



2021 World Congress on Justice With Children

“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”

PREPARATORY MEETING REPORT THAILAND

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SUMMARY REPORT OF THE DISCUSSIONS

12 – 14 May 2021

Virtual – Zoom Meeting

Thai Preparatory Meeting

(held in the context of the 18th Thai National Symposium on Justice Administration: Enhancing Justice for People in the New Normal Era)

The Department of Juvenile Observation and Protection (DJOP), Ministry of Justice, is the main institution focusing on the juvenile justice system in Thailand. Their mission is to:

- Protect and rehabilitate children who commit a crime and turn them into good citizens.
- Prevent recidivism and reintegrate children back to the community.
- Update and improve knowledge on child protection and rehabilitation in the justice system in compliance with the international rules and child rights standards.

However, the ongoing COVID-19 pandemic causes several limitations and challenges for DJOP's work and its whole system.

Therefore, the **Research and Development Institute of the DJOP, Thailand, together with the Office of Justice Affairs (OJA), Thailand and Terre des hommes (Tdh), Switzerland**, held the **18th Thai National Symposium on Justice Administration: Enhancing Justice for People in the New Normal Era** from 12 to 14 of May 2021 to provide a space for practitioners, executives, and personnel in Thai child justice proceedings to:

- Discuss updates on the current situation and trends of global child justice.
- Exchange knowledge and concerns regarding child justice in the new normal era.
- Prepare for the **World Congress on Justice With Children**, which will be held online on 15 to 20 November 2021 and will be attended by child justice experts and practitioners from countries across the world including Thailand.

The Thai Preparatory Meeting for the World Congress on Justice With Children was held during the first and last days of this symposium.

Introduction

The Thai Preparatory Meeting portion of the symposium consisted of two main sessions:

- I. **12 May 2021:** Presentations by international speakers;
- II. **14 May 2021:** A forum by representatives from child justice organisations in Thailand, including: **the Royal Thai Police, Office of the Attorney General, Juvenile and Family Court, and DJOP Thailand.**

The **12 May** sessions were attended by Thai and international child justice experts, including:

- **Santi Siritheerajesd**, Child Protection Officer at UNICEF Thailand, who presented on **“Children in the Justice System in the ‘New Normal’ Era”**.
- **Cedric Foussard**, Advocacy and Global Learning Advisor at Terre des hommes Switzerland and coordinator of the symposium, who presented on **“Juvenile Justice Proceedings in the ‘New Normal’ Era”**.
- **Najat Maalla M’jid**, United Nations Special Representative of the Secretary-General on Violence Against Children (UNSRSG/VAC), who presented on **“The Situation and Trends of Juvenile Justice in the ‘New Normal’ Era”**.
- **Marta Pascual**, President of the International Association AIMJF.
- **Benoit Van Keirsbilck**, member of the Committee on the Rights of the Child (Belgium), who presented on the topic, **“Education and Reintegration Programmes in Detention in Times of the Pandemic”**.
- **Professor Ton Liefwaard**, Vice-Dean of Education of Leiden Law School, The Netherlands.
- **Mr. Currey Cook**, Senior Counsel and Youth In Out-of-Home Care Project Director at Lambda Legal, USA.
- **Angela Vigil**, Partner and Executive Director of Pro Bono at Baker McKenzie, USA, who presented on **“The Right to Non-discrimination and Equal Access to Justice”**

The forum on 14 May was attended by representatives from different child justice organisations in Thailand. The topic of the forum was **“The Adjustment of Organisations in the Juvenile Justice System in the New Normal Era.”** Participants included:

- **Pol.Lt.Col. Wannapong Kotcharag**, DJOP.
- **Kongsak Matangkarat**, Provincial Chief Public Prosecutor attached to the Office of the Attorney General.
- **Ampatcha Dithaamnaj**, Secretary of the Central Juvenile and Family Court.
- **Pol.Col. Pongbol Iemvicharn**, Superintendent of the Cyber Support Unit, High-Tech Crime Division, Cybercrime Investigation Bureau, Royal Thai Police.
- **Songpon Suwannapong**, Assistant Secretary to the Attorney General – Session Moderator.

