

UNAFEI NEWSLETTER

UNAFEI

UNITED NATIONS ASIA AND FAR EAST
INSTITUTE FOR THE PREVENTION OF CRIME
AND THE TREATMENT OF OFFENDERS

No. 152
March 2017

Established
1961

IN THIS ISSUE

	<i>Page</i>
LETTER FROM THE DIRECTOR	1
THE 165 TH INTERNATIONAL SENIOR SEMINAR	3
JUVENILE JUSTICE AND THE UNITED NATIONS STANDARDS AND NORMS	
Seminar Rationale	3
Seminar Summary	6
Lecture Topics	7
Individual Presentation Topics	9
Group Workshop Sessions	12
Observation Visits	15
Group Study Tours	16
Special Events	17
Reference Materials	18
Expert and Participant List	19
The 19 th UNAFEI UNCAC Training Programme	24
INFORMATION ABOUT FORTHCOMING PROGRAMMES	28
The Training Seminar for Prison Officials in Myanmar, the Second Session of 2016	28
The Comparative Study on the Criminal Justice Systems of Japan and Nepal	28
The 166 th International Training Course	28
ADMINISTRATIVE NEWS	29
Overseas Trips by Staff	29
E-Mail Address Change Notification	30
FACULTY AND STAFF OF UNAFEI	31

UNAFEI IS AN AFFILIATED REGIONAL INSTITUTE OF THE UNITED NATIONS

LETTER FROM THE DIRECTOR

It is my privilege to inform readers of the successful completion of the 165th International Senior Seminar on “Juvenile Justice and the United Nations Standards and Norms”, which took place from 12 January to 10 February 2017. In this Seminar, we welcomed 5 Japanese participants and 26 overseas participants (including 1 observer): 11 from Asia, 3 from Africa, 3 from South America, 6 from Oceania, and 3 from Central America. The participants included judges, prosecutors, probation officers, police officers and other public officials involved in the field of crime prevention and criminal justice. As this newsletter demonstrates, the Seminar was extremely productive. It consisted of lectures by visiting experts, ad hoc lecturers, UNAFEI faculty members, individual presentations, visits to relevant criminal justice agencies, and group-workshop and plenary sessions.

The United Nations standards and norms for juvenile justice—which include the Beijing Rules, the Riyadh Guidelines and the “United Nations Rules for the Protection of Juveniles Deprived of their Liberty”—establish minimum standards for the treatment of juveniles in conflict with the law. These standards include, among others, ensuring due process in juvenile justice systems, promoting diversion from the formal juvenile justice process and encouraging the use of alternatives to institutionalization. Many if not all of these principles have become binding international law on more than 190 countries that have ratified “the Convention on the Rights of the Child”. Although many countries have implemented specific measures for the treatment of juveniles, many countries continue to face challenges including long-term detention, lack of social inquiry, lack of use of diversion, and there is room for further improvement in terms of alternative measures to incarceration, treatment programmes, and cooperation with related organizations and individuals.

UNAFEI, as one of the institutes of the United Nations Crime Prevention and Criminal Justice Programme Network, held this Seminar to offer participants an opportunity to clarify and analyse the current situation of juvenile justice in each participating country and to explore more effective ways to enhance the treatment, rehabilitation and social reintegration of juvenile offenders. Additionally, the participants were able to share experiences, gain knowledge, and build a human network of counterparts.

During the Seminar, the participants diligently and comprehensively examined the main theme, primarily through a comparative analysis. The participants shared their own experiences and knowledge of the issues and identified problems and areas in which improvements could be made. With the academic and practical input from the visiting experts, ad hoc lecturers and UNAFEI faculty—and the in-depth discussions they had with each other—the participants are now better equipped to enhance the policies and practices related to juvenile justice in their respective countries.

I would like to offer my sincere congratulations to all of the participants upon their successful completion of the Seminar, made possible by their strenuous efforts. My heartfelt gratitude goes out to the visiting experts and ad hoc lecturers who contributed a great deal to the Seminar’s success. Furthermore, I appreciate the indispensable assistance and cooperation extended to UNAFEI by various agencies and institutions that helped diversify the Seminar.

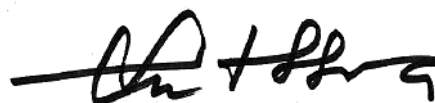
I would also like to express my great appreciation to the Japan International Cooperation Agency (JICA) for its immeasurable support throughout the Seminar. At the same time, a

warm tribute must be paid to the Asia Crime Prevention Foundation (ACPF) and its branch organizations for their substantial contributions to our activities. Lastly, I owe my gratitude to all the individuals whose unselfish efforts behind the scenes contributed significantly to the successful realization of this Seminar.

Upon returning to their home countries, I genuinely believe that, like their predecessors, the strong determination and dedication of the participants will enable them to work towards the improvement of their respective nations' criminal justice systems, and towards the benefit of international society as a whole.

Finally, I would like to reiterate my best regards to the participants of the 165th International Senior Seminar. I hope that the experience they gained during the Seminar proves valuable in their daily work and that the bonds fostered among the participants, visiting experts and UNAFEI staff will continue to grow for many years to come.

March 2017

A handwritten signature in black ink, appearing to read 'Keisuke SENTA', with a stylized flourish at the end.

Keisuke SENTA
Director, UNAFEI

THE 165TH INTERNATIONAL SENIOR SEMINAR

JUVENILE JUSTICE AND THE UNITED NATIONS STANDARDS AND NORMS

Seminar Rationale

Definitions

In this seminar, the words “juvenile”, “offence” and “juvenile offender” were defined as used in the “United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)” 2.2, that is,

- “A juvenile” is a child or young person who, under the respective legal systems, may be dealt with for an offence in a manner which is different from an adult;
- “An offence” is any behaviour that is punishable by law under the respective legal systems
- “A juvenile offender” is a child or young person who is alleged to have committed or who has been found to have committed an offence.

