack of basic material and cultural benefits. (Oxford Languages, w.d.).

⁴ **Indoctrination:** The process of teaching a person or group to accept a set of beliefs uncritically. (Oxford Languages, n.d.).

⁵ **Youngsters:** a child, young person, or young animal. (Oxford Languages, w.d.).

sanctioned as adults, or have been traumatized by the processes carried out by courts. For example, in the Syrian Arab Republic, several children have been forcibly⁶ captured and have received ill-treatment while in detention, without facing trials in which they are first addressed as victims. On the other hand, when protection is not provided by courts, children facing lawsuits⁷ are often at risk of being captured and tortured by the organization that forced them to commit criminal acts. In some cases, unprotected children may be re-recruited by the organizations they used to work for.

Strategies of recruitment used by extremist groups.

Recruitment of children by extremist organizations is not mainly based on the kidnapping and threatening of children that are considered eligible for their activities. Instead, ISIL mainly relies on propaganda and campaigns for voluntary recruitment, while keeping threats and forced recruitment as secondary strategies. The presence of ISIL in regions affected by belic conflicts in the Syrian Arab Republic and the Republic of Iraq has created an environment in which families are looking for ways to improve their living conditions and to be part of radical organizations that may have taken control of a country. People are susceptible to be recruited through the healthcare, food, school systems, and religious institutions provided by ISIL, as well as the salaries that the organization offers. Children, in particular, are especially susceptible to join this organization after being provided toys, being shown other children with goods that may cause jealousy, or being persuaded into joining by family members who are already part of such a group. This is the case of the “Cubs of Caliphate”, which is a program of ISIL with the objective to recruit children between the ages of ten and 15 years of age. This program has its origin in 2015 when ISIL established a caliphate in the Syrian Arab Republic

⁶ **Forcibly:** using force or violence. (Oxford Languages, w.d.).

⁷ **Lawsuit:** a claim or dispute brought to a court of law for adjudication. (Oxford Languages, w.d.).

and the Republic of Iraq. Children are also bound to be recruited if family members, especially parents, are threatened.

Another way in which extremist groups have recruited personnel worldwide is through the use of the internet and the assertion of power through graphic material. Al-Qaeda had a notorious increase in the use of video material for recruitment by 2006, having quadrupled the production of video material between 2005 and 2006, and having over 4,500 websites to spread messages with religious significance, or to promote the way of life of members of extremist groups. Websites of radical groups often vary in their content. Some show violent material, such as executions or attacks as signs of power, and others provide general descriptions, history of the jihadist movement, missions, and notable members of the organization. By promising a sense of power, anonymity, and reducing physical interactions between members and potential individuals to recruit, the strategies used on the internet by Al-Qaeda are often effective on teenager users who search for a sense of belonging.

Specialized Standards in Trials for Detained Children.

When a child is charged or prosecuted for crimes related to extremism, the procedures and safeguards⁸ of juvenile justice should always be fully applied and focus on how to ensure the participation of the child and confidentiality requirements related to cases related to radicalism. According to the Universal Declaration of Human Rights, individuals facing trials must be granted the right to the presumption of innocence, to be informed of the charges without delay, to have charges determined by a competent and impartial judicial body, to access a lawyer or other kinds of legal representation, to not be compelled to give testimony or confess guilt, to confront witnesses, and to appeal. However, the international legal framework related to juvenile justice includes some specificities concerning the judicial phase. The Convention of

⁸ **Safeguard:** a measure taken to protect someone or something or to prevent something undesirable. (Oxford Languages, w.d.).

the Rights of the Child and the United Nations Paris Principles establish stricter standards and norms in order to grant protection for children facing trials. These standards determine that children must be received by tribunals as victims while keeping consideration of the criminal acts allegedly done by the accused subject. It is also determined that children have the right to be supported by an adult and to have privacy respected in order to avoid further risk created by the organization for which a child supposedly worked for. Judiciary personnel must also consider the need to promote and facilitate the reintegration and rehabilitation of the child, considering the needs of the victims and the particular gravity of extremist acts and deterring recidivism.⁹

