

# Minimizing Negative Socioeconomic Factors that Lead to Juvenile Delinquency

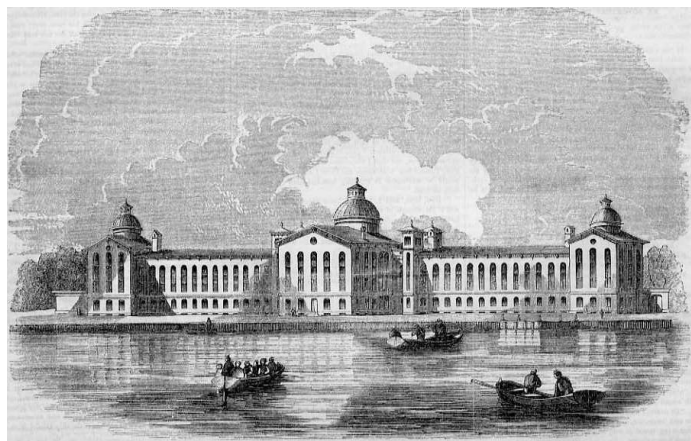
**Forum:** Virtual General Assembly

**Student Officer:** Liz Kim, Deputy Chair

## Introduction

The term juvenile delinquency is defined as the frequent criminal acts or offenses committed by a young person, typically below the age of criminal prosecution, which is set at a minimum age of 12 or higher, according to the consensus established by the UN Committee on the Rights of the Child. The basis of preventing criminal acts and protecting the human rights of youth offenders was founded in the 1985 United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”) and 1990 GA resolution on the Riyadh Guidelines for the Prevention of Juvenile Delinquency adopted by the 8<sup>th</sup> UN Congress. The World Programme of Action for Youth (WPAY) is a specific policy framework that proposes practice guidelines for domestic and international actions to enhance the situation of young people around the world. In regard to the issue of juvenile delinquency, WPAY proposes more approaches to the prevention of violence and crime that include measures to support equality, and not just solely relied on the criminal justice system. The guidelines were proposed to prevent youths across the world committing criminal acts against the law or later victimized in society. Many socioeconomic factors contribute to adolescent’s involvement in crime including abandonment, household or school abuse, neglect, and marginalized living status. United Nations recognizes this issue and urges collective efforts to encourage social organizations to help troubled youngsters. However, the “Beijing Rules” have not been implemented into national laws (partially due to Article 8 serving as an excuse) and lack a binding impact on neither the judiciary nor legislature institutions of over 193 member states.

According to World Bank data, a worldwide increase in juvenile criminal acts is directly related to economic recession, especially within marginal sectors of urban centers. The Population Division of UNECOSOC has analyzed the effects of rapid urbanization since 1950. The shifts of exponential global population growth and urban area population growth have broadened the distribution of the wealth gap among ethnic groups, which has jeopardized socioeconomic factors on a global scale. In most cases, youth offenders are exposed to violence in social environments, shaped by destitution and poverty, lack adequate education



*The first juvenile reformatory in the US, known as the New York House of Refuge, was established in 1824 bring educate and care for children who were charged with committing delinquencies.*

and family household socialization, and are most likely to participate in delinquent or violent acts as part of a gang worldwide.

### Background

During the 18<sup>th</sup> and early 19<sup>th</sup> centuries, youth were punished and confined in jails, treated as the same as adults. Attempts to reform the houses of youth refuge include the first movement to advocate the creation of a new juvenile justice system. This movement is recognized as the New York House of Refuge, which instituted in urban areas housing over



*The first official juvenile court and detention center in the world was established in Chicago in 1899.*

1000 adolescents. By the mid-19<sup>th</sup> century, the creation of houses of refuge and new innovations including probation, cottage institutions, and out-of-home placement were approaches implemented by social reformers.