This training course mainly focused on juvenile offenders. However, we did not exclude any of the following behaviours as long as the juvenile is involved with the juvenile justice system:

- “Status offences” which are specific behaviours that would not be punishable if committed by an adult
- Behaviour of children under the age of criminal responsibility that is in conflict with the law and would be punishable if committed by adults.

Rationale of the Seminar

In terms of juvenile justice, the United Nations General Assembly adopted the “United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)”¹ in 1985, the “United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)”² and the “United Nations Rules for the Protection of Juveniles Deprived of their Liberty”³ in 1990. Moreover, “the Convention on the Rights of the Child”⁴ was adopted in 1989. Currently, more than 190 countries have ratified this Convention. The Convention, rules and guidelines ensure several principles such as:

- Promoting the well-being of juveniles and their families,
- Minimizing the necessity of intervention,
- Due process in juvenile justice systems,

¹ General Assembly resolution 40/33, annex.

² General Assembly resolution 45/112, annex.

³ General Assembly resolution 45/113, annex.

⁴ United Nations, Treaty Series, vol. 1577, No. 27531.

- Proper investigation of social background and circumstances of juveniles
- Involvement of parents or the guardian,
- Promotion of diversion from formal process,
- Avoiding deprivation of liberty (e.g., detention awaiting trial, institutional treatment),
- Incarceration for the shortest appropriate period of time,
- Encouraging the use of alternatives to institutionalization,
- Protecting the privacy rights of juveniles.

Moreover, the Thirteenth Congress on Crime Prevention and Criminal Justice adopted the Doha Declaration⁵ which underlines the importance of development of comprehensive child-sensitive justice policies focused on the best interests of the child to protect children who are in contact with the criminal justice system, particularly in relation to their treatment and social reintegration.

On the other hand, although many countries implement specified measures for juveniles, some countries also face challenges including long-term detention/incarceration, lack of social inquiry, lack of use of diversion, and there is room for further improvement in terms of alternative measures to incarceration, specified treatment programmes, and cooperation with related organizations and individuals.

Social inquiry reports (e.g. social reports, pre-sentence reports) are an indispensable aid in most legal proceedings involving juveniles. The competent authority should be informed of relevant facts about the juveniles such as social and family background, school career, educational experiences, etc.

All over the world, juveniles are recruited to terrorist or criminal organizations, and juveniles' rehabilitation and social reintegration are necessary to ensure that juveniles cease their affiliation with these organizations.

Thus, this programme offers participants an opportunity to deepen their understanding and share experiences and knowledge focusing on juvenile justice and the United Nations Standards and Norms.

Another objective of the programme is to establish a global network of counterparts to facilitate the exchange of updated information on country practices.

In order to achieve these objectives, this programme provided an opportunity to identify and examine the current situations and challenges existing in the participants' countries, and to build the participants' knowledge of possible policies and measures to improve current practices.

Key Topics of the Programme

The following are key topics that were addressed during the programme:

- 1) General principles of juvenile justice
 - Definition of 'juvenile' and 'juvenile offence' under each country's legal system

⁵ "The Doha Declaration on integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation" Economic and Social Council resolution 2015/19, annex

- Purpose of juvenile justice
 - Legislation
 - Specific juvenile justice procedures (compared to those for adults)
 - Current status of juvenile offences
- 2) Relevant international standards and norms
- United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)
 - United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)”
 - United Nations Rules for the Protection of Juveniles Deprived of their Liberty
 - The Convention on the Rights of the Child
- 3) Juvenile justice procedure
- Investigation of the delinquency
 - Investigation of the background/circumstances of juveniles
 - Uniqueness of fact finding procedure with respect to the offence and the background/circumstances of juveniles (compared to those for adults)
 - Role of the attorney in juvenile justice procedure
 - Consideration of the victim in juvenile justice procedure
 - Types of disposition (e.g., warning, probation, community service, compensation/restitution, restorative justice, mitigation of sentence)
- 4) Community-based (non-institutional) treatment
- Effective treatment and evaluation (e.g., education, vocational training, treatment programmes)
 - Understanding of social environment (family, peers, school, workplace) and support for rehabilitation and reintegration
 - Cooperation between institutional treatment and community-based treatment
- 5) Institutional treatment
- Effective treatment and evaluation (e.g., education, vocational training, treatment programmes)
 - Understanding of social environment (family, peers, school, workplace) and support for rehabilitation and reintegration
 - Cooperation between institutional treatment and community-based treatment
- 6) Social reintegration
- Diversion from the formal system (e.g., education programmes, restorative justice)
 - Cooperation among related agencies, organizations and individuals (e.g., schools, non-governmental organizations, social welfare services, volunteers)

Each participant was required to submit an Individual Presentation Paper regarding the above-mentioned topics as they apply to his or her country, and to explain and discuss these topics in his or her individual presentation.

Seminar Summary

Lectures

During the Seminar, the participants attended 35 lectures, including 7 presented by the visiting experts, 3 by ad hoc lecturers and 8 by the faculty of UNAFEI. Five distinguished criminal justice practitioners served as UNAFEI's visiting experts. They lectured on issues relating to the main theme of the Seminar and contributed significantly beyond their lectures by encouraging discussions after their lectures, participating in the discussions of other programmes, and conversing with the participants on informal occasions. Additionally, the ad hoc lectures were delivered by a Japanese Family Court Judge, a Family Court Investigating Officer, and a professor from a Japanese university. The lecturers and lecture topics are listed on pages 7 to 8.

Individual Presentations

During the second week of the course, all participants delivered individual presentations which introduced the situation, problems and future prospects of the participants' countries. These papers were compiled onto a USB memory stick and distributed to all the participants. The titles of these individual presentation papers are listed on pages 9 to 11.

