

Committee: SPECON

Topic: Discussing the reformation of population control legislation

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Personal Introduction

Dear Delegates,

My name is Alexia Alifragki and I'm sixteen years old and I am attending the 11th grade of Ekpedeftiki Anagennisi. I'm also part of the A levels curriculum as I aspire to study Law abroad. This will be 6th conference overall and my first-time chairing. I'm thrilled and deeply honored to share this new to me experience with you all.

During this session, we will be discussing and debating upon the very important and controversial issue which has been ethically diving the international community for years, namely: the reformation of population control legislation. As the Special Conference on Ethical Dilemmas and Responsibilities, it will be our job to provide those problems with compromising and feasible solutions which will serve the whole of the international community without infringing on the morality of each state's ideology. This document here is a thorough introduction to the topic and will aid in better understanding it and grasping the aspects of this multilateral issue. I urge and encourage you to conduct your own research on the topic in order to find where your state's morality stands in this dilemma of controlling the population. You can start your research by visiting the sites at the end of this Study Guide. However, if you have any questions, don't hesitate to contact me.



I am looking forward to meeting you all and hope that we have a fruitful and interesting debate!

Yours truly,

Alexia Alifragki

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Topic Introduction

During the last decades, our world as witnessed a dramatic growth of the population bringing forward major changes in fertility rates, unprecedented increase in urbanization and the triggering of large waves of migrates. This accelerating phenomenon will have tremendous implications on future generations highlighting the urgent threat of the rising population towards worldwide sustainable development.

“The world population is projected to reach 8.5 billion by 2030 and keep increasing further to 9.7 billion by 2050 and 11.2 billion by 2100¹”. Surely, these are just projections for the future. Although, UN’s population calculations show a rapid increase that shocks the international community. It is assumed that countries suffering from low fertility rates will witness an increase in the following years while the current most populous countries which are characterized by high fertility rates, will face a fall in pregnancies and births as they undergone a social and economic development in the future. Birth rates are usually high in these countries due to lack of access to contraceptives and the need for more labor hands. Experts look upon survival prospects optimistically, although that shouldn’t derail our attention from the emergent efficient measures state are ethically obligated to take to improve their habitants’ living standards.

The need to act upon this flaming issue is evident seeing India’s overpopulation crisis and the plea the government of India filed to the Supreme Court calling for the enactment of stricter laws on population control. The spiritual orator Devkinandan

1 “Population.” United Nations, United Nations, <https://www.un.org/en/global-issues/population>



Thakur, who filed the plea, claimed that overpopulation is the root of all socioeconomic as well as environmental problems in the country and demanded that immediate action be taken to prevent its expansion. The people support that the pass of such a plea would go against their reproductive rights and firmly believe that a legislative measure is not needed for the resolution of the problem.

However, the UN, in pair with the States' governments, has had trouble when it came to defining the factors of this action. Population control methods call for the regulation of procreation and fertility rates and the minimizing or amplifying the population growing rates through artificial means. The ethical dilemma between population control methods and human rights has been apparent since the 1960s where the UN was again put on the spotlight and asked to find a solution to the problem. It was a dilemma arguing between the quality and quantity of life and to what extent the government is right to meddle with the freedom of choice when it comes to procreation. Legislation was frowned upon as it communicated an infringement on human rights due to its absoluteness.

The majority of States were hesitant to enact any type of legislative actions such as policies; however, others examining the urgent nature of the matter weren't late to take action in their own hands regardless of the UN's worries and doubts as to how fundamental human rights would be protected. Despite its worries, the UN didn't interfere as it was an ethical responsibility and duty of the governments to preserve the quality of life and implement measures aiming to serve the greater good, even if it meant the sacrifice of certain human rights. Population control legislation based and bases its foundations on the insurance of survival.

Definition of key terms

Population control

"Human population control is the practice of artificially altering the rate of growth of a human population. Population control does not follow the natural flow of life and



influences the reproductive and sexual rights of individuals as well as the future of humanity.”²

Population Law

“Population law regulates population growth, composition, and movement and induces behavior and attitudinal changes to enhance quality of life at all levels. There are legal policies or actions employed in cases such as urbanization and deurbanization in order to affect the density and rate of growth of the population.”³

Sterilization

Sterilization is the medical method used upon a human in order to render them infertile and unable to reproduce. It makes them unable to engage in sexual reproduction.