The first juvenile court was established in 1899 in Cook County, Illinois. The unification of this new justice system spread throughout the nation where the child could receive private attention from a trained judge with deep concerns on the

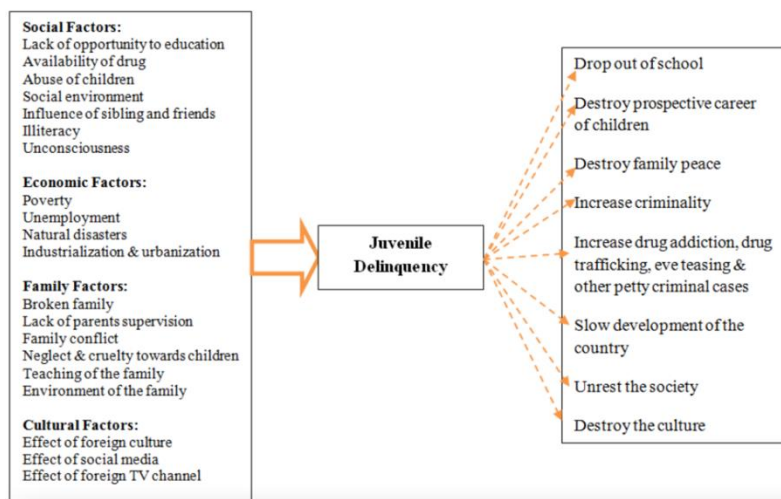
matter. Public concern grew about the vast disparities in punishments for similarly situated youths as well as the discretion of absolute court judges. Many perceived youth crimes were on the rise and criminal justice was becoming more and more lenient during the late 1980s. Institutional confinement for delinquencies was growing during the mid-1990s to curb the increasing trends of youth crime. However, this resulted in the issue of overcrowded jails and deplorable conditions. The current status of American juvenile detention centers is growing controversially worse due to the negative health impacts by COVID-19 pandemic, dire violations of centers across the US-Mexico border, and political grassroots movements where youth protest for changes in systematic racism, police force brutality, and presidential election turnouts. Ultimately, the higher population of detained adolescents is worsening the conditions of government-regulated imprisonment facilities.

### International Actions

Recognizing the statistics of rising youth offenses, adolescent homicide deaths, and other forms of juvenile crime, the 1985 United Nations and Congress adopted the “Beijing Rules” in 1985 and the Riyadh Guidelines for the Prevention of Juvenile Delinquency in 1990 to establish basic actions of preventing the engagement of criminal acts as well as safeguard the rights of youth. It was not until long when the Convention on the Rights of the Child entered into force in 1990. In 1995, WPAY provided a practical framework and holistic approach to national action and international support to promote the well-being and livelihoods of youths, with a main focus on 15 priority areas. Later, the UN adopted a resolution of UNECOSOC that considers the establishment of technological assistance on juvenile justice. Supporting this

resolution, the UNIPJJ continues to reform the facilitation of technical assistance in juvenile justice.

Current approaches by the UNODC and UNICRI tackle global issues of drug-trafficking, crime, terrorism, and social instability. There are often many socioeconomic factors that lead to juvenile delinquency and outbursts of violence. For example, high tensions of social instability often exclude families from wealth, civic participation, rights, and educational, job, and leisure opportunities. As a result, this can boost the potentiality for the availability of firearms, the abuse of alcohol and drugs, the unequal distribution of wealth, weak schooling and policing systems, and mass



unemployment. Many families that suffer under poor living conditions, household tensions, destitution, malnutrition, and inadequate opportunities significantly impact societal marginalization. This increases an individual's vulnerability, exploitation, and likelihood of rebellious or deviant behaviors.

*A brief conceptual framework displaying the factors and consequences of juvenile delinquency in Bangladesh.*

In restrictive environments, youth organizations may protest against the theft of political

rights and higher risk of civic participation. The promotion of equality and justice is becoming more prevalent today. However, under poorer situations or threat from major criminals, adolescents may secure extra income for themselves or families by committing petty crimes. However, large proportions of perpetrators and victims are also involved in crime and violence. Young people often are arrested and placed into low-conditional detention facilities. This enforces their close contact with adult criminals, which may increase chances for violence in the form of sexual rape, bullying, extortion, and torture. In many developing countries especially, detention facilities have the issues of alcohol and drug intoxication, the lack of high-quality food, and low healthcare systems. These factor into a lower chance for youth reintegration into society.

