NewMUN: Chapter VI BACKGROUND GUIDE United Nations Office On Drugs and Crime

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LETTER FROM THE CHAIRS

Greetings Delegates!

We, Sakshi Lal and Pulkit Singla, your Chairs for NEWMUN '24, warmly welcome you to the United Nations Office on Drugs and Crime. As a delegate of UNODC,

you will be representing your country's stance on the two issues provided to you in this council. You must be thorough with both the issues at hand, so that you can have fruitful and meaningful debates. Remember, being a delegate requires you to be diplomatic, debate issues, create innovative resolutions by collaborating with fellow delegates, taking up challenges, and overall, having a great and memorable experience!

This year we will be tackling two agendas, restorative justice in drug related offenses and the role of social media in human trafficking. This background guide provides you the basic description and details of both the issues and is not meant to be your only source of information!

We strongly encourage you to research your country's stance thoroughly and be familiar with all aspects of the issue as well as your allies and rivals' views on the matters at hand. A truly exciting and successful MUN experience is when delegates are vocal about their country's stance, take up the initiative to speak and actively participate in the conference.

As your chairs, we will be more than happy to answer any queries that you may have before and during the council. We wish you the best of luck for your diplomatic journey and look forward to your compelling debates and having a great time!

Best regards,

Sakshi Lal and Pulkit Singla

AGENDA 1:

RESTORATIVE JUSTICE IN DRUG-RELATED OFFENSES

INTRODUCTION

Punishment is the harshest because punishment by a given society is a way of denouncing a criminal act as a breach of shared norms which that society relies on. In contrast, restorative justice refers to an approach toward crime; it attempts to repair the harm caused by crime through the involvement of one or all those who have a stake in what has happened. Restorative justice refers to a process whereby all the stakeholders in an injustice have an opportunity to discuss what happened, its aftermath, and anything to be done to right the wrong. It is a process whereby parties with a stake in a specific offense collectively resolve how to deal with the aftermath of the offense and its implications for the future. Restorative Justice is centrally concerned with restoration: restoration of the victim, restoration of the offender to a law-abiding life, and restoration of the damage caused by crime to the community.

DEFINITION OF KEY TERMS

1. **Restorative Justice:** Restorative justice encourages the involvement of victims and offenders in communication and decision-making, and can also be applied to criminal justice, education, health & other fields.

2. **Restorative Practices:** Restorative practices involve making those affected by conflict and harm responsible, outlining the results that flow from behaviors; exploring connectedness options', and arriving at restitution agreements through varying paths

3. **Harm reduction -** refers to a range of intentional practices and public health policies designed to lessen the negative social and/or physical consequences associated with various human behaviors, both legal and illegal.

4. **Drug Court:** Drug courts can be seen as an alternative to an offender's court for a drug offense, emphasizing treatment over imprisonment.

5. **Rehabilitation (noun):** the action of restoring someone to health or normal life through training and therapy after imprisonment, addiction, or illness.

6. **Restorative outcomes:** Restorative outputs lead to restorative outcomes, which are negotiated by the principles of individual and collective needs satisfaction including reparation, restitution, and community service as well as victim-offender rehabilitation or feedback.

7. **Narcotic:** (of a drug) causing sleep or stupor; opiate.

8. **Recidivism:** It is the act of an ex-inmate to return to prison again, or it happens when the person who is convicted has sanctions and then later still repeats another criminal case.

GENERAL OVERVIEW

- Restorative Justice focuses on victims of crime as a starting point. Restorative justice addresses the complex justice needs that arise from the consequences of crime. Victims want their abuser to know their pain, reassure them of safety, and affirm dignity while offenders need victims to disclose, apologize, and make amends. This means each party plays a significant role in the restoration of relationships for justice to take effect.

- Restorative justice places accountability and justice onto the offender of the criminal acts and pursues a just hearing for them. To do this effectively to Narcotics abusers requires strong support from within the community, as well as adequate resources and familiarity with the method.

