

NEW YORK, NY 20 - 24 March – Conference A 27 - 31 March – Conference B nmun.org/nmun\_ny.html

# UNITED NATIONS CHILDREN'S FUND BACKGROUND GUIDE 2016

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# NATIONAL MODEL UNITED NATIONS





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# **THE 2016 NATIONAL MODEL UNITED NATIONS**

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Michael Eaton Executive Director Prof. Richard Murgo Past President Prof. Richard Reitano President Emeritus Dear Delegates,

Welcome to the 2016 National Model United Nations Conference in New York (NMUN•NY)! We are pleased to introduce you to our committee, the United Nations Children's Fund (UNICEF). This year's staff is: Directors Tsesa Monaghan (Conference A) and Ashley Boyer (Conference B), and Assistant Directors Grace Moyo (Conference A) and Jakob Landwehr (Conference B). Tsesa studied Political Science and German Studies at Macalester College, and she is currently pursuing her Master of Public Policy at the Willy Brandt School of Public Policy in Erfurt, Germany. She is looking forward to her fifth year on NMUN•NY staff. Ashley is a graduate student at Georgia State University studying comparative and international politics. This is her second year on staff. Grace is a final year Bachelor of Laws student at Rhodes University in South Africa. This is her second year on NMUN staff. Jakob is a postgraduate student at the University of Kent in Canterbury, England. He is studying international conflict analysis, and this is his first year on staff.

The topics under discussion for UNICEF are:

- I. Advancing Children's Rights in the Digital Age
- II. Realizing the Rights of Indigenous Children
- III. Ending Child Marriage

UNICEF is the primary entity within the UN system working to promote and protect the rights of children, who are often disproportionately affected by conflict, instability, and poverty. Partnerships are essential to the success and impact of UNICEF projects, which depend upon cooperation with non-governmental organizations, UN entities, Member States, and other stakeholders. UNICEF is also involved in planning and executing concrete action from emergency relief to development programs through its on-the-ground presence in over 190 countries.

At NMUN•NY 2016, we are simulating the Executive Board of UNICEF in terms of composition and size. However, during the conference, delegates are not limited to the strict mandate of the Executive Board as a budgetary and administrative body. On the contrary, for the purposes of NMUN•NY 2016, and corresponding with the educational mission of the conference, the committee has the ability to make programmatic and policy decisions on issues within the mandate of UNICEF in line with the overall function of the organization.

We hope this Background Guide helps you in understanding the topics of our committee. However, the guide should not replace individual research; we highly encourage you to explore your Member State's policies in depth, while the Annotated Bibliography and Bibliography can guide you towards further useful research on the topics. In preparation for the conference, each delegation will submit a <u>position paper</u>. Please take note of the <u>NMUN policies</u> on the website and in the <u>Delegate Preparation Guide</u> regarding plagiarism, codes of conduct, dress code, sexual harassment, and the awards philosophy and evaluation method. Adherence to these guidelines is mandatory.

The <u>NMUN Rules of Procedure</u> are available to download from the NMUN website. This document includes the long and short form of the rules, as well as an explanatory narrative and example script of the flow of procedure. It is thus an essential instrument in preparing for the conference, and a reference during committee.

If you have any questions concerning your preparation for the committee or the conference itself, feel free to contact the Under-Secretaries-General for the Development Department, Michael Buechl (Conference A) and and Andrea Wong (Conference B). You can reach either USG at: <u>usg.development@nmun.org</u>.

We wish you all the best in your preparations and look forward to seeing you at the conference!

Sincerely,

#### **Conference** A

Tsesa Monaghan, *Director* Grace Moyo, *Assistant Director*  **Conference B** 

Ashley Boyer, *Director* Jakob Landwehr, *Assistant Director* 

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# Abbreviations

ACRWC	African Charter on the Rights and Welfare of the Child
CCPCJ	Commission on Crime Prevention and Criminal Justice
CEDAW	Convention on the Elimination of All Forms of Discrimination
	against Women
CRC	Convention on the Rights of the Child
CSO	Civil society organization
CSW	Commission on the Status of Women
ECOSOC	Economic and Social Council
FAO	Food and Agriculture Organization of the United Nations
GA	General Assembly
GAP	Gender Action Plan 2014-2017
GBV	Gender-based violence
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and communication technology
ILO	International Labour Organization
INTERPOL	International Criminal Police Organization
ITU	International Telecommunication Union
MDGs	Millennium Development Goals
NGO	Non-governmental organization
OHCHR	Office of the High Commissioner for Human Rights
SAIEVAC	South Asia Initiative to End Violence against Children
SAPs	Structural Adjustment Programs
SDGs	Sustainable Development Goals
STDs	Sexually transmitted diseases
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIPP	United Nations Indigenous Peoples' Partnership
UNOPS	United Nations Office for Project Services
UNPFII	United Nations Permanent Forum on Indigenous Issues
UN-Women	United Nations Entity for Gender Equality and the Empowerment of
	Women
WFP	World Food Programme
WHO	World Health Organization



# United Nations System at NMUN•NY

This diagram illustrates the UN System simulated at NMUN•NY. It shows where each committee "sits" within the system, to help understand the reportage and relationships between the entities. Examine the diagram alongside the Committee Overview to gain a clear picture of the committee's position, purpose, and powers within the UN System.





# **Committee Overview**

#### Introduction

In 1946, United Nations (UN) General Assembly (GA) resolution 57 (I) established the UN International Children's Emergency Fund (UNICEF) as a relief organization for European child refugees after the Second World War.<sup>1</sup> Subsequently, GA resolution 417 (V) expanded UNICEF's mandate beyond Europe to include all children, particularly those in developing countries and countries recovering

The United Nations Children's Fund (UNICEF) is a programme and fund of the United Nations, reporting to the Economic and Social Council and General Assembly.

from conflict.<sup>2</sup> In 1953, pursuant to resolution 802 (VIII), the GA elected to extend UNICEF's mandate indefinitely and accordingly changed the organization's full name to the United Nations Children's Fund.<sup>3</sup>

At NMUN•NY 2016, we are simulating the Executive Board of UNICEF in terms of composition and size; however, delegates are not limited to the strict mandate of the Executive Board, as a budgetary and administrative body, during the conference. For the purposes of NMUN•NY 2016, and corresponding with the educational mission of the conference, the committee has the ability to make programmatic and policy decisions on issues within the mandate of UNICEF in line with the overall function of the organization.

The GA adopted the *Declaration of the Rights of the Child* in 1959.<sup>4</sup> It determined that "children [should have] rights to protection, education, health care, shelter and good nutrition."<sup>5</sup> Throughout the two decades thereafter, UNICEF focused on meeting substantive goals in the area of children's education, while gaining popular support through the "Ambassador at Large" celebrity positions.<sup>6</sup> In light of the groundbreaking 1987 UNICEF study "Adjustment with a Human Face," UNICEF began to employ a human rights-based approach to development and policy, shifting away from approaches to development that prioritized Structural Adjustment Programs (SAPs), which had a negative, marginalizing impact on the health and education of children in the Global South.<sup>7</sup>

The results of the "Adjustment with a Human Face" study led to the 1989 adoption of the influential *Convention on the Rights of the Child* (CRC).<sup>8</sup> The CRC took UNICEF over ten years to create with the assistance of governments, non-governmental organizations (NGOs), human rights advocates, lawyers, health specialists, social workers, educators, child development experts, and religious leaders, and it became the "most widely and rapidly accepted human rights treaty in history."<sup>9</sup> Following the adoption of the CRC, UNICEF organized the World Summit for Children in 1990, which hosted the largest gathering of world leaders in history and helped broaden the debate on children in conflict in the Security Council in the 1990s.<sup>10</sup> In the early 2000s, UNICEF committed itself to implementing the Millennium Development Goals (MDGs) through five main strategic areas: young child survival and development; basic education and gender equality; HIV/AIDS and children; child protection; and policy analysis, advocacy, and partnerships for children's rights.<sup>11</sup> In 2001, UNICEF created the "Say Yes for Children" campaign, which advocated globally for the inalienable rights of children.<sup>12</sup>

<sup>&</sup>lt;sup>1</sup> UN General Assembly, Establishment of an International Children's Emergency Fund (A/RES/57 (I)), 1946, p. 1.

<sup>&</sup>lt;sup>2</sup> UNESCO, Guide to Archives of International Organizations: UNICEF; UN General Assembly, Continuing needs of children: United Nations International Children's Emergency Fund (A/RES/417(V)), 1950.

<sup>&</sup>lt;sup>3</sup> UN General Assembly, United Nations Children's Fund (UNICEF) (A/RES/802 (VIII)), 1953.

<sup>&</sup>lt;sup>4</sup> UN General Assembly, Declaration of the Rights of the Child (A/RES/1386 (XIV)), 1959.

<sup>&</sup>lt;sup>5</sup> Ibid.

<sup>&</sup>lt;sup>6</sup> UNICEF, Goodwill Ambassadors & Advocates, 2015.

<sup>&</sup>lt;sup>7</sup> UNICEF, Social and Economic Policy, 2015.

<sup>&</sup>lt;sup>8</sup> UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

<sup>&</sup>lt;sup>9</sup> UNICEF, Our History, 2015.

<sup>&</sup>lt;sup>10</sup> Ibid.

<sup>&</sup>lt;sup>11</sup> UNICEF, Matrix: UNICEF Focus Areas and the Millennium Agenda.

<sup>&</sup>lt;sup>12</sup> UNICEF, Our History, 2015.



#### Governance, Structure and Membership

The Executive Board, which constitutes the highest level of UNICEF administrative management, determines all major policy and budgetary decisions based on reports from the National Committees.<sup>13</sup> The Executive Board meets three times annually at the UN Headquarters in New York.<sup>14</sup> Comprised of 36 Member States elected to three-year terms by the UN Economic and Social Council (ECOSOC), the Executive Board allocates eight seats to Africa, seven seats to Asia, four seats to Eastern Europe, five seats to Latin America and the Caribbean, and twelve seats to Western Europe and Others.<sup>15</sup> The Executive Board also observes all UN missions related to children and youth and oversees all documents adopted or produced by the organization, including the annual "State of the World's Children" report; the "Progress for Children" report (updated annually or biannually); and the annual "Committing to Child Survival" report.<sup>16</sup> The Executive Board reports on committee progress and makes recommendations regarding the status of children worldwide to both ECOSOC and the GA.<sup>17</sup>

Today, UNICEF has a presence in 192 countries.<sup>18</sup> UNICEF runs 36 National Committees focused on fundraising, building productive private and public partnerships, and raising awareness of issues related to children's rights.<sup>19</sup> UNICEF is funded entirely by voluntary contributions from governments, NGOs, corporations, foundations, and private individuals.<sup>20</sup> As an agency, UNICEF's main goals are met through fieldwork, country offices created via government partnerships, and collaborative five-year cycles of research and policy within each Member State.<sup>21</sup> Outside of the administrative structure, UNICEF also coordinates a Supply Division headquarters in Copenhagen, Denmark, and the Innocenti Research Centre in Florence, Italy, which liaises with policy creators and provides research to the Executive Board.<sup>22</sup>

#### Mandate, Functions and Powers

Originally defined by GA resolution 57 (I), UNICEF's mandate was later broadened by GA resolutions 417 (V) and 802 (VIII) to include advocacy "for the protection of children's rights," assistance with meeting children's basic needs, and expansion of "opportunities [for children] to reach their full potential."<sup>23</sup> UNICEF's mandate is informed by the CRC and based on the concept that "nurturing and caring for children are the cornerstones of human progress."<sup>24</sup> UNICEF has both a normative role in establishing international standards and an operational role carried out at field level in areas such as emergency relief and rehabilitation; health; nutrition; education; water and sanitation; the environment; child protection; and gender issues and development.<sup>25</sup> UNICEF reports to the GA and ECOSOC, both of which undertake annual reviews of UNICEF's work.<sup>26</sup>

To fulfill its mandate, UNICEF coordinates with UN partners, including the Task Force on Children and Armed Conflict, the Inter-Agency Network on Youth Development, and the Security Council Working Group on Children and Armed Conflict.<sup>27</sup> UNICEF also partners with NGOs through the National Committees and works

<sup>&</sup>lt;sup>13</sup> UNICEF, The Structure of UNICEF, 2015.

<sup>&</sup>lt;sup>14</sup> UNICEF, UNICEF Executive Board, 2015.

<sup>15</sup> Ibid.

<sup>&</sup>lt;sup>16</sup> Ibid.; UNICEF, *Our History*, 2015.

<sup>&</sup>lt;sup>17</sup> UNICEF, UNICEF Executive Board, 2015.

<sup>&</sup>lt;sup>18</sup> UNICEF, *FAQ*, 2015.

<sup>&</sup>lt;sup>19</sup> UNICEF, The Structure of UNICEF, 2015; UNICEF, National Committees, 2015.

<sup>&</sup>lt;sup>20</sup> U.S. Fund for UNICEF, Frequently Asked Questions, 2015.

<sup>&</sup>lt;sup>21</sup> UNICEF, The Structure of UNICEF, 2015; UNICEF, Information by country and programme.

<sup>&</sup>lt;sup>22</sup> UNICEF, The Structure of UNICEF, 2015; UNICEF, UNICEF Executive Board, 2015.

<sup>&</sup>lt;sup>23</sup> UN General Assembly, Establishment of an International Children's Emergency Fund (A/RES/57 (I)), 1946, p. 3; UNESCO, Guide to Archives of International Organizations: UNICEF, 2015; UNICEF, Mission Statement, 2003.

<sup>&</sup>lt;sup>24</sup> UNESCO, Guide to Archives of International Organizations: UNICEF; UNICEF; UNICEF: Convention on the Rights of the Child, 2015.

<sup>&</sup>lt;sup>25</sup> New Zealand Ministry of Foreign Affairs and Trade, United Nations Handbook 2015-16, p. 238.

<sup>&</sup>lt;sup>26</sup> UNESCO, Guide to the Archives of International Organizations.

<sup>&</sup>lt;sup>27</sup> UN DESA, United Nations Inter-Agency Network on Youth Development, 2010; UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Strategic Framework 2011-2013, 2011, p. 5; UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict, Role of the Security Council Working Group on Children and Armed Conflict.



collaboratively with governments and civil society to protect children's rights within state borders.<sup>28</sup> UNICEF's key actions focus on improving young child survival and development; advocating for basic education and gender equality; combating HIV/AIDS in children; protecting children from violence, exploitation, and abuse; engaging in policy advocacy and partnerships for children's rights; prioritizing humanitarian action; and encouraging increased national capacity-building and enhanced reporting on results.<sup>29</sup>

#### **Recent Sessions and Current Priorities**

UNICEF's current aims are structured around four thematic areas: child survival and development, protection and social inclusion, education, and emergencies and humanitarian aid.<sup>30</sup> UNICEF's publicly accessible Strategic Plans are created and approved by the Executive Board every four years.<sup>31</sup> Currently, UNICEF is working under the *2014-2017 Strategic Plan*, guided by the theme of "realizing the rights of every child, especially the most disadvantaged" and built upon reviews and statistics from UNICEF's previous plans in collaboration with Member States.<sup>32</sup> This Strategic Plan evinces the fundamental importance of human rights to UNICEF policy creation, as well as a shift in focus to the Sustainable Development Goals (SDGs).<sup>33</sup> Further, this Strategic Plan emphasizes increased collaboration with international NGOs on policy creation, as well as the newly created Peer Review Group of experts working to "strengthen linkages of the strategic plan results frameworks with country programs of cooperation and global and regional priorities."<sup>34</sup>

Currently, key areas of focus for UNICEF include increasing organizational efficiency and effectiveness, as well as meeting goals related to immunization, maternal and newborn health, and combating HIV/AIDS in partnership with the World Health Organization (WHO).<sup>35</sup> UNICEF has devoted increased attention to water sanitation in programming and water supply issues in conflict areas through efforts to build capacity for sustainable access to safe drinking water; eliminate open defecation; improve access to adequate sanitation; promote hand-washing and good hygiene practices; provide safe drinking water, sanitation, and handwashing facilities in schools and health centers (with attention to the needs of girls); and increase preparedness to respond to humanitarian situations.<sup>36</sup> Thematic focuses such as nutrition, child protection, gender equality, and education remain equally prevalent in UNICEF goals.<sup>37</sup>

On 22 January 2015, UNICEF participated in the annual Joint Meeting of the Executive Boards, during which it convened with the UN Development Programme (UNDP), the UN Population Fund (UNFPA), UN Entity for Gender Equality and the Empowerment of Women (UN-Women), the UN Office for Project Services (UNOPS), and the World Food Programme (WFP) to address two primary topics.<sup>38</sup> The first topic, "Partnership with others: lessons learned on scaling up innovation to reach people in need," highlighted the need to bolster inter-agency partnerships to address pressing global challenges.<sup>39</sup> The second topic, "Innovative approaches to programme design and implementation to support the operationalization of the post-2015 development agenda," emphasized the importance of innovation to addressing global policy challenges.<sup>40</sup> The meeting outlined a plan of action to overcome barriers to progress and maximize organizational efficiency.<sup>41</sup>

UNICEF held its 2015 annual session from 16-18 June in New York City.<sup>42</sup> The agenda items discussed included a review of the committee's work in 2014, during which UNICEF faced an unprecedented level of humanitarian crises

<sup>&</sup>lt;sup>28</sup> UNICEF, Civil Society Partnerships.