The United Nations underlines many juvenile courts and detention centers that have unjust and inhumane conditions. For



*The Guantanamo Bay detention camp is a US detention facility located on the Guantanamo Bay Naval Base in southeastern Cuba.*

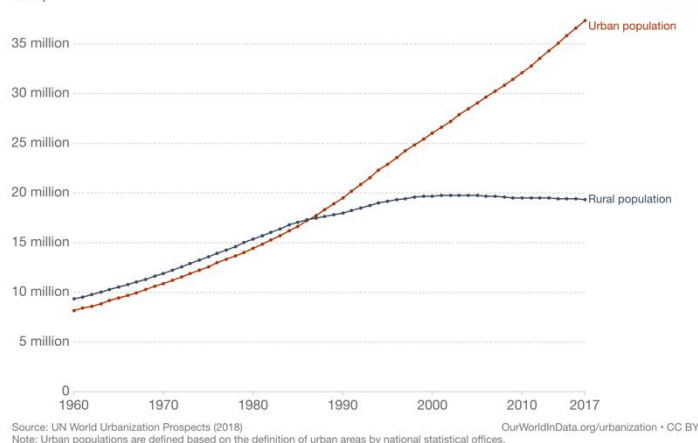
instance, the Guantanamo Bay detention center located in Cuba is notorious for deteriorating mental and physical health of detainees, rising suicide rates, and the suspension of the rule of law. On top of the rampant ill-treatment, the COVID-19 pandemic exacerbates health vulnerabilities for elderly prisoners. Although the base was initially purposed for detaining Muslim militants and suspected terrorists, the facility has reinforced international controversy accusing the alleged violations against the detainee's human rights through abusive treatment. The constitutional judicial system of the US is inactive, which constitutes degrading treatment and extreme torture directed against prisoners. Military Commissions are the main violators of human rights. Many experts of international legal affairs urge the conduction of immediate and impartial investigations to address and rehabilitate arbitrary detention violence or ill-treatment. The United Nations recognizes this detention center as a main source of defining abuse against perpetrators in detention centers and readdresses the purpose of safeguarding their human rights and fundamental freedoms.

## Places of High Concern

### *Africa*

Countries with urbanized population centers and densely populated neighborhoods with a growing number of slums are often a source of aggressors and gangs. Developing countries with ineffective judiciary systems do not handle juvenile delinquency to the best extent. Known for the proliferation of conflict due to the highest record of wars as well as rapid urbanization, many countries in Africa, especially in South Africa, have lowered government security and services toward citizens. Thus, many terror campaigns boost the source of funding for insurance

Number of people living in urban and rural areas, South Africa, 1960 to 2017



and terrorism. The consequences of crime interfere with Africa's development, limit the government capacity and independent research, invite political corruption, and have detrimental effects to healthcare facilities and the standards of living and opportunities for poor families. According to the World Bank, the greatest barrier to African development is political corruption because individuals are prone to invest their money outside their

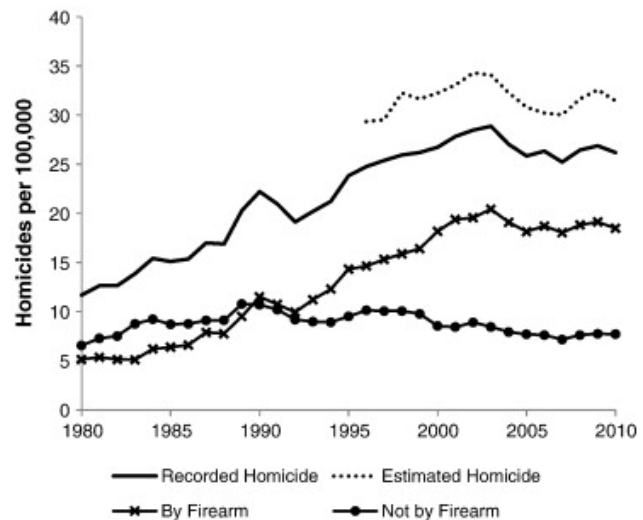
country, which leads to the issues of misallocation and corruption-related tax avoidance.

Africa may have twice the rapid rate of urbanization than the global average, but 44% of youth are unemployed. Although there are conviction rates are low, many countries suffer poor criminal justice systems and low proportions to police and judges to citizens. Many adolescents are involved in drug-trafficking of cocaine and heroin, human trafficking, and the theft/smuggling of natural resources such as minerals, petroleum, and wildlife. In response to the issue of crime and violence, African leaders are projecting democratic reform and economic

growth by reforming a legislative and institutional framework for holistic approaches and safeguard the rights and freedoms of youth offenders.