- There are six guiding principles of restorative practice. Harm reduction is in line with each of these in meaningful ways, including restoration, voluntarism, impartiality, safety, accessibility, and empowerment. As stated in the Basic Principles, restorative justice is "an evolving response to crime that respects the dignity and equality of each person, builds understanding, and promotes social harmony through the healing of victims, offenders, and communities".

- Restorative justice on abusers of Narcotics could have a great positive effect to the victims, to society, and to the criminal justice system as well. In this repair process, an abuser of narcotics may get a deeper realization of the negative impact caused by his/her actions and may spread awareness regarding the after-effects and impacts of drug abuse. With that, it may also improve the relationship between victims, perpetrators, and society.

- Restorative justice can also offer options other than conventional punishments, such as imprisonment or fines. This would reduce the burden on the criminal justice system and improve the level of drug abuse control. Such programs can provide the abusers with the treatment and medication needed to heal their mental health and drug addiction issues. These programs also have the potential to improve the efficiency of

rehabilitation programs by involving the abusers in the restoration process and giving them much-needed assistance.

- Evidence reveals that restorative practices for drug offenses reduce recidivism by up to 19%, keep high satisfaction rates among victims and offenders as high as 85%, save up to $28,000-$39,000 per inmate, and for every £1 spent on Restorative justice £8 are saved due to the decrease in reoffending, a 14% reduction in drug-related re- offending and 62% of victims believing that restorative justice had made them feel better as a result of an incident of crime.

- Adverse effects of restorative justice include issues regarding sentences that are fair and hurt victims who do not go through the process of reparation, especially in drug abuse cases. Some factors such as lack of resources, divided opinion, stigma, and lack of awareness hinder its application. The application of restorative justice, therefore, must be carefully done and based on the just and equal principles of justice.

- As much as restorative justice encourages responsibility, accountability, and reconciliation, the process has adverse effects which include limited resources, differences in opinions, stigma, unawareness, and hindrance in penalty decisions. Therefore, its effectiveness depends on being handled fairly, transparently, and with respect for human rights.

MAJOR PARTIES INVOLVED

1. **National Governments:** Governments make key policies, put restorative justice programs into action, give out funds, have an impact on judicial use, set up accountability, raise public awareness, line up with legal standards, and tackle non-compliance.

2. **UNODC:** The UNODC is a worldwide group that pushes for restorative justice plans to fight drug-related crimes. It gives technical help, and policy advice, and backs member states, focusing on crime root causes, to help offenders get back on track, and to keep communities safe.

3. **UNICEF:** UNICEF backs restorative justice aiming to build child-friendly justice systems and other options instead of locking up people for drug-related crimes. Its goal is to help offenders get back on their feet and rejoin society.

4. **Non-Governmental Organizations:** NGOs play a big part in restorative justice programs around the world. They're close to communities, which helps them set up restorative forums. Examples include the Restorative Justice Council (UK) and the Center for Justice and Reconciliation (USA).

5. **Research Institutions:** Research institutions check how well restorative justice programs work to cut down repeat offenses, make things better for victims, and help offenders get back on track. They give advice based on evidence to help develop policies and make sure the results last.

TIMELINE OF KEY EVENTS

- *1974:* A probation officer in Kitchener Ontario, arranged a meeting between young
  lawbreakers and those they had wronged. This meeting kicked off victim-offender mediation, which later shaped restorative justice methods.

- *1977:* Mark Yantzi and Howard Zehr found Kitchener's first program to mediate
  between victims and offenders. This program sought to deal with hurt by talking.

- *1990s:* The establishment of restorative justice programs in countries such as New Zealand and Australia was established. Programs started leaning toward a focus on the reduction of recidivism, including the guidelines by drug offenders for the implementation of restorative justice in many other contexts, including those related to drugs.

- *2009:* The United Nations Commission on Crime Prevention and Criminal Justice adopted the United Nations Standards and Norms in Crime Prevention and Criminal Justice, including the practice of restorative justice to encourage its use with respect to drug-related offenses and rehabilitation.

- *2010:* Some countries started introducing special restorative justice programs for drug cases that would give emphasis on treatment and rehabilitation together with holding offenders responsible for their actions. This treatment and rehabilitation also included addressing drug addiction and its impacts through community-based measures and assistance.