Contraception

“Contraception, also known as birth control, are measures taken to prevent a pregnancy such as condoms, cervical caps etc. There are measures taken before or after sexual intercourse so as for the reproduction process to be avoided.”⁴

Abortion

“Abortion is the expulsion of a fetus from the uterus before it has reached the stage of viability (in human beings, usually about the 20th week of gestation). An

² *Human Population Control*. Winston-Salem/Forsyth County Schools, https://www.wsfcs.k12.nc.us/cms/lib/NC01001395/Centricity/ModuleInstance/17064/Human_Population_Control.pdf

³ Elkins, Bettye S. “Constitutional Problems of Population Control.” *University of Michigan Law School*, 1970, <https://core.ac.uk/download/pdf/232714641.pdf>

⁴ “Birth Control | Contraception | Contraceptives.” *MedlinePlus*, U.S. National Library of Medicine, <https://medlineplus.gov/birthcontrol.html#:~:text=Birth%20control%2C%20also%20known%20as,from%20getting%20to%20the%20eggs>



abortion may occur spontaneously, in which case it is also called a miscarriage, or it may be brought on purposefully, in which case it is often called an induced abortion.”⁵

Constitution

“Constitution is the set of political principles by which a state or organization is governed, especially in relation to the rights of the people it governs. The constitution prevents the government from acting abusively towards its people.”⁶

Family Planning

Family planning is "the ability of individuals and couples to anticipate and attain their desired number of children and the spacing and timing of their births. It is achieved through use of contraceptive methods and the treatment of involuntary infertility.”⁷

Fertility Rates

Fertility rates showcase the average number of children; a specific number of kids, a woman would bear during a certain time period when all other factors are stable. They differentiate between regions and countries and are directly connected with birth rates.

⁵ “Abortion.” Encyclopædia Britannica, Encyclopædia Britannica, Inc., 24 June 2022, <https://www.britannica.com/science/abortion-pregnancy>

⁶ “Constitution.” *Cambridge Dictionary*, <https://dictionary.cambridge.org/dictionary/english/constitution>

⁷ “Family Planning.” *Wikipedia*, Wikimedia Foundation, 15 July 2022, https://en.wikipedia.org/wiki/Family_planning.



Background Information

Population growth and control are notions that have troubled humanity since the beginning of times. Worldwide, population control was officially introduced and fervently implemented in the 1960s and 1970s, birthing many family planning and reproductive programs. Friction was created in the 1980s between population control advocates and feminist women who fought for the advancement of women's reproductive rights. However, strong opposition ideologies towards narrow population control legislation led to the deconstruction and elimination of any restricting policies which violated human rights.

The history of population control

Ancient Times through Middle Ages

In ancient times, population was perceived as a valuable source of economic, political and military strength. They praised population growth and frowned heavily upon the situation of too few people. However, in Ancient Greece, a more specific approach was introduced by Plato who supported that a city should be consisting of a few people in order to function properly and efficiently, as well as of enough people to be able to defend itself against foreign threats. Plato encouraged procreation and, if it was deemed necessary, immigration. Aristotle was the first one to present the negative aspect of intense population growth and also to advocate for abortion and the terminating of a pregnancy.⁸

The Christians were the first ones who depicted war and famine as consequences of overpopulation. During the Middle Ages, such issues were discussed in hiding and isolation. Attitudes towards population control were negative and the idea of "fruitful" procreation was prevailing.

⁸ Human Population Control . Winston-Salem/Forsyth County Schools, https://www.wsfcs.k12.nc.us/cms/lib/NC01001395/Centricity/ModuleInstance/17064/Human_Population_Control.pdf



“In Hawaii, China, and Japan, many female or disabled children were killed to maintain a strong race without overpopulation. Infanticide was practiced for many reasons. Like the Hawaiians, Chinese, and Japanese, some cultures saw the practice of infanticide as a means of controlling and regulating the population so that society's resources could be expanded on the strongest and most value”.⁹

16th and 17th centuries: European Urbanization

During the 16th and 17th centuries, European cities rapidly grew sparking conversations on the advantages and disadvantages of population growth. Nicolo Machiavelli connected overpopulation with the end of the human race which will come in forms of plague, famine or floods. Generally, the 16th century represented many greats Italian philosophers which discussed upon the ‘dark side’ of population growth. In contrast with the ancient Greeks, the concept of too many people was weakness rather than strength. Diseases and deaths caused by hanger, brought depopulation concerns at the forefront of philosophy and politics.