### *Brazil*

The UN System in Brazil proceedings have monitored adolescent homicides and continual violations of rights carried out by youths. They have found that only 0.013% of 21 million adolescents in Brazil have committed life-threatening acts, according to UNICEF 2012 statistics. In this case, youth are much more the victims than perpetrators. Furthermore, 36.5% of adolescent deaths are due to homicide and the majority of crime tends to affect black and poor populations living on the outskirts of large cities are targeted victims.



*Homicide trends in Brazil from 1980 to 2010*

During 2015, a Proposed Amendment to the Constitution (PAC) proposed for lowering the penal age from 18 years to 16. Lowering the age of youth offences will not only dehumanize the juvenile justice system in accordance to standards laid out in the Federal Constitution of 1988 but also reinforce racism and social discrimination. Fortunately, the UN System argued against the PAC due to the potential rising of incarceration for adolescents ages 16 to 17, boosting people's susceptibility to crime and violence. The UN System warned the strict regard of youth delinquencies only as the matter of public safety, rather than an indicator of protecting fundamental human rights, justice, and citizenship will exacerbate the results of adolescent homicides and life-threatening violence in the future.

### *United States of America*

It is argued that the US is facing one of the worst and most controversial issue of juvenile delinquency due to the wide range of socioeconomic factors among ethnic groups, hindering education systems and the livelihood of immigrants. Another pandemic sits at the top of these crises disrupting pharmaceutical and medical operations to improve health standards, especially for detainees of vulnerable elderly age.

Furthermore, education inequality is a key indicator of juvenile delinquency. The heavy police presence correlating to student race is directly impacting equality in education. The more non-whites in school are found to have a substantially less number of security guards or full-time SRO on campus. According to Children's Defense Fund of California 2013 statistics, the consistently growing number of roughly 400,000 youth spend time in juvenile detention centers. School criminalization is a form a juvenile delinquency in which many courts use to prosecute and incarcerate many youths for misconduct. Although the US criminal justice system follows strict guidelines under the UNODC, there is often little intervention to handle youth juvenile courts. As a result, a school-to-prison pipeline impacts the lives of many socioeconomically disproportionate people, including the Black, Latino, Southeast Asian, and other low-income communities.

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In addition to education inequality, the levels of overcrowded facilities especially come at hand in immigration detention centers near the US-Mexico border for incoming migrants and refugees. UN Human Rights is deeply aware of the inhumane conditions, including inadequate access to food and proper healthcare and sanitation, affecting the livelihood of these people. The United Nations is currently attempting to alleviate the issue of detaining migrant children, which is prohibited under international law.



*A great number of migrants/refugees are held under non-custodial conditions in a detention facility near the US-Mexico border.*

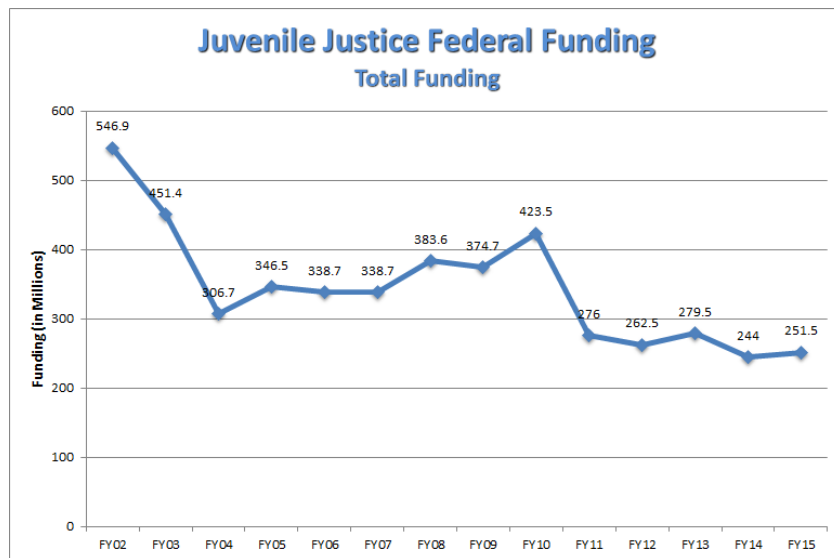
Furthermore, all states have the sovereignty of deciding on the conditions of foreign nationals but the compliance of border management and human rights obligations are recognized as key policies aimed at detection, safeguard, detainment, and deportation. A multitude of human rights offices have addressed the root causes of abuses against refugees and undocumented migrants, which paves a way for improving holistic approaches toward protecting human rights. The challenges often faced by States are the origins of transit, enforcement of deportation, insecurity, sexual- and gender-based violence, and an increasing number of impoverished individuals. However, in an attempt to pay tribute to victimized refugees and migrants, civil society organizations are responsible for supporting their basic rights to food, water, and shelter.