The court environment is often stressful and traumatizing for children, making them vulnerable to secondary victimization, which is defined as the harm or traumatization of a victim by procedures of social service providers. This is why comprehensive measures are sought to be used by tribunals to ensure adequate conditions for infants. According to the Committee on the Rights of the Child, a fair trial requires that the child alleged or accused of having violated criminal law can participate effectively in the trial. Therefore, the child must understand the charges and the possible consequences or sanctions, in order to guide the legal representative, challenge witnesses, give an account of the facts and make the appropriate decisions on evidence, testimony and the measures to be imposed. According to the Handbook on Children Recruited and Exploited by Terrorist and Violent Extremist Groups, the courts need to take into account the developmental needs of children, in order to ensure their effective defense. In cases of possible hazard, tribunals might establish a security clearance system for attorneys who will have access to special files or information, or to establish, in consultation with the Defense Bar Association, a list of attorneys who have received the special training or security clearance. Defense attorneys must also have the means to seek and obtain special

⁹ **Recidivism:** the tendency of a convicted criminal to reoffend. (Oxford Languages, w.d.).

measures of protection for themselves and for witnesses who are required to mount an effective defense of their client.

However, these standards are often violated by judicial systems. Such is the case of the Syrian Arab republic, where children of foreign origin have also been detained by opposing forces on account of their suspected family ties with ISIL fighters. Some children are reported to have been ill-treated, tortured or sexually abused during their detention, creating cases of secondary victimization. In cases where youngsters were not protected, they have been re-recruited by their organization, or deprived of life. An example is an incident in February 2016 in which three children between the ages of fifteen and seventeen were publicly beheaded by ISIL following their arrest and interrogation on allegations of spying against the group.

Problems in the sentencing of children

According to the United Nations Secretary-General, 4,471 children worldwide were detained during armed conflicts in 2017; however, several governments have not been able to provide rehabilitation and reintegration. While the detainment of youngsters who allegedly committed violent criminal offenses in conflict allowed as a last resort by international laws, such cases are often carried out without regard to the age or situation of the detained criminal. Due to the lack of training, knowledge, and protocols, detained children are often subject to double-victimization by judicial systems. Additionally, when children are subject to military detention, they are often at risk of torture, ill-treatment, or being forced to make false confessions.

The Military Justice Code allows military courts to try minors if they are accompanied by an adult who is subject to military jurisdiction, such as military personnel or civilians in military zones. However, this on many occasions is not respected and minors are prosecuted with the consent of an adult. Such is the case of the Kurdistan Regional Government (KRG), in the Republic of Iraq, where authorities have detained thousands of children for alleged

affiliation with ISIL. Several testimonies have reported the use of torture to coerce¹⁰ confessions, and the arrest of hundreds of children with former allegiance to ISIL, through trials where children are not allowed to access legal counsel¹¹. Even though the detainment of youngsters is allowed for violent crimes, the judicial body of the Republic of Iraq has sentenced children with any association with ISIL, including those who worked as cooks or drivers or took part in religious training courses. Various detained children who were interviewed in late 2018 by the United Nations Human Rights Watch described torture during interrogation with plastic pipes, electric cables, and rods, in order to force victims to confess crimes they may not have done.

Rehabilitation of youngsters.

According to the Convention of the Rights of the Child, individuals under the age of 16 who participated in extremist groups must be treated as victims first, excluding them from receiving charges created for adults. In order to treat criminals under the age of 18 years, the focus of the judgement should be the deradicalization and reintegration to society. Rehabilitation programs must primarily aim for the perspectives on religion, family values, socialization, and education. For this reason, Interim Care Centers (also known as ICCs) can be used for an individual assessment to establish new codes of conduct to eliminate violent behaviors, promote coexistence, eliminate radical ideologies, and create attitudes for further education or capacitation. Once these codes are established, youngsters are chosen to be sent to populated areas where they can be determined to be out of danger. Monitoring, re-educating, and further employment are important to avoid re-recruitment and to ensure the integration in a community.

¹⁰ **Coerce:** persuade an unwilling person to do something by using force or threats. (Oxford Languages, w.d.)

¹¹ **Counsel:** advice, especially that given formally.(Oxford Languages, w.d.)