<sup>&</sup>lt;sup>29</sup> UNICEF, Thematic Report 2012: Policy Advocacy and Partnership for Children's Rights, 2012.

<sup>&</sup>lt;sup>30</sup> UNICEF, UNICEF: Who we are.

<sup>&</sup>lt;sup>31</sup> UNICEF, Strategic Plan 2014-2017, 2014.

<sup>&</sup>lt;sup>32</sup> UN ECOSOC, The UNICEF Strategic Plan, 2014-2017 (E/ICEF/2013/21), 2013.

<sup>33</sup> Ibid.

<sup>&</sup>lt;sup>34</sup> Ibid.

<sup>&</sup>lt;sup>35</sup> Ibid.

<sup>&</sup>lt;sup>36</sup> Ibid.

<sup>&</sup>lt;sup>37</sup> Ibid.; UNICEF, Second Regular Session 2014, 2014.

 <sup>&</sup>lt;sup>38</sup> UNICEF, 2015 Joint Meeting of the Executive Boards of UNDP/UNFPA/UNOPS, UNICEF, UN-Women and WFP, 2015.
<sup>39</sup> Ibid.

<sup>&</sup>lt;sup>40</sup> Ibid.

<sup>&</sup>lt;sup>41</sup> Ibid.

<sup>&</sup>lt;sup>42</sup> UNICEF, Annual Session 2015, 2015.



with nearly 15 million children affected by violent conflict globally.<sup>43</sup> UNICEF was nevertheless able to assist over 18 million people with obtaining access to improved water sources and over 4 million people with obtaining access to improved sanitation.<sup>44</sup> Despite significant progress, many challenges remain, especially in countries experiencing ongoing conflict such as Yemen and Syria.<sup>45</sup>

The annual review of the implementation of the UNICEF Gender Action Plan 2014-2017 (GAP) was held from 16-19 June 2015.<sup>46</sup> The GAP was created in alignment with the 2014-2017 Strategic Plan to mainstream and prioritize women and girls in UNICEF's development programming.<sup>47</sup> It is noteworthy that progress has been achieved in relation to all of the four targeted gender priorities: "ending child marriage, advancing girls' secondary education, promoting gender-responsive adolescent health, and addressing gender-based violence (GBV) in emergencies."<sup>48</sup>

UNICEF was extensively involved in the consultative processes that ultimately defined the post-2015 development agenda, and it advocated strongly for the prioritization of children within the SDGs, which were adopted by the General Assembly in September 2015.<sup>49</sup> As frequently emphasized by UNICEF and reflected in the SDGs, the social, economic, and environmental aspects of sustainable development all begin with "safe, healthy and well educated children."<sup>50</sup> SDG 1 calls for the elimination of poverty in all forms and incorporates a target for increasing access to technology for all.<sup>51</sup> SDG 4 focuses on equitable and equal educational opportunities for all and notes the importance of improving access to education for indigenous communities and other vulnerable populations.<sup>52</sup> Finally, SDG 5 acknowledges the necessity of ending child, early, and forced marriage for the achievement of gender equality and the empowerment of women.<sup>53</sup>

#### Conclusion

UNICEF fulfills a unique role within the international sphere and has successfully provided an invaluable forum for international collaboration to protect and promote children's rights.<sup>54</sup> However, UNICEF's work is far from over. As the UN shifts towards the SDGs, it will remain UNICEF's responsibility to spearhead successful initiatives that prioritize children as the foundation of "lasting and equitable development progress."<sup>55</sup>

<sup>&</sup>lt;sup>43</sup> Ibid.

<sup>44</sup> UNICEF, Annual Session 2015, 2015.

<sup>&</sup>lt;sup>45</sup> Ibid.

<sup>&</sup>lt;sup>46</sup> UNICEF, Annual report on the implementation of the UNICEF Gender Action Plan, 2015.

<sup>&</sup>lt;sup>47</sup> UNICEF, Update on progress on a costed gender action plan, 2013; UNICEF, UNICEF Gender Action Plan 2014-2017, 2014.

<sup>&</sup>lt;sup>48</sup> UNICEF, Annual report on the implementation of the UNICEF Gender Action Plan, 2015, p. 2.

<sup>&</sup>lt;sup>49</sup> UNICEF, Post-2015 Development Agenda, 2015.

<sup>&</sup>lt;sup>50</sup> Ibid.; UNICEF, UNICEF Key Messages on the Post-2015 Agenda, 2013, p. 2.

<sup>&</sup>lt;sup>51</sup> UN General Assembly, Transforming Our World: the 2030 Agenda for Sustainable Development (A/RES/70/1), 2015.

<sup>&</sup>lt;sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>&</sup>lt;sup>54</sup> UNICEF, UNICEF: Who we are.

<sup>&</sup>lt;sup>55</sup> UNICEF, UNICEF Key Messages on the Post-2015 Agenda, 2013.



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United Nations Children's Fund. (2014). *The State of the World's Children 2015: Executive Summary*. Retrieved 20 July 2015 from: <u>http://www.unicef.org/publications/files/SOWC 2015 Summary and Tables.pdf</u>

The Executive Summary of the 2015 State of the World's Children report, which coincides with the 25<sup>th</sup> anniversary of the Convention on the Rights of the Child, calls for innovation to address "age-old problems" still affecting children worldwide. It provides an itemization of statistics that demonstrate how innovation, inclusion of children in policy processes, and the localization of policy solutions are integral to promoting equal opportunities for child development. This report is highly useful in framing solutions during the research process and provides a good overview of the most challenging issues facing children today. The full report can be accessed at: <a href="http://sowc2015.unicef.org/">http://sowc2015.unicef.org/</a>.

United Nations Children's Fund. (2014). *Strategic Plan 2014-2017* [Website]. Retrieved 22 September 2015 from: <u>http://www.unicef.org/strategicplan/</u>

This page links to the UNICEF medium-term strategic plan, which will continue to shape the focus and aims of UNICEF over the next two years. On top of an increased focus on humanitarian action, gender equality, and policy advocacy, the new plan also includes details such as a policy timeline and an updated roadmap for implementing the plan, both of which include details about how the work relates to the integrated budget of UNICEF. Delegates will find the Executive Board Informal Presentations, Peer Review Groups results, session-wide workshop presentations, and other related links on this page to be particularly useful for researching the in-depth goals of the strategy.

United Nations Children's Fund. (2015). *Global Multiple Indicator Cluster Survey Programme* [Website]. Retrieved 21 July 2015 from: <u>http://mics.unicef.org/about</u>

UNICEF established the Multiple Indicator Cluster Survey in 1995. This survey provides pertinent data and information related to the status of women and children globally. In the past 20 years, UNICEF has carried out over 300 surveys in over 100 countries, which has generated important comparable data. Each regional or state-level report provides comprehensive information regarding the human progress and status of children's and women's rights in each respective country. It is important for delegates to consider these reports and understand the policy plans initiated as a result of these findings. Further, this website is useful because it reports comparable statistical findings that should be used to guide the research process.

United Nations Children's Fund. (2015). UNICEF: Annual Report 2014. Retrieved 22 September 2015 from: http://www.unicef.org/publications/files/UNICEF Annual Report 2014 Web 07June15.pdf

In conjunction with the Executive Board's Report on UNICEF's progress in 2015, UNICEF's Annual Report acts as a public-friendly document that breaks down the basic aims of UNICEF throughout 2014 and explores the key aims for the organization's future. On top of acknowledging the increased focus on topics such as humanitarian challenges and aiding the most vulnerable children, this document also explores policy adjustments through the chapter on "Programme Priorities." Delegates will find this document an accessible way to retrieve statistics and information on programming results, and they will also have the benefit of viewing brief sidebars on current UNICEF case studies.

United Nations Children's Fund, Executive Board. (2015). 2015 Programme of Work. Retrieved 15 August 2015 from: <u>http://www.unicef.org/about/execboard/files/UNICEF\_Executive\_Board-2015\_programme\_of\_work-11Aug2015.pdf</u>

This document provides an overview of UNICEF's main agenda items for 2015 as the organization looks beyond the MDGs to the post-2015 development agenda. It provides a breakdown of agenda items into categories including "Resources, Budgetary, and Financial Matters" and "Evaluation, Audit, and Oversight Matters," among others. It also reveals details of the UNICEF Executive Board's decision-making process, which is useful for understanding the procedure involved in the creation of UNICEF documents.



United States Fund for UNICEF. (2015). *Our Mission* [Website]. Retrieved 20 July 2015 from: <u>http://www.unicefusa.org/mission</u>

The United States Fund for UNICEF is one of UNICEF's 36 National Committees. Its summary of UNICEF's work is a good point of reference for delegates desiring to find a concise synopsis of the committee's activities. Delegates will be able to pinpoint information on membership, working methods, ongoing projects, and committee progress updates. This website is very useful and will help delegates gain a broader understanding of UNICEF before delving into more advanced research.

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United Nations Children's Fund. (n.d.). *Social Inclusion, Policy, and Budgeting* [Website]. Retrieved 15 August 2014 from: <u>http://www.unicef.org/socialpolicy/</u>

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# I. Advancing Children's Rights in a Digital Age

#### Introduction

Children have long been recognized as a vulnerable group in society in need of special protection and care due to their age and lack of maturity making them often unable to exercise their own agency.<sup>56</sup> Reflecting this, the international community adopted the *Convention on the Rights of the Child* (CRC) in 1989.<sup>57</sup> The adoption of the CRC was a major step for children signifying the first global agreement on the importance of child protection.<sup>58</sup> The CRC set out a new vision of the child as a full member of his or her community and prioritized the development of the child free from want, neglect, and abuse.<sup>59</sup> The United Nations Children's Fund (UNICEF) is the only United Nations (UN) body named in the CRC as a source of expertise, and its primary mission is to advance the rights of children everywhere.<sup>60</sup> To achieve this, it supports the work of the Committee on the Rights of the Child, advocates for children's rights, and supports countries in implementing the provisions of the CRC and its Optional Protocols.<sup>61</sup>

Since the adoption of the CRC, children's lives have dramatically changed due to the influence of technology. However, exactly how children's lives have been affected depends on where children live. For example, during the 2008 earthquake in China, Twitter was an important source of information for disaster relief operations, while in Nigeria and Uganda, information and communication technologies (ICTs) are being used for SMS-based birth registration systems.<sup>62</sup> For this reason, there is a growing need for the international community to address the changing needs of children.<sup>63</sup> The international community, including UNICEF, should work to ensure that the provisions of the CRC envisioned 16 years ago can be advanced and protected in a digital age, looking specifically at how children's rights can be advanced through ICTs, how more children can access digital technology, and how to protect children's rights online.<sup>64</sup> In so doing, it is important to maintain a balance between providing children with the full advantage of the opportunities that ICTs afford, while also protecting them from the risks that digital technology presents.<sup>65</sup>

#### International and Regional Framework

The international and regional framework of ICTs and children encompasses measures taken to both mitigate harm suffered by children in the digital space, as well as a call for increased access to, and usage of ICTs for their development. The main international agreement pertaining to children, and which all other agreements build upon, is the aforementioned CRC.<sup>66</sup> This document establishes the main principles that the international community agreed to regarding the human rights of children, including the values of equality, dignity, and furthering the best interests of the child in all matters concerning him or her.<sup>67</sup> The CRC specially makes reference to ICTs in Article 17, which highlights the importance of children to be able to gain information relevant to their well-being from a variety of sources, including the Internet.<sup>68</sup>

In addition to this core document, many other documents address the importance of ICTs in development and set goals for increasing access to ICTs. The *World Programme of Action for Youth* (2010) underlines the role ICTs play in development of young people, specifically in enhancing education, providing connectedness for children in remote areas, and helping them develop necessary skills for the labor market.<sup>69</sup> It lays out a five-step proposal for

<sup>63</sup> Livingstone, A Global Agenda for Children's Rights in the Digital Age: Recommendations for Developing UNICEF's Research Strategy, 2013, p. 5.

<sup>&</sup>lt;sup>56</sup> Livingstone, A Global Agenda for Children's Rights in the Digital Age: Recommendations for Developing UNICEF's Research Strategy, 2013, p. 16.

<sup>&</sup>lt;sup>57</sup> UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

<sup>&</sup>lt;sup>58</sup> UNICEF, Protecting Children's Rights, 2014.

<sup>&</sup>lt;sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>&</sup>lt;sup>61</sup> Ibid.

<sup>&</sup>lt;sup>62</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 10.

<sup>&</sup>lt;sup>64</sup> Ibid., p. 16.

<sup>&</sup>lt;sup>65</sup> Third et al., Children's Rights in a Digital Age: A Download From Children Around the World, 2014, p. 8.

<sup>&</sup>lt;sup>66</sup> UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

<sup>&</sup>lt;sup>67</sup> Ibid.

<sup>&</sup>lt;sup>68</sup> Ibid.

<sup>&</sup>lt;sup>69</sup> UN DESA, World Programme of Action for Youth, 2010, p. 46.



action that will allow for the full realization of the benefits that ICTs have to offer.<sup>70</sup> This proposal includes increasing the accessibility of ICTs, providing training on the use of ICTs, protecting youth from digital harm, promoting use of ICTs by disabled and isolated youth, and finally, empowering youth to be contributors to an inclusive information society.<sup>71</sup> Also the International Telecommunication Union's (ITU) World Summit on the Information Society provided a policy framework for ICTs and youth.<sup>72</sup> This took place in a two-phase process that yielded two key documents: the *Geneva Plan of Action* (2003) and the *Tunis Agenda for the Information Society* (2005).<sup>73</sup> The *Geneva Plan of Action* acknowledges the many different aspects of development that ICTs affect, and the way in which these different areas are interconnected and shape the bigger picture of global development.<sup>74</sup> Although it is not specific to children, the importance of ICTs in development highlighted in the document is equally applicable to the work that civil society is doing in enhancing the lives of children.<sup>75</sup> The *Tunis Agenda* discusses the technical implementation of increased ICT usage and further highlights the importance of ICTs for development.<sup>76</sup> Most recently, the newly adopted Sustainable Development Goals (SDGs), which replaced the Millennium Development Goals (MDGs) as international targets for development, make specific reference to ICTs in Goal 9.c, which sets the goal to "significantly increase access to information and communications technology and strive to provide universal and affordable access to the internet in least developed countries by 2020."<sup>77</sup>

Furthermore, there is a group of agreements that call for the protection of children online from exposure to risk and harm. Such agreements include the *Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography* (2000), *United Nations Convention against Transnational Organized Crime* (2000), *Council of Europe Convention on Cyber Crime* (2001), and the *Draft African Union Convention on the Establishment of a Legal Framework Conducive to Cyber Security in Africa* (2012).<sup>78</sup> These policy documents call on states and civil society to engage in educational initiatives and legislative measures that put the best interests of the child at the forefront and ensure that children can develop autonomy and agency in an online environment that is free from discrimination and violence in all of its forms.<sup>79</sup>

#### Role of the International System

The role of the international system on this topic has primarily involved implementing programs that advance access to, and use of ICTs in developmental projects and in child protection. UNICEF's main emphasis is on equity and achieving the SDGs where they relate to children."<sup>80</sup> More specifically, UNICEF works to incorporate ICTs into its work with children and utilizes the specific characteristics of ICTs in its projects to enhance efficiency, in addition to pioneering its own ICT-based projects in Member States.<sup>81</sup> UNICEF often works in partnership with non-governmental organizations (NGOs), which advocate for ICTs in communities and generally pioneer projects that use ICT for development.<sup>82</sup> These projects vary in focus, ranging from disaster relief to education depending on specific expertise of the organization.<sup>83</sup>

The ITU conducts research that is used by civil society in implementation of ICTs in development, and has produced many useful pieces of in-depth research including the 2008 Report, *Use of Information and Communication* 

<sup>&</sup>lt;sup>70</sup> UN DESA, World Programme of Action for Youth, 2010, p. 47.

<sup>71</sup> Ibid.

<sup>&</sup>lt;sup>72</sup> ITU, World Summit on the Information Society (WSIS).

<sup>&</sup>lt;sup>73</sup> ITU, Plan of Action, 2003; ITU, Tunis Agenda for the Information Society, 2005.