- *2020:* The focus of restorative justice in the arena of drug policy is slowly but constantly shifting. There has been an increasing interest in evidence-based

practices and holistic approaches that would not only consider the complexity of the drug-related offense but also include mental health and addiction service integration with the restorative processes.

PREVIOUS ATTEMPTS TO RESOLVE THE ISSUE

1. **Victim-offender mediation:** it has its origin in the 1970s and is one of the most applied models of restorative justice within a framework of criminal justice.

2. **Conferencing** brought an enlarged circle into the ambit that included family, friends, and
community persons on issues related to drug-related offenses. This helped offenders to relate the consequences of their behavior on victims, and their social environment and community while seeking the healing of fractured relationships and working toward re-unification. Used first with juveniles, conferencing has been extended to adult drug offenders with an emphasis on holistic rehabilitation and reintegration.

3. **Circles** for drug offenses bring together a variety of stakeholders, working from a place of respect, truthfulness, trust, and equality. Supported by professionally trained keepers, these circles work to encourage insight, facilitate offender reintegration, and heal any damage caused by the offense

4. **Victim-surrogate programs:** When for some reason or another, victims are unable or do not want to participate directly in a therapeutic process, these programs allow for them to be replaced by a representative of their choosing

5. **National Systems:** The European Union and Commonwealth members fostered the use of restorative justice in drug-related cases through different frameworks and initiatives that favored community-based and rehabilitative policies.

POSSIBLE SOLUTIONS

1. **Community Variations Addressed:** Programs of restorative justice should involve active participation in design and implementation by the members of the local community to make it relevant and effective at that level.

2. **Addressing ethical and moral issues:** Seek a balance between victims' and offenders' interests and rights so the processes in restorative justice do not powerfully help one party over the other.
3. **Improvement of Public Perception and Acceptance:** Public education campaigns provide an opportunity to raise awareness of benefits and principles but also misconceptions about restorative justice.
4. **Restorative justice principles can be followed if:** There is an overall framework, followed by an explanation with guidelines and training for all parties involved, and support afterward. All this ensures transparency, equity, and restorative values.

POSSIBLE DEBATE TOPICS

1. Can punishment have a place within restorative justice?
2. Does restorative justice add to or take away from community safety overall?
3. Can restorative justice be something for adjunct processes, or is this to replace the processes used traditionally?
4. In some cases, could restorative justice create an imbalance in power or further trauma for victims?
5. Is restorative justice an effective response to the likelihood of reoffending?
6. How are victims' and community needs to be dealt with through a restorative justice process in cases of severe harm?
7. Is restorative justice more effective in the case of juveniles than for adults?