### **Possible Solutions**

There are many socioeconomic factors that lead to juvenile delinquency; therefore, many solutions can be proposed. Among the current approaches, a brief overview of solutions focusses on firstly addressing the roots of criminality, then creating constructive solutions on an international scale, and finally establishing those solutions on national, federal, and local levels. The following problems exist within the issue include but not limited to:

1. Implementation of the “Beijing Rules” and Riyadh Guidelines are exempt in many national laws.
2. Developing countries scrutinize harsh punishments and law enforcements, without any regard to human rights of youth and children.
3. High-risk communities marginalize many poor families and lack opportunities to adequate education, which drives adolescents to alternative solutions to their problems, which tend to be delinquent crimes or protest demonstrations.

A number of solutions to mitigating juvenile delinquency include the implementation of the Riyadh Guidelines on the Prevention of Juvenile Delinquency the World Programme of Action for Youth on Juvenile Delinquency, and the “Beijing Rules” into member-state national



laws. In order to fulfill these solutions, federal spending on juvenile justice must be improved on an international scale. According to 2015 statistics of the Juvenile Justice and Delinquency Prevention Act, spending has lowered from \$547 million to \$251 million. Fiscal spending on the construction of incarceration facilities,

violence-prevention initiatives, and rehabilitation programs is experiencing a shrinking pot. Congressional budgets must be leveled appropriately to carry out the following solutions.

The Riyadh Guidelines state that member-states are encouraged to emphasize child-centered organizations with two main focuses: prioritizing active youth roles in society and engaging respect for and promotion of early childhood. Delinquency prevention policies should avoid criminalizing or penalizing a child for behavior that causes only minor damages to their development or harm to others, and instead promote approaching prevention methods on the basis of laws and processes, safeguarding educational opportunities, and protecting the rights, well-being, development, and interests of all young people. Coordinated prevention efforts between governmental and non-governmental agencies are also effective for shared science and research operation facilities for the formulation of policies and a consistent review and monitoring the implementation and submission of policies based on Riyadh guidelines, especially at places of high concern.

WPAY needs to exercise specific resolutions in order to defend the rights of the imprisoned, sensitize youth and raise awareness of the effects of household and communal violence, as well as evaluate and provide adequate socioeconomic opportunities. Governmental organizations, information campaigns, and educational/training programs should be labeled to provide adequate socioeconomic opportunities, social services, and recreational activities in rural areas to discourage youth delinquencies and mitigate the negative effects of urbanization. Services and rehabilitation programs should administer those who have a criminal history, promote tolerance, and eradicate the effects of racism, racial discrimination, xenophobia, and other related incentives to cause violence and crime. In order to do so would require extensive evaluation of the needs concerning community involvement and legal frameworks in youth organizations on a local scale to implement specific solutions in different areas.

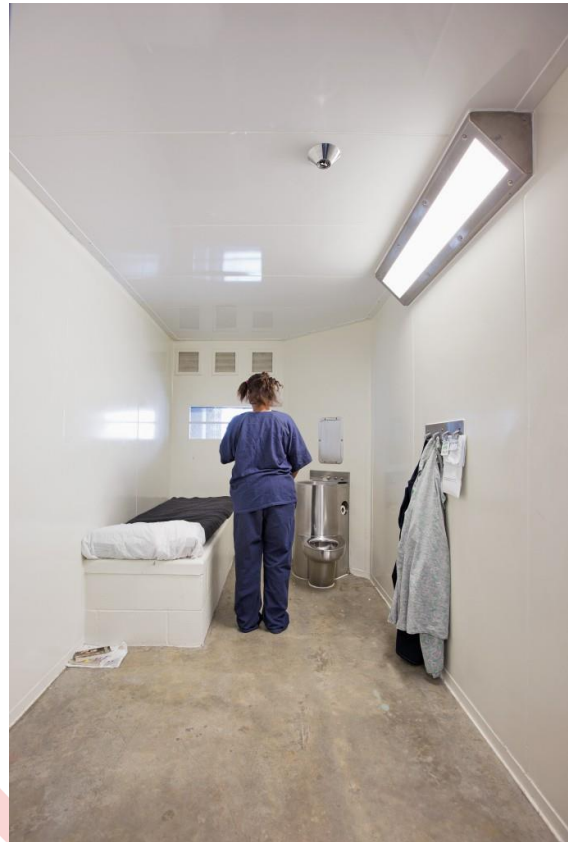
Furthermore, the “Beijing Rules” on the Objectives of Institutional Treatment should establish juvenile justice systems and intensive-care detention facilities in developing countries that have absent or ineffective judiciaries and/or a weakened rule of law. This solution not only addresses the individual needs and socio-environmental conditions in detention facilities, but also