Interim Care Centers focus on the reformation of codes of conduct, re-establishing self-regulatory processes through rewarding group-oriented behaviors, and activities that promote security and trust. The first objective is to renew the sense of meaning in religion, through ceremonies to renounce armed groups they used to belong to and dissociate the beliefs of radical groups from religion. Centers also provide medical care and treatment for Post-Traumatic Stress Disorder (PTSD) when it is considered necessary. Secondly, ICCs must guide children to acknowledge government authority and to become part of a family and a community. Depending on their ages, children might continue with their education or get capacitation for employment. ICCs may trace the family or community of origin of a patient for their further reintegration, whenever they are not under the influence of extremist groups. When the family of origin of a child can not be found, or is under the influence of religious radicalism, other communities are considered for the child to be sent and be integrated. Rejection by the new community or family are sought to be monitored to avoid the traumatization of a reintegrated youngster.

The International response on the use of children.

Nowadays, more than 357 million kids live in combat zones, where they are bound to be recruited by armed forces, or by radical groups that oppose the government of the countries they inhabit. Conditions such as homelessness, lack of resources, lack of education, the prevalence of strong religious faith, and dangerous environments, are often reasons why children are easily convinced to join armed forces or extremist groups. Africa encompasses approximately 40 % of these cases. Some nations have established the minimum age for recruitment to be 18, yet some of these laws embed¹² stipulations that lower their efficiency in combating child rights violations: parental consent below the age of 18 in the Republic of Uganda and the Republic of Chad permits the acceptance of youth in the battlefield. Also,

¹² **Embed:** fix (an object) firmly and deeply in a surrounding mass. (Oxford Languages, w.d.)

faulty birth registration systems are an obstacle, and due to armed conflict, there is a lack of resources in many countries to keep the judiciary institutions stable.

Due to the conflicts in several African states, in April 1999, over 250 representatives from more than 50 nations worldwide in Maputo, Republic of Mozambique, joined the African Conference on the Use of Children as Soldiers to address the problem of child soldiers on the African continent. Similarly, in February 2007, the French Republic and the United Nations Children’s Fund (UNICEF) coordinated the conference “Free Children from War”, which encouraged international participation to fight against impunity¹³ and the protection of child victims. Since 1991, 105 states have adopted the United Nations Paris Principles and the Paris Commitments. Furthermore, the Rome Statute of the International Criminal Court, adopted in 1998, states in its Articles 8(2)(b)(xxvi) and 8(2)(e)(vii) that the enlistment, conscription or use in hostilities of children under the age of fifteen years as war crimes entailing individual criminal responsibility. The UN has formulated various strategies to prevent minors’ recruitment in extremist groups. Since 2012, the International Criminal Court specifies it has passed six guilty verdicts for war crimes concerning operationalizing children in armed conflict.

UNICEF states that it has participated in the prevention of violation against youth and that upon a child’s release from armed forces, it helps with “case management, family tracing, reunification, and psychosocial support.” As a result, UNICEF affirms about 65,000 children have been released over the last decade. In addition to this, the Fund launched the campaign “Children, Not Soldiers” in 2014, with the purpose of generating political will and international support to pay attention to the conflicts involving child soldiers, in order to assist in their resolution. Moreover, the Security Council adopted a resolution in 2018 condemning the

¹³ **Impunity:** exemption from punishment or freedom from the injurious consequences of an action. (Oxford Languages, w.d.)

recruitment of children over the light of international law. Specifically, the Council highlighted that non-judicial measures must be considered when detaining children for crimes during conflicts, stating that they should be treated as victims.

Nevertheless, the measures implemented so far by the international community have not had enough effect to stop the increase in child recruitment by both extremist groups and armed forces. Although child recruitment is considered a war crime internationally, 17 countries are recognized by the United Nations to extensively use child soldiers. The European Union has not clearly defined its obligations towards the Committee on the Rights of the Child (CRC) in its efforts to counter violent extremism. In addition, nations where armed conflicts involving children are happening, do not have adequate criminal justice systems, due to the lack of infrastructure. Although the United Nations Interregional Crime and Justice Research Institute (UNICRI) has not taken actions in the Republic of Iraq or the Syrian Arab Republic, the Institution has formerly participated in programs to promote the proper treatment of criminals under the age of 18. For example, UNICRI carried out a three-year program for juvenile justice in the Republic of Mozambique. In this program, by 2009, the first Criminal Prevention Section of the Tribunal for Minors of Mozambique, the first pre-trial Observation Center and the first post-trial Juvenile Rehabilitation Centers were opened in order to provide adequate treatment to minors in conflict with the law. Moreover, UNICRI carried out training for personnel of the Tribunal for Minors, the Rehabilitation Center and the Observation Center. The Institution founded Information Points to offer families legal advice, while simultaneously working as centers to train personnel of community courts, to collect data, to discuss with community personalities, police and heads of the neighbourhoods, and to promote dialogue between community courts and the Tribunal for Minors. Additionally, the Forum on Juvenile Justice was created in order to promote dialogue between institutions, and to encourage the

formulation of new policies and strategies in the area of juvenile justice to improve the capabilities of institutions to deal with minors.