APPENDIX
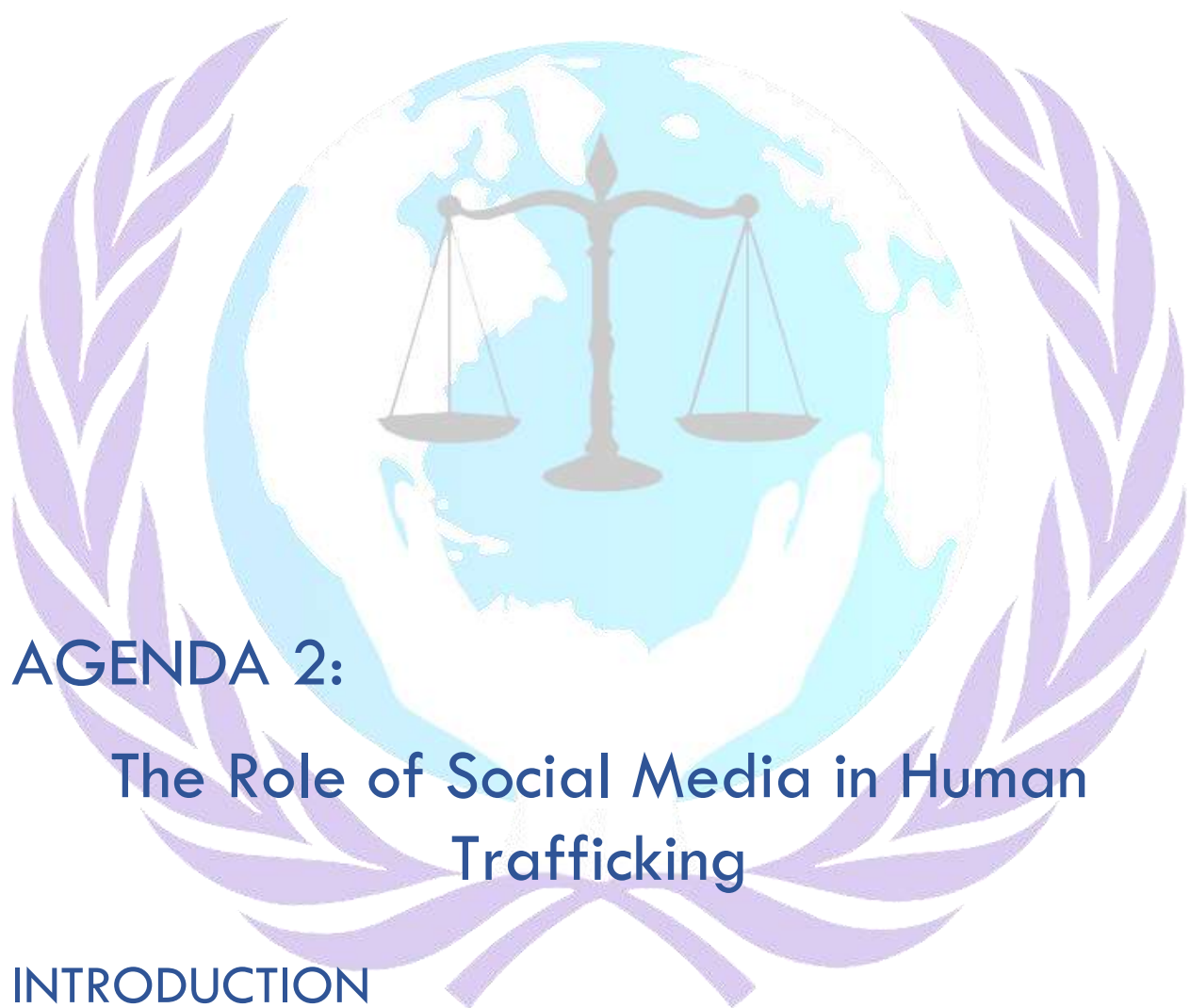
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- **Pitjournal:** https://pitjournal.unc.edu/2023/03/22/impacts-of-restorative-justice-on-recidivism/

- **Victim Support:** https://www.victimsupport.org.uk/more-us/why-choose-us/specialist-services/rj

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AGENDA 2:

The Role of Social Media in Human Trafficking

INTRODUCTION

Human trafficking is one of the most pressing human rights issues in today's world. Unfortunately, the rise of social media in recent years has led to increased human trafficking in today's world. Social media platforms although having various advantages have also led to the exploitation of it by human traffickers. Thus, it's expected from every delegate to debate upon this pressing issue and come up with innovative and potential solutions.

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DEFINITION OF KEY TERMS

1. **Human Trafficking**: It is the trade of humans for forced labor, sexual slavery, or commercial sexual exploitation and is condemned as a violation of human rights by international conventions
2. **Social media:** These are interactive technologies that facilitate the creation, sharing, and aggregation of content amongst virtual communities and networks
3. **Exploitation:** The act of treating someone unfairly to benefit from their work.
4. **Recruitment:** The process of finding and enlisting people to work, in this context, often through deceptive or coercive means.
5. **Vulnerable:** A person who needs special care, support, or protection because of age, disability, or risk of abuse or neglect.
6. **Digital Grooming**: It is a process where someone befriends a child online and builds up their trust to exploit them and cause them harm.
7. **Dark Net or Dark Web:** It is an overlay network within the Internet that can only be accessed with specific software, configurations, or authorization, and often uses a unique customized communication protocol
8. **Anonymity:** where the acting person's identity is unknown
9. **Online Enticement:** It occurs when someone is communicating with a child via the internet with the intent to exploit them.