The Population Control Movement

In the 20th century, the concept of population control gained momentum with the population increasing in unprecedented speed and rates. Supporters of the movement described the phenomenon of population increasing as a social scourge which will burden the lower class. Paul R. Ehrlich, the writer of The Population Bomb, published in 1968, advocated for the enactment population control policies and compared this population explosion to cancer, claiming that radical approaches must be taken to resolve the issue and ensure survival.

Ehrlich’s views were accepted among population control supporters in the 1960s and 1970s that demanded birth regulation and generally fought for the employment of stricter legislative measures to reassure that the issue was dealt with.

⁹ Human Population Control - Winston-Salem/Forsyth County Schools.
https://www.wsfcs.k12.nc.us/cms/lib/NC01001395/Centricity/ModuleInstance/17064/Human_Population_Control.pdf



They were met with concrete opposition from the Catholic Church which dismissed any form of procreation regulation and deemed the terminating of a pregnancy unethical based on the writings of the Bible.

Factors Influencing Population Growth

Fertility Rates

Fertility Rates are a determinant factor of population growth. That means that fertility rates are measured on hypothetical bases where the woman has reached the end of her reproductive ability and had been fertile throughout the whole of it without intervals. Fertility rates alternate between centuries, decades and years. Increases and decreases in fertility rates have an important impact on predictions of population growth and can instantly shift a prior assumption. They are crucial for the observing of the population and vital when it comes to population policies which are highly dependent on them.

Increasing Longevity

The world has made significant progress in increasing life expectancy. Improvement in living standards, increased access to health care and education, as well as to employment has been achieved advancing substantially the quality of life. However, there are still notable gaps between life expectancy rates in developed and less developed countries. “. In 2019, life expectancy at birth in the least developed countries lags 7.4 years behind the global average”¹⁰. This is due to the continuous issue of maternal mortality that prevails in LEDCs, as well as violence, conflict and the persistent HIV virus. Furthermore, MEDCs enjoying high GDP and consequently higher life expectancy are most likely to suffer from low birth and fertility rates and low population growth.

¹⁰ “Population.” *United Nations*, United Nations, <https://www.un.org/en/global-issues/population>



Increase in migration

Although, this is a far lesser component of population growth, its impact has been made apparent in the last decade. Countries that have endorsed a high number of refugees and still are taking in more upcoming waves of migrants, refugees etc. have seen their population growth being affected. “Between 2010 and 2020, fourteen countries or areas will see a net inflow of more than one million migrants, while ten countries will see a net outflow of similar magnitude.”¹¹ That is because migration alters the amount of people situated in a country at a certain period of time. Undeniably, countries with low birth rates can deeply benefit from migration as it increases the supply of labor and thus stimulates economic activity.

Legal Implications of Population Control

Constitutional Problems of Population Control

Procreation and family are two sensitive and private aspects of any individual’s life, and the freedom of choice and right to them should be ultimately protected from infringement. In order to for the government to enact an efficient legislative population control policy specific guidelines and criteria must be set so as to reassure the protection of those rights. The question and dilemma that still to this day remains unanswered is to what extend can the government take compelling reproduction control action without threatening those constitutional freedoms and rights.

Undeniably, the aim of population control legislation is firstly the survival of mankind and secondly the preservation of the quality of life of the people. However, the concept of reassuring the greater good cannot overshadow the right to marital privacy, the right to marry and raise a family and the right to be free from arbitrary restraint by the government and to equal protection from the laws. The state may subject the rights of an individual to a restraint to protect the public safety and order, only if the restraint

¹¹ Human Population Control - Winston-Salem/Forsyth County Schools.
https://www.wsfcs.k12.nc.us/cms/lib/NC01001395/Centricity/ModuleInstance/17064/Human_Population_Control.pdf



isn't discriminatory, arbitrary and does not unwillingly violate the rights of an individual. Such population control programs and operations affect directly the two fundamental rights: right to marital privacy and right to procreate. What troubles government lawmakers is to what extent those rights can be limited if it is unknown how broad they are.