Group Workshop Sessions

Group workshop sessions provided the participants with the opportunity to further examine the sub-topics of the main theme. In order to conduct each session effectively, the UNAFEI faculty selected individuals to serve as group members for the sub-topics, based on their responses to a previously distributed questionnaire. Selected participants served as chairpersons, co-chairpersons, rapporteurs or co-rapporteurs, and faculty members served as advisers. Each group's primary responsibility was to explore and develop their designated topics in the group workshop sessions. The participants and UNAFEI faculty studied the topics and exchanged their views based on information obtained through personal experience, the individual presentations, lectures and so forth. After the group workshop sessions, reports were drafted based on the discussions in their groups. These reports were subsequently presented in the plenary report-back session, where they were endorsed as the reports of the Seminar. Brief summaries of the group workshop reports are provided on pages 12 to 14.

Visits and Special Events

Visits to various agencies and institutions in Japan helped the participants obtain a more practical understanding of the Japanese criminal justice system. In addition to the Seminar's academic agenda, many activities were arranged to provide a greater understanding of Japanese society and culture, with the assistance of various organizations and individuals, including the Asia Crime Prevention Foundation (ACPF). For more detailed descriptions, please refer to pages 15 to 17.

Lecture Topics

Visiting Experts' Lectures

- 1) Prof. Ann SKELTON
 - Making Juvenile Justice Instruments “real” Through the Courts: Three South African Case Studies
- 2) Dr. Richard DEMBO
 - History, Policy and Practices of U.S. Juvenile Justice
 - Juvenile assessment centres, Comprehensive Health Services
 - Civil Citation Programs (Diversion)
- 3) Dr. Eduardo VETERE
 - Beijing Rules in Juvenile Justice
- 4) Dr. Matti JOUTSEN
 - UN Standards and Norms on Juvenile Justice: From Soft Law to Hard Law

UNAFEI Professors' Lectures

- 1) Mr. MORINAGA Taro, *Deputy Director*, UNAFEI
 - Philosophy and Basic Concept of Japanese Juvenile Justice (CJSJ Overview)
- 2) Mr. HIRANO Nozomu, *Professor*, UNAFEI
 - International Standards and Norms on Juvenile Justice (CJSJ Introduction)
 - Juvenile Justice in Japan
- 3) Mr. TSUJI Takanori, *Adjunct Professor*, UNAFEI
 - Criminal Justice System in Japan: Japanese Police
- 4) Mr. YUKAWA Tsuyoshi, *Professor*, UNAFEI
 - Criminal Justice System in Japan: Investigation, Prosecution and Trial

- 5) Ms. YAMAMOTO Mana, *Professor*, UNAFEI
 - Juvenile Institutional Corrections in Japan
- 6) Mr. WATANABE Hiroyuki, *Professor*, UNAFEI
 - Community Corrections in Japan
- 7) Mr. MINOURA Satoshi, *Professor*, UNAFEI
 - Volunteer Probation Officers in Japan

Ad Hoc Lectures

- 1) Mr. KAWAMOTO Seigan
Judge, Tokyo Family Court

Ms. ONO Rieko
Deputy Chief of the Family Court Investigating Officer, Tokyo Family Court
 - Juvenile Justice Procedure in Japan
- 2) Mr. KAWAIDE Toshihiro

Professor, Graduate Schools for Laws and Politics, The University of Tokyo
 - Basic Idea and Revision of the Juvenile Act in Japan

Individual Presentation Topics

Overseas Participants

- 1) Mr. Rinzin DORJI (Bhutan)
 - Juvenile Justice in Bhutan
- 2) Ms. Alessandra Charbel Janiques REBOUCAS (Brazil)
 - A Few Challenges of the Brazilian Juvenile Justice
- 3) Mr. Luiz Ricardo DUARTE (Brazil)
 - School and Crime Prevention in Brazil: An Overview
- 4) Mr. Pablo Neri PEREIRA (Brazil)
 - The Role of the Police in Crime Prevention and Reduction of Risks for Juveniles
- 5) Mr. Terepai OBEDA (Cook Islands)
 - Crime Prevention and Criminal Justice
- 6) Mr. Tuaine Junior MANAVAROA (Cook Islands)
 - General Principles of Juvenile Justice
- 7) Mr. Bi Ohou Noel BOTI (Cote d'Ivoire)
 - Rules for the Protection of Juvenile Offender in Cote d'Ivoire
- 8) Mr. Koffi Jean Claude ABOYA (Cote d'Ivoire)
 - Juvenile Justice and the United Nations Standards and Norms
- 9) Mr. Rootman Estivens PEREZ ALVARADO (Guatemala)
 - Juvenile Justice System in Guatemala
- 10) Mr. Zacharia Kuria MWANGI (Kenya)
 - Community-based Treatment of Juvenile Offenders in Kenya
- 11) Mr. Basheer MOHAMED (Maldives)
 - Juvenile Justice in the Republic of Maldives

- 12) Ms. Zaeema Nasheed ABOOBAKURU (Maldives)
 - A Maldivian Perspective on Juvenile Justice
- 13) Mr. Zaw Min Oo (Myanmar)
 - Crime Prevention and Criminal Justice
- 14) Ms. Meera CHAUDHARY (Nepal)
 - Juvenile Justice System in Nepal
- 15) Mr. Surendra Prasad MAINALI (Nepal)
 - Juvenile Justice System in Nepal
- 16) Mr. Yam Bahadur BANIYA (Nepal)
 - A Brief Introduction about Juvenile Justice System in Nepal
- 17) Mr. Ghulam Ali (Pakistan)
 - Juvenile Justice System in Pakistan
- 18) Mr. Rahim Gul (Pakistan)
 - Juvenile Justice System in Pakistan
- 19) Ms. Liana Edith ORTEGA (Panama)
 - Juvenile Justice in Panama; Prevention and Re-Socialization Programmes
- 20) Mr. Luis Alberto ZEGARRO (Panama)
 - Juvenile Justice in Panama; Prevention and Re-Socialization Programmes
- 21) Ms. Cathy Fred KAIUN (Papua New Guinea)
 - The National Law & Justice Policy and Plan of Action–Toward Restorative Justice
- 22) Mr. Collin SAKAP (Papua New Guinea)
 - General Principles of Juvenile Justice in Papua New Guinea
- 23) Ms. Elly Elis NAPHAL (Papua New Guinea)
 - Community–Based Treatment Measures Practised in Papua New Guinea’s Juvenile Justice System
- 24) Ms. Suzie Uware VUVUT (Papua New Guinea)