The meeting attracted the attendance of many people, including personnel from various organisations and members of the public.

Theme 1: The COVID-19 pandemic and global child justice

The coronavirus pandemic has intensified since it first broke out at the beginning of 2020. This situation has had a wide impact on the economy, society, and daily lives of people around the world. The child justice system, which is built to protect and rehabilitate children in contact with the justice system, has been affected by the pandemic. Judicial proceedings in the child justice system vary from those in the adult justice system, as special consideration is given to children's specialised rights and needs while upholding their well-being. However, **the containment measures in response to the pandemic, including work-from-home orders, social distancing, and the closure of government offices and institutions** have impacted the effectiveness and due process in providing justice for children. These measures have resulted in the disruption of judicial proceedings and **caused various challenges for the child justice system, including:**

- i. **The change of the trend in child offending behaviour. The rate of the commission of offenses by children, as well as the number of children entering the justice system has decreased due to the control measures by the government.** At the peak of the pandemic, children and their caretakers were prohibited from going out of their homes, in order to reduce the risk and/or spread of infection. These containment measures have significantly reduced the common offences committed by children, such as: offences against property, offences relating to public order and good morals, and offences affecting the life and body. Yet, on the other hand, **the rate of digital crime and violation of containment measures has risen**, giving rise to the question: **would child justice systems be able to effectively deal with children committing a crime in these digital cases?** Alarmingly, **the rate of domestic violence has also increased in many countries**, due to increased stress and more time children spend with family.
- ii. **The impact on departments within the child justice system.** In general, child justice practitioners must meet with many people, especially during police interrogation/questioning, interviews by probation officers, or during the court trial. The **DJOP usually conducts meetings with parents or holds a knowledge or practice session** presented by guest speakers among **several other activities for children in the detention centres**. However, **this work had to stop, or some had to slow down**, due to the ongoing COVID-19 pandemic, and this circumstance had **a further impact on the provision of justice for children in contact with the law and the rehabilitation of children in conflict with the law**. This in turn impacted children's rights and child development in the detention centres.
- iii. **The pandemic has also worsened issues and lives of children at risk of committing an offence**, as children in conflict with the law are usually victims of poor economic circumstances and negative societal environments, which has been exacerbated by the

pandemic. **Dr. Najat Malla M'jid** mentioned that “the COVID-19 pandemic has revealed and exacerbated social inequality and injustice around the globe” and that **children at risk of committing an offence are at a greater risk of infection than other children of the same age because it is hard for them to follow the coronavirus containment measures, especially due to their living conditions.** For example, there may be family members who cannot work from home or quarantine because they are day labourers, and there are families who cannot afford protective equipment such as masks and hand sanitizer. Some children live in slums, where the public health standard is poor due to limited space in their homes, making it impossible to practice distancing, which forces them to crowd with family members, thus increasing the risk of infections. Accordingly, it could be said that **children in contact with the justice system during the pandemic therefore suffer a double vulnerability, as they are not only at risk of entering the justice system, but also face further risk of infection.**

Given the above challenges, **it will be interesting to see how the child justice system,** which plays a major role in preventing juvenile recidivism and a minor role in preventing children from entering the justice system, **will respond to issues in the new normal era.**

Theme 2: Considerations in working with children in the justice system in the new normal era

Mr. Santi Siritheerajesd, a guest speaker from UNICEF Thailand, said that **although there has been some changes and challenges of the work context, the principle of working with children has remained the same**. Child-friendly work usually involves several conditions that varies from working with adults. This includes preventing juvenile recidivism by focusing on rehabilitation instead of punishing them, focusing on age-appropriate care and education, and considering the basic children's rights.