In order for state action to be established and for legislation to be enacted, the government is obligated to establish a 'reasonable basis'. When certain laws override fundamental human rights, they won't be upheld unless the state makes a valid case supporting that through these actions the greater public good will be served.

It is hoped that governments around the world will demonstrate flexibility towards solving a national problem without threatening those basic human values and rights which could have a severely negative impact on the exercise of Constitutional Rights.

US Supreme Court's overturning of *Roe v. Wade* is a case in point of constitutional human rights being violated based on the compelling state case of the abortion's unethical and immoral nature which comes from religious beliefs. The criminalization of a medical act violates an individual's right to procreate and also violates terms of the First Amendment which calls for the differentiation of state sovereignty and religion as it is a subjective factor and not all citizens abide by the beliefs of the same religion.

Re-evaluation of Human Rights Considerations on Population Control Legislation

Questions are raised concerning Human Rights and Population control legislation counter-productive relationship, as to what is the scope of those rights, if they are absolute, if the preservation of quality of life should restrict population and whether the line of compromise should be drawn on this ethical dilemma and debate.

Population growth is an apparent problem of our modern society and there is no denying that it must be resolved. However, the role of law in the population control field should be reconsidered and evaluated in light of the human rights and differentiated countries population situations.

The increase in population has negatively affected the economy, the environment, and the society. Its consequences are catastrophic and therefore should



be minimized if not eliminated. Increases in overall population place an unbearable burden on natural resources and creates a larger amount of pollution. The issue takes a life-or-death matter when it comes to LEDCs where it is deemed questionable whether they would be able to sufficiently feed and take care of their people.

The concept that human rights considerations outweigh demographic considerations has implications and poses severe limitation towards family planning programs and their range of work.

Throughout the whole dilemma, two main principles are juxtaposed: the individual's right to freedom of choice and the responsibility of the state to provide for the greater good.

In order to better understand the dispute, we must comprehend the definition of a right in legal terms. Its definition is aforementioned in the guide which states that a right is nothing more than a privilege. Based on the minor legal value of the term right, there is no restriction to its regulation. "Neither the UN Charter nor the US Constitution expressly mentions a Right to reproduce"¹². This commutes that if a state has a compelling interest and purpose to preserve public welfare, certain restrictive legislation on individual's rights would be justified. For example should protection of the quality of life limit population growth? It is supported by many that overpopulation and unregulated growth will harm the attainment and access to every fundamental human right.

The UN was the main advocate in support of human rights during the period of the grand population boom in the 1970s when states began to call for the enactment of stricter laws. That caused a wave of heavy criticism towards the stance of the UN and the Population Council. The roles of population laws are to incentivize or de-incentivize population growth while simultaneously actualizing the realization of population-related human rights. Laws are divided depending on their effect and efficiency. That means that direct laws exist, as well as indirect. Direct legislation covers the scope of reproductive health in terms of sterilization, contraception and abortion. Indirect laws are

¹² Eisenhauer, Susan. *Legal Implications of Population Control: A Practical Reevaluation of Some Human Rights Considerations*. Fordham International Law Journal, 1978, <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1004&context=ilj>



those who are not meant to control the population growth rate but indirectly they do. Those are laws concerning minimum marriage age, child allowances, housing, education etc. The essence of the policies lies in their ability to be re-evaluated and to adapt to upcoming population trends.

UN Position on the Matter

The UN has been criticized to not have adequately dealt with the population as it was not until the late 1960s that it acted upon its resolution. The UN initiated a human rights approach to the issue that unfortunately proved to be highly ineffective.

In the late sixties, the Population Commission was founded taking upon the trend of family planning and highlighting the economic, social and health aspects of required population control. Primarily, the approach had an informative nature, pointing the finger towards governments to educate their people on population issues and encourage the implementation of a policy. The UN advocated for population control policies only in States where it was absolutely necessary. In the World Population Conference in Bucharest in 1974, population control informative campaigns and programs were made obligatory. The Plan birthed in the Conference was destined to allow for customized policies in order for each state's needs to be successfully served. The aims of the Plan were to stimulate socio-economic measures directed at population growth consistent with international principles and human rights. However, the main problem with the Plan for action was that specific goals remained undefined.