<sup>&</sup>lt;sup>74</sup> ITU, Plan of Action, 2003.

<sup>75</sup> Ibid.

<sup>&</sup>lt;sup>76</sup> ITU, Tunis Agenda for the Information Society, 2005.

<sup>&</sup>lt;sup>77</sup> UN General Assembly, Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1), 2015.

<sup>&</sup>lt;sup>78</sup> AU, Draft African Union Convention on the Establishment of a Legal Framework Conducive to Cyber Security in Africa, 2012; UN General Assembly, Optional Protocols on the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and On the Sale of Children, Child Prostitution, and Child Pornography (A/RES/54/263), 2000; UN General Assembly, United Nations Convention Against Transnational Organized Crime and Additional Protocols Thereto (A/RES/55/25), 2001; Council of Europe, Convention on Cybercrime, 2001.

<sup>&</sup>lt;sup>79</sup> Office of the UN Special Representative of the Secretary-General on Violence against Children, *Releasing Children's Potential and Minimizing Risks: ICTs, the Internet and Violence against Children, 2014, pp. 17-20.* 

<sup>&</sup>lt;sup>80</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 4.

<sup>&</sup>lt;sup>81</sup> Ibid., pp. 27-45.

<sup>&</sup>lt;sup>82</sup> Ibid., pp. 10-13.

<sup>83</sup> Ibid.



*Technology by the World's Children and Youth: A Statistical Compilation.*<sup>84</sup> This report fills a gap in research around children's ICT usage particularly concerning which children are using what technology where.<sup>85</sup> The UNICEF Research Office, Innocenti, also conducts regular research into ways of enhancing child protection online.<sup>86</sup> Some of Innocenti's research culminated in the 2011 Report entitled *Child Safety Online: Global Challenges and Strategies.*<sup>87</sup> This report outlines and discusses some of the critical pieces of international legislation that deal with issues of digital protection, and goes further to examine how such protection is necessary but difficult to implement.<sup>88</sup>

The Commission on Crime Prevention and Criminal Justice (CCPCJ) works in the area of combating national and transnational crime, which includes crimes perpetrated both by and against children.<sup>89</sup> Some of the CCPCJ's work to this end involves developing police and prosecutorial capacity to best facilitate urban safety, and public accountability.<sup>90</sup> In a 2014 report entitled *Study Facilitating the Identification, Description and Evaluation of the Effects of New Information Technologies on the Abuse and Exploitation of Children* the CCPCJ conducted an indepth inquiry into these issues in order to address how civil society and state actors could best build solutions that offer adequate protection for children online.<sup>91</sup> The International Criminal Police Organization (Interpol) also continuously conducts research and is renewing its efforts in combating cyber-crime against children through initiatives such as victim identification networks and digital tracking of child sexual abuse videos that can then be used in police investigations.<sup>92</sup>

#### The Impact of ICTs on Children in a Digital Age

ICTs can serve as useful tools in development in many ways, including supporting health and educational initiatives, increasing civic participation, and closing gaps in access to information.<sup>93</sup> ICTs can accelerate human progress and bridge the gap in future opportunities for children from varying backgrounds.<sup>94</sup> According to Innocenti, in its report *Children, ICT and Development: Capturing the Potential, Meeting the Challenges*, children interact with technology in different ways, depending on the intervention presented.<sup>95</sup> This report explains how children can be direct participants in development through the use of ICTs, as can be seen when they receive the opportunity through ICTs to be civically engaged.<sup>96</sup> In addition, they can be beneficiaries of programs utilizing ICTs both directly, when programs target them specifically, and indirectly, as often programs that target mothers benefit children as well.<sup>97</sup> The areas of development that ICTs lend themselves to are vast and encompass several different areas of children's lives. In this section, ICTs shall be discussed in relation to social integration, civic participation, child protection and reporting, health, and learning. This section will also discuss equitable access to ICTs.

#### Social Integration and Civic Participation

Social integration is a powerful tool in allowing children to fully develop socially and therefore has perhaps been one of the most significant ways that ICTs have affected the lives of children.<sup>98</sup> Primarily as a result of the Internet and the widespread use of mobile phones young people are increasingly able to make connections and interact with people in places they are not necessarily able to travel to, changing the way in which their social relationships are

<sup>92</sup> International Criminal Police Organisation, Crimes Against Children: Internet Crimes.

<sup>&</sup>lt;sup>84</sup> ITU, Use of Information and Communication Technology by the World's Children and Youth, 2008.

<sup>&</sup>lt;sup>85</sup> Ibid., p. 1.

<sup>&</sup>lt;sup>86</sup> Innocenti Research Centre, Child Safety Online: Global Challenges and Strategies, 2011.

<sup>&</sup>lt;sup>87</sup> Ibid.

<sup>&</sup>lt;sup>88</sup> Ibid., pp. 12-14.

<sup>&</sup>lt;sup>89</sup> UNODC, CCPCJ, 2015.

<sup>&</sup>lt;sup>90</sup> UNODC, Criminal Justice Reform, 2015.

<sup>&</sup>lt;sup>91</sup> UN CCPCJ, Study Facilitating the Identification, Description and Evaluation of Effects of New Information Technologies on the Abuse and Exploitation of Children (E/CN.15/2014/1), 2013, pp. 37-58.

<sup>93</sup> Third et al., Children's Rights in a Digital Age: A Download From Children Around the World, 2014, p. 6.

<sup>&</sup>lt;sup>94</sup> UN General Assembly, Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1).

<sup>&</sup>lt;sup>95</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 5.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

<sup>&</sup>lt;sup>98</sup> Raftree et al., Integrating Information Communication Technologies into Communication for Development Strategies to Support and Empower Marginalized Adolescent Girls, 2013, pp. 3, 6.



formed.<sup>99</sup> This has especially benefitted disabled children who are at the highest risk of social isolation in their formative years.<sup>100</sup>

In addition to including more children in society who would otherwise be isolated, ICTs also can play an important role in allowing for civic participation by all youth, allowing children to realize their rights to be heard by decision-makers and have their opinions taken into account in matters that concern them.<sup>101</sup> Through initiatives such as interactive SMS programs, young people are able to develop a sense of agency and participate in decision-making in their communities.<sup>102</sup> SMS programs are especially important in low broadband areas where they may otherwise not have the opportunity to participate at all due to lack of Internet access.<sup>103</sup>

An example of such a platform that has been particularly effective is the "U Report" Program in Uganda developed by UNICEF.<sup>104</sup> This program was designed to increase children's civic participation through a system where children subscribe to the program via an SMS, after which they receive a question from UNICEF twice a week on a range of developmental issues.<sup>105</sup> The children have an opportunity to respond with a comment, and all comments are collected and brought to discussions with media and policymakers.<sup>106</sup> Results are published in newspapers and discussed with members of parliament on a segment that is aired on both television and radio.<sup>107</sup> In one instance, the Ugandan government launched a youth entrepreneur fund and through the U Report, young people were able to communicate to the government that while they were in favor of the program, they felt that its academic requirements were too stringent for it to be accessible.<sup>108</sup> As of 2013, U Report has grown to a membership of 205,000 people, including all members of the Ugandan parliament.<sup>109</sup>

#### Child Protection

In addition to being useful for social and political purposes, mobile phones have become an important tool in child protection, a critical component of children's right to live safely and be free from violence.<sup>110</sup> Programs such as digital mapping and SMS reporting are a great improvement for child protection as they create an easy route for communication for children in distress.<sup>111</sup> Digital mapping is a process by which reports of violence are reported via an SMS service that links to a central base, and after complaints have been sent to relevant local child protection services, they are stripped of identifying information and placed on a map in order to create a visual representation of what kinds of complaints emanate from different areas.<sup>112</sup> An example of such a program can be found in Benin, where this service is run by Plan Benin, a branch of the international NGO dedicated to promoting children's rights.<sup>113</sup> The program helps the organization to focus action plans and advocacy work based on the information they have gathered.<sup>114</sup> SMS reporting, on the other hand, is a type of program that allows children to report crimes via their cell phones.<sup>115</sup> One such example is in Egypt, where an SMS service exists that allows older girls to assist younger girls in reporting corporal punishment and harassment in school.<sup>116</sup> In addition to this, there is an online program known as Harassmap, run by an NGO, that is an online tool for reporting sexual harassment and violence

<sup>&</sup>lt;sup>99</sup> Raftree et al., Integrating Information Communication Technologies into Communication for Development Strategies to Support and Empower Marginalized Adolescent Girls, 2013, p. 3.

<sup>&</sup>lt;sup>100</sup> Ibid., pp. 3, 6.

<sup>&</sup>lt;sup>101</sup> Ibid., p. 7.

<sup>&</sup>lt;sup>102</sup> Ibid., pp. 13-14.

<sup>&</sup>lt;sup>103</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 13.

<sup>&</sup>lt;sup>104</sup> Ibid., p. 27.

<sup>&</sup>lt;sup>105</sup> Ibid.

<sup>&</sup>lt;sup>106</sup> Ibid.

<sup>&</sup>lt;sup>107</sup> Ibid.

<sup>&</sup>lt;sup>108</sup> Ibid.

<sup>&</sup>lt;sup>109</sup> Ibid.

<sup>&</sup>lt;sup>110</sup> Raftree et al., Integrating Information Communication Technologies into Communication for Development Strategies to Support and Empower Marginalized Adolescent Girls, 2013, p. 20; UNICEF, Convention on the Rights of the Child, 1989.

<sup>&</sup>lt;sup>111</sup> Raftree et al., Integrating Information Communication Technologies into Communication for Development Strategies to Support and Empower Marginalized Adolescent Girls, 2013, p. 17.

<sup>&</sup>lt;sup>112</sup> Ibid., p. 20.

<sup>&</sup>lt;sup>113</sup> Ibid.

<sup>&</sup>lt;sup>114</sup> Ibid.

<sup>&</sup>lt;sup>115</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, pp. 12, 20.

<sup>&</sup>lt;sup>116</sup> Ibid., p. 20.



via SMS.<sup>117</sup> Another program that is more widespread in different countries are Child Helpline Services for reporting and counseling on occurrences of child abuse.<sup>118</sup> Communication technology revolutionized access to emergency helpline services with the creation of helplines and other such services.<sup>119</sup> In many countries, the introduction of a free 24-hour helpline for children to call when distressed saw increased reporting of rape, abuse, and maltreatment of children.<sup>120</sup> This has empowered children and adult bystanders to take action and protect the rights of children to be free from exploitation and abuse.<sup>121</sup> UNICEF believes in the importance of creating reporting mechanisms in every state that allow children to report violence, and views such helplines as a critical tool in achieving this aim.<sup>122</sup>

#### ICTs for Education

ICTs are changing the way education is viewed and the manner in which children learn, and they are key to materializing Articles 28 and 29 of the CRC, which recognize the child's right to education, and the necessity of children to develop their talents and abilities to their fullest potential.<sup>123</sup> Evidence shows that access to digital information enriches the learning process and increases student participation in classroom discussions.<sup>124</sup> This access includes both access to computers and the Internet, but also to texts and course material that enhance their learning.<sup>125</sup> This use of ICTs in learning is impactful even in early childhood education where it has been proven that early introduction to ICTs in the learning space allows children to use them for development in both their learning and play spaces.<sup>126</sup> Incorporation of ICTs into educational policy and curriculum has been found to strengthen early childhood education and in turn support the overall learning and development of children.<sup>127</sup> Further, having appropriate modern technology in schools can allow children who are less privileged to gain access to ICTs.<sup>128</sup> It is therefore also crucial that teachers are digitally literate so that they can make the best use out of this technology in their teaching.<sup>129</sup>

#### Equitable Access to ICTs

Equitable access is a large issue in ICT usage. It is particularly difficult for children living in remote communities in marginalized countries to access the Internet and other forms of ICTs, resulting in a "digital divide."<sup>130</sup> This is the gap between those that can access to technology and those without access, particularly as a result of location and affordability of technology.<sup>131</sup> However, this divide does not exist solely between developed and developing countries, but also within countries themselves between rich and poor segments of the population.<sup>132</sup> In some ways, improved technology further exacerbates this inequality because those children who can afford rapidly changing technology can also enjoy its many benefits, whereas those who cannot afford it are left behind.<sup>133</sup> Further, private corporate entities are more likely to install connectivity in areas where there is both demand and income, leaving those income poor areas unconnected, and becoming increasingly left behind in development.<sup>134</sup> In addressing this, UNICEF advocates for the most marginalized of children, and lobbies private sector companies and governments to work towards universal access for all children from all financial backgrounds, so that they too may benefit from the development that ICTs bring.<sup>135</sup>

<sup>&</sup>lt;sup>117</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 20.

<sup>&</sup>lt;sup>118</sup> Child Helpline International, *Violence against Children: Giving a Voice to Children and Young People Worldwide*, 2014.

<sup>&</sup>lt;sup>119</sup> African Child Information Hub, Zimbabwe: A Unique ICT Initiative for Children, 2010.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

<sup>&</sup>lt;sup>122</sup> Child Helpline International, *Violence against Children: Giving a Voice to Children and Young People Worldwide*, 2014, p. 5. <sup>123</sup> UNICEF, *Convention on the Rights of the Child*, 1989.

<sup>&</sup>lt;sup>124</sup> UNESCO Bangkok, Has ICT a Role in Educational Reform, 2015.

<sup>&</sup>lt;sup>125</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 11.

<sup>&</sup>lt;sup>126</sup> Bolstad, The Role and Potential of ICT in Early Childhood Education: A Review of New Zealand and International Literature, 2004, pp. 2-3.

<sup>&</sup>lt;sup>127</sup> Ibid., p. 2.

<sup>&</sup>lt;sup>128</sup> ECLAC et al., Challenges: children's rights in the digital age, 2014, p. 9.

<sup>129</sup> Ibid.

<sup>&</sup>lt;sup>130</sup> Kleine et al., Children, ICT, and Development: Capturing the Potential, Meeting the Challenges, 2014, p. 15.

<sup>&</sup>lt;sup>131</sup> Ibid., p. 18.

<sup>&</sup>lt;sup>132</sup> Ibid., p. 19.

<sup>&</sup>lt;sup>133</sup> Ibid., pp. 16-19.

<sup>&</sup>lt;sup>134</sup> Ibid., p. 42.

<sup>&</sup>lt;sup>135</sup> Ibid., pp. 19-45.



#### **Risk and Harm Considerations**

As there are benefits of the use of ICTs, there are also risks and harms that must be considered. These arise primarily because the Internet is completely unregulated, offering much content that is greatly inappropriate for children, in addition to the fact that it is so easy for children to access the Internet and other ICTs without adult supervision, increasing their vulnerability online to those who target them.<sup>136</sup> Risks can be defined as things that children have the potential of being exposed to that could harm them, while a harm is the actual tangible detriment that children suffer.<sup>137</sup> The risks and harms for children present themselves in many different ways and they can be commercial, as in exploitation and trafficking; aggressive, as in cyber-bullying; sexual, as in child pornography or value based, as in recruitment for extremist organizations.<sup>138</sup> It is therefore important to ensure children's safety online to protect them from these risks and harms.

The ITU has established that child protection requires a multi-stakeholder approach that includes government, civil society, and corporate entities acting in common purpose to be effective.<sup>139</sup> This action, as illustrated below, must be multifaceted and must include caregiver education, as well as developing and implementing better policies to protect the personal information of child users.<sup>140</sup> The ITU provides five guidelines for key areas in child protection that the ICT industry should consider when looking at the role of the technology industry and corporate entities, which are: "integrating children's rights considerations into corporate policies and management processes; developing standard processes to handle child sexual abuse material; creating a safer online age-appropriate environment; educating children, parents, and teachers, about safety and responsible use of ICTs; and promoting digital technology as a mode for increasing civic engagement."<sup>141</sup> The objectives that Innocenti highlights and proposes as solutions are: helping children, getting rid of impunity given abusers, decreasing the ability to access harmful content, and promoting recovery and rehabilitation for children who may have experienced harm.<sup>142</sup> In order for child protection to be effective in the long run, however, there needs to be a greater focus on research, prevention, punishment, and cooperation, according to the CCPCJ.<sup>143</sup>

The problem with protection arises when one considers the breadth of the digital space, as well as the difficulty in applying existing legislation on violence and discrimination online.<sup>144</sup> Many questions arise, including which states have jurisdiction, and how laws should be applied consistently.<sup>145</sup> Further, there is little clarity on who ultimately bears the responsibility of online safety, and there is debate as to whether the burden should be on the caregiver, the network provider, the website operators, or the state.<sup>146</sup> Further intensifying the complexity of the issue, it is almost impossible for protection to be efficient and effective because of the anonymity of offenders combined with low victimization reporting, lack of police force collaboration, and lack of clear universal legal definitions of online crimes.<sup>147</sup>

In addition to the threats posed by strangers on the Internet, another issue to consider is cyberbullying, in which children are bullied and harassed, often by their peers, online.<sup>148</sup> This is an increased threat to children's well-being due to the speed with which hurtful messages can be disseminated online, and is a main cause of depression and suicide in youth.<sup>149</sup> While children have the right to free expression in Article 13 of the CRC, this right ends as soon

<sup>139</sup> ITU, Guidelines for Industry on Child Protection, 2014, p. 4.