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prohibit correctional centers and educational establishments used as arenas for frequent fights between rivals. Member-states should enforce laws and policies that separate youths in specific juvenile facilities from adults in other detentions, arranging appropriate safeguard and rehabilitation services for individuals of different ages and criminal records. In addition, the need for appropriate nutrition, pharmaceutically used medicines, and advanced services for sanitation and healthcare units should be elevated. Thus, governmental resources, like the “Manual for the measurement of juvenile justice indicators” of the UNODC and UNICEF should be well-accessible and well-analyzed for judiciary institutions. The manual addresses specific and holistic stages of the judicial process: youth detention, contact with family, aftercare. The standard rules emphasize the appropriate measures that identify the core value of preventing detention, arrestment, and imprisonment as well as provide institutional care, close supervision, and intensive family placement or educational setting. Compliance with international organization criteria is necessary to be implemented to advocate for universal juvenile justice.

In regard to the fixation on tough penalties and law enforcement, member-states should emphasize the importance of identifying the roots of criminality and analyzing the recurrence of criminal behavior in specific high-risk communities. Perhaps some developing countries with low employment numbers would be open to increase police surveillance and prosecution of youth offenses and gang activity through “punitive” prevention programs. However, that would require compliance with the Committee on the Rights of the Child standards on standardizing the minimum age for committing juvenile criminal responsibility to at least 12 years old. The monitoring of national juvenile justice systems should strengthen holistic approaches and policies/laws addressing youth crime through information management systems, enhancement of diagnostics with universal performance indicators, and tracking system of systematic outputs.

Lastly, the education equality in socially marginalized communities needs improvement through the incorporation of program seminars and lectures that raise awareness about violence and criminalization. Government services should expand accessibility of schools and after-school activities to high-risk individuals. Additionally, these services can provide tailored apprenticeship programs that enable youth to enter the labor market and consider full-time employment. Ultimately, these methods can promote the importance of domestic support in the prevention of juvenile delinquencies by establishing information campaigns and training programs for families.



*A female adolescent residing in a detention facility in Houston, Texas.*



## Glossary

*Juvenile Delinquency*: the frequent criminal acts or offenses committed by a young person, typically below the age of criminal prosecution.

*Urbanization*: a great influx of people moving from rural to urban areas.

*United Nations Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rules”)*: a General Assembly resolution on the treatment of imprisoned children and youths in member-state nations.

*Riyadh Guidelines for the Prevention of Juvenile Delinquency*: a resolution adopted by the General Assembly that recognizes, implements, and proposes the need to prevent juvenile delinquency by ensuring a human orientation of all necessary socioeconomic aspects.

*Convention on the Rights of the Child*: an international legal framework that ratifies a human right treaty specifically focused on those of children.

*World Programme for Action on Youth (WPAY)*: an internationally supported General Assembly program that provides a policy framework and practical guidelines to improve the livelihoods of young people

*UN Office on Drugs and Crime (UNODC)*: a UN office established in 1997 to tackle the issues of crime, terrorism, drugs, and organized crime.

*UN Economic and Social Council (UNECOSOC)*: a UN office formed in 1945 to coordinate international responses and policy recommendations to economic and social issues

*UN National Children’s Fund (UNICEF)*: a UN agency founded in 1946 to provide humanitarian and developmental aid and social welfare to children across the world.

*UN Interregional Crime and Justice Research Institute (UNICRI)*: a UN institute created in 1968 to improve international crime prevention and criminal justice by formulating and implementing resolved policies.

*UN Interagency Panel on Juvenile Justice (UNIPJJ)*: a UN coordination panel of agencies and NGO’s actively involved in technical assistance for juvenile justice systems.

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