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Topic B

Measures to combat the distribution of child pornography in the Republic of India, focused on the enhancement of standards for the investigation of producers, distributors, and possessors of illicit electronic material

*By: Germán Osvaldo Núñez Benítez
Stephanie Michelle Trejo Villa*

Background.

The production, distribution, storage, consumption, and transmission of pornographic content involving children are internationally penalized by several conventions, protocols, and statutes, working primarily on the framework of the Convention of the Rights of the Child. Member States of the United Nations are required to formulate diverse laws and codes for the prevention of the trafficking of children, the prevention, and the penalization of individuals related to the production and distribution of child pornography. Particularly in the Republic of India, the laws against the sexual exploitation of children have failed to address the particularities that create loopholes which consequently endanger children. Regardless of the recent efforts done by the government of the Republic of India to renew them, they still need to be improved to ensure the protection of youngsters against sexual exploitation. Until 2003, the Goa Children's Act of 2003 was the only specific legislation on child abuse in the Republic of India. However, the India Penal Code (IPC) was unable to protect youngsters effectively against several loopholes, such as penetrative sex acts other than "traditional" penovaginal sex.

In 2000, the Information Technology Act (commonly known as ITA-2000) was approved in the Republic of India in order to set a national standard for cybernetic crimes, in which crimes related to the possession, production, consumption, and distribution of child pornography are deemed illegal and punishable by the law, in the sections 67-B and 84-C. However, the Act does not deal with measures to allow law enforcement agencies to properly investigate such crimes, as it does not responsabilize Internet Service Providers to cooperate with evidence. Also in 2012, the Protection of Children Against Sexual Offenses Act (POCSO Act) was enacted to provide a strong legal framework for the protection of children against the offenses of sexual assault, sexual harassment, and pornography, while safeguarding the interest of the child in all the stages of the judicial process. The framework of the law seeks to put children's interests first by including mechanisms for child-friendly reporting, evidence

recording, investigation, and speedy prosecution of crimes through designated special courts. Although the POCSO Act established a new standard for the prosecution of offenders related to the sexual abuse of children and the consumption of child pornography, the defects of the ITA-2000, as well as the lack of laws for the protection of data, have drawn setbacks for the criminal justice system in the Republic of India to detect and prosecute criminals related to the manipulation of child pornography.

Child trafficking for sexual purposes.

The main cause of sexual exploitation of children in the Republic of India is the traffic of minors by small groups of criminals. According to the National Crime Records Bureau, 63,407 minors went missing in 2016, which means that an average of 174 children went missing every day during said year. Additionally, 50 % of the children who went missing in the same year have not been found. However, the issue of child trafficking is not limited to the territory of the Republic of India, since the country is also a valuable destination for the trafficking of children from countries like the People's Republic of Bangladesh, which has reported that approximately 50,000 children are trafficked to the Republic of India. Similarly, the Federal Democratic Republic of Nepal has estimated that 5,000 to 7,000 youngsters are sent to the Republic of India, although the purpose of what they are used for is still unknown. Moreover, the Ministry of Women and Child Development and the Central Bureau of Investigation estimated, as of 2009, that three million women are subject to sex work, and approximately 40 % of them were under the age of 18. The production of Child Sexual Abuse Material (hereinafter referred as CSAM) is often traced back to kidnapped girls who are later subject to forced marriage, which had an incidence of 15,615 reported cases in 2019. As for the distribution of pornography, organizations are often not accused to be guilty of the distribution of CSAM, but the distribution is common among independent individuals through messaging

networks, such as WhatsApp or Facebook, Telegram, or the posting of child pornography on illicit websites.