<sup>&</sup>lt;sup>136</sup> ITU, *Guidelines for Industry on Child Protection*, 2014, pp. 8-12; ECLAC et al., *Challenges: children's rights in the digital* age, 2014, p. 8.

<sup>&</sup>lt;sup>137</sup> Livingstone, A Global Agenda for Children's Rights in the Digital Age: Recommendations for Developing UNICEF's Research Strategy, 2013, p. 15.

<sup>&</sup>lt;sup>138</sup> Office of the UN Special Representative of the Secretary-General on Violence against Children, *Releasing Children's* Potential and Minimizing Risks: ICTs, the Internet and Violence against Children, 2014, p. 21.

<sup>&</sup>lt;sup>140</sup> Ibid.

<sup>&</sup>lt;sup>141</sup> Ibid., pp. 8-12.

<sup>&</sup>lt;sup>142</sup> Innocenti Research Centre, Child Safety Online: Global Challenges and Strategies, 2011, pp. 15-16.

<sup>&</sup>lt;sup>143</sup> UN CCPCJ, Report on the Twentieth Session, (E/CN.15/2011/21), 2011.

<sup>&</sup>lt;sup>144</sup> Innocenti Research Centre, Child Safety Online: Global Challenges and Strategies, 2011, p. 12.

<sup>&</sup>lt;sup>145</sup> Ibid., pp. 12-14.

<sup>&</sup>lt;sup>146</sup> Ibid., p. 13.

<sup>&</sup>lt;sup>147</sup> Ibid., pp. 12-14.

<sup>&</sup>lt;sup>148</sup> ECLAC et al., Challenges: children's rights in the digital age, 2014, pp. 7-9.

<sup>&</sup>lt;sup>149</sup> Ibid., p. 8; Inspiration Room, UNICEF One Shot on Cyber Bullying, 2015.



as it harms other children.<sup>150</sup> Additionally, Article 16 emphasizes a child's right to privacy and to be free from attacks on their reputation and honor.<sup>151</sup> This concern is especially prevalent in countries where there are very high rates of Internet use.<sup>152</sup> In response to this, as one example, the UNICEF country office conducted an advertising campaign in Chile to raise awareness about this issue and to influence children to stand up against cyberbullying and not commit it themselves.<sup>153</sup>

#### Conclusion

ICTs have in many ways changed the lens through which we view development, and the way we consider children's rights. The international community must now address the question of how to effectively protect children in the digital space, while also simultaneously establishing how to promote access and ensure their optimum online participation. A multifaceted approach needs to be taken in addressing how best to navigate this intersection and provide the best possible future for the world's most vulnerable citizens. UNICEF is continuously working to develop projects that are innovative and that use ICTs to further development and to advance children's rights. Within its mandate, it has and continues to lobby for greater access to ICTs, and greater protections online. Increased research into ICTs for children by UNICEF's research offices allows for greater understanding and insight into the topic, and directs the organization in the steps it should be taking to advance the rights of children in a digital age.

#### Further Research

How does an organization such as UNICEF attempt to make tangible progress in bridging the digital divide? How does the digital divide affect your Member State? Given that some of the children in the greatest need are often the most marginalized, how does UNICEF ensure that their voices are heard and their rights are protected? Further, in what ways can online protection be enhanced to provide real protection for children online? How do UNICEF, and other actors in the international system, act to address the current problems that exist in creating a safe online space for children? Where does UNICEF see itself fitting into the CCPCJ's recommendations that child online protection will need to prioritize research, prevention, punishment, and cooperation, and how can UNICEF contribute to these goals?

<sup>&</sup>lt;sup>150</sup> UN General Assembly, *Convention on the Rights of the Child (A/RES/44/25)*, 1989.

<sup>151</sup> Ibid.

<sup>&</sup>lt;sup>152</sup> ECLAC et al., Challenges: children's rights in the digital age, 2014, p. 9.

<sup>&</sup>lt;sup>153</sup> Inspiration Room, UNICEF One Shot on Cyber Bullying, 2015.



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This document is a report written and presented to the New Zealand Ministry of Education. It is an account of research detailing the impact of ICTs in early childhood education. Not only does it provide information on the benefits and risks of ICTs in early childhood education, but it is also self-critical in the limitations of the research to only certain kinds of digital exposure. It is a good case study for delegates to look at that illustrates how ICTs lend themselves to one aspect of children's lives.

International Telecommunications Union. (2003). *Plan of Action*. World Summit on the Information Society, Geneva. Retrieved 24 August 2015 from: <u>http://www.itu.int/wsis/docs/geneva/official/poa.html</u>

This outcome document was the first of two in a two-phase summit that took place in Geneva and later in Tunis. It lays out the commitments made by the states present at the summit to improve access to ICTs for all of their citizens, including children. It also speaks to the diverse uses of ICTs in daily life. This is useful in that it provides an opportunity for looking into the very many different ways in which ICTs impact daily living.

International Telecommunications Union & UN-Habitat. (n.d.). *Youth and ICT* [Report]. Retrieved 24 August 2015 from: <u>http://www.un.org/esa/socdev/documents/youth/fact-sheets/youth-icts.pdf</u>

This source is a Fact Sheet prepared by ITU and UN-Habitat on statistics pertaining to youth and ICTs. It contextualizes the conversation around ICTs and provides statistics that allow one to gain a clearer picture of the actual facts and figures being discussed. It is particularly useful because it provides a range of statistics including those for usage of ICTs, computer literacy, access to ICTs, and the different kinds of ICTs most prevalent in different regions.

Kleine, D., et al. (2014). *Children, ICT, and Development: Capturing the Potential, Meeting the Challenges.* UNICEF Office of Research – Innocenti. Retrieved 20 July 2015 from: <u>http://www.unicef-irc.org/publications/pdf/unicef\_royalholloway\_ict4dreport\_final.pdf</u>

This report is an excellent source that covers the role of ICT in a variety of different aspects of development. It is especially useful in that it provides tangible examples for delegates to understand the topic, as well as expert opinions on ICTs and development for children. Further, it discusses issues of inequality in access to ICTs in depth, which is an important issue for this topic.

Livingstone, S. (2013). A Global Agenda for Children's Rights in the Digital Age: Recommendations for Developing UNICEF's Research Strategy. UNICEF Office of Research. Retrieved 24 August 2015 from: <u>http://www.unicef-irc.org/publications/pdf/lse%20olol%20final3.pdf</u>

This source is a research report by the UNICEF Research Office for UNICEF itself. It provides an analysis on the situation around children and ICTs, including development, risks, and harms. It further highlights where UNICEF's shortfalls currently lie and suggests means in which UNICEF can improve its work in this area. It is recommended for delegates' research because it focuses specifically on how UNICEF can research and strongly impact the field of ICTs.

Raftree, L. & K. Bachan. (2013). Integrating Information Communication Technologies into Communication for Development Strategies to Support and Empower Marginalized Adolescent Girls. United Nations Children's Fund. Retrieved 20 July 2015 from: <u>http://www.unicef.org/cbsc/files/ICTPaper\_Web.pdf</u>

This source is a publication by UNICEF on the manner in which information communication technologies lend themselves to the development of young girls in marginalized societies. While it focuses primarily on adolescent girls, many of the principles and the covered topics apply to all children, and it is thus a very content rich and relevant source. It provides great detail on development, complete with examples, which will be useful for delegates when looking for case studies on the implementation of ICTs in development.

Third, A., et al. (2014). *Children's Rights in a Digital Age: A Download from Children Around the World.* Young and Well Cooperative Research Centre. Retrieved 20 July 2015 from:



http://www.unicef.org/publications/files/Childrens\_Rights\_in\_the\_Digital\_Age\_A\_Download\_from\_Children\_Arou\_nd\_the\_World\_FINAL.pdf

The Young and Well Research Centre is an Australian-based research center that is primarily concerned with the role that ICT plays in the lives of young people, and it seeks to connect young people with researchers and members of civil society across the world. This publication is a report written on research conducted on young people from all over the world on their opinion of ICT and what it means to them. It is a unique source in that it provides insight into the needs articulated by children themselves and provides a much-needed perspective on the world as children view it through a digital lens. It will be useful for delegates in contextualizing all of the relevant issues by matching them up to the articulated needs of children. This will assist in maintaining a child-oriented focus throughout the preparation stages.

United Nations Children's Fund. (n.d.). UNICEF Child Protection from Violence, Exploitation, and Abuse [Website]. Retrieved 20 July 2015 from: <u>http://www.unicef.org/protection/57929\_79672.html</u>

This is the UNICEF webpage for child protection, specifically relating to the use of ICTs. It is the basic starting point for delegates in understanding what UNICEF's primary concerns are for this topic. It provides a brief overview of the issue, as well as links to resources and other organizations involved in similar work. It is very useful as a starting point because it points delegates in the direction of numerous resources that are diverse, reliable, and informative.

United Nations Children's Fund, Innocenti Research Centre. (2011). *Child Safety Online: Global Challenges and Strategies* [Report]. UNICEF. Retrieved 20 July 2015 from: http://www.unicef-irc.org/publications/pdf/ict\_eng.pdf

This source is a research report provided by the Innocenti Research Centre, the chief researching body for UNICEF. It discusses in depth what some of the challenges are in combating risks and harms against children online, and provides some suggestions on how to tackle these challenges. Further, it gives good insight into the legal framework that exists by looking at the various strengths and weaknesses of the current framework for implementation. It is a reliable source provided by the chief research body of UNICEF and will assist delegates in understanding the complexity of online risks for children.

United Nations, Commission on Crime Prevention and Criminal Justice. (2013). *Study Facilitating the Identification, Description and Evaluation of Effects of New Information Technologies on the Abuse and Exploitation of Children (E/CN.15/2014/1)* [Agenda Item]. Retrieved 20 July 2015 from: http://www.unodc.org/documents/commissions/CCPCJ/CCPCJ Sessions/CCPCJ 23/E-CN15-2014-CRP1 E.pdf

This source is a study that was done by the Commission on Crime Prevention and Criminal Justice and presented as an agenda item to the Economic and Social Council for consideration. It looks carefully at the ways that information technologies are affecting the abuse and exploitation of children and provides a holistic view of the issue. It is a useful and reliable source for delegates in that it succinctly defines and outlines the problem and provides methods of combating it. It provides delegates with a sound understanding of the risks and harms posed by information technologies.

United Nations, Department of Economic and Social Affairs. (2010). World Programme of Action for Youth [Report]. Retrieved 24 August 2015 from: http://www.un.org/esa/socdev/unyin/documents/wpay2010.pdf This document is a report of the United Nations on the Plan of Action for Youth. It provides a holistic view of a range of different issues affecting youth, concerning ICTs and other crosscutting issues, which is important in order to prevent ICTs being viewed in isolation. It is useful because of its comprehensiveness and depth, as well as breadth of topics.

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# II. Realizing the Rights of Indigenous Children

#### Introduction

Indigenous populations have commonly faced centuries of discrimination, oppression, colonialism, mistreatment, and violence by the dominant societal group, leading to great inequities today.<sup>154</sup> Indigenous children in particular are often some of the most vulnerable and marginalized populations in society, and face unprecedented challenges and opportunities as part of a highly interconnected and globalized world.<sup>155</sup> Across all United Nations (UN) Member States with indigenous populations, indigenous children are greatly behind their peers from dominant societal groups in human developmental indicators, such as literacy and health.<sup>156</sup> Although many countries have made progress in the past decades towards improving overall quality of life and reducing extreme poverty, "the world has not delivered upon its commitments to indigenous children," according to the United Nations Children's Fund (UNICEF).<sup>157</sup> One of the common threats indigenous children face is widespread discrimination, which, according to UNICEF, "tends to be both a cause and consequence" of human rights violations against indigenous children.<sup>158</sup>

The UN has no formal definition of indigenous peoples, as any definition would either be too broad or too narrow; instead, the UN has taken the approach of self-identification, meaning that communities and individuals can independently decide if they consider themselves to be indigenous.<sup>159</sup> This has been the case since the 1980s when international forums began discussing indigenous peoples and their situation.<sup>160</sup> However, the general understanding of indigenous peoples includes: descendants of the original inhabitants of the land before it was colonialized; tribal communities whose "social, cultural, and economic conditions distinguish them from … the national community," including in language, dress, and land use; groups that wish to carry on these traditions for their future generations; and communities who are regulated either completely or partly by their own laws and customs within a country.<sup>161</sup>

#### International and Regional Framework

A number of international documents create the legal foundation for the UN's discussion of indigenous children, who are entitled to specific rights both individually and collectively as part of indigenous communities.<sup>162</sup> The first document created specifically for the rights of indigenous peoples was the International Labour Organization's (ILO) *Convention on Indigenous and Tribal Populations*, 1957 (No. 107).<sup>163</sup> This document codified an approach of assimilation towards indigenous populations, which was later nullified by the ILO's *Indigenous and Tribal Peoples' Convention* No. 169 (C169) in 1989.<sup>164</sup> This document articulated the specific additional rights of indigenous peoples, such as the right to non-discrimination and the right to preserve their own culture and ways of life, such as through educational systems that meet the specific needs of indigenous children.<sup>165</sup> Further contributing to international human rights doctrine for indigenous peoples are the *Universal Declaration of Human Rights* (1948), the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* (1992), the *Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief* (1981), the *Vienna Declaration* (1993), and the *International Covenant on Economic, Social, and Cultural* 

<sup>&</sup>lt;sup>154</sup> UNDG, Guidelines on Indigenous Peoples' Issues, 2009, p. 12.

<sup>&</sup>lt;sup>155</sup> Innocenti Research Centre, *Ensuring the Rights of Indigenous Children*, 2003; UNICEF Press Centre, *UNICEF: Indigenous children left behind in their countries' progress*, 2014.

<sup>&</sup>lt;sup>156</sup> UNICEF Press Centre, UNICEF: Indigenous children left behind in their countries' progress, 2014.

<sup>&</sup>lt;sup>157</sup> Ibid.

<sup>&</sup>lt;sup>158</sup> Ibid.; UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225), 2012, p. 6.

<sup>&</sup>lt;sup>159</sup> Blackstock, Know Your Rights! The United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents, 2013, p. 13; Netherlands Center for Indigenous Peoples, Definition of Indigenous Peoples, 2010.

<sup>&</sup>lt;sup>160</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 3.

<sup>&</sup>lt;sup>161</sup> Blackstock, Know Your Rights! The United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents, 2013, pp. 7-13; UNDG, Guidelines on Indigenous Peoples' Issues, 2009, pp. 8-9.

<sup>&</sup>lt;sup>162</sup> UN General Assembly, *Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225)*, 2012, p. 4.

<sup>&</sup>lt;sup>163</sup> ILO, Convention on Indigenous and Tribal Populations (No. 107), 1957.

<sup>&</sup>lt;sup>164</sup> Ibid.; ILO, Indigenous and Tribal Peoples Convention (No. 169), 1989.

<sup>&</sup>lt;sup>165</sup> ILO, Indigenous and Tribal Peoples Convention (No. 169), 1989.