Even before the COVID-19 pandemic, one issue that was raised by international children's rights organisations and child justice organisations in several countries, including Thailand, was **reducing the use of detention measures for children, whether pre-trial or post-trial**. These organisations **promote the use of alternatives to criminal prosecution, diversion, restorative justice, and rehabilitation, and these measures have become more important in the "new normal" era, as children in detention are at a higher risk of infection**. Due to these efforts, the number of children entering the justice system decreased since before the pandemic, and this trend has become an advantage during the pandemic.

However, **the outbreak of COVID-19 has still created many challenges as well as concerns for personnel who work with children**. For instance, due process rights have been violated from the delays in justice proceedings, and violence against children has been exacerbated from the stress faced by both the practitioners and children in the detention centres, as a result of the prolonged implementation of the COVID-19 control measures. Therefore, **awareness-raising, procedural reform, and implementation of policy measures to protect and guarantee the rights for children in the justice system is very important during this crisis**.

Prof. Dr. Ton Liefwaard from Leiden University, The Netherlands, also addressed the issue of children in the justice system and mentioned that **child justice systems and governmental organisations should treat every child equally**. This is regardless of whether they have entered the justice system or not, as the practice must be uniform. **All governmental measures should be implemented in a way that prevents children from entering the justice system at an early stage**, for example, through educational measures, the promotion of children's well-being, and child welfare. For children already in the justice system, the authorities should implement these measures in the same manner as they do for other children outside of the justice system. However, in reality, **actors in the justice system often miss the fact that children in the system are also inherently children and deserve to have their rights respected in the same manner as children outside the justice system**. As a result, **child justice system actors often view these children as criminals and ignore their views**. Consequently, children become victims of violence and rights violations. Therefore, **policy-makers have a duty to design action plans and implement measures that could monitor and prevent these situations**. This can be achieved by **improving the skills and knowledge of and laying out the right vision for the child justice system actors**.

Theme 3: Education and reintegration programmes in the new normal

The COVID-19 pandemic has also had an impact on the work of the DJOP. One of the challenges for the DJOP in the “new normal” era is that **the organisation has been unable to arrange educational, career skills sessions and reintegration programmes because the detention centres do not allow people to visit, given the risk of infection.** Accordingly, the symposium addressed two major solutions to tackle this issue:

- i. **The use of technology in the workplace.**
- ii. **Reformation of reintegration programmes.**

One of the important technologies used during the pandemic has been Information and Communications Technology (ICT), particularly **video conferencing**. Video conferencing plays a more significant role during the pandemic, as **it could facilitate the DJOP’s work and effectively replace in-person meetings. It also decreases the physical limitations, the limitation on the number of participants in the meeting, and language barriers.** Currently, many organisations use video conferencing for various purposes, whether it is used for teaching, skills training, or interviews. Several international justice organisations began to use this technology to arrange group conferencing and to hear the judgement. Therefore, **there is a high possibility that Thailand will adopt these practices in the future.**

The practices that will benefit current education and reintegration programmes include **allowing outside teachers or guest speakers to use video conferencing for distance learning and providing children with online access to reintegration programmes instead of in-person sessions.** An example of distance learning activities is **the adolescent kit for expression and innovation.** This kit, developed by UNICEF Thailand and the Research and Development Institute of DJOP Thailand, was used as a guideline for practitioners to bring both children and parents to do activities together during the quarantine.

As sending children to detention centres is likely to increase the risk of infection and have a negative effect on children who were not considered to have committed severe cases, another effective solution to tackle this issue is to **promote reintegration measures into the community.** This measure was promoted prior to the COVID-19 pandemic and is aimed at effectively transitioning children from detention settings and restoring them into the community. **It is also an opportunity for children who have committed an offence to improve their behaviour within the community they lived in.** Separating children from the community in the long-term might have a negative impact on their development and behaviour. Additionally, **reintegration through community programmes have become more important during the pandemic,** as organisations around the globe are advocating to reduce the number children in detention, in order to decrease crowding and the rate of infection.