The assumption was that with the knowledge held by citizens after their education on population issues, the free people would make wiser choices and opt for smaller families. The UN and the Commission on Population growth fervently supported that access to birth control and education were needed in order for the individual to choose rightfully.

The ultimate concern of the UN towards population law was and is human rights. Policies must be evaluated on the bases of whether they efficiently protect human rights and principles of the international community as well as the UN. The Population Council of the UN suggested certain adjustments so as to see the materialization of population control 'human-rights-friendly' legislation. It urged the elimination of all obstacles



preventing access to means of contraception and birth control, and declared in 1973 the right to voluntary sterilization.

In 1969, the UN Population Fund started operating, indulging in further family planning initiatives and urging the international community to address population control through a gender lenses. Although, the world situation demands for population laws and policies so as to witness an actual diminish in population numbers. The UN's position on human rights could be described as irrelevant with the global needs and unrealistic.

Major countries and organizations involved

China

China's infamous "one-child" policy has been engraved to the international community's conscience. The policy was introduced in 1979 and was implemented in 1980. The legislation read that a couple can only have one child and punitive measures were imposed for the birthing of more than one. The government incentivized people to abide by this policy by offering them financial aid as well as education and health privileges. The consequence that marked the cruelty of such a policy was the prevalence of female infanticide. China, eventually, after the detrimental fall in female population, relaxed its laws and permitted the birth of a second child. However, the aftermath of the 'one-child' policy is yet to be seen, as it majorly affected gender-sex dynamics which can only be interpretive of more social and political problems.

India

India was the first country to officially establish a family planning program in 1952 which targeted low-income families. Systematically, however, it evolved to in a program fervently engaging in sterilization. From 1975 to 1977, the sterilization programs prevailed, with couples who refused to comply being denied food rations and public services. This had as a result the condemning of forced sterilizations by the international community. The burden then was placed upon women, with birth control trending. Financial rewards were offered which seemed incredibly attracted to the poor. In the beginning of 2000, "The Indian 2000 National Population Policy established goals for



universal access to birth control; information and counseling; access to health care; education for girls; and delaying marriage until after the age of twenty”¹³. Current events have shown that despite the establishment of the Policy, problems still prevail. India is currently undergoing a population crisis with its government advocating to the Supreme Court for the enactment of stricter legislation on population control.

Kenya

Kenya’s population policy has been an example for imitation in the Sub-Saharan region of Africa. In 2012, a new landmark policy on population growth was adopted by the government of Kenya whose focus was to stimulate a decline in birth and fertility rates. Kenya’s government plan promoted quality over quantity, advocating for the preservation of high living standards for the people in the country. The National Council For Population and Development (NCPD) drove the state into a close cooperation with the Population Reference Bureau (PRB) with its initiatives, motivating stronger and more effective policy-making. The partnership has given birth to multiple initiatives, movements, researches and policies with PRB aiding NCPD in establishing youth reproductive health, family planning etc. as priorities in the government’s agenda.

United States of America

The US does not actively endorse any population control program or legislation, as it firmly believes in the concept of the ‘ideal’ family dependent on the couple’s desires. The government does not support any coercive population programs. The US is the world’s largest donor to maternal health and family planning agencies and one of the strongest advocates for the realization of the Program of Action of the 1994 International Conference on Population and Development (ICPD), participating in discussions about population issues, promoting human rights and “the right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children”¹⁴.

¹³ Mather , Victoria. *Population Law and Population Law and Policy: From Control and Contraception to Equity and Equality*. St. Mary's Law Journal - St. Mary's University, Texas, Oct. 2019, <https://commons.stmarytx.edu/cgi/viewcontent.cgi?article=1037&context=thestmaryslawjournal>

¹⁴ “Population - United States Department of State.” U.S. Department of State, U.S. Department of State, 1 Dec. 2020, <https://www.state.gov/other-policy-issues/population/#:~:text=The%20U.S.%20does%20not%20endorse,strongly%20opposes%20coercive%20population%20programs>



However, the principle of voluntary choice in participating in family planning or contraception, sterilization and abortion processes has been threatened and violated by the overturning of Roe v. Wade by the Supreme Court.