*Rights* (1966), most notably for their anti-discrimination clauses, as well as the importance placed on protecting minority population groups.<sup>166</sup> Looking beyond the 2015 deadline of the Millennium Development Goals (MDGs), the UN has developed the Sustainable Development Goals (SDGs), with 17 aims for the international community to achieve.<sup>167</sup> The document reaffirms indigenous children's right to education, but was controversial amongst indigenous activists for its failure to more thoroughly highlight the unique needs of indigenous peoples.<sup>168</sup> They expressed concern that removing direct references to indigenous peoples puts them at risk of continued marginalization and exclusion from international development progress.<sup>169</sup>

For indigenous children, the most important document is the *Convention on the Rights of the Child* (CRC), which specifies the rights that all children are entitled to, including the right of indigenous children and communities to enjoy their own culture, religion, and language, as articulated in Article 30.<sup>170</sup> The *UN Declaration on the Rights of Indigenous Peoples* (UN DRIP) articulates specific rights for indigenous children as well, including the right of indigenous children to stay with their families, and for "indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children."<sup>171</sup> All indigenous children are protected from harm and exploitation in Article 17.<sup>172</sup>

#### Role of the International System

The main UN organ responsible for discussing and addressing indigenous issues is the UN Permanent Forum on Indigenous Issues (UNPFII), an advisory body to the Economic and Social Council (ECOSOC).<sup>173</sup> UNPFII meets yearly, with over 1,000 indigenous representatives discussing concerns in their different communities, including topics pertinent to youth.<sup>174</sup> Due to the cross-cutting nature of the issues indigenous peoples face, however, a wide range of UN organizations are involved with indigenous communities, each with a specific focus and approach.<sup>175</sup> For example, the Food and Agriculture Organization (FAO) implements programs in areas including food security and land rights, while the World Health Organization (WHO) focuses on indigenous peoples' right to health.<sup>176</sup>

Since 2011, the UN has managed the Indigenous Peoples' Partnership (UNIPP), bringing together the ILO, the Office for the High Commissioner for Human Rights (OHCHR), the UN Development Program (UNDP), UNICEF, and the UN Population Fund (UNFPA) to establish multilateral partnerships and funds to advance public policies that protect the rights of indigenous peoples at the national and regional level and to follow-up on recommendations by the UNPFII.<sup>177</sup> Focused specifically on issues of indigenous communities, the Special Rapporteur on the Rights of Indigenous Peoples also provides critical expertise to the international community; she promotes the best practices undertaken by Member States and international organizations, contributes to studies related to indigenous peoples, and reports on human rights situations in various Member States.<sup>178</sup>

<sup>168</sup> Ibid.; Indigenous Peoples Major Group, Policy Brief on Sustainable Development Goals and Post-2015 Development Agenda: A Working Draft, p. 1; UNPFII, Indigenous Peoples and the Post-2015 Development Agenda.

<sup>&</sup>lt;sup>166</sup> UN General Assembly, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1992; UN General Assembly, Universal Declaration of Human Rights (A/RES/217 A (III)), 1948; UN General Assembly, Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (A/RES/36/55), 1981; UN World Conference on Human Rights, Vienna Declaration and Programme of Action, 1993; UN General Assembly, International Covenant on Economic, Social and Cultural Rights (A/RES/2200 (XXI)), 1966.

<sup>&</sup>lt;sup>167</sup> UN General Assembly, Transforming Our World: The 2030 Agenda for Sustainable Development (A/RES/70/1), 2015.

<sup>&</sup>lt;sup>169</sup> Indigenous Peoples Major Group, Policy Brief on Sustainable Development Goals and Post-2015 Development Agenda: A Working Draft, p. 1.

<sup>&</sup>lt;sup>170</sup> UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

<sup>&</sup>lt;sup>171</sup> UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295), 2007.

<sup>172</sup> Ibid.

<sup>&</sup>lt;sup>173</sup> Blackstock, Know Your Rights! The United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents, 2013, p. 22; UNPFII, Indigenous Peoples at the United Nations.

<sup>&</sup>lt;sup>174</sup> Blackstock, Know Your Rights! The United Nations Declaration on the Rights of Indigenous Peoples for Indigenous Adolescents, 2013, p. 22.

<sup>&</sup>lt;sup>175</sup> UN OHCHR, Indigenous Peoples and the United Nations Human Rights System, 2013.

<sup>&</sup>lt;sup>176</sup> Ibid., pp. 36-40.

 <sup>&</sup>lt;sup>177</sup> Ibid., p. 31; UN HRC, Human Rights and Indigenous Peoples (A/HRC/RES/18/8), 2011; UNIPP, The United Nations Indigenous Peoples' Partnership: Delivering as One for indigenous peoples' rights.

<sup>&</sup>lt;sup>178</sup> UN OHCHR, Special Rapporteur on the rights of indigenous peoples.



UNICEF takes a rights-based approach to addressing the needs of indigenous children.<sup>179</sup> First, UNICEF strives to understand the root causes of the inequity between indigenous children and children from dominant societal groups, including by conducting research on issues affecting children's rights.<sup>180</sup> Then, the body collaborates with governments, international organizations, and nonprofits to create programs and advocate for public policies that ensure that indigenous children's rights are met through the provision of necessary services.<sup>181</sup> In international dialogues, UNICEF also encourages other UN bodies to consider indigenous children's rights in their discussions.<sup>182</sup> Looking towards the future, UNICEF's current strategic plan, 2014-2017, has put forth the theme of "Realizing the rights of every child, especially the most disadvantaged," emphasizing ending discrimination and social inequalities through upholding children's rights.<sup>183</sup> Due to the impact children's societies and situations have on their wellbeing, UNICEF also holistically looks to improve the situation for women and wider indigenous communities.<sup>184</sup>

Outside of the UN, regional and non-state actors also work to protect the rights of indigenous children. Regionally, the African Commission on Human and Peoples' Rights investigates grave human rights violations, particularly regarding indigenous peoples' "cultural rights and their rights to lands, territories, and resources."<sup>185</sup> The Organization of American States is in the process of creating a declaration on the rights of indigenous peoples, meant to focus specifically on peoples in the Americas.<sup>186</sup> Non-governmental organizations (NGOs) also play a critical role in advancing the rights of indigenous populations, fulfilling diverse roles including educating the general population and policy-makers about indigenous issues, advocating for better public policies, providing direct service to indigenous communities, empowering indigenous peoples through trainings and education, and conducting relevant research, among other goals.<sup>187</sup>

#### The Right to Be Free from Discrimination

Indigenous peoples, including children, have a right to equal treatment under the law, to full participation in society and public life, and to maintain their "distinctive identities, cultures, languages, and ways of life;" however, this right is very often violated.<sup>188</sup> Indigenous children face discrimination in all aspects of life, and the consequences are profound: the extreme discrimination and societal exclusion that these children face impedes their ability to fully realize other rights, such as access to health care, education, and development.<sup>189</sup> While indigenous children are overrepresented amongst those living in extreme poverty, persons of indigenous descent are underrepresented in politics and decision-making processes, and often experience social exclusion.<sup>190</sup> Because of their lack of social and political capital, indigenous peoples are often ignored or largely underrepresented in national and local governments, resulting in indigenous development needs being a very low priority in many countries and regions.<sup>191</sup> This

<sup>&</sup>lt;sup>179</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 6.

<sup>&</sup>lt;sup>180</sup> UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 15.

<sup>&</sup>lt;sup>181</sup> Ibid., p. 2; UNICEF, Human Rights-based Approach to Programming: Indigenous and Minority Children; UNICEF Australia, FAQ.

<sup>&</sup>lt;sup>182</sup> UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 2.

<sup>&</sup>lt;sup>183</sup> UNICEF Executive Board, The UNICEF Strategic Plan, 2014-2017: Realizing the rights of every child, especially the most disadvantaged (E/ICEF/2013/21), 2013.

 <sup>&</sup>lt;sup>184</sup> UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225), 2012,
p. 5; Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 3.

<sup>&</sup>lt;sup>185</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. 33.

<sup>&</sup>lt;sup>186</sup> Ibid., p. 34; OAS, Draft American Declaration on the Rights of Indigenous Peoples.

<sup>&</sup>lt;sup>187</sup> Netherlands Center for Indigenous Peoples, NGOs, 2010; Cultural Survival, Cultural Survival: A Human Rights Organization; Native Planet, Native Planet.

<sup>&</sup>lt;sup>188</sup> UNDG, Guidelines on Indigenous Peoples' Issues, 2009, p.12.

<sup>&</sup>lt;sup>189</sup> UN General Assembly, *Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225)*, 2012, p. 4.

<sup>&</sup>lt;sup>190</sup> Ibid., pp. 6-7; UN OHCHR, Media Statement: For International Day of the World's Indigenous People, 2015; UNDG, Guidelines on Indigenous Peoples' Issues, 2009, p. 13.

<sup>&</sup>lt;sup>191</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. 33.



and children, in their decision-making.<sup>192</sup> Further, any approach to realizing indigenous children's rights must take the barrier of discrimination into account, whether through education of the public, legislation, or active investments that aim to advance the status and conditions of indigenous children.<sup>193</sup>

Both a symptom and a cause of discrimination is indigenous children's lack of visibility in many countries.<sup>194</sup> Statistics often fail to take indigenous children into account when monitoring critical development indicators, including the MDGs.<sup>195</sup> This means that the inequity of access is frequently greater than statistics show, making it difficult to plan intervention strategies as a result.<sup>196</sup> This lack of data also makes it difficult to know the exact scope of discrimination and inequity, but all data shows that, when compared to the dominant cultural groups, indigenous peoples are disproportionately living in poverty, illiterate, and unemployed.<sup>197</sup>

One main cause of low visibility, and accordingly of discrimination against indigenous youth, is the low rate of birth registrations.<sup>198</sup> For example, in Paraguay, "only 38% [of indigenous children] have national identify registration cards and 39.5% do not even hold a birth certificate."<sup>199</sup> Without proper registration and identification, indigenous children are often barred from accessing critical social services, including health care and education.<sup>200</sup> They are also left more vulnerable to situations of exploitation ad buse, including trafficking, and when they face exploitation, this often goes unnoticed and unaddressed.<sup>201</sup> UNICEF has worked with governments of Member States to educate them on the importance of birth registration for indigenous peoples, including making these processes culturally sensitive, such as by allowing for traditional names.<sup>202</sup> However, obstacles remain, including citizens' lack of awareness of the importance of birth registration, logistical difficulties, lack of recognition by governments, fines and fees imposed for registration, and a lack of qualified administrators to file and track the necessary data.<sup>203</sup>

#### Realizing the Right to Education

While Article 14 of the UN DRIP declares that the state is responsible for improving indigenous children's access to education, there is a large gap in educational attainment between indigenous children and children from dominant societal groups throughout the world, largely because of discrimination.<sup>204</sup> Sizable segments of indigenous populations are unable to finish primary school.<sup>205</sup> In Latin America, for example, 6.3% of indigenous children are not formally enrolled in school or left school without passing any grade, in comparison to 1.9% of children belonging to the general population.<sup>206</sup> In schools, indigenous children are disproportionately discriminated against and abused, by both teachers and peers from the dominant cultural group.<sup>207</sup> Another key barrier to accessing

<sup>197</sup> UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225), 2012, pp. 6-7; UN OHCHR, Media Statement: For International Day of the World's Indigenous People, 2015; UNDG, Guidelines on Indigenous Peoples' Issues, 2009, p. 13.

<sup>&</sup>lt;sup>192</sup> Ibid.

<sup>&</sup>lt;sup>193</sup> UNDG, Guidelines on Indigenous Peoples' Issues, 2009, p. 28.

<sup>&</sup>lt;sup>194</sup> UNICEF, Every Child's Birth Rights: Inequities and trends in birth registration, 2013.

<sup>&</sup>lt;sup>195</sup> Ibid.

 <sup>&</sup>lt;sup>196</sup> UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225), 2012,
p. 7; UNICEF, Every Child's Birth Rights: Inequities and trends in birth registration, 2013.

<sup>&</sup>lt;sup>198</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 13.

<sup>&</sup>lt;sup>199</sup> López, Reaching the unreached: indigenous intercultural bilingual education in Latin America, 2010, p. 32.

 <sup>&</sup>lt;sup>200</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 13.

<sup>&</sup>lt;sup>201</sup> Ibid.; UNPFII, Education.

 <sup>&</sup>lt;sup>202</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 13.

<sup>&</sup>lt;sup>203</sup> UNICEF, Every Child's Birth Rights: Inequities and trends in birth registration, 2013.

<sup>&</sup>lt;sup>204</sup> UNPFII, Education; UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295), 2007.

<sup>&</sup>lt;sup>205</sup> UN OHCHR, Statement of the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, 2015.

<sup>&</sup>lt;sup>206</sup> UN ECLAC et al., Challenges: The Rights of Indigenous Children, 2012, p. 7.

<sup>&</sup>lt;sup>207</sup> UN General Assembly, *Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225)*, 2012, p. 6.



education is the physical obstacle of getting to school for many indigenous children who live in rural communities.<sup>208</sup>

UNICEF addresses these barriers and discrimination in education by working to make education culturally-sensitive in its planning, implementation, curriculum, and pedagogy and by focusing on reaching girls, in accordance with UN DRIP.<sup>209</sup> For example, it is critical that the school calendar matches with the lifestyle of indigenous peoples to the greatest extent possible.<sup>210</sup> In the Congo, UNICEF worked with schools in adapting their schooling for indigenous children, which included ensuring that teachers have an indigenous background and that the school hours fit the lifestyle and habits of the local indigenous peoples.<sup>211</sup> One of the most important considerations UNICEF takes when improving access to high-quality education is the gender imbalance in educational attainment.<sup>212</sup>

#### Intercultural Bilingual Education

UNICEF's most influential and important role in advancing indigenous children's educational addition is its contributions to developing and advocating for multicultural and multilingual education.<sup>213</sup> Multilingual education involves instructing students in the language of their family and community, in addition to teaching them the official state language.<sup>214</sup> This equips children with the necessary skills to fully exert their citizenship, as well as the self-esteem and culturally identity required for healthy personal development.<sup>215</sup> Particularly in basic literacy, teaching in a child's native language makes learning a more positive experience, and has been shown to be more effective.<sup>216</sup> When indigenous children are instructed only in the dominant language of a country, this contributes to the loss of language, culture, and identity, leading UNICEF to engage in projects like developing textbooks in indigenous languages.<sup>217</sup> Furthermore, intercultural education, addressing elements of both indigenous and dominant cultures, is beneficial as it fosters an appreciation and openness to other cultures, while also allowing indigenous children to recognize and celebrate their own cultural identity.<sup>218</sup> To support this type of learning UNICEF also trains indigenous teachers in approaches to "managing both 'standard' and 'indigenous' elements of the curricula, active pedagogy and child participation," and works with governments to implement such policies and models.<sup>219</sup>

#### Improving Access to High Quality and Culturally Sensitive Health Services for Indigenous Children

As articulated in UN DRIP, indigenous peoples have a right to actively participate as decision-makers in their health programs, access their traditional medicine and health practices, and enjoy "the highest attainable standard of physical and mental health."<sup>220</sup> Moreover, under the CRC's Article 24, states have the obligation to ensure each

 <sup>&</sup>lt;sup>208</sup> UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225), 2012.
<sup>209</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009; UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295), 2007.

 <sup>&</sup>lt;sup>210</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 57.

<sup>&</sup>lt;sup>211</sup> UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 9.

<sup>&</sup>lt;sup>212</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 11.

<sup>&</sup>lt;sup>213</sup> UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 8; UNICEF, Contribution to the 13th session of the UN Permanent Forum on Indigenous Issues, 2014.

<sup>&</sup>lt;sup>214</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 11.

<sup>&</sup>lt;sup>215</sup> Ibid.

<sup>&</sup>lt;sup>216</sup> UNPFII, Education.

<sup>&</sup>lt;sup>217</sup> Ibid.; UNICEF, Contribution to the 13th session of the UN Permanent Forum on Indigenous Issues, 2014, p. 2.

<sup>&</sup>lt;sup>218</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, pp. 10-11; UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 8; UN General Assembly, Status of the Convention on the Rights of the Child: Report of the Secretary-General (A /67/225), 2012, p. 6.

<sup>&</sup>lt;sup>219</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 10; UNICEF, Contribution to the 13th session of the UN Permanent Forum on Indigenous Issues, 2014, p. 2.

<sup>&</sup>lt;sup>220</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. iv; UN General Assembly, United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295), 2007.



child has access to health care services.<sup>221</sup> For this right to health to be realized, indigenous children must gain access to "accessible, affordable, and culturally acceptable" health services and primary health care.<sup>222</sup>

However, these rights are often left unrealized for indigenous children for reasons similar to why indigenous youth face barriers to education, namely discrimination and lack of access.<sup>223</sup> They suffer from lower expected health outcomes compared to other segments of the population in their home countries for reasons including "living conditions, income levels [...], access to safe water, sanitation, health services and food availability."<sup>224</sup> This means indigenous communities have a higher rate of child mortality, low birthrate, and malnutrition.<sup>225</sup> Indigenous children are also significantly less likely to have access to safe drinking water.<sup>226</sup> Many of the leading causes of death for indigenous children are actually preventable, including malnutrition and diarrhea.<sup>227</sup>

UNICEF addresses these conditions by working with local and international NGOs and governments in maternal and prenatal health care, "nutrition, water and sanitation, HIV and AIDS prevention, and mental health services," as well as education on healthy behavior and identifying health risks.<sup>228</sup> Specifically, one of UNICEF's greatest contributions has been through increasing vaccination rates.<sup>229</sup> This includes both providing vaccinations, as well as educating the public on the importance of vaccines and methods for stopping preventable diseases.<sup>230</sup>

Another main factor detrimentally impacting indigenous children's health is the major structural barriers that prevent them from physically accessing health services, which in turn is one of the root causes of the lowered health outcomes for indigenous children.<sup>231</sup> Similarly to the barrier to accessing schools, geographic isolation means that indigenous children often forgo treatment because they cannot pay the high cost of transportation to health care facilities, or cannot pay for the treatment itself.<sup>232</sup> The physical barriers to health care are further compounded by cultural barriers, namely discrimination, racism and a lack of cultural understanding and sensitivity.<sup>233</sup> Many health systems do not accommodate the social and cultural practices and beliefs of indigenous peoples, leading to inappropriate health care services.<sup>234</sup> Health care services must bear in mind not only culture, but also the benefits of indigenous health knowledge and behaviors, instead of viewing them as opposition to modern medicine.<sup>235</sup> Further, when health-service personnel are not trained to communicate across cultures, this leads to both language and cultural misunderstandings that prevent indigenous peoples from accessing high-quality care.<sup>236</sup>

A rising concern in indigenous communities is the lowered rates of psychological health and the prevalence of suicide by indigenous youth.<sup>237</sup> Undoubtedly, the cultural and systemic discrimination indigenous children face, as well as the collective trauma indigenous communities experience, leaves detrimental psychological effects and "has

<sup>&</sup>lt;sup>221</sup> UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.