- Juvenile Justice Reforms in Papua New Guinea in Compliance with International Standards & Norms

25) Mr. Omega Jireh Deocares FIDEL (Philippines)

- The Juvenile Justice System in the Philippines

Course Counsellor

26) Ms. Kattiya RATANADILOK (Thailand)

- The Juvenile Justice System in Thailand

Japanese Participants

27) Ms. ETO Junko

- Juvenile Justice and Prosecution Practice in Japan

28) Mr. NAKAGAWA Takahisa

- The Function of a Juvenile Hearing and the Final Ruling

29) Mr. NAKAZAWA Satoshi

- Social Investigation by the Family Court Investigating Officer

30) Mr. NISHIE Naoto

- Probation for Juveniles at Offenders Rehabilitation Facilities in Japan

31) Mr. YAMAMOTO Masaya

- An Exploration of Juvenile Institutional Corrections

Group Workshop Sessions

Group 1**A FEW MEASURES TO PREVENT AND REDUCE RECIDIVISM**

Chairperson	Ms. Alessandra Charbel Janiques Reboucas	(Brazil)
Co-Chairperson	Mr. Yam Bahadur Baniya	(Nepal)
Rapporteur	Mr. Tuaine Junior Manavaroa	(Cook Islands)
Co-Rapporteur	Mr. Rinzin Dorji	(Bhutan)
Members	Mr. Bi Ohou Noel Boti	(Cote d'Ivoire)
	Mr. Basheer Mohamed	(Maldives)
	Mr. Rahim Gul	(Pakistan)
	Ms. Liana Edith Ortega	(Panama)
	Ms. Cathy Fred Kaiun	(Papua New Guinea)
Advisers	Mr. NISHIE Naoto	(Japan)
	Prof. HIRANO Nozomu	(UNAFEI)

Report Summary

Group 1 conducted a comprehensive review of the status of juvenile justice in the participating countries and identified challenges facing juvenile justice systems. The group workshop report addressed the following topics: (1) the need for prompt intervention by the juvenile justice system; (2) comprehensive assessment of juveniles; (3) responsibilities of parents and guardians; (4) diversion programmes; (5) restorative justice; (6) multi-agency cooperation.

The group reported that timing of juvenile justice dispositions varies widely from country to country, and stressed the importance of prompt interventions, thus minimizing the time spent by the juvenile in the system. At the same time, comprehensive assessment of the needs of each juvenile must be conducted by qualified professionals using reliable assessment tools and comprehensive social inquiry reports. Due to the important role that parents play in the sound upbringing of their children, the United Nations standards and norms on juvenile justice encourage parental participation in the juvenile justice system. Nevertheless, the group concluded that most countries do not have such procedures and practices in place.

To avoid formal process, diversion programmes should be developed or expanded, particularly for minor juvenile offences. Many countries lack diversion programmes and enabling legislation. Among countries that have diversion, many of the options are limited or are not carried out promptly. To implement an effective diversion programme, constant training and specialized knowledge for personnel are important. Likewise, though restorative justice practices are encouraged by the UN standards and norms, implementation varies greatly. Data analysis is important to strengthen restorative justice practices based on each country's needs through a formal mechanism of monitoring and data analysis.

The group found that the protection of children in conflict with the law requires, among other measures, multi-sectoral coordination between government agencies, the community and the private sector. The group concluded that governments should recognize and strengthen the work of community leaders, such as volunteer probation officers, and non-governmental organizations (NGOs), which provide rehabilitation services through, for example, the operation of halfway houses.

Ultimately, a holistic approach is required to tackle juvenile recidivism. Countries need diverse options based on their domestic situations, and policies must be implemented in line with each country's legal system. Yet despite legal and cultural differences, all countries are united in the aspiration to eliminate recidivism among juveniles.

Group 2**REDUCING CRIME AND RECIDIVISM OF JUVENILES:
DISCUSSIONS AND SUGGESTIONS**

Chairperson	Mr. Zacharia Kuria Mwangi	(Kenya)
Co-Chairperson	Ms. Suzie Uware Vuvut	(Papua New Guinea)
Rapporteur	Ms. Kattiya Ratanadilok	(Thailand)
Co-Rapporteur	Mr. Luiz Ricardo Duarte	(Brazil)
Co-Rapporteur	Mr. Zaw Min Oo	(Myanmar)
Members	Mr. Terepai Obeda	(Cook Islands)
	Mr. Koffi Jean Claude Aboya	(Cote d'Ivoire)
	Mr. Surendra Prasad Mainali	(Nepal)
	Ms. Junko Eto	(Japan)
	Mr. Masaya Yamamoto	(Japan)
Adviser	Prof. Hiroyuki Watanabe	(UNAFEI)

Report Summary

The group members addressed the issue of juvenile crime and recidivism, recognizing that youth are, due to their maturation and growth process, fundamentally different than adults in terms of responsibility for their conduct and their prognosis for rehabilitation.

The group identified common factors that contribute to juvenile recidivism in the participating counties, which include insufficient use of diversion, the quality of treatment programmes due to lack of evaluation, and the problem of discontinuation of care and lack of synergies resulting from underutilization of multi-agency cooperation. Other factors identified by the group include: inadequate training facilities, lack of rehabilitation programmes, stigmatization, poverty, lack of funds, inadequate training of social workers, poor education, and lack of jobs.

In response to these issues, the group recommended: (1) strengthening governmental and non-governmental juvenile justice and welfare institutions; (2) enhancing the capacity of human resources through training; (3) empowering families to provide necessary care for juveniles; (4) reviewing existing programmes by increasing emphasis on diversion; (5) reviewing existing law and enacting new legislation to address emerging issues; (6) enhancing public awareness to reduce stigmatization of juvenile offenders; (7) conducting monitoring and evaluation of existing programmes; (8) increasing research on juvenile justice; (9) use of data management tools; (10) promoting guidance and counselling for juveniles.