UNFPA

The United Nations Population's Fund began operating in 1969. It is the dominant organization focusing on population growth, development and control. It consists of a sexual and reproductive health agency whose purpose is to ensure quality of life but also quantity delivering a world where every pregnancy, child is wanted. Access to family planning is a human right and the UNFPA works to make sure that every person has access to it by ensuring a good quality and quantity of contraceptives, reinforcing national health systems and specifically reproductive health rights and units, as well as actively advocating for family planning policies. The UNFPA has managed to reach less economically developed countries preventing maternal deaths and miscarriages, integrating family planning into the state's health policies and fighting against gender-based violence and discrimination. "In 2020, UNFPA-supplied contraceptives are estimated to have: averted 14.5 million unintended pregnancies, averted 4.1 million unsafe abortions, prevented 39.000 maternal deaths, prevented 246.000 children deaths ad saved \$531.000.00 in direct health-care costs"¹⁵

UN Population Division

The Population Division of the Department of Economic and Social Affairs is a researching UN agency on demographic and population issues aiding states to collect and interpret their population data and to form efficient policies. It is the main implicate of the Programme For Action launched in 1994, supervising government policies and actions on population issues such as "population size and growth, population distribution by age, fertility and marriage, reproductive health and family planning, health and mortality, spatial distribution and urbanization, and internal and international

¹⁵"Family Planning." United Nations Population Fund, 16 Aug. 2021, <https://www.unfpa.org/family-planning#summery105931>.



migration”.¹⁶ The World Population Policies 2021 focuses on the exploration of policies on fertility and assesses how the COVID-19 pandemic affected fertility rates, directly or indirectly. It, lastly, provides suggestions for Governments which wish to act upon this matter. In cooperation with UNFPA, the Population Division supports the right to family planning and advocates for its advancement through methodical and technological improvements.

Timeline of Events

<u>1952</u>	India, first nation to adopt a family planning policy
<u>31st August- 10th September 1954</u>	First World Population Conference in Rome
<u>30th August- 10th September 1965</u>	Second World Population Conference in Belgrade
<u>1968</u>	Publication of <i>the Population Bomb</i> book advocating for stricter population regulations
<u>1969</u>	UN's Population Fund Agency was founded
<u>19th -30th August 1974</u>	Third World Population Conference – The birth of the World Population Plan of Action in Bucharest
<u>1979</u>	China's one child policy was introduced
<u>6th August 1984</u>	International Conference on Population in Mexico City- Review of Bucharest Conference Agreements and Expansion of the Plan of Action

¹⁶ “Population Policies | Population Division.” United Nations, United Nations, <https://www.un.org/development/desa/pd/content/population-policies-0>



<u>1992</u>	International Population Stabilization and Reproductive Choice Act
<u>5th-13th September 1994</u>	International Conference on Population and Development (ICPD) in Cairo – Adoption of a new Programme of Action
<u>2000</u>	Indian National Population Policy
<u>2002</u>	Adoption of the Resolution 2002/1 by the UN Department of Economic and Social Affairs on reproductive health and rights
<u>2003</u>	Resolution 2003/1 on Population, education and development
<u>2006</u>	Resolution 2006/1 on the reinforcement of Methods of works of the Commission on Population and Development
<u>2018-2021</u>	UNFPA Strategic Plan

Previous attempts to solve the issue

International Planned Parenthood Federation: Strategic Framework

IPPF's Strategic Framework 2016-2022 is an inspirational program which aims with participation of international Member Associations and donors and organisations to set the foundations on which the Federation will be able to actively tackle problems related to reproductive health and rights. This framework targets the realization of customised-own-countries special policies based on their resources as well as the nature of their problem. Furthermore, the policies are also to be focusing on marginalised and vulnerable people whose reproductive rights are under threat due to their socioeconomic conditions. The purpose of the framework is to stimulate change in the reproductive health system and aid the population control process through not hostile yet effective means.



FP2020 – Family Planning 2020

“More than 90 countries, donors, multilateral institutions, and civil society, research, development, and private sector organizations made formal commitments to FP2020”¹⁷. Commitment makers ensured financial and formation policy support as well as advocated for the expansion of access to contraception. The family planning agenda aims at the stabilization of population growth and the effective treatment of upcoming reproductive health issues such as post-abortion family planning, family planning and COVID-19, Family planning and HIV. These are all categories under the spectrum of the program. However, difficult it was in the years of COVID-19 and before mainly due to lack of financing, the FP2020 succeeded in ensuring access to family planning programs and birth control.