Ms. Marta Pascual, former judge of the family and juvenile court in Argentina, also addressed the issue of parole and reintegration programmes in the community. She said that we might **reduce the number of children in detention by considering the release of children who meet the relevant criteria and appointing a ‘responsible person’**, who might be their parents, relatives, or guardians who will report the child’s behaviour through an online channel or phone. If court personnel find a violation of rules from their monitoring, the responsible person may need to pay a fine. **Finally, the implementation of reintegration programmes will work effectively if there are good screening and evaluation systems. It requires the help of other departments’ monitoring and service systems, support networks, and potential responsible persons in the community.**

Theme 4: Equal access to justice for children

Equal access to justice was one of the crucial issues in the child justice system for a long time and is the topic of the upcoming World Congress on Justice With Children. This issue addresses the treatment of children in the justice system.

Mr. Benoit Van Keirsbilck, member of the Committee on the Rights of the Child, Belgium, emphasised that **a good child justice system must be totally separated from the justice system for adults, and must focus on development rather than punishment.** In addition, actors and **practitioners in child justice systems require special training and must constantly acquire new knowledge**, in order to work effectively. However, **most child justice systems around the world are built on the basis of justice system for adults.** They use child-friendly names for their organisations and places in the system, even though they are based on adult justice systems that affect children negatively. **This situation, therefore, has led to various procedural issues**, such as low effectiveness of reintegration programmes and the use of force with children.

The speakers highlighted **two core pillars of equal access to child justice: participation and non-discrimination.**

Participation

First, **the principle of participation will open an opportunity for everyone to have a role in the justice system.** Likewise, **children who commit an offence should be given an opportunity to participate directly in all matters affecting them**, such as reintegration programmes, educational plans, life plan after release, and their living conditions in the detention. **Victims of offences committed by children should also have a chance to express their opinion about the offence, to claim compensation or ask for an apology from the child, and to have a conversation with the child who committed the offence.** In addition, **the community where the child will live after release should also have an opportunity to give their opinions about child behavioural management strategies.**

It could be seen that **this principle of participation was similar to the concept of restorative justice**, and this issue was also mentioned by **Ms. Angela Vigil**, Partner and Executive Director of Pro Bono, Baker McKenzie, USA. **Ms. Vigil expressed that the USA focuses on restorative justice, as it is a form of a justice system that is appropriate for child-friendly justice.** Empirical evidence proves that restorative justice has **a positive impact on child justice systems and improves the relationship between children committing an offence, the victims, and community members.** Although restorative justice cannot yet be implemented throughout the entire justice system, **a justice system that is designed to receive comments from children is considered as a critical beginning to a good child justice system.**

Equality and non-discrimination

The second principle is equality and non-discrimination, especially in the scope of gender, gender identity, and sexual orientation. All children deserve to be treated equally and in accordance with their age and basic needs. **LGBTQ children are amongst one of the population groups facing the most discrimination and inequality.**

Mr. Currey Cook, Senior Counsel of Lambda Legal, USA, also pointed out that LGBTQ children are usually excluded from the community or even their family themselves, and they are often victims of violence, abuse, bullying, and exploitation more than children from other groups. Living risky lives causes these children to enter the justice system at a higher rate than the others. However, **many entities do not have specific guidelines on how to best accommodate these children in the system.** Therefore, this circumstance leads to sexual harassment, rights violations, and the improper treatment of LGBTQ children. **Mr. Cook recommended several policies and guidelines in dealing with LGBTQ children, specifically for entities in the justice system,** such as appointing personnel of the proper sex who will perform the physical examination of the child, separating LGBTQ children from others to avoid victimisation, ensuring equality, and issuing missions or policies on gender equality as a first step to create equality and reduce discrimination against LGBTQ children. Furthermore, **he emphasised that not only will LGBTQ children benefit from these measures, but that also every child will benefit if there is no inequality and discrimination in the child justice system.**

Response and recommendations from the meeting

Responses from the meeting participants

At the end of the meeting on **12 May 2021**, participants filled out a satisfaction evaluation form. There were 241 respondents, categorised as follows:

- 60% of all respondents were female;
- 70% of all participants ranged in age from 36 to 55 years old;
- 70% of all participants were DJOP officers;
- 21% were from the child training centre; and
- 8% were personnel from the central government and external agencies.