<sup>&</sup>lt;sup>222</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 9.

<sup>&</sup>lt;sup>223</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015.

<sup>&</sup>lt;sup>224</sup> Ibid., p. iv.

 <sup>&</sup>lt;sup>225</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 9.

<sup>&</sup>lt;sup>226</sup> Ibid.

<sup>&</sup>lt;sup>227</sup> UN Inter-Agency Support Group on Indigenous Peoples' Issues, *The Health of Indigenous Peoples: Thematic Paper towards the preparation of the 2014 World Conference on Indigenous Peoples*, 2004.

<sup>&</sup>lt;sup>228</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 4.

<sup>&</sup>lt;sup>229</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009.

<sup>&</sup>lt;sup>230</sup> UNPFII, Information Received from the United Nations System and Other Intergovernmental Organizations: United Nations Children's Fund (E/C.19/2011/7), 2011, p. 6.

<sup>&</sup>lt;sup>231</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. iv; Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, p. 9.

<sup>&</sup>lt;sup>232</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009.

<sup>&</sup>lt;sup>233</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. iv.

<sup>&</sup>lt;sup>234</sup> Ibid.

<sup>&</sup>lt;sup>235</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009, pp. 10-57.

<sup>&</sup>lt;sup>236</sup> Ibid., p. 9.

<sup>&</sup>lt;sup>237</sup> UN DESA, Generation at risk – UN Forum urges action to halt indigenous youth suicide, 2015.



been found to be associated with negative mental and physical health outcomes, negative health behaviors, and increased mortality."<sup>238</sup> There has been an increase in indigenous youth suicide around the world, but particularly in the Arctic, the Americas, and the Pacific, leading to national and international discussions to address the issue.<sup>239</sup>

#### Malnutrition and Food Insecurity

Even in states that have made great progress in improving children's nutrition for the general population, indigenous children's rates of malnutrition often improve at a far slower rate, leaving large populations of indigenous children to suffer from malnutrition, under-nutrition, stunted growth, and being underweight.<sup>240</sup> In addition to the root cause of poverty, outside intervention in indigenous peoples' ways of life has caused extreme changes in eating patterns and nutrition as access to their traditional natural resources are blocked.<sup>241</sup> For example, when an indigenous peoples' access to a body of water is prohibited by the government or the body of water is destroyed due to private companies or environmental degradation, this disrupts their ability to fish and gain nutrients from their traditional foods become readily available.<sup>242</sup>

#### Conclusion

In conclusion, it is clear that indigenous children face a great number of disadvantages in life as a highly vulnerable subsection of an already-marginalized population. Looking at development indicators, indigenous children frequently lag behind their peers in dominant societal groups. Without a doubt, the many issues indigenous children face on a daily basis are part of a vicious cycle: poverty and discrimination are a root cause of so much of the inequity and suffering that indigenous children endure, but are also the results of these same phenomena.<sup>243</sup> In accessing essential services such as education, health care, and birth registration, many common challenges arise, including physical and cultural barriers to access.<sup>244</sup> UNICEF undertakes many projects to combat these issues on national and international levels, including both programmatic and advocacy work, but much work remains.

#### Further Research

Although the international community has been making strides in advancing the rights of indigenous children, there is much left to be considered, discussed, and addressed by delegates. How can UNICEF find innovative solutions to these problems that allow for indigenous children to have their human rights realized while also allowing them to continue to live traditional lifestyles that are a critical part of their identity? When addressing children's rights, what role do gender equality and indigenous women's rights play? With increasing environmental degradation and climate change occurring around the globe, how will this impact indigenous children, and what can be done to mitigate these impacts? How are indigenous children affected by armed conflict? What can UNICEF do to combat discrimination, which is often a deeply-seeded issue based on beliefs held for generations? And finally, how will the United Nations address these issues in the post-2015 development agenda?

 <sup>&</sup>lt;sup>238</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, pp. 33-63; UN ECOSOC, Permanent Forum on Indigenous Issues: Report on the fourteenth session (20 April – 1 May 2015) (E/2015/43), 2015.

<sup>&</sup>lt;sup>239</sup> UN DESA, Generation at risk – UN Forum urges action to halt indigenous youth suicide, 2015.

<sup>&</sup>lt;sup>240</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. 44.

<sup>&</sup>lt;sup>241</sup> UNPFII, Health [Website]; Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. 46.

<sup>&</sup>lt;sup>242</sup> Buranbaeva et al., State of the World's Indigenous Peoples: Indigenous Peoples' Access to Health Services, 2015, p. 46.

 <sup>&</sup>lt;sup>243</sup> Warren, Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice, 2009.
<sup>244</sup> Ibid.



# **Annotated Bibliography**

Indigenous Peoples Major Group. (n.d.) Policy Brief on Sustainable Development Goals and Post-2015 Development Agenda: A Working Draft. Retrieved 21 September 2015 from: https://sustainabledevelopment.un.org/content/documents/6797IPMG%20Policy%20Brief%20Working%20Draft%2 02015.pdf

This policy brief is critical for delegates to read to understand the debate surrounding the Sustainable Development Goals. The Indigenous Peoples Major Group expresses its concern for the exclusion of many references to indigenous populations in the SDGs, as well as highlights the failings of the Millennium Development Goals in terms of indigenous peoples. The Group puts forward various suggestions for priorities that the UN should have included in the SDGs, which can provide delegates with insight into the topical concerns of indigenous activists around the world.

United Nations Children's Fund. (2014, August 8). UNICEF: Indigenous children left behind in their countries' progress [Press Release]. Retrieved 15 July 2015 from: www.unicef.org/media/media\_74728.html This press release from UNICEF briefly summarizes the status of indigenous children around the world. Although Member States are making progress in development markers, indigenous children are not progressing at as fast of a pace in comparison to children from dominant societies. This source provides information on indicators of children's wellbeing such as health and education, and sheds light on the need for data, such as birth registrations.

United Nations, Economic and Social Council. (2015). Permanent Forum on Indigenous Issues: Report on the fourteenth session (20 April – 1 May 2015). Retrieved 21 July 2015 from: <u>http://www.undocs.org/e/2015/43</u> This report by ECOSOC reviews issues surrounding indigenous peoples. It congratulates the many Member States that have made progress toward including indigenous concerns in policy making, as well as reaffirms the outcome document of the World Conference on Indigenous Peoples. The report also highlights the pressing concern of suicide among children and young people, a key area of further research for the topic of indigenous children's human rights. The source is useful in examining topical discussions of indigenous peoples.

United Nations, General Assembly, Sixty-first session. (2007). United Nations Declaration on the Rights of Indigenous Peoples (A/RES/61/295). Retrieved 14 November 2015 from: <u>http://undocs.org/A/RES/61/295</u> This foundational document is important for delegates to be familiar with as it articulates the rights to which indigenous groups are entitled. Among these are the human rights afforded to all humans around the world, but special consideration is given to the fact that indigenous communities have been marginalized and discriminated against throughout history, much of which continues today. The document reaffirms the autonomy of indigenous peoples, and reaffirms children's rights to education and protection from exploitation.

United Nations, General Assembly, Sixty-seventh session. (2012). Status of the Convention on the Rights of the Child: Report of the Secretary-General (A/67/225). Retrieved 23 August 2015 from: www.undocs.org/A/67/225 This report by the Secretary General summarizes work done by the UN on children's rights, and has a section specifically focused on indigenous children's rights. It discusses issues such as discrimination, health, and education, which are critical to understanding the themes of this topic in preparation for the conference. The report also provides suggestions for future action the UN should take, such as legislative reform that would recognize the rights of indigenous children and end discrimination against them.

United Nations, General Assembly, Sixty-ninth session. (2014). *Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples (A/RES/69/2)* [Resolution]. Retrieved 19 July 2015 from: <u>http://undocs.org/A/RES/69/2</u>

This resolution from the General Assembly expresses the commitments the body agreed to make regarding indigenous populations. It recognizes the unique situation of subsets of indigenous peoples, including elderly individuals, humans living with disabilities, women, and youth. The document highlights the need to consult youth in decision-making and to ensure that their voices and perspectives are taken into account for policies and programs that affect them. The GA



articulates areas for further research as well as encourages Member States to adopt recommended policies.

United Nations, Human Rights Council. (2014). Report of the Special Rapporteur on the rights of Indigenous

peoples, Victoria Tauli Corpuz (A/HRC/27/52). Retrieved 21 July 2015 from: http://www.undocs.org/A/HRC/27/52 This report from the Special Rapporteur is a critical document for delegates to read to understand the current challenges and priorities facing indigenous communities across the globe. The author places particular emphasis on the discrimination faced by indigenous groups, as well as the historical wrongs that still detrimentally impact communities. She highlights areas for the United Nations and national legislatures to address moving forward, with concrete suggestions that are beneficial for delegates to read.

United Nations Inter-Agency Support Group on Indigenous Peoples' Issues. (2014). *The Health of Indigenous Peoples: Thematic Paper towards the preparation of the 2014 World Conference on Indigenous Peoples*. Retrieved 20 July 2015 from:

www.un.org/en/ga/president/68/pdf/wcip/IASG%20Thematic%20Paper%20-%20Health%20-%20rev1.pdf

This thematic paper focuses specifically on the subject of indigenous peoples' health and offers critical background information on the topic. Further, it analyzes present concerns and goes into depth about the topic in a way that will enrich delegates' understanding of various subsections of health. This includes sexual and reproductive health, infant and child mortality, mental health, and more.

United Nations Permanent Forum on Indigenous Issues. (n.d.) *Human Rights* [Website]. Retrieved 20 July 2015 from: <u>http://undesadspd.org/IndigenousPeoples/ThematicIssues/HumanRights.aspx</u>

The web page provides a general overview of human rights abuses that indigenous peoples are exposed to, most closely tied to discrimination. While serving as a general overview, this source provides examples of the different types of abuses indigenous peoples face to make the issue more concrete. This broad introduction to the topic can serve as a springboard for delegates to further investigate other human rights abuses.

Warren, P. (2009). Promoting the Rights of Indigenous Children and Women: A Stocktaking of UNICEF's Approach and Practice [Working Paper]. United Nations Children's Fund, Division of Policy and Practice. Retrieved 15 August 2015 from: <u>http://www.unicef.org/policyanalysis/rights/files/UNICEF\_Final\_Indigenous\_Stock-Take\_Report-2009.pdf</u>

This is a highly important source for delegates who wish to more thoroughly understand the work of UNICEF and how it works on issues of indigenous children's rights. Delegates should be familiar with the work of UNICEF to understand the scope of the organization's mandate. Further, becoming familiar with detailed information about UNICEF's work will enable delegates to identify opportunities for expansion and development.

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# **III. Ending Child Marriage**

"We must do away with child marriage. Girls who end up as brides at a tender age are coerced into having children while they are children themselves."<sup>245</sup>

### Introduction

Child marriage is a harmful practice that constitutes a gross violation of children's rights.<sup>246</sup> Being married has lasting consequences for every affected child, including negative implications for education, socioeconomic status, and health, among many other factors.<sup>247</sup> Although child marriage also applies to boys, the vast majority of married children are girls, which has led the international movement against child marriage to focus largely on girls and their families.<sup>248</sup> The practice of child marriage occurs in both the developed and the developing world and is not limited to a single country or continent.<sup>249</sup> Child marriage hinders global sustainable development by creating a "vicious cycle of poverty, poor health, curtailed education, violence, disregard for rule of law and other discrimination."<sup>250</sup> Marriage denies girls the benefit of good health and education, thereby preventing them from reaching their full potential and lifting themselves and their families out of poverty.<sup>251</sup> Child brides often become pregnant soon after marriage and their children end up trapped by this vicious cycle, which perpetuates poverty within their communities across multiple generations.<sup>252</sup> Due to population growth in the developing world, the number of child brides marrying each year is predicted to grow more than 14% annually to 15.1 million by 2030.<sup>253</sup> At present, over 14 million adolescent and teen girls are married every year and over 700 million women alive today were married as children.<sup>254</sup> The international community must collectively work to eliminate child marriage in order to ensure that children have the prosperous future they deserve.<sup>255</sup>

### International and Regional Framework

The Universal Declaration of Human Rights (UDHR), adopted by the United Nations (UN) General Assembly (GA) in 1948, clearly states in Article 16 that marriage requires the "free and full consent of the intending spouses."<sup>256</sup> While the UDHR does not have legal effect on all states, it is morally persuasive and considered part of customary international law.<sup>257</sup> In addition to the UDHR, legally binding documents such as the *Convention on the Rights of the Child* (CRC) (1989), the *International Covenant on Civil and Political Rights* (ICCPR) (1966), and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) (1966) guarantee this protection.<sup>258</sup> States Parties to these international human rights treaties have the obligation under international law to ensure that children are protected from child marriage.<sup>259</sup> The CRC, the most widely ratified international human rights treaty, defines a child as any human being under the age of eighteen and sets out basic rights for every child.<sup>260</sup> Child marriage violates many of these rights, which describe what children need to grow and survive, including the right to the highest attainable standard of health (Article 24), the right to education (Article 28), the right to rest and leisure and to participate freely in cultural life (Article 31), the right to protection from all forms of sexual exploitation (Article 34), and the right to protection from all other forms of exploitation (Article 36).<sup>261</sup> The Committee on the Rights of

<sup>&</sup>lt;sup>245</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 1.

<sup>&</sup>lt;sup>246</sup> Ibid., p. 2.

<sup>&</sup>lt;sup>247</sup> Ibid., p. 5; Girls Not Brides, *About Child Marriage*.

<sup>&</sup>lt;sup>248</sup> Equality Now, Protecting The Girl Child, 2014, p. 7.

<sup>&</sup>lt;sup>249</sup> UNICEF, Child Marriage - Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>250</sup> Girls Not Brides, What is the Impact?.

<sup>&</sup>lt;sup>251</sup> Parsons et al., *Economic Impacts of Child Marriage: A Review of the Literature*, 2015, pp. 15-17; International Center for Research on Women, *Understanding the Economic Impacts of Child Marriage*.

<sup>&</sup>lt;sup>252</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 2.

<sup>&</sup>lt;sup>253</sup> UNICEF, Committing to Child Survival: A Promise Renewed, 2013, p. 29.

<sup>&</sup>lt;sup>254</sup> Ibid.; Girls Not Brides, *About Child Marriage*.

<sup>&</sup>lt;sup>255</sup> Girls Not Brides, *About Child Marriage*, 2015.

<sup>&</sup>lt;sup>256</sup> UN General Assembly, Universal Declaration of Human Rights (A/RES/217 A (III)), 1948.

<sup>&</sup>lt;sup>257</sup> De Silva-de-Alwis, *Child Marriage and the Law*, 2008, p. 2.

<sup>&</sup>lt;sup>258</sup> Center for Reproductive Rights, Child Marriage in South Asia, 2013, p. 24.

<sup>&</sup>lt;sup>259</sup> De Silva-de-Alwis, Child Marriage and the Law, 2008, p. i.

<sup>&</sup>lt;sup>260</sup> Ibid., p. 5.