International Population Stabilization and Reproductive Choice Act of 1992

The US Congress in 1992 held the International Population Stabilization and Reproductive Choice Act endorsing the absolute need of all people, specifically women, to have extended reproductive choice. This was enforced by the establishment of population stabilization policies which focused on highlighting the importance of reproductive choice and on fulfilling unmet needs, for example women taking over their reproductive rights. “Congress finds that the lack of reproductive choice throughout much of the world has tragic consequences not only for women and their families but also for the planet's natural life support systems. Between now and the end of this century, population stabilization must be pursued as an urgent global goal”¹⁸. During the drafting of the Act, the Congress also included the declaration of new policies on the reduction of population growth focused on the provision of access to birth control, education as well as family planning programs for all. Lastly, it read the support of Intergovernmental organizations such as the UNFPA to which it offered financial assistance and funding.

¹⁷ “Commitment Makers.” Commitment Maker fp2020 Landing Page | Family Planning 2030, <https://fp2030.org/FP2020-commitment-makers>

¹⁸ Senate - Foreign Relations. International Population Stabilization and Reproductive Choice Act of

¹⁹92. 10 Aug. 1992, <https://www.congress.gov/bill/102nd-congress/senate-bill/266/text>.



Population Control Bill

The Population Control Bill was a bill proposed in 2019 aiming to reduce population growth in India. The Bill proposed a two-child policy for each couple, incentivizing people to abide by it through the offering education, healthcare and tax-paying privileges. It was eventually withdrawn this year, in 2022, due to the constitutional challenges that the implementation of such a policy would put forward. It is important that a population control policy incorporates the religious features of India, with respect to the Islamic people, in order for it to be accepted by the public.

Relevant UN Resolutions, Events, Treaties and Legislation

Third World Population Conference – The birth of the World Population Plan of Action in Bucharest

The Third World Population Conference in 1974 in Bucharest held by the UN was the first conference to take upon an intergovernmental character as more than 130 countries attended. The topic of the conference was the connection of population issues and development. The debate focused on how population issues can be resolved through no-violating-human-rights measures and the outcome of it was the birth of the first Plan of Action. The Plan of Action's goal to stimulate socioeconomic and cultural growth while integrating population policies into each state's political, social and economic objectives. "Key principles articulated in the World Plan of Action, which have since been reaffirmed by UN Member States, are: the formulation and implementation of population policies are the sovereign right of each nation, the right of all couples and individuals to decide freely and responsibly the number and spacing of their children and to have the information, education and means to do so and population and development are interrelated."¹⁹

¹⁹ "World Conference on Population." *United Nations Population Fund*, 1AD, <https://www.unfpa.org/events/world-conference-population>.



International Conference on Population and Development (ICPD) in Cairo – Adoption of a new Programme of Action

In 1994 the International Conference on Population and Development took place in Cairo with delegates from 179 countries met in order to discuss upon the population growth issue and see to its resolution. At the very heart of development, they agreed that lays individual dignity, human rights, and the right to plan one's family. Member States focused on aspects beyond population control such as gender-equality, reproductive health, and sustainable development. the outcome of the conference was the Adoption of a New Program of Action which endorsed interrelationships between population, sustained economic growth and sustainable development, implemented measures on the empowerment of women and the advocacy towards gender equality, re-evaluated the population structure and observed the rate of its growth, incorporated reproductive rights and health as an integral part in population policies, suggested national action as well as reassured international cooperation.

General Assembly's 21st special session

In New York in 1999, the 21st special session of the General Assembly was held upon the reviewing of the Program of Action and the tracking of its progress. "The progress achieved, and challenges encountered in implementing strategies on population and development was the central theme of this meeting of world leaders"²⁰. During the context of this meeting, the General Assembly adopted resolution A/RES/S-21/2 which advocated the further implementation through key actions. The resolution affirmed of the relationship between population and environment and its usage for the implementation of the Programme, highlighted the need for continued examination of the population's structure and ageing distribution as well as explored population reducing solutions through the scope of migration, education, women's rights, gender perspectives on policies etc.