Overall, the participants were satisfied with the meeting (good: 3.95 out of 5) and indicated that the meeting content was beneficial for their work (excellent: 4.11 out of 5). The most satisfying topic was **“The protection of children entering the justice system in the new normal.”** Moreover, feedback on the appropriateness of topics, moderators' skills and knowledge, and other aspects of the symposium, including duration, ease of access to the platform, and coordination, were evaluated as being excellent (4 out of 5). However, there were still issues on the audio and video, which may have been caused by unstable internet connections and audio systems from the transmission control room.

In terms of interpretation, the satisfaction score was at the level of excellent (3.88 out of 5), but there were comments about the translator using too many complicated terms, making it hard for some participants to understand. Some participants also recommended the addition of closed captioning (subtitles) at the next meeting.

For general comments, the participants mentioned that the meeting was held in the appropriate context, and that the coordinators effectively arranged the online meeting. Participants appreciated the presence of international speakers who shared their knowledge. The participants agreed that the meeting was informative and would like to organise it annually, in order to enhance knowledge for local practitioners.

Recommendations for organisational development in the post-project period

Promoting child diversion

It is clear that diverting children away from the justice system is appropriate and becomes more important during the pandemic, as it could effectively decrease the risk of infection. Currently, the **Juvenile and Family Court and Procedure Act B.E. 2553 (2010): section 86, section 90, and section 132** paragraph one, allows child justice agencies to run diversion programmes. Furthermore, the juvenile and family court could also divert children in the justice system who are about to complete their training programmes from the system, in order to reduce the risk of infection. Although the DJOP could use their discretion in pursuing alternatives to criminal prosecution through section 86 of the Act, the director general of the DJOP can submit a fact report to the court on behalf of the child and propose a diversion programme or temporary child training breaks. Therefore, the DJOP should consider the **issuance of a guideline or announcement, or the sharing of knowledge regarding child diversion and alternatives to criminal prosecution measures, in order to reduce the risk of infection.**

Developing reintegration programmes and support networks

One of the challenges to reintegration and reduction of detention measures is **how to keep the level of efficiency, effectiveness, and continuity of reintegration programmes in the community in the same manner as when running these programmes in the detention centres.** To tackle this issue, the DJOP will develop reintegration programmes that are **designed to work in the community by improving them to work in a two-part system:**

- i. **Community and detention.**
- ii. **Monitoring system.**

This initiative will help prepare children for their reintegration and prevent juvenile recidivism. Furthermore, effective support to the community networks is necessary to enable the networks to monitor the child's behaviour once a child is within a reintegration programme in the community. **The work of the supporting community networks will be more effective than the DJOP monitoring personnel when it comes to reintegration programmes in the community.** The DJOP, as a reintegration expert, can still play a significant role in supporting these communities.

