
INTRODUCTORY NOTE

It is with pride that the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) offers to the international community Resource Material Series No. 75.

This volume contains the Annual Report for 2007 and the work product of the 136th International Training Course that was conducted from 23 May to 28 June 2007. The main theme of the 136th Course was “Effective Measures for the Treatment of Juvenile Offenders and their Reintegration into Society”.

In view of the importance of the issue of juvenile justice, the United Nations has taken action to establish standards for the administration of juvenile justice systems. At the United Nations congresses on crime prevention and criminal justice, held every five years since 1955, the management of the treatment of juveniles and the prevention of juvenile delinquency and juvenile crime has frequently been discussed, resulting in the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines) in 1985 and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty in 1990. Furthermore, the Convention on the Rights of the Child, adopted in 1989, contains several provisions which call upon States Parties to ensure a juvenile justice system based on humanitarianism, the guarantee of due process and the expansion of diversion (particularly in Articles 37, 39 and 40). Despite recognition of the necessity of improving juvenile justice systems in many parts of the world, and continuing efforts in this regard, many countries are still faced with numerous challenges in this task.

In tackling these challenges, ensuring due process in the juvenile justice system is the first priority. In some countries, international instruments are often disregarded. Such countries often face a host of problems that impede their observance of international instruments and officials often lack an awareness of the rights of juvenile offenders and/or are insufficiently concerned about their well-being. Efficient management and treatment of juvenile offenders in correctional institutions is another area requiring particular attention. Due to limited alternative measures of disposition, insufficient management of diversion, the fear and concern of the general public and victims’ complaints of an excessively lenient juvenile justice system, juveniles in many countries serve long periods in custody. Thirdly, society has become increasingly concerned about the results of correctional treatment. The efficacy of correctional treatment and education of juveniles is becoming increasingly important to the agencies responsible for their treatment.

Furthermore, the importance of the provision of effective community-based treatment at all stages of the disposition of juvenile cases should be emphasized. The provision of individualized treatment based on the risks and needs of each juvenile is required at each stage. In addition, investigation into the background and circumstances of the juvenile offender, assessment of his or her risks and needs, proper record-keeping and systematic co-ordination among stakeholders is necessary. It is important that community-based treatment and institutional treatment are continuous and consistent (“through-care”). Finally, there is much debate concerning the social reintegration of juveniles in conflict with the law, as well as some concern about the lack of socialization of juvenile offenders who have served long periods in custody.

The Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century (A/CONF.187/4/Rev.3), adopted by the Tenth United Nations Congress, held in Vienna

in 2000, referred for the first time to the necessity of restorative justice policies, mainly in support of victims of crime (para. 27 and 28). In addition, the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice (A/CONF.203/18), adopted at the Eleventh United Nations Congress in Bangkok in 2005, stressed the importance of further developing restorative justice policies, procedures and programmes to promote the interests of victims as well as the rehabilitation of offenders (para. 32). Such innovations include Victim Offender Mediation, Family Group Conferencing, Restorative Community Service, and Victim Impact Panels, etc. and the Balanced and Restorative Justice Approach which attempts to give juvenile offenders greater support by providing an educational and practical programme for rehabilitation which considers both victims and the community.

Giving due consideration to the above, this International Training Course intended to identify the recurrent and newly raised challenges within the area of juvenile justice, especially the issue of the treatment of juveniles and their reintegration into society, as well as the best practices to meet these challenges. By analysing the actual situation and problems, and sharing experiences of types of treatment which have achieved a certain degree of success, it is hoped that the participants arrived at the most effective measures for their countries.

In this issue, in regard to the 136th Course, papers contributed by visiting experts, selected individual presentation papers from among the participants, and the Reports of the Course are published. I regret that not all the papers submitted by the Course participants could be published.

I would like to pay tribute to the contributions of the Government of Japan, particularly the Ministry of Justice, the Japan International Cooperation Agency, and the Asia Crime Prevention Foundation for providing indispensable and unwavering support to UNAFEI's international training programmes.

Finally I would like to express my heartfelt gratitude to all who so unselfishly assisted in the publication of this series; in particular, the editor of Resource Material Series No. 75, Ms. Grace Lord.

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