Multi-agency cooperation with the community and the private sector is also important to reducing recidivism. Key measures to enhance multi-agency cooperation include promoting information sharing to enhance cooperation; establishing linkages among complementing organizations; promoting exchange programmes with other agencies with a view to adopt and adapt to best practices; establishing inter-agency initiatives such as meetings, working committees and central database management for easy reference during monitoring and evaluation; promoting joint panel discussions and talk shows hosted by staff of complementing agencies; promoting and sharing of resources among agencies in the juvenile justice system; and promoting community-based programmes to empower communities to take part in the treatment and rehabilitation of juveniles.

The group concluded by noting that the issue of juvenile delinquency and recidivism cuts across nations and is a threat to national security. The existence of recidivism indicates that the goals of a country's juvenile justice system have not been achieved, but these can be resolved by appropriate intervention. Although the factors causing juvenile recidivism and the group's recommendations are not exhaustive, it is hoped that they provide a general understanding of the problems facing juvenile justice systems and possible solutions in order to establish a just, safe and secure society for all.

Group 3**A HOLISTIC APPROACH TO JUVENILE JUSTICE SYSTEMS**

Chairperson	Ms. Meera Chaudhary	(Nepal)
Co-Chairperson	Mr. Rootman Estivens Perez Alvarado	(Guatemala)
Rapporteur	Mr. Pablo Neri Pereira	(Brazil)
Co-Rapporteur	Ms. Zaeema Nasheed Aboobakuru	(Maldives)
Co-Rapporteur	Ms. Elly Elis Naphal	(Papua New Guinea)
Co-Rapporteur	Mr. Satoshi Nakazawa	(Japan)
Members	Mr. Ghulam Ali	(Pakistan)
	Mr. Luis Alberto Zegarro	(Panama)
	Mr. Collin Sakap	(Papua New Guinea)
	Mr. Omega Jireh Deocares Fidel	(Philippines)
	Mr. Takahisa Nakagawa	(Japan)
Adviser	Prof. Ayuko Watanabe	(UNAFEI)
Adviser	Prof. Fumiko Akashi	(UNAFEI)

Report Summary

Group 3 addressed common challenges facing juvenile justice systems and provided recommendations to resolve them. The following topics were addressed: (a) the minimum age of criminal responsibility (MACR); (b) diversion; (c) special procedures for juveniles; (d) inter-organizational cooperation among related agencies; and (e) multi-agency cooperation with the community and the private sector.

Regarding the age of criminal responsibility, the group noted that the Convention on the Rights of the Child defines children as persons below the age of 18, recognizing that the convention is construed as setting the minimum age of criminal responsibility as no lower than 12 years of age. Among the participating countries, it was reported that the MACR varies from the ages of 10 to 15. Consequently, the group recommended that all countries increase the MACR to a minimum of 12 years of age and the international community should strive to achieve a uniform age for the MACR.

Diversion is an important juvenile justice measure that diverts juveniles from the traditional juvenile justice process thereby avoiding the negative effects from the stigma of conviction and sentence. All countries participating in the group have implemented diversion in some form, although at different stages of the juvenile justice process and by different decision makers. Countries with informal diversion measures should enact legislation to formalize such measures, and countries with formal systems should focus on increasing the effectiveness of rehabilitation programmes.

The group also reviewed special procedures for juveniles in the participating countries, stressing the importance of these procedures to ensure rehabilitation and that all action taken by the juvenile justice system is done in consideration of the best interests of the child. In order to address juvenile justice in a holistic manner, inter-organizational cooperation and multi-agency cooperation with the community and private sector are important for making sure that all relevant stakeholders and organizations are involved in providing services necessary for the development of juveniles, such as health care, education and social welfare. All countries reported frameworks for working with non-governmental organizations.

The group recognized that, in line with the United Nations standards and norms on juvenile justice, each country has an obligation to improve its system and practices, and identified several challenges to achieving these goals. Recommended solutions include enhancing research, monitoring and evaluation of juvenile justice programmes and policies, strengthening community participation in juvenile justice, specialization of juvenile justice practitioners through training, among others.

Observation Visits

<u><i>Date</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
18 Jan.	Ministry of Justice (MOJ) Tokyo Probation Office	<ul style="list-style-type: none">• Mr. KANEDA Katsutoshi (Minister of Justice)• Mr. KOBAYASHI Atsuo (Director of Planning and Coordination Division)• Mr. TSUNODA Ryo (Specialist for Supporting Activities of the Private Sector)
19 Jan.	Supreme Court Tokyo District Court Tokyo Family Court	<ul style="list-style-type: none">• Mr. ONUKI Yoshinobu (Supreme Court Judge)

Group Study Tours

<u><i>Date</i></u>	<u><i>Location</i></u>	<u><i>Agency/Institution</i></u>	<u><i>Main Persons Concerned</i></u>
1 Feb.	Hiroshima	Hiroshima High Public Prosecutors' Office	• Mr. SAKAI Kunihiro (Superintending Prosecutor)
		Halfway House WITH HIROSHIMA	• Mr. YAMADA Kan-ichi (President)
2 Feb.	Kyoto	Kyoto Medical Juvenile Training School	• Mr. KUNISADA Takanobu (Director)
3 Feb.	Kyoto	Kyoto Juvenile Classification Home	• Ms. YOSHIMURA Masayo (Director)

Special Events

12 Jan. *Welcome Party*

16, 17, 23 Jan. *Japanese Conversation Classes*

The overseas participants attended three Japanese conversation classes and learned practical Japanese expressions. The *sensei* (teachers) were Ms. NAGAI Yae and Ms. KIMURA Keiko from EP academy.