<sup>&</sup>lt;sup>261</sup> Ibid.; UN General Assembly, Convention on the Rights of the Child (A/RES/44/25), 1989.



the Child (CRC Committee), which is responsible for monitoring compliance with the CRC, has repeatedly expressed concerns that child marriage undermines gender equality and the dignity of girls.<sup>262</sup>

Some international instruments address child marriage primarily within the context of gender equality. In 1979, the GA adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which highlights the importance of women possessing equal rights with regard to marriage and choice of spouse.<sup>263</sup> CEDAW calls upon States Parties to eliminate discrimination against women in relation to marriage.<sup>264</sup> Provisions for gender equality in the enjoyment of marital rights are also included in the Convention on the Consent to Marriage, Minimum Age for Marriage and Registration of Marriage, which was adopted by the GA in 1962 but has been ratified by only 55 parties.<sup>265</sup> The convention stipulates that men and women of full age have the right to marry and are equally entitled to marital rights, both during marriage and at its dissolution.<sup>266</sup> The Beijing Platform for Action, an agenda for women's empowerment that was adopted by Member States at the Fourth World Conference on Women in 1995, also emphasizes the importance of equal marital rights for men and women.<sup>267</sup> It sets strategic objectives and actions to be taken by governments, non-governmental organizations (NGOs), international organizations, the media, and the private sector to promote and protect the rights of the girl child.<sup>268</sup> Child marriage undermines international development and was therefore explicitly incorporated within the Sustainable Development Goals (SDGs), which were adopted by the GA in September 2015.<sup>269</sup> As part of the SDG 5, which is to "achieve gender equality and empower all women and girls," Target 3 of Goal 5 calls for the elimination of all harmful practices, including child marriage.<sup>270</sup> At the regional level, the African Charter on the Rights and Welfare of the Child (ACRWC) contains arguably the most explicit protections against child marriage.<sup>271</sup> Article 2 establishes the age of majority at 18 and does not allow alternative state definitions, thereby addressing the fact that international standards for a minimum age for marriage are often ignored by African states.<sup>272</sup>

### Role of the International System

Many UN actors play an integral role in efforts to end child marriage. At the highest level, many actors serve to advocate and create goals around ending child marriage. In 2014, the GA adopted its first substantive resolution on child marriage.<sup>273</sup> GA resolution 69/156 asserts the importance of law enforcement and education to ending child marriage.<sup>274</sup> The Human Rights Council (HRC) adopted its first substantive resolution on child marriage in 2015.<sup>275</sup> HRC resolution 29/8 on "Strengthening efforts to prevent and eliminate child, early and forced marriage" recognizes child marriage as a violation of human rights and barrier to sustainable development.<sup>276</sup> Notably, this resolution calls upon states "to improve gender disaggregated data collection" and research related to the prevention of child marriage.<sup>277</sup> Both the GA and the HRC advocated for the inclusion of a target to end child marriage within the SDGs.<sup>278</sup>

<sup>270</sup> UN General Assembly, Transforming Our World: the 2030 Agenda for Sustainable Development (A/RES/70/1), 2015.

<sup>&</sup>lt;sup>262</sup> Center for Reproductive Rights, *Child Marriage in South Asia*, 2013, p. 25.

<sup>&</sup>lt;sup>263</sup> UN General Assembly, *Convention on the Elimination of All Forms of Discrimination against Women (A/RES/34/180)*, 1979. <sup>264</sup> Ibid.

<sup>&</sup>lt;sup>265</sup> De Silva-de-Alwis, Child Marriage and the Law, 2008, p. 2; UN General Assembly, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (A/RES/1763 (XVII)), 1962.

<sup>&</sup>lt;sup>266</sup> UN General Assembly, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (A/RES/1763 (XVII)), 1962.

<sup>&</sup>lt;sup>267</sup> UN Fourth World Conference on Women, *Beijing Declaration and Platform for Action*, 1995.

<sup>&</sup>lt;sup>268</sup> Ibid.

<sup>&</sup>lt;sup>269</sup> Zafar, Sustainable development goals: why ending child marriage should be a target, *The Guardian*, 2015.

<sup>&</sup>lt;sup>271</sup> International Center for Missing & Exploited Children, Child Marriage in the Middle East and North Africa, 2013, p. 10.

<sup>&</sup>lt;sup>272</sup> Ibid.

<sup>&</sup>lt;sup>273</sup> UN General Assembly, Child, early and forced marriage (A/RES/69/156), 2014.

<sup>&</sup>lt;sup>274</sup> Ibid.

<sup>&</sup>lt;sup>275</sup> UN HRC, Strengthening efforts to prevent and eliminate child, early and forced marriage (A/HRC/RES/29/8), 2015.

<sup>&</sup>lt;sup>276</sup> Ibid.

<sup>&</sup>lt;sup>277</sup> Ibid.

 <sup>&</sup>lt;sup>278</sup> International Women's Health Coalition, Human Rights Council Steps Up for Girls in Resolution to End Child Marriage, 2015.



In the field of gender equality and the advancement of women, the Commission on the Status of Women (CSW) is the principal global policy-making body.<sup>279</sup> At its 57<sup>th</sup> annual meeting in 2013, as part of conclusions relating to eliminating and preventing all forms of violence against girls, CSW urged governments to "review, enact and strictly enforce laws and regulations concerning the minimum legal age of consent and the minimum age for marriage, raising the minimum age for marriage where necessary."<sup>280</sup> The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) serves as the secretariat for CSW and supports governments with their commitments to achieving gender equality.<sup>281</sup>

In cooperation with state governments and civil society organizations, the United Nations Population Fund (UNFPA) assists with the development of policies, programs, and legislation to prevent child marriage.<sup>282</sup> For instance, UNFPA's Action for Adolescent Girls program empowers girls through education on human rights.<sup>283</sup> UNFPA invests in the education of girls by promoting necessary skills and providing access to information to enable a successful transition to adulthood.<sup>284</sup> In addition to preventative measures, UNFPA also supports girls who are already married, particularly in family planning and maternal health.<sup>285</sup> Similarly, in the field of health, the World Health Organization (WHO) addresses issues related to child marriage, including child mortality, post-traumatic stress syndrome, and sexually transmitted diseases (STDs).<sup>286</sup>

Primarily, UNICEF focuses on addressing the economic and societal causes of child marriage and advocating for the implementation of legal reforms.<sup>287</sup> Child marriage is part of UNICEF's wider approach to tackling gender-based discrimination and within its priorities on education and gender equality, as outlined in the UNICEF Gender Action Plan (2014-2017).<sup>288</sup> In 2014, more than 40 UNICEF country programs focused on child marriage; of these, 18 now have national strategies to eradicate child marriage.<sup>289</sup> One example is the National Strategy on Ending Child Marriage and Teenage Pregnancy in Uganda, which was developed in cooperation with all relevant stakeholders and provides assistance with the design and implementation of measures to stop these practices.<sup>290</sup> UNICEF provides financial and technical support to regional programs, such as the South Asia Initiative to End Violence against Children (SAIEVAC), for the development of localized action plans to end child marriage.<sup>291</sup> UNICEF raises awareness through information campaigns in affected communities.<sup>292</sup> This includes community mobilization in cooperation with influential local leaders.<sup>293</sup> In 2012, UNICEF was instrumental in organizing the first International Day of the Girl Child, which had ending child marriage as its theme.<sup>294</sup> UNICEF leads the United Nations Girls' Education Initiative, which seeks to empower children and reduce gender disparities in primary and secondary education.<sup>295</sup> One of the major tasks for UNICEF is the continuation of data collection and analysis in countries where child marriage occurs to fill informational gaps.<sup>296</sup> Collected data are used to develop specific global and national targets for ending child marriage.297

The importance of civil society organizations (CSOs) to international efforts to end child marriage is demonstrated by Girls Not Brides.<sup>298</sup> Girls Not Brides is a partnership of 500 CSOs from over 70 countries, ranging from the

<sup>287</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 50.

<sup>&</sup>lt;sup>279</sup> UN-Women, Commission on the Status of Women.

<sup>&</sup>lt;sup>280</sup> UN CSW, Report on the fifty-seventh session (4-15 March 2013) (E/2013/27), 2013, p. 12.

<sup>&</sup>lt;sup>281</sup> UN-Women, *Child marriage is a game changer: Christine Hunter*, 2015.

<sup>&</sup>lt;sup>282</sup> UNFPA, Child Marriage.

 <sup>&</sup>lt;sup>283</sup> International Center for Missing & Exploited Children, *Child Marriage in the Middle East and North Africa*, 2013, p. 19.
<sup>284</sup> UNFPA, *Child Marriage*.

<sup>&</sup>lt;sup>285</sup> Ibid.

<sup>&</sup>lt;sup>286</sup> UN ECOSOC, Annual report on the implementation of the UNICEF Gender Action Plan (E/ICEF/2015/8), 2015.

<sup>&</sup>lt;sup>288</sup> UN ECOSOC, Annual report on the implementation of the UNICEF Gender Action Plan (E/ICEF/2015/8), 2015. <sup>289</sup> Ibid

<sup>&</sup>lt;sup>290</sup> UNICEF, The National Strategy to End Child Marriage and Teenage Pregnancy 2014/2015 – 2019/2020, 2015, p. 5.

<sup>&</sup>lt;sup>291</sup> UNICEF, Girl Summit: A future free from FGM and child and forced marriage – one year on, 2015, p. 5.

<sup>&</sup>lt;sup>292</sup> UNICEF, Child Marriage - Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>293</sup> UNICEF, Child Marriage: Introduction.

<sup>&</sup>lt;sup>294</sup> UNICEF, Child Marriage - Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>295</sup> UNGEI, Vision & Mission.

<sup>296</sup> Ibid.

<sup>&</sup>lt;sup>297</sup> UN ECOSOC, Annual report on the implementation of the UNICEF Gender Action Plan (E/ICEF/2015/8), 2015.

<sup>&</sup>lt;sup>298</sup> Girls Not Brides, About Child Marriage.



largest international NGOs to smaller, community-based organizations.<sup>299</sup> In combating child marriage, the Girls Not Brides partnership is a platform to share experiences, learn from the best practices of other CSOs, and build a strong worldwide movement.<sup>300</sup>

### Prevalence and Causes of Child Marriage

Although child marriage is a global problem, it is significantly more common in certain regions.<sup>301</sup> In 2013, 46% of women in South Asia, 38% in sub-Saharan Africa, and 21% in Latin America and the Caribbean were married before the age of 18.<sup>302</sup> According to UNICEF and WHO, the majority of child marriages take place in rural sub-Saharan Africa and South Asia.<sup>303</sup> While some countries have a high prevalence of child marriage, other countries with a lower overall rate nevertheless have higher numbers of child marriages.<sup>304</sup> Niger, where 75% of women are married as children, has the highest rate of child marriage worldwide, but in total numbers of child marriages, it falls below India, which accounts for approximately 33% of total child marriages worldwide due to its high population.<sup>305</sup>

### Social and Cultural Causes of Child Marriage

The most influential factors giving rise to child marriage include social and cultural norms.<sup>306</sup> The practice of marrying children has existed for generations, giving rise to cultural norms that exert pressure on families to marry their daughters at a young age.<sup>307</sup> Often, child marriages are an effort to avoid exclusion from the community, which would result from breaching established norms.<sup>308</sup> Marriage determines a woman's status in many societies and parents are often motivated by the fear of being unable to marry their daughters at all.<sup>309</sup> There is a particular problem in countries and communities with high rates of gender-based violence, where girls experience sexual violence at home, at school, or on their way to school.<sup>310</sup> Parents often believe that they have to protect their children from premarital sex, pregnancy out of wedlock, or even rape and prostitution.<sup>311</sup> Child marriage removes the risk of uncertainty about a girl's prospects or damage to the family's honor.<sup>312</sup> This reflects a general problem of child marriage and discrimination, as these justifications are valid only if the value of women and girls is determined by their value as repositories for family honor or when a girl's potential sexuality is seen as a risk factor that needs to be both monitored and contained.<sup>313</sup> Especially in patriarchal cultures, where girls are regarded as less worthy of education or investment, child brides are a strong reflection of pervasive gender-based discrimination that limits girls solely to becoming wives and homemakers.<sup>314</sup> Frequently, gender inequality and gender-based discrimination are perpetuated by local or national laws, which may, for example, allow girls to be married at a younger age than boys, as in India, Pakistan, and Afghanistan.<sup>315</sup> Tradition and customs causing child marriage are often found in particular regions within tribes or in certain communities.<sup>316</sup> For example, in Pakistan's Northwest Frontier Province, in Afghanistan, and in some parts of the Middle East, there exist specific practices such as selling juvenile girls to older, often unfamiliar men, in exchange for a considerable dowry or an abatement of a family debt.<sup>317</sup> In Pakistan and Afghanistan, a tradition called *baad* involves trading a virgin girl from a debtor's family as payment or settlement of a financial dispute.318

<sup>&</sup>lt;sup>299</sup> Girls Not Brides, About Child Marriage.

<sup>300</sup> Ibid.

<sup>&</sup>lt;sup>301</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 38.

<sup>&</sup>lt;sup>302</sup> UN WHO, Child marriages: 39 000 every day, 2013.

<sup>&</sup>lt;sup>303</sup> UNICEF, Ending Child Marriage, 2014, p. 2; UN WHO, Child marriages: 39 000 every day, 2013.

<sup>&</sup>lt;sup>304</sup> UN WHO, Child marriages: 39 000 every day, 2013.

<sup>&</sup>lt;sup>305</sup> Equality Now, Protecting The Girl Child, 2014, p. 10; UN WHO, Child marriages: 39 000 every day, 2013.

<sup>&</sup>lt;sup>306</sup> Equality Now, *Protecting The Girl Child*, 2014, p. 13.

<sup>&</sup>lt;sup>307</sup> Ibid.; Girls Not Brides, Ending child marriage in Africa, 2015, p. 3.

<sup>&</sup>lt;sup>308</sup> Equality Now, Protecting The Girl Child, 2014, p. 13; Girls Not Brides, Ending child marriage in Africa, 2015, p. 3.

<sup>&</sup>lt;sup>309</sup> Girls Not Brides, Ending child marriage in Africa, 2015, p. 3; Malhotra, The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World, 2010, p. 3.

<sup>&</sup>lt;sup>310</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 3.

<sup>&</sup>lt;sup>311</sup> Equality Now, *Protecting The Girl Child*, 2014, p. 7.

<sup>&</sup>lt;sup>312</sup> Ibid., p. 7.

<sup>&</sup>lt;sup>313</sup> Ibid., p. 8.

<sup>&</sup>lt;sup>314</sup> Malhotra, The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World, 2010, p. 3.

<sup>&</sup>lt;sup>315</sup> Equality Now, *Protecting The Girl Child*, 2014, p. 6.

<sup>&</sup>lt;sup>316</sup> Malhotra, *The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World*, 2010, p. 3.

<sup>&</sup>lt;sup>317</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 3.

<sup>&</sup>lt;sup>318</sup> Warner, Behind the Wedding Veil: Child Marriage as a Form of Trafficking in Girls, 2011, p. 239.



### Economic and Security Causes of Child Marriage

Child marriage is also perpetuated for economic reasons, as it is a way of guaranteeing housing or solving families' financial issues.<sup>319</sup> Child marriage can reduce the economic burden on families, as one less person has to be nourished, which is why child marriage is often a problem in poor communities or within minority groups.<sup>320</sup> Girls living in rural areas of the developing world tend to marry or enter into union at twice the rate of their urban counterparts (44% and 22%, respectively).<sup>321</sup> In countries like Bangladesh, India, Pakistan, and Nepal, parents pay a lower dowry for daughters married at a young age.<sup>322</sup> According to UNFPA, rates of child marriage tend to be highest in regions where a large proportion of girls are out of school or whose education has been stalled, which is mostly in rural areas.<sup>323</sup> Girls with only a primary education are twice as likely to be married or enter into union compared to those with a secondary or higher education.<sup>324</sup> This also demonstrates a correlation between economic circumstances and child marriage, as families do not want to spend their limited resources on educating girls.<sup>325</sup>

### Child Marriage and Conflict

A special focus needs to be placed on conflict regions and regions affected by humanitarian crises, where girls are the most vulnerable and face the greatest risk of forced marriage.<sup>326</sup> Causes of child marriage such as poverty and lack of education are even more pronounced in these areas.<sup>327</sup> In addition, new causes for child marriage arise as girls may be taken as brides by warlords or offered to authority figures (military leaders or an elder from a warring clan) by their families in exchange for protection.<sup>328</sup> Most conflicts destroy any state protection mechanisms, such as legislation or police, and married girls are often left physically and emotionally scarred with no recourse or assistance.<sup>329</sup> Children in refugee camps are especially vulnerable to child marriage and human trafficking.<sup>330</sup> According to current reports, child marriage has increased among Syrian refugees in Erbil, Iraq, and Lebanon.<sup>331</sup> A possible reason for this is the dependence of refugee families on declining resources, in addition to a lack of economic opportunities, which may lead to a feeling of being pressured to "protect" their children through marriage.<sup>332</sup> Single men from Jordan or other countries often exploit these circumstances, as they take advantage of the families' vulnerability.<sup>333</sup> The men offer sponsorship and make promises to the families to move them out of the camp in return for a child bride.<sup>334</sup>

### Effects of Child Marriage

Marriage dramatically influences many aspects of a girl's life, as married girls are robbed of their childhood, health, and education.<sup>335</sup> Differences in power dynamics and societal norms in particular threaten girls' health.<sup>336</sup> Child brides are almost always married to older men, and therefore lack the standing or skills to negotiate regarding important issues such as sex or birth control.<sup>337</sup> Husbands are often older and more sexually experienced, which makes it difficult for girls to refuse unprotected sex.<sup>338</sup> In these circumstances, girls are particularly vulnerable to

<sup>&</sup>lt;sup>319</sup> UN-Women, Gender-based Violence and Child Protection among Syrian refugees in Jordan, with a focus on Early Marriage, 2013, p. 31.