Using technology to improve reintegration and facilitate the work of child justice system actors

Due to the COVID-19 pandemic and governmental control measures, face-to-face meetings cause risks. This impacts several work processes of the DJOP, such as arranging educational sessions by guest speakers from the outside, holding activities for children in the detention centres, opening for family visits, and conducting interviews for the drafting of the fact report. Therefore, the DJOP decided to **issue a handbook with guidelines on how to use various types**

of video conferencing. Through video conferencing, they can **arrange online learning and manage online family visits** as a short-term solution. For long-term solutions, the DJOP may **modify the educational system by developing an e-learning system and setting the same standard for the whole education system in detention centres.** This learning system will work continuously, even though there will be challenges and limitations like the COVID-19 pandemic in the future. Likewise, the juvenile and family court also began to **use a Case Information Online Service (CIOS) to facilitate the filing of petitions and checking of judgements without having to visit the court.**

Promoting proactive child recidivism prevention planning

Several speakers agreed that the best solution to tackle the issue of child offending behaviour is **proactively working to provide knowledge, supporting the development of children and families at risk, and preventing issues that may become risks in the future,** such as lack of access to education, family issues, inappropriate social environment, abuse, and exploitation. This approach will prevent children from coming into contact with the justice system at an early stage. Other than proactive work, the DJOP together with other ministries, such as the Ministry of Education and Ministry of Social Development and Human Security, will collaboratively **adopt a holistic approach to deal with the issues of child offending,** which is an important element to effectively reduce offenses committed by children.

Building systems that integrate policies to ensure equal access to justice

Although there may be a small absolute number of children in the justice system who openly identify as LGBTQ, the proportion of these children is still considered as a large when compared to children from other vulnerable/minority groups. Furthermore, these children are more likely to be exposed to harm than others. Some of them have experienced sexual abuse or harassment, while others live in street situations, where they are exposed to greater risks. Therefore, the DJOP, as a child protection agency, has to play a role in solving this issue and treating them equally and properly. The DJOP may **develop a working plan or draft policies that encourage system actors to take into account the gender and sexual orientation of each child and treat these children properly, including in an age-appropriate manner in accordance with their development.** This includes **providing information to enhance their knowledge on gender and sexual orientation, as well as introducing specific practices for LGBTQ children.**

Contacts for further information

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With the support of:



OFFICE OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL ON
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Department of Juvenile Observation and Protection.



For more information on the World Congress on Justice With Children, visit:

www.justicewithchildren.org

Annex 1: World Congress Concept Note

WORLD CONGRESS ON JUSTICE WITH CHILDREN

A one-week online event on child justice

15 to 20 November 2021

“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”

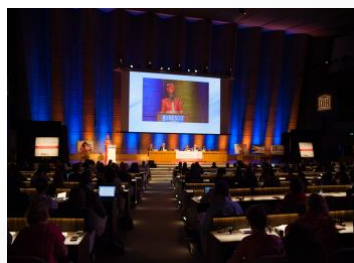
ABOUT THE WORLD CONGRESSES ON JUSTICE WITH CHILDREN

World Congresses on Justice With Children provide dedicated and **interactive spaces for children and youth, policy makers and justice system stakeholders, academics, civil society and UN representatives**, and other experts and practitioners. They are designed to:

- **Promote fair and appropriate justice systems** for and with children worldwide.
- Provide space for professionals to **exchange best practices, foster scientific cooperation, formulate policy recommendations, and raise awareness of justice** for children.
- **Support the operational implementation of international instruments and standards** related to the rights of children and young people in conflict with the law.



The **last World Congress** took place at the UNESCO headquarters, in Paris-France (May 2018), with the theme “**Strengthening Justice Systems for children: Challenges, including disengagement from violent extremism**”.



Over 3 days, nearly 1,000 people from 100 different countries participated in 28 workshops and more than 10 plenary sessions. A key output was the Paris Declaration on the prevention of child involvement in violent extremism. See: <https://justicewithchildren.org/world-congress/>. Previous Congresses were held in Geneva (2015), co-organised by the Swiss Federal Ministry of Justice, and in Lima (2009), focusing on restorative justice for children.