²⁰ "Outcomes on Population." United Nations, United Nations, <https://www.un.org/en/development/devagenda/population.shtml>



Sustainable Development Goals: Population Growth

The United Nation's 17 Sustainable Development Goals aim to advance the quality of human life as well as terminate some of humanity's biggest problems like poverty, limited access to justice and education, climate change etc. The goals advocate for a better, healthier, and more equal world by 2030. "Positive, empowering population solutions are key to meeting the SDGs"²¹. For example, through organized and accessible family planning programs, people will be empowered to choose small families which will aid in the eradication of poverty, especially in LEDCs as well as reassure that access to health care will be guaranteed though investment in reproductive health sectors which will eliminate maternal deaths as well as reduce the rate at which diseases will be transmitted due to lower population density. By empowering women and girls, removing barriers to contraception and reinforcing global justice, population control will be achieved through indirect legislation.

Possible solutions

Repealing abortion restrictions

Abortion is a concrete and direct legally applied instrument for population control. The main advantage of abortions is that they are medically safe and can terminate a pregnancy without rendering the female infertile. It is advanced form of sterilization. Governments must rely on the legality of abortions by permitting women to have the choice of ending a pregnancy. A law criminalizing or forcing abortions upon women will have counter-productive results on the population scale. The Criminalization of abortions will have as a result the birth of many unwanted babies adding to the population growth problem. Likewise, the forced implementation of abortions nationwide will deterrent women and strip them away from their reproductive rights, simultaneously majorly

²¹ "Population and the Sustainable Development Goals." Population Matters, 21 Apr. 2022, <https://populationmatters.org/sdgs#:~:text=The%20United%20Nations'%2017%20Sustainable,key%20to%20meeting%20the%20SDGs>



affecting fertility rates. “To avoid a world with deteriorating social, economic and political stability, with the concomitant loss of personal and national security, we must ensure that safe abortion is made available to all who wish to use this service”²².

Liberalizing the regulation of contraception/ birth control methods

The reproductive rights of a person are not allowed to be subjected under restriction and shouldn't be. Access to contraceptives and birth control methods is vital as it aids in preventing unwanted pregnancies as well as terminating ones early. Consequently, laws and policies are recommended to focus on ensuring that comprehensive contraceptive information and services are provided to all, free of discrimination and with special attention drawn to vulnerable marginalized groups of people who might not be financially able to access them. Furthermore, they ought to be liberalized from third-party authorization requirements, such as spousal, parental or guardian authorization, and leave their usage to the individual's discretion while also installing effective accountability mechanisms in order to monitor and evaluate, remedy and redress, the impact of certain legislation.

Clarify and affirm the legality of voluntary sterilization

Voluntary sterilization contributes directly to population control and the individual's mental health “by reducing the anxiety caused by fear of unwanted pregnancies; by preventing children from being born to irresponsible parents with resultant neglect and social ills”²³. The legal framework of a nation is entitled to the protection of an individual's right to sterilization as a method of contraception by obtaining jurisdiction over hospitals under civil rights statutes and by raising an equal protection argument when a hospital purports to offer medical services for those unable to afford them yet refuses a reasonable request for a voluntary sterilization. This

²² E., Mumford SD;Kessel. “Role of Abortion in Control of Global Population Growth.” *Clinics in Obstetrics and Gynaecology*, U.S. National Library of Medicine, Mar. 1986, <https://pubmed.ncbi.nlm.nih.gov/3709011/>.

²³ Bloom , Susan. “A Woman's Right t s Right to Voluntar Oluntary Sterilization.” *Buffalo Law Review* , Oct. 1972, <https://digitalcommons.law.buffalo.edu/cgi/viewcontent.cgi?article=4890&context=buffalolawreview>



suggests that the state is obligated to financially support the economically vulnerable citizens when they undergo such a medical contraceptive procedure.

Providing incentives

The provision of incentives has been proved an efficient policy to control population growth. The offering of education, healthcare, tax-paying and financial privileges can work as an efficient incentive for population growth regulation. Certain subsidizing policies already exist in certain states which provide benefits and free services to people who have two or more kids as well as free or discounted education.



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