<sup>&</sup>lt;sup>320</sup> Save the Children, *Too Young To Wed - The growing problem of child marriage among Syrian girls in Jordan*, 2014, p. 5; UNFPA, *Marrying Too Young - End Child Marriage*, 2012, p. 36.

<sup>&</sup>lt;sup>321</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 34.

<sup>&</sup>lt;sup>322</sup> Malhotra, *The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World*, 2010, p. 3.

<sup>&</sup>lt;sup>323</sup> Equality Now, Protecting The Girl Child, 2014, p. 6.

<sup>&</sup>lt;sup>324</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 34.

<sup>&</sup>lt;sup>325</sup> Malhotra, The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World, 2010, p. 3.

<sup>&</sup>lt;sup>326</sup> African Union, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 5.

<sup>&</sup>lt;sup>327</sup> Malhotra, *The Causes, Consequences and Solutions to Forced Child Marriage in the Developing World*, 2010, p. 3.

<sup>&</sup>lt;sup>328</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 5.

<sup>&</sup>lt;sup>329</sup> Ibid.

<sup>&</sup>lt;sup>330</sup> Save the Children, *Too Young To Wed - The growing problem of child marriage among Syrian girls in Jordan*, 2014, p. 8. <sup>331</sup> Ibid., p. 9.

<sup>&</sup>lt;sup>332</sup> Ibid., p. 10.

<sup>&</sup>lt;sup>333</sup> Ibid., p. 5.

<sup>&</sup>lt;sup>334</sup> Ibid.

<sup>&</sup>lt;sup>335</sup> UN WHO, Child marriages: 39 000 every day, 2013.

<sup>&</sup>lt;sup>336</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 51.

<sup>337</sup> Ibid.

<sup>&</sup>lt;sup>338</sup> Ibid., p. 11.



sexually transmitted infections or diseases, including HIV/AIDS.<sup>339</sup> In addition, girls are more likely to experience domestic violence, including marital rape and the pressure to have a child. <sup>340</sup> According to UNICEF, the child of a mother under 18 years old has a 60% greater chance of dying in his or her first year.<sup>341</sup> Due to their underdeveloped bodies, younger girls experience high rates of maternal and child mortality.<sup>342</sup> Early childbirth can also cause permanent disabilities such as obstetric fistula, an injury that leaves girls in constant pain and vulnerable to infection.<sup>343</sup> Child brides often suffer from symptoms of post-traumatic stress, including feelings of hopelessness, helplessness, or severe depression.<sup>344</sup>

Child marriage negatively affects girls' education. Young brides are often forced to drop out of school after forced marriage, or they may become unable to attend school due to pregnancy.<sup>345</sup> Subsequently, these children are denied the opportunity to complete their education, resulting in a significant reduction of their ability to earn their own income, invest in their children, and lift themselves and their families out of poverty.<sup>346</sup> Without a proper education, girls are unlikely to understand and advocate for their rights and are less likely to raise healthy, educated children.<sup>347</sup> Dropping out of school reduces girls' future earning power and affects society as a whole.<sup>348</sup> Countries suffer broader social and economic costs if half their population remains uneducated.<sup>349</sup> A single year of primary school boosts women's wages later in life by 10% to 20%, while secondary education increases wages by 15% to 25%.<sup>350</sup>

### Further Measures and Barriers to Combating Child Marriage

In order to eliminate child marriage, the root causes and factors giving rise to the issue must be addressed. Due to the high prevalence and extensive impact of child marriage, multisector approaches tackling health, education, legislation, and the social status of girls must be utilized to eradicate child marriage.<sup>351</sup> Progress is only possible through cooperation between UN agencies, governments, and NGOs, as efforts at the community level need support in order to change social norms and attitudes that perpetuate child marriage.<sup>352</sup>

UN-Women highlights the gap between policies and programs and their implementation.<sup>353</sup> In order to implement campaigns and programs to change norms and traditions, the local population needs to understand the problem of child marriage and the grave effects of these practices.<sup>354</sup> UNICEF raises awareness at national and local levels, developing strategic awareness campaigns to reach local populations and change the view of early and forced marriage as a socially acceptable norm.<sup>355</sup> This is particularly important for states where relevant cultural norms, traditions, or religious practices are tolerated by governments or, in some cases, explicitly permitted by domestic law.<sup>356</sup> Some countries, such as Cambodia and Thailand, do not have criminal penalties for child marriage, while other countries have low conviction rates for reported cases of child marriage.<sup>357</sup> Strengthening the legal framework and consistent monitoring and implementation of the framework are mandatory components for achieving progress toward eradicating child marriage.<sup>358</sup> Regarding possible actions related to the legal framework, UNICEF has identified a shortfall in availability of information and communications technology (ICT) for birth registration,

<sup>&</sup>lt;sup>339</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 6; UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 11; Girls Not Brides, Ending child marriage in Africa, 2015, p. 4.

<sup>&</sup>lt;sup>340</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, pp. 3-4.

<sup>&</sup>lt;sup>341</sup> UNICEF, Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>342</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 6.

<sup>&</sup>lt;sup>343</sup> Ibid.; UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 11.

<sup>&</sup>lt;sup>344</sup> UNICEF, Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>345</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 5.

<sup>&</sup>lt;sup>346</sup> Ibid.

<sup>&</sup>lt;sup>347</sup> Girls Not Brides, What is the Impact?

<sup>348</sup> Ibid.

<sup>&</sup>lt;sup>349</sup> UN-Women, Facts & Figures: Rural Women and the Millennium Development Goals.

<sup>&</sup>lt;sup>350</sup> Ibid.

<sup>&</sup>lt;sup>351</sup> Hervish & Feldman-Jacobs, Who Speaks for Me? Ending Child Marriage, 2011, p. 5.

<sup>&</sup>lt;sup>352</sup> Equality Now, *Protecting The Girl Child*, 2014, p. 16.

<sup>&</sup>lt;sup>353</sup> UN-Women, End Violence against Women.

<sup>&</sup>lt;sup>354</sup> International Center for Missing & Exploited Children, *Child Marriage in the Middle East and North Africa*, 2013, p. 19. <sup>355</sup> Ibid.

<sup>&</sup>lt;sup>356</sup> Equality Now, Protecting The Girl Child, 2014, p. 14.

<sup>&</sup>lt;sup>357</sup> Ibid., p. 15.

<sup>&</sup>lt;sup>358</sup> UNFPA, *Marrying Too Young - End Child Marriage*, 2012, p. 49.



which is mandatory for recording children's ages.<sup>359</sup> According to UNICEF, there is no official record for nearly 230 million children under the age of five.<sup>360</sup> Birth registration sets up a child's legal existence, thus helping with his or her rights; thus, it constitutes an important tool for ending child marriage.<sup>361</sup>

Through its country offices, UNICEF supports the development and implementation of stronger programs to empower girls, increase girls' access to education, and provide information on child marriage to communities.<sup>362</sup> One example of the successful implementation of community empowerment programs is in Senegal, where in 2012, 5,000 villages announced their intent to abandon child marriage.<sup>363</sup> Education is a very powerful tool to prevent child marriage; it delays marriage and contributes to shifting marriage-related norms.<sup>364</sup> In addition, schools are safe spaces for girls.<sup>365</sup> States should expand access to education for adolescent girls, especially in rural and isolated areas and regions, to allow girls the opportunity to develop new skills and show their families and communities a positive alternative to the harmful practice of child marriage.<sup>366</sup> Initiatives and programs to re-enroll children who have previously dropped out of school are of great importance in the education sector.<sup>367</sup> For girls who are already married, UNICEF offers reproductive health services and livelihood skills training.<sup>368</sup>

In the health sector, WHO recommends focusing on the systematic support of juvenile and adolescent married women by making information on sexual and reproductive health more available through programs on family planning, maternal health services, and HIV prevention in order to avoid unplanned pregnancies.<sup>369</sup>

### Conclusion

Child marriage is a grave violation of human rights.<sup>370</sup> The substantive resolutions on child marriage by the HRC and the GA, as well as the inclusion of the SDG target to end child marriage, demonstrate that the international community recognizes the importance of ending this harmful practice.<sup>371</sup> Ending child marriage is closely related to sustainable development and is essential to the achievement of many SDGs.<sup>372</sup> To overcome the complex causes of child marriage, particularly the barriers presented by cultural traditions, multi-sector approaches are necessary. Looking forward, the international community should also consider what it can do to improve the lives of married girls, especially in the health sector, and to help girls and their families escape the viciousness of poverty.<sup>373</sup>

#### Further Research

Delegates should consider the following questions: How can further campaigns raise awareness on the international level in order to put pressure on governments to fulfill their obligations pursuant to existing international human rights law? How can further strategies in countries be developed and implemented to address cultural norms and traditions leading to child marriage? What kind of national strategies involving NGOs and civil society already exist? Could these strategies be applied in other regions or at the community level? How can UNICEF and the international community better protect children in conflict areas? How can the information gap on boys affected by child marriages be addressed?

<sup>362</sup> UNICEF, Child marriage – Programme Brief, 2012, p. 2.

<sup>&</sup>lt;sup>359</sup> UNICEF, Toward Universal Birth Registration - A Systemic Approach to the Application of ICT, 2015, p. vii.

<sup>&</sup>lt;sup>360</sup> UNICEF, Child protection from violence, exploitation and abuse.

<sup>&</sup>lt;sup>361</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 8; UNICEF, Toward Universal Birth Registration -A Systemic Approach to the Application of ICT, 2015, p. vii.

<sup>&</sup>lt;sup>363</sup> Ibid.

<sup>&</sup>lt;sup>364</sup> International Center for Missing & Exploited Children, Child Marriage in the Middle East and North Africa, 2013, p. 17; Girls Not Brides, What is the Impact?.

<sup>&</sup>lt;sup>365</sup> Ibid.

<sup>&</sup>lt;sup>366</sup> UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 50.

<sup>&</sup>lt;sup>367</sup> Girls Not Brides, Change Marriage and Education, 2014, p. 1.

<sup>&</sup>lt;sup>368</sup> UNICEF, Child marriage – Programme Brief, 2012, p. 2.

<sup>&</sup>lt;sup>369</sup> UN WHO, Early marriages, adolescent and young pregnancies, 2014, p. 2; UNFPA, Marrying Too Young - End Child Marriage, 2012, p. 50.

<sup>&</sup>lt;sup>370</sup> AU, Campaign to End Child Marriage in Africa: Call to Action, 2014, p. 2.

<sup>&</sup>lt;sup>371</sup> UN General Assembly, *Child, early and forced marriage (A/RES/69/156)*, 2014; UN HRC, *Strengthening efforts to prevent and eliminate child, early and forced marriage (A/HRC/RES/29/8)*, 2015.

<sup>&</sup>lt;sup>372</sup> Girls Not Brides, *What is the Impact?* 

<sup>373</sup> Ibid.



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De Silva-de-Alwis, R. (2008). *Child Marriage and The Law* [Report]. United Nations Children's Fund. Retrieved 20 August 2015 from: <u>http://www.unicef.org/policyanalysis/files/Child\_Marriage\_and\_the\_Law(1).pdf</u>

This report provides guidance on the role of legislation in protecting children's rights by analyzing the different legal frameworks governing child marriage. The most important conclusion of the paper is that child marriage is a fundamental violation of human rights that must be viewed in the context of gender inequality. The report also describes the causes of child marriage, such as poverty, gender-based discrimination, and lack of education and recommends that all areas of gender inequity be outlawed. For delegates, the report provides critical knowledge and ideas for how to strengthen the legislative framework of child marriage.

Equality Now. (2014). Protecting The Girl Child - Using the law to end child, early and forced marriage and related human rights violations. Retrieved 20 August 2015 from:

http://www.equalitynow.org/sites/default/files/Protecting\_the\_Girl\_Child.pdf

While providing an overview about the topic, the report also details case studies worldwide. The report outlines a very emotional perspective of child marriage by describing case studies of children affected by child marriage in detail. Compared to many other sources, the case studies are unique and provide crucial insight into the topic. In addition, the global examples offer analysis and ideas regarding how to deal with the topic. This source serves as a good starting point for framing policy.

Girls Not Brides. (n.d.). *About Child Marriage* [Website]. Retrieved 20 August 2015 from: http://www.girlsnotbrides.org/about-child-marriage/

This website offers a succinct overview of the topic of child marriage. It investigates the question of why child marriage happens worldwide by providing a concise synopsis of different causes. It explains cultural, economic, and traditional factors causing child marriage. It also addresses possible solutions and provides material about the existing legal framework. This website serves as a good starting point in the research process.

Hervish, A & C. Feldman-Jacobs. (2011). *Who Speaks for Me? Ending Child Marriage*. Population Reference Bureau. Retrieved 20 August 2015 from: <u>http://www.prb.org/pdf11/ending-child-marriage.pdf</u>

This policy brief explains the benefits of delaying child marriage with respect to health. It describes these benefits in relation to maternal and infant health, HIV/AIDS, and reproductive health and well-being of girls. In addition, the document presents promising approaches and strategies to end child marriage. This includes the Berhane Hewan Program in Ethiopia to create safe spaces for girls and Tostan's Community Empowerment Program to empower girls in Senegal. Finally, the document recommends general policies, program actions, and priority areas to address the issues girls affected by child marriage face.

Loaiza, E. & M. Liang. (2013). *Adolescent Pregnancy: A Review of the Evidence* [Report]. United Nations Population Fund. Retrieved 20 August 2015 from:

http://www.unfpa.org/sites/default/files/pub-pdf/ADOLESCENT%20PREGNANCY\_UNFPA.pdf

This report focuses on adolescent pregnancies and their widespread consequences within a society. The report offers possible interventions to reduce adolescent pregnancies. It suggests that programs should be established to regulate the proper allocation of resources, as adolescent pregnancies mostly occur in rural and remote areas among poor populations with limited access to education. The report provides an agenda for change to end pregnancy among adolescent girls. In addition, it provides all necessary data on regional prevalence of adolescent pregnancy, which delegates may use to think about new programs or how to strengthen existing programs.

Malhotra, A., et al. (2011). *Solutions to End Child Marriage*. International Center for Research on Women. Retrieved 20 August 2015 from: <u>http://www.icrw.org/files/publications/Solutions-to-End-Child-Marriage.pdf</u>

This report summarizes the evaluation by the International Center for Research on Women of recent child marriage prevention programs between 1973 and 2009. The analysis of reviewed programs concludes that eradication programs have expanded in number and scope during the last decade. The report concludes that the most successful strategies combined information and



skills for girls with community mobilization. The report provides recommendations for further actions and gives an overview of existing and evaluated programs in countries around the world. Understanding what made previous efforts successful will inform the design and implementation of new initiatives.

United Nations Children's Fund. (2005). *Early Marriage. A Harmful Traditional Practice* [Report]. Retrieved 20 August 2015 from: <u>http://www.unicef.org/publications/files/Early\_Marriage\_12.lo.pdf</u>

This overview presents statistics about girls engaged in early marriages in 2005. This enables an interesting comparison with current data regarding education, financial status, and sexual education of affected girls in countries all over the world. Chapters V, VI, and VII introduce specific aspects of child marriage, such as domestic violence and the problem of polygynous unions, which will be useful during the research process. In addition, this source provides country-level statistical data to reflect progress at the national level.

United Nations Children's Fund. (2014). *Ending Child Marriage* [Report]. Retrieved 20 August 2015 from: http://data.unicef.org/corecode/uploads/document6/uploaded\_pdfs/corecode/Child-Marriage-Brochure-HR\_164.pdf

This UNICEF document presents the current worldwide situation of child marriage and provides an excellent summary of statistics to visualize the topic. The statistics reveal the total number of child marriages globally and the most affected regions. This report highlights the fact that child marriage is most common in rural areas and provides evidence that girls in poorer areas are at a greater risk of being married early. It also summarizes existing child marriage data and is a good starting point for relevant statistics pertaining to the topic.

United Nations Children's Fund. (2015). *Girl Summit: A future free from FGM and child and forced marriage – one year on* [Report]. Retrieved 20 August 2015 from:

http://www.unicef.org/protection/files/6.1057\_DFID\_AR\_Girl\_Summit\_Final\_web\_20072015.pdf

The document presents ideas on how to combat child marriage. It is not focused on one single organization, but provides short overviews of different projects and initiatives from various actors such as UNFPA, UNICEF, and the African Union. In addition, actions of the Royal Commonwealth Society and single governments like Bangladesh are introduced.

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