While most of the trafficking is done by criminal gangs that the authorities have failed to identify, the prevalence of child trafficking seems to be in a process of decentralization as a consequence of raids done by police forces. This means that this felony of child trafficking has become more common among smaller criminal groups, which are often unidentified. Quite often, in areas with low rates of education, youngsters are captured by criminals who offer jobs with high payments, only to be further exploited for illicit purposes. Trafficked victims have reportedly been turned in by their family members or landlords. According to the International Labor Organization, it is estimated that out of the 100 % of trafficked migrant children, 47.6 % of males, and 53.3 % of females under the age of 18, were trafficked with the consent of their parents to leave their homes and get high-paying jobs they have been offered.

Laws against child pornography.

The Optional Protocol on the sale of children defines pornography as any representation, by any means, of a child engaged in sexual activities explicit, real or simulated, or any representation of the genital parts of a child for primarily sexual purposes. States Parties are required to criminalize child pornography, whether committed in the country or abroad, and individually or organized. The base international standard for the protection of children is the Convention on the Rights of the Child, which aims to guarantee a wide range of human rights for youngsters, including provisions related to the sexual exploitation of them. Specifically, the Article 35 of the Convention establishes that States parties must take national, bilateral, and multilateral actions to prevent the traffic of children, while Article 34 establishes the obligation to avoid sexual exploitation and the participation of children in pornography. Additionally, the international legal framework has adopted three international legal instruments to deal with child pornography, which are the Optional Protocol on the sale of children, child prostitution

and child pornography, the Council of Europe Convention on Cybercrime, and the Council of Europe Convention for the protection of children against sexual exploitation and abuse, which exhort for the prohibition and penalization of the commerce related to the prostitution, and pornography of a child, including computer systems. Lastly, the International Centre for Missing and Exploited Children (also known as ICMEC), in its 2018 report on “Model Legislation & Global Review”, studied a set of criteria for child pornography to set a better understanding of the efficiency of the national legislations of 196 countries into six parts. These six criteria include the definition of Child Sexual Abuse Material, offenses, mandatory reporting, industry responsibility, sanctions and sentencing, and law enforcement and data retention; which serve as standards for the procedure against felonies related to child pornography.

Additionally, the government of the Republic of India has approved a series of reforms aimed at the protection of children and which include the death penalty for aggravated sexual abuse against minors. Currently, the main tool for the protection of children in the Republic of India is the special law defined as The Protection of Children Against Sexual Offenses Act, adopted in 2012. The amendments in the POCSO Act define a child as any person below the age of 18 years of age, and further defines different forms of sexual abuse, including penetrative and non-penetrative assault, as well as sexual harassment and pornography. The Act also deems a sexual assault to be “aggravated” under certain circumstances, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority:

A person is said to commit "penetrative sexual assault" if:

(a) he penetrates his penis, to any extent, into the vagina, mouth, urethra, or anus of a child or makes the child to do so with him or any other person;

(b) he inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of the child or makes the child to do so with him or any other person;

(c) he manipulates any part of the body of the child so as to cause penetration into the vagina, urethra, anus, or any part of body of the child or makes the child to do so with him or any other person;

(d) he applies his mouth to the penis, vagina, anus, urethra of the child or makes the child to do so to such person or any other person. (Legislative Department, 2012).

The POCSO Act aims to protect children and toughen penalties for those who administer hormones to minors with the goal of modifying their maturity, which is a widespread practice among criminal organizations involved in child exploitation, such as the Goa mafia and the Punjab mafia, which are not considered as single organizations, but as scattered gangs that operate in specific regions. It also seeks to implement heavy fines for those who do not delete or destroy CSAM when possessed, as well as for those who do not alert the authorities to the discovery of this type of content.

Flaws in the law of the Republic of India on the protection of children.

The main legislation of the Republic of India against cybercrimes is the Information Technology Act of 2000, while the POCSO Act is currently the main law against the sexual abuse of youngsters and the production of child pornography. As both sets of laws work separately, they have failed to be used in coordination, since the ITA-2000 only prescribes sanctions to the storage and distribution of CSAM, failing to penalize the facilitation of information on websites to find child pornography and its storage for non-commercial purposes. Similarly, the ITA-2000 includes the crime of “grooming”, it does not order the investigation of children sharing pornographic images of themselves, ignoring any form of manipulation by adults. Another way in which ITA-2000 fails to coordinate with the POCSO

Act is in the inclusion of organized crime as an aggravating factor for offenses related to the creation and distribution of CSAM. Additionally, while ITA-2000 punishes the distribution of pornographic videos and images of children, it does not punish the real-time transmission of such content, which conforms to a third part of the distributed CSAM worldwide, according to the Internet Watch Foundation's report on 2018.

