

Title

Juvenile Detention and Justice Sector Reform in Southeast Asia

Issues to Discuss

- 1) From Interrogation to trial: A comparative analysis of Southeast Asian States' approaches to juvenile offenders
- 2) Confinement or Correction? Inquiring as to the narrative of the 'Figured World' for juvenile offenders in Southeast Asia.
- 3) Contemporary challenges and achievements in juvenile justice reform in Southeast Asia.

Objectives

- 1) Understanding present-day juvenile justice systems in Southeast Asia
- 2) Promoting normative and customary international instruments which call for correctional education for detained juveniles as a part of children' right to education.
- 3) Contextualizing present-day challenges and achievements in juvenile justice reform across Southeast Asian states.

Description

Each year, 70,000 children are charged with criminal offences in ASEAN countries. In many countries, criminal procedure for children is similar, if not the same as that for adults., often resulting in deprivation of their liberty as opposed to specialized or non-custodial sentencing. Not only does the detention of juveniles pose the risk of recidivism, but it is well established in the scientific literature that due to the vulnerability of adolescent physical and psychological development, detention can lead to poor mental health outcomes and even suicidality. Despite all this, relatively low attention is paid to the juvenile justice system in Southeast Asia. Most of the present justice systems in the region are also inherited from their respective colonial experiences. Examples include the strong influence of British rule on Myanmar's legal system, American rule on the Philippines' and Dutch rule on the Indonesian legal system. As such, studies generally focus on the antiquated historical structures introduced during European colonization in the late 19th and early 20th Century.

This panel aims to trace how these different historical trajectories lead to different outcomes for juvenile justice and how their present-day impact remains across Southeast Asia. The establishment of UN human rights mechanisms such as the Convention on the Rights of the Child, UN Standard Minimum Rules for the Administration of Juvenile Justice (“The Beijing Rule”) and the UN Rules for the Protection of Juveniles Deprived of their Liberty emphasize the need for structural reform in several aspects of juvenile justice. This panel will compare practices across various Southeast Asian states and efforts that have been or can be made to align juvenile justice with international norms within the existing social structures. An important component in advancing justice reform is understanding the different narratives surrounding juvenile justice and understanding the particular issues and sensitivities related to juvenile in police or penal custody. To achieve this, the panel will pay close attention to historical, legal, and social contexts in the region. Speakers will bring a combination of regional experience and knowledge together with expertise on international law and custom on justice, particularly juvenile justice.

Convener’s Profiles

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