18 Jan. *Courtesy Call to the Minister of Justice
and
Reception by the Vice-Minister of Justice*

At the conclusion of their courtesy visit to the Minister of Justice, Mr. KANEDA Katsutoshi, a reception was held for the participants by the Vice-Minister of Justice, Mr. KUROKAWA Hiromu, at the Danwa-shitsu lounge on the 20th floor of the ministry building, overlooking Hibiya Park.

20 Jan. *UNAFEI International Table Tennis Tournament*

The UNAFEI Table Tennis Tournament was held in the auditorium. Mixed teams of international participants, Japanese participants, and UNAFEI faculty and staff were formed, and competed against each other.

24 Jan. *Social with Volunteer Probation Officers*

The participants had an opportunity to exchange views with Japanese Volunteer Probation Officers at a social at UNAFEI.

28 Jan. *Home Visits*

The Volunteer Probation Officers Association in Support of UNAFEI's Activities kindly organized a home visit programme. The hosts were Mr. ISHIZAKI Toshikazu, Mr. SHIMADA Koichiro, Mr. TANAKA Kimio, Ms. SHIBATA Kazuko and Mr. YATO Ichiro. They kindly invited the participants to their homes.

9 Feb. *Farewell Party*

A party was held to bid farewell to the participants.

Reference Materials

**UNAFEI'S 165TH INTERNATIONAL SENIOR SEMINAR
LIST OF REFERENCE MATERIALS**

A. United Nations Conventions and Related Documents	
1	United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)
2	United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)
3	United Nations Rules for the Protection of Juveniles Deprived of their Liberty (The Havana Rules)
4	United Nations Convention on the Rights of the Child (CRC)
B. Japanese Law	
1	Penal Code (EN-JP)
2	Code of Criminal Procedure (EN-JP) 1 (Part 1 and Part 2), 2 (Part 3-)
3	Juvenile Act (EN)
4	Offenders Rehabilitation Act (EN-JP)
5	Volunteer Probation Officers Act (EN-JP)
6	Child Welfare Act (EN-JP)

Expert and Participant List

Visiting Experts

Prof. Ann SKELTON	Professor Director of Centre for Child Law University of Pretoria
Dr. Richard DEMBO	Professor Department of Criminology College of Behavioural & Community Sciences University of South Florida
Dr. Eduardo VETERE	(Former) Director Division for Treaty Affairs United Nations Office on Drugs and Crime (UNODC)
Dr. Matti JOUTSEN	Director European Institute for Crime Prevention and Control (HEUNI)
Mr. Gary HILL	Scientific Coordinator Milan, Italy-based International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Program (ISPAC)
Dr. Kittipong Kittayarak	Executive Director Thailand Institute of Justice (TIJ)

Overseas Participants

Mr. Rinzin DORJI	Superintendent of Police Division VIII, SAMDRUP JONGKHAR Royal Bhutan Police Bhutan
------------------	--

Ms. Alessandra Charbel Janiques REBOUCAS	State Prosecutor Office of the Prosecution in the Protection of Childhood and Youth in Juvenile Justice in SAMAMBAIA/DF Office of the Prosecution of the Federal District and Territories of Brazil Brazil
Mr. Luiz Ricardo DUARTE	Director Directorship of Citizen Safety Public Safety Department of Santa Catarina State Brazil
Mr. Pablo Neri PEREIRA	Chief of Operation Section Chief of Staff Office Military Police of Santa Catarina State Brazil
Mr. Terepai OBEDA	Senior Probation Officer Probation Service Ministry of Justice Cook Islands
Mr. Tuaine Junior MANAVAROA	Probation Officer Probation Service Ministry of Justice Cook Islands
Mr. Bi Ohou Noel BOTI	Investigating Judge Court Division Ministry of Justice, Human Rights and Public Liberty Cote d'Ivoire
Mr. Koffi Jean Claude ABOYA	Counsellor Court of Appeal Ministry of Justice, Human Rights and Public Liberty Cote d'Ivoire

Mr. Rootman Estivens PEREZ ALVARADO	Criminal Policy Secretary Public Ministry of Guatemala Guatemala
Mr. Zacharia Kuria MWANGI	Superintendent Administration Police Service National Police Service Kenya
Mr. Basheer MOHAMED	Head Family and Child Protection Department Maldives Police Service Maldives
Ms. Zaeema Nasheed ABOOBAKURU	Registrar Juvenile Court Maldives
Mr. Zaw Min Oo	Commander of Region (3) Yangon Drug Enforcement Division Myanmar Police Force Ministry of Home Affairs Myanmar
Ms. Meera CHAUDHARY	Superintendent of Police Central Investigation Bureau, Kathmandu Nepal Police Nepal
Mr. Surendra Prasad MAINALI	Joint Director Human Resource Development Department, Training Directorate, NAXAL Nepal Police Nepal
Mr. Yam Bahadur BANIYA	District Attorney District Government Attorney Office, MAKAWANPUR Nepal

Mr. Ghulam Ali	Director Ministry of Human Rights Government of Pakistan Pakistan
Mr. Rahim Gul	Secretary Law & Prosecution, Law Department GILGIT- BALTISTAN GILGIT Pakistan
Ms. Liana Edith ORTEGA	Responsible for Station Service Childhood and Adolescents National Police Panama
Mr. Luis Alberto ZEGARRO	Director Office of Citizen Participation Public Security Ministry Panama
Ms. Cathy Fred KAIUN	Assistant Director-Restorative Justice Crime Prevention & Restorative Justice Branch Department of Justice & Attorney General Papua New Guinea
Mr. Collin SAKAP	Assistant Director-Community Engagement Crime Prevention & Restorative Justice Coordination Branch Department of Justice & Attorney General Papua New Guinea
Ms. Elly Elis NAPHAL	Senior Probation Officer Community Based Correction Department of Justice & Attorney General Papua New Guinea
Ms. Suzie Uware VUVUT	Chief Probation Officer Community Based Corrections-Probation Services Department of Justice & Attorney General Papua New Guinea