When felonies related to the production or distribution of child pornography are denounced, investigations of electronic devices, transactions, websites, and file storage are often required for further punishment. However, the ITA-2000 does not require Internet Service Providers (ISPs) to monitor or report the suspicious flow of the content of a household to any agency under the law. Simultaneously, banks and financial institutions are not responsible for reporting transactions related to CSAM to any law enforcement agency. ISPs, aside from being exempt from reporting suspicious content, fail to retain proper information during the investigation of a website, user, or network, because the information to be kept in possession is not defined by the law, and the contents and duration of the information provided must be notified by the Central Government. Lastly, the agencies that carry out investigations of cybernetic criminals, such as the Cyber and Information Security Division, often require access to the electronic devices of the offender, but the content that must be retained needs to be defined by the law, and ISPs and networks responsible for such detentions must be held accountable for their storage and usage of data, according to the General Data Protection Regulation. International codes, such as the Code of Conduct done by the International Service Providers' Association, seek for the protection of personal data, privacy, access to information, and the report of cybercrimes, which are established under the domestic law, to national authorities. Nevertheless, the only set of laws in the Republic of India regarding the issue of the detention of data and its proper use is the Personal Data Protection Bill of 2019, which is

still pending approval. Current laws do not guarantee the privacy and protection of ISPs to users.

International Response for the situation.

The first global commitment to monitor child pornography was instaurated in the United Nations Convention on the Rights of the Child (CRC), an international treaty enacted in 1989. Currently, it is the main international tool used to protect the rights of children. To further ensure the fulfillment of the rights and obligations established in the CRC and its optional protocols, the Committee for the Rights of the child was created in 1991. The CRC ensures the 196 State Parties involved to take appropriate measures against “the exploitative use of children in pornographic performances and materials.” (OHCHR, 1989). Specifically, Article 34 of the treaty emphasizes the importance of preventing children’s inducement and coercion in unlawful sexual activity, incriminating all forms of prostitution, sexual abuse, and exploitation.

Due to the rapid increase in the consumption of child pornography in the decade of 1990 with the popularization of the worldwide web, it became evident that the sale of children and their prostitution was also proliferating with commercial purposes. As a consequence, the International Conference on Combating Child Pornography on the Internet was held in Vienna, Republic of Austria in 1999. The Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography was adopted by the United Nations General Assembly under Resolution A/RES/54/263. The Protocol seeks to guarantee the fulfillment by member states of the Articles 1, 11, 21, 32, 33, 34, 35, and 36 of the CRC. It defines the sale, prostitution, and child pornography specifically for national laws of members states to consider the following as felonies:

1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offenses are committed domestically or transnationally or on an individual or organized basis:

(a) In the context of sale of children as defined in article 2:

(i) Offering, delivering, or accepting, by whatever means, a child for the purpose of:

a. Sexual exploitation of the child;

b. Transfer of organs of the child for profit;

c. Engagement of the child in forced labor;

(ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;

(b) Offering, obtaining, procuring, or providing a child for child prostitution, as defined in article 2;

(c) Producing, distributing, disseminating, importing, exporting, offering, selling, or possessing for the above purposes child pornography as defined in article 2. (OHCHR, 2002).

On a regional level, there is a lack of concise policies to tackle the dispersion of child pornography. Even though South Asian countries do have isolated incentives and the national governments recognize the problem must be undertaken, formal child protection frameworks have not been established thoroughly. The South Asian Association for Regional Cooperation (SAARC) is in a key position to coordinate regional efforts towards the implementation of child protection laws. The SAARC has coordinated the South Asia Initiative to End Violence Against Children (SAIEVAC), which constitutes a significant step towards a solid, regional strategy to address the sexual exploitation of children by proactively addressing the threat of sexual exploitation, and persuading local governments to take actions against this problem through the law. Even though governments and civil society organizations are cooperating to

end child rights violations, the initiatives are not prioritized, resulting in weak legal mechanisms.