GENERAL OVERVIEW

- Human Trafficking is an international issue where people are trafficked for purposes such as forced labor and sexual exploitation. Social media has increased a lot, which has enabled traffickers to recruit, advertise, and exploit victims through new ways by exploiting social media platforms which has led to an increase in their trafficking operations, and even conduct control over the victims.
- Human traffickers historically used traditional methods like abduction and false promises of employment opportunities. But with the fast-changing world, the recruitment methods have also changed.
- Nowadays, they achieve a large scope through these applications while ensuring some level of anonymity to keep their chances of being detected

low. They look for vulnerable people in need of something the trafficker can provide. Then they exploit their vulnerability through general social media apps such as Facebook, Instagram, and Snapchat. They often give materialistic support, emotional support, etc. through which they win over their victim's trust, and then their lives are managed through the same apps

- Traffickers may also engage in digital grooming through social media and online gaming platforms. They create fake identities and win over their victim's trust gradually and then they often exploit their victim's vulnerability leading to human trafficking.

- Growing use of deep web networks and related websites is also one of the major concerns as traffickers are constantly active on these websites. These websites are usually spread through the same social media apps.

- Traffickers also use the same apps for threats or blackmail. They might restrict access to victims' accounts, falsifying information or threatening exposure of their personal life so which enables them to get complete control on the victim. These methods leads to a psychological effect on victims, making them feel trapped and isolated.

- Because social media is an important part of modern life, it has turned out to be a successful tool for tracking and monitoring the activities of their victims remotely, making the rescue and recovery efforts even more difficult. The anonymity and the reach of the internet make it easy for traffickers to successfully operate across borders, making it much harder for law enforcement agencies in their respective jurisdiction to track and apprehend them.

- Children and teenagers are most vulnerable because of their age, innocence, trusting nature, and the time spent by them on social media apps. They often lack knowledge and experience making them unaware of these trafficking methods.

- Human trafficking is estimated to be a 150-billion-dollar industry. Sexual exploitation is expected to account for 79% of total trafficking making it the most common form of human trafficking. Women and girls are often trafficked for sexual exploitation.

- While forced labor, constitutes 18 percent of total trafficking making it the second most common form. But this data might be far lower than real

because forced labor is far less detected and reported than sexual exploitation. Children account for 20% of trafficked humans for forced labor. Due to the COVID pandemic, reports for online enticement nearly doubled by 97.5 percent; most of these cases involved social media and online gaming.

- Consequently, while human trafficking used new methods to recruit their victims through social media, new tools, and technologies were also developed on the same apps for easier detection and disruption of human trafficking networks

- In the dynamic change of human trafficking, it is important that governments, organizations, and community entities work together to protect vulnerable populations and dismantle networks that continue to perpetuate this modern form of slavery.

MAJOR PARTIES INVOLVED

1. **National Governments:** They put forward many anti-trafficking laws, create services for handling and supporting the victims, and run some social campaigns. They also improve the special services of law enforcement to detect and break their trafficking systems.

2. **Social Media Platforms**: Apps like TikTok, Facebook, and so on, are always directed to secured traffickers to look for their market for their victims in different ordinaries. However, the same platforms are creating awareness, educational resources, organizing campaigns to help the victims and disrupt trafficking networks

3. **International Organizations:** For example, UNODC, ILO, IOM, etc always carry out activities and operations to mitigate and break the cycle of human trafficking while establishing services for the needy.

4. **Non-Government Organizations (NGO's):** They conduct campaigns to sensitize the general population and take care of the rescued victims. They also partner with other international agencies and piloting governments—Ex: Polaris, International Justice Mission (IJM), EPCAT etc.

5. **Communities and Educational Organizations:** They organize campaigns, support networks, fundraising events, etc. to raise awareness and support trafficked victims.