Mr. Omega Jireh Deocares FIDEL	Chief, Case Monitoring Division Directorate for Investigation and Detective Management Philippine National Police Philippines
Ms. Kattiya RATANADILOK	Director Research and Development Institute Department of Juvenile Observation and Protection (DJOP) Thailand
Japanese Participants	
Ms. ETO Junko	Public Prosecutor Tokyo District Public Prosecutors Office
Mr. NAKAGAWA Takahisa	Judge Kobe District Court
Mr. NAKAZAWA Satoshi	Chief Family Court Investigating Officer Kofu Family Court
Mr. NISHIE Naoto	Rehabilitation Manager Chugoku Regional Parole Board
Mr. YAMAMOTO Masaya	Principal Treatment Supervisor Osaka Medical Prison

THE 19TH UNAFEI UNCAC TRAINING PROGRAMME

The 19th UNAFEI UNCAC Training Programme was held from 12 October to 17 November 2016. Thirty participants attended: 25 overseas participants and 5 Japanese participants. The main theme of the programme was *Effective Anti-Corruption Enforcement (Investigation and Prosecution) in the Area of Public Procurement*.

Overseas Participants

Ms. Shabera Sultana KHANAM	Deputy Director Legal and Prosecution Anti-Corruption Commission Bangladesh
Mr. Sangay JAMTSHO	Administration/Procurement Officer Police Training Institute Royal Bhutan Police Bhutan
Mr. Ivan Claudio MARX	Federal Prosecutor Office of Federal Prosecution Anti-Corruption Chamber Federal Prosecution Service Brazil
Ms. Sinath CHAING	Judge Supreme Court Cambodia
Mr. Wael KHORSHID	Chief Judge Technical Bureau of the Court Criminal Department The Egyptian Court of Cassation Egypt
Mr. Uttam Vijay NAIDU	Assistant Superintendent Criminal Investigation Fiji Police Force Fiji

Mr. Edmond Emanuel COOPER	Senior Superintendent, Deputy Commander B Division, Guyana Police Force Guyana
Ms. Claudia Maria SOLIS HOFFMANN	Judge Judgement Court Supreme Court of Justice Honduras
Mr. Amir NURDIANTO	Investigator and Prosecutor Directorate of Prosecution Corruption Eradication Commission Indonesia
Ms. Gulnaz SHAIKHINA	Senior Prosecutor International Cooperation Administration Law Enforcement Academy of the General Prosecutor's Office Kazakhstan
Mr. Eldar FARKHADOV	Chief Inspector Organizational and Juridical Department State Service for Combating Economic Crime Kyrgyz Republic
Mr. Sibounzom BOUNLOM	Director, Prosecutor Criminal Inspection Division The Office of Middle People Prosecutor Lao PDR
Ms. Lujaina MOHAMED	Investigation Officer Investigation Division Anti-Corruption Commission Maldives
Mr. Alhousseiny TRAORE	Chief Superintendent of Police Office of Strategies and Technologies Cooperation National Police Headquarter Mali

Mr. Aung Myo	Director Administration Division Bureau of Special Investigation Myanmar
Mr. Pramod Kumar SHRESTHA VAIDYA	Judge Judiciary, Court of Appeal Patan Nepal
Ms. Lillian VEVARA	Deputy State Solicitor-Procurement Law Office of State Solicitor Department of Justice and Attorney General Papua New Guinea
Ms. Diana Mayra PAICO GUEVARA	Prosecutor Deputy Specializing in Corruption Offenses Corporate Supra-Provincial Public Prosecutor's Office, the Office of Attorney General Peru
Mr. Basilio Thomas WANI	Director for Administration Jubek State Police Headquarters South Sudan National Police Service South Sudan
Mr. Conganige Asitha Suraj Geethendra ANTHONY	Assistant Director Legal Legal Division Commission to Investigate Allegations of Bribery or Corruption Sri Lanka
Mr. Ravshan Rabi RABIZODA	Investigator Investigation Department, Agency for State Financial Control and Fight with Corruption Tajikistan
Mr. Sengoka Geofrey MNDAMBI	Public Prosecutor Investigation Department, Prevention and Combating of Corruption Bureau Tanzania

Ms. Alina ZHOVNYTSKA	Senior Prosecutor Specialized Anti-Corruption Prosecutor's Office Ukraine
Mr. Ulugbek ABDURAKHMANOV	Deputy Prosecutor District Public Prosecutor's Office of Tashkent City
Mr. NGUYEN Quoc Huy	Prosecutor's Assistant Legal and Procutorial Science Management The Supreme People's Procuracy of Vietnam Viet Nam

Japanese Participants

Ms. AONO Hatsue	Assistant Judge Matsuyama District Court
Mr. MISAWA Takashi	Judge Osaka District Court
Mr. SUGAWARA Hisaoki	Securities Investigator Securities and Exchange Surveillance Commission
Mr. TAKEDA Motoki	Public Prosecutor Osaka District Public Prosecutors' Office, Sakai Branch
Mr. YUASA Kenta	Public Prosecutor Yamaguchi District Public Prosecutors' Office Shimonoseki Branch

INFORMATION ABOUT FORTHCOMING PROGRAMMES

1. The Training Seminar for Prison Officials in Myanmar, the Second Session of 2016

From 26 February to 2 March 2017, the Training Seminar for Prison Officials will take place in Mandalay, Myanmar. The seminar was rescheduled from November 2016 and will focus on offender classification and risk assessment, as well as anger management techniques for correctional officers and inmates.

2. The Comparative Study on the Criminal Justice Systems of Japan and Nepal

From 6-17 March 2017, UNAFEI will host the Comparative Study on Criminal Justice Systems of Japan and Nepal in Tokyo, Japan. Ten Nepalese participants will attend to study and compare effective measures to expedite criminal procedure (including investigation, prosecution and trial).

3. The 166th International Training Course

From 10 May to 15 June 2017, UNAFEI will host the 166th International Training Course in Tokyo, Japan. The main theme of the Seminar is “Effective use of penal laws and criminal justice practices to prevent dangerous offences from being committed and to disrupt crime syndicates: investigation methods, practices during trial, cooperation with relevant agencies, etc.” Government officials from across Southeast Asia and other parts of the world, including Japan, and visiting experts and lecturers will attend.