In 2001, the Council of Europe established the Council of Europe Convention on Cybercrime, in order to cooperate with the international community to detect and deal with infringements of copyright, computer-related fraud, child pornography, and violations of network security. Specifically, in Article 9 of the Convention, it is stated that each Party should adopt measures to establish as offenses under domestic laws the production, transmission, distribution, and storage of child pornography in all computer systems, including personal computers. Similarly, due to the European community's growing concern to prevent child sexual exploitation, the European Union and other non-member States elaborated the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. The treaty, finalized in 2007, criminalizes the production of child pornography and covers the punishments for illegal sexual activity involving minors, enabling extraditions and prison sentences for said offenses. It also incites international cooperation by establishing prevention measures and stating the legal responsibility of each party to protect child victims.

Actions and capabilities of UNICRI against the distribution of CSAM.

Since 2018, UNICRI, together with the International Criminal Police Organization (best known as INTERPOL), has been exploring the role of artificial intelligence and its application in law. Technological advances have allowed the development of underground platforms and online marketplaces, where organizations and individuals can publish extremist content, illicit material, and set up networks to allow illegal trafficking of drugs, firearms, organs, and people. For this reason, the Institution seeks to initiate new measures, such as applications based on artificial intelligence to detect the possession of CSAM, since the current means of distribution of this material are based on the worldwide web. UNICRI's strategy aims to address this problem through a multidisciplinary and transnational approach that helps to contemplate the

participation of different actors, from governments to civil society organizations and activists. Law enforcement agencies can also use the web to mine data and identify radicalized individuals and take legal actions based on the law while promoting dialogue with the public in general and effectively implementing community policing initiatives. Furthermore, the misuse of technology involves not only criminal issues but also ethical ones, from which cybernetic laws can be formulated or updated to determine the legal use of technology.

UNICRI, together with a group of investigators with the advice of international police forces, has designed an intelligent data scanner that searches in web pages and e-mails to detect the presence of child pornography and other illicit content, as well as signs of other forms of organized crime. The project named “Early Pursuit Against Organized Crime Using Environmental Scanning, the Law and Intelligence Systems” (also known as ePOOLICE), is funded by the European Union in its seventh framework program, which started in January 2013. It has been developed by a consortium of companies, security forces, and intelligence analysts such as those from the European Union Agency for Law Enforcement Cooperation (EUROPOL) and UNICRI, together with several universities, including the University of Granada. The scanner integrates various components developed by various European investigation organizations that, in combination, monitor the web and automatically generate alerts on scenarios that may favor the increase in threats related to organized crime. The implemented prototype makes use of the latest technologies in the field of natural language processing, knowledge representation, data mining, information fusion, and intelligent Big Data analysis.

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Preambulatory Phrases

Preambulatory Phrases are used at the beginning of every Resolution Paper in order to give context about the resolutions made for the topic. Preambulatory Phrases must be written in italics followed by a sentence that gives said context. For each Resolution Paper there must be five sentences beginning with a Preambulatory Phrase.

Affirming	Desiring	Noting with deep concern
Alarmed by	Emphasizing	Noting with satisfaction
Approving	Expecting	Noting further
Bearing in mind	Expressing its appreciation	Observing
Believing	Fulfilling	Reaffirming
Confident	Fully aware	Realizing
Contemplating	Further deploring	Recalling
Convinced	Further recalling	Recognizing
Declaring	Guided by	Referring
Deeply concerned	Having adopted	Seeking
Deeply conscious	Having considered	Taking into consideration
Deeply convinced	Having examined	Taking note
Deeply disturbed	Having received	Viewing with appreciation
Deeply regretting	Keeping in mind	Welcoming

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Operative Clauses

Operative Clauses are used at the beginning of every resolution within the Resolution Paper on the debated topic. It must be written in italics and bold.

Accepts	Endorses	Notes
Affirms	Draws the attentions	Proclaims
Approves	Emphasizes	Reaffirms
Authorizes	Encourages	Recommends
Calls	Expresses its appreciation	Regrets
Calls upon	Expresses its hope	Reminds
Condemns	Further invites	Requests
Confirms	Further proclaims	Solemnly affirms
Congratulates	Further reminds	Strongly condemns
Considers	Further recommends	Supports
Declares accordingly	Further requests	Takes note of
Deplores	Further resolves	Transmits
Designates	Has resolved	Trusts