TIMELINE OF KEY EVENTS

- ***1997 - Establishment of UNODC –*** A new office created by the merger of the United Nations Drug Control Program and the Centre for International Crime Prevention. The establishment was designed to address issues that were becoming rampant in the world, such as: drug abuse, organized crime, and terrorism.
- ***2000: Palermo Protocol –*** This Protocol was adopted to Prevent, Suppress, and Punish Trafficking in Persons especially Women and Children. It provides a complete definition of human trafficking and a framework to any country so afflicted..
- ***2003: Myspace Launch –*** It is during the launch of Myspace one of the first social network sites that makes social media a weapon of abuse in the hands of the Traffickers.
- ***2004: Facebook Launch –*** Facebook is launched in the world than it was before to make people use more and more social media than ever before turning to new markets for traffickers to look for victims.
- ***2010: UN Global Plan of Action to Combat Trafficking in Persons –*** This particular UN resolution underlines that measures against trafficking should not only be taken as strict police actions, but as a part of recently adopted by the United Nations policies.
- ***2015: ASEAN Convention Against Trafficking in Persons –*** This regional treaty was adopted on a common strategy to prevent and fight against human trafficking concerning technology and social media
- ***2017: G7 Roadmap for Combating Human Trafficking –*** Outlines measures to curb human trafficking including the use of technology to find and disrupt trafficking rings especially targeted online.
- ***2020: COVID-19 Pandemic –*** UNODC alerts that countries need to be on alert and protect their potential victims of this crime due to increased risk of human trafficking in this pandemic.

- *July 2020: NCMEC Reports Surge –* According to NCMEC, reports of online enticement increased by 97.5 percent owing to more people staying home during lockdowns.
- *April 2021: UN Reports on Impact –* A report by the UN outlines the disruptions that COVID-19 brought to the trafficking business including disruptions in services for the victims and increased trafficking.
- *2024: Present ongoing efforts –* A report by the UN outlines the disruptions that COVID-19 brought to the trafficking business including disruptions in services for the victims and increased trafficking.

PREVIOUS ATTEMPTS TO RESOLVE THE ISSUE

1. **Adoption of Treaties:** Treaties like the ASEAN Convention Against Trafficking in Persons, Especially Women and Children, the International Labor Organization (ILO) Convention No. 29 (Forced Labor Convention) and No. 105 (Abolition of Forced Labor Convention, and so on were created in response to human trafficking issues and aimed to eliminate them through legal operations, protection of victims, punishment of perpetrators and others.
2. **Awareness Campaigns:** Campaigns such as Blue Heart Campaign of UNODC, EUROPOL's #SayNo Campaign etc were publicized to raise public awareness of this on this issue.
3. **Victim Protection Initiatives:** For instance, several initiatives such as IOM (International Organization for Migration), National Reference Mechanism etc were sought to develop to find the victims and assist them.
4. **Establishment of Law Agencies:** Several law enforcement agencies have been set up both at the domestic level and on an international platform to track down human trafficking patterns, disintegrate such syndicates and also implement justice on the offenders of human trafficking.

POSSIBLE SOLUTIONS

1. **Enhanced Monitoring and Reporting:** Social networking sites should invest more in better tools and technologies that can help in identifying and removing trafficking-related content at a much faster speed. Tools such as AI,

Natural language processing, and Image and video recognition have to be continuously improved and developed.

2. **International Collaboration:** Better involvement of countries, technology companies, and NGOs in sharing information and resources could facilitate timely, proper responses to the trafficking activities across borders and give support to the victims thereof.

3. **Public Awareness Campaigns:** Most of these cases can be curbed through proper awareness among the people. In this way, it will allow them to understand what constitutes suspicious activity and how one can report such cases effectively. These campaigns could be done through social workshops, social media platforms, etc.

4. **Stronger Legislation:** The implication of strong laws ensures trafficked cases are effective in identifying and disrupting trafficking networks both nationally and internationally. These should include severe penalties, punishments, and regulation of social media platforms that will deter traffickers from activities.

5. **Victim Support Services:** Providing adequate support and rehabilitation services can make the recovery of trafficked victims faster. This must include psychological and medical care, and long-term support like education, job training, legal assistance etc.

APPENDIX

- **ASEAN Organization**
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- **Polaris Project https://polarisproject.org/human-trafficking-and-social-media/**
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