ADMINISTRATIVE NEWS

Overseas Trips by Staff

Professor YUKAWA Tsuyoshi visited Abidjan, Cote d'Ivoire from 17 to 24 September 2016 to discuss plans for the fourth UNAFEI Criminal Justice Training Programme for French-Speaking African Countries.

Professor WATANABE Hiroyuki and Professor AKASHI Fumiko visited Toronto, Canada from 1 to 9 October 2016 to attend the International Community Corrections Association (ICCA) 24th Annual International Research Conference.

Deputy Director MORINAGA Taro visited Phnom Penh, Cambodia from 4 to 8 October 2016 to attend UNODC workshops as a visiting expert.

Professor YOSHIMURA Koji visited Tianjin, China from 15 to 22 October 2016 to attend the 36th Asian and Pacific Conference of Correctional Administrators (APPCA) Conference.

Professor YAMAMOTO Mana and Professor MINOURA Satoshi visited Bucharest, Romania from 21 to 30 October 2016 to attend the International Corrections and Prison Association (ICPA) 18th Annual Conference.

Professor YOSHIMURA Koji visited Nay Pyi Taw, Yangon and Insein, Myanmar from 7 November to 3 December 2016 to conduct the UNODC-UNAFEI Seminar for Myanmar Prison Officials.

Director SENTA Keisuke, Deputy Director MORINAGA Taro and Professor YAMAMOTO Mana visited Bangkok, Thailand to attend the PNI Meeting (9 to 11 November 2016) held by the Thailand Institute of Justice (TIJ). Director SENTA then visited Hanoi and Ho Chi Minh, Viet Nam from 13 to 18 November to attend the Joint Study on the Legal Systems of Japan and Viet Nam. Deputy Director MORINAGA visited Yangon, Myanmar from 10 to 16 November 2016 to join the UNODC-UNAFEI Seminar for Myanmar Prison Officials with Professor YOSHIMURA.

Professor YAMAMOTO Mana visited Batam, Indonesia from 30 November to 3 December 2016 to attend the Global Counterterrorism Forum (GCTF)'s Detention and Reintegration Working Group.

Deputy Director MORINAGA Taro, Professor WATANABE Hiroyuki and Professor AKASHI Fumiko visited Phnom Penh, Cambodia and Vientiane, Lao PDR from 7 to 14 December 2016 to conduct a survey on the status of community-based treatment of offenders. Professor WATANABE and Professor AKASHI then visited Bangkok, Thailand from 14 to 17 December 2016 to discuss plans for the Third-Country Group Training Programme for Development of Effective Community-based Treatment of Offenders in Cambodia, Lao PDR, Myanmar and Viet Nam.

Professor YUKAWA Tsuyoshi and Professor HIRANO Nozomu visited Kathmandu, Nepal from 13 to 22 December 2016 to discuss plans for the Comparative Study on Criminal Justice Systems of Japan and Nepal.

Professor MINOURA Satoshi visited New Delhi, India from 14 to 20 December to attend the 18th World Congress of Criminology.

Deputy Director MORINAGA Taro visited Cairo, Egypt from 14 to 18 January 2017 to attend the GCTF's Criminal Justice and Rule of Law Working Group.

Professor YAMAMOTO Mana visited Valletta, Malta from 17 to 22 January 2017 to attend a workshop on Criminal Justice Actors' Role in Countering Violent Extremism.

E-Mail Address Change Notification

Our e-mail address has changed to unafei@i.moj.go.jp. Please note that unafei@moj.go.jp will expire on or before 31 March 2017. To obtain a staff member's new personal e-mail address, please contact each staff member individually.

FACULTY AND STAFF OF UNAFEI

Faculty:

Mr. SENTA Keisuke	Director
Mr. MORINAGA Taro	Deputy Director
Mr. HIRANO Nozumu	Professor 165th Seminar Programming Officer
Mr. WATANABE Hiroyuki	Professor 165th Seminar Deputy Programming Officer Chief of Information and Public Relations
Mr. YUKAWA Tsuyoshi	Professor Chief of Training Division
Ms. WATANABE Ayuko	Professor
Mr. YAMADA Masahiro	Professor
Mr. YOSHIMURA Koji	Professor
Ms. YAMAMOTO Mana	Professor Chief of Research Division
Mr. MINOURA Satoshi	Professor
Ms. AKASHI Fumiko	Professor
Mr. Thomas L. SCHMID	Linguistic Adviser

Secretariat:

Mr. JIMBO Katsuhiko	Chief of Secretariat
Mr. SHOJIMA Naoki	Chief of General and Financial Affairs Section
Mr. ITO Jin	Chief of Training and Hostel Management Affairs Section

General and Financial Affairs Section:

Mr. MIYAGAWA Wataru	Senior Officer
Mr. OZAWA Yoichi	Officer
Ms. ODA Michie	Officer
Mr. FURUHASHI Yasuhiko	Officer

Training and Hostel Management Affairs Section:

Mr. UEKI Katsuhiko	Senior Officer
Ms. SATO Marie	Senior Officer 165th Assistant Programming Officer
Ms. HANDO Mayumi	Senior Officer

Mr. OHNO Kuniaki	Officer
Ms. EMA Ayako	Officer

International Research Affairs Section:

Mr. HANEDA Jun	Officer
Ms. IWAKATA Naoko	Librarian

Secretarial Staff:

Ms. YAMADA Hisayo	Officer
-------------------	---------

Kitchen:

Ms. ODAGIRI Maki	Chef
------------------	------

JICA Coordinators for the 165th International Training Course:

Ms. YAMAMOTO Miki	JICA
Ms. HISA Keiko	JICA

UNAFEI Home Page: <http://www.unafei.or.jp/english/>

UNAFEI E-mail: unafei@i.moj.go.jp