The World Congresses are organised by the **Global Initiative on Justice With Children** to address the most current issues related to **children in contact and/or conflict with the law**. The **Global Initiative is led by** a consortium of international organisations, including **Terre des hommes, Penal Reform International, International Association of Youth and Family Judges and**

Magistrates and **International Institute for the Rights of the Child** (IDE). The Global Initiative is articulated through a double-pronged approach:

- a Justice With Children Global Milestone through the **World Congresses on Justice With Children**
- a global community of practitioners mobilised through the [Justice With Children online platform](#)

The next World Congress will take place online from the 15th to 20th of **November 2021** and is hosted by the federal Mexican Supreme Court of Justice, with technical support from UNICEF, the Office of the Special Representative of the Secretary-General on Violence Against Children (OSRSG-VAC), The Office of the High Commissioner for Human Rights (OHCHR); and the United Nations Office on Drugs and Crime (UNODC). The Congress receives Pro-bono support from Baker Mackenzie and is held under the auspices of the Council of Europe. Its theme is **“Ensuring access to justice for all children: towards non-discriminatory and inclusive child justice systems”**

“State Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.”

- Article 2, United Nations Convention on the Rights of the Child

Context:

Children in contact with justice systems – as victims, witnesses, or offenders – need special care and protection. These children are amongst those who are the most vulnerable to having their rights violated. They may face deprivation of liberty that harms their physical and psychological well-being; be denied the right to legal representation and fair judicial proceedings; be separated from their parents, family, or guardians; and experience stigma from the communities that prevent their reintegration and healing. In addition, they may experience **discrimination from the justice system itself**.

Many children across the globe, in diverse contexts and settings, face multiple and intersecting forms of discrimination due to a range of factors, including ethnic and/or religious origins; disability; socio-economic status; gender, gender identity, and/or sexual orientation; migrant status; or their status as survivors of human trafficking. Discrimination typically results in social exclusion and the lack of access to services and resources.

Both the Universal Declaration of Human Rights (UDHR) and United Nations Convention on the Rights of the Child (UNCRC) identify equality and non-discrimination as fundamental principles for respecting, fulfilling, and protecting the rights of children. Non-discrimination is a common principle and foundation for almost all legal instruments, in both national and international law. However, structural discrimination, inequalities, and power dynamics act to constrain or restrain equitable access to rights for all children. This is a daily reality for many children, who – not only

excluded from basic services – are significantly more likely to be caught up in justice systems with weaker procedural safeguards, undermining the principles of equality and exposing them to a vicious cycle of social exclusion.

Discrimination also profoundly impacts children's rights to have their voices heard and their opinions listened to, particularly in matters that affect them. There is very little information about **children's perspectives or voices** in justice systems, on how they see or cope with discrimination and address it, and to what extent such discrimination impacts their ability to be treated equally with dignity and respect. Interviews with children undertaken to inform the UN Global Study on Children Deprived of Liberty revealed that children are acutely aware of discriminatory practices, with many reporting that they had faced harassment, stigmatisation, low self-esteem, and exclusion, all of which have negative consequences for the child's holistic development.

2021 World Congress Preparatory Meetings:

A total of 13 Preparatory meetings were held between 2019 and 2021, in person and virtually, both at the Regional level (including in North America, the Middle East and North Africa, Europe) and at the National level (including in Cambodia, China, India, Lebanon, Pakistan, Singapore, Thailand and the United States of America) to discuss and define the main topics and priorities for the 2021 World Congress. Participants demonstrated a particular interest in **the implementation of Article 2 of the UNCRC**, which focuses on the child's right to non-discrimination and equality. This will be the focus of the 2021 World Congress, which will explore the situation of children in contact with the law in the most vulnerable situations, such as children from religious and ethnic minorities, LGBTQIA+ children, girls, migrant children, children with disabilities, and all those who experience discrimination in the administration of justice.

2021 World Congress Main Objective:

To address this complex issue, the 2021 World Congress will focus on **exchanging practice-oriented strategies to:**

- Reduce discrimination that undermines access to – and the quality of – justice systems; and
- Ensure that all children are guaranteed equal treatment in the eyes of the law.

It will share **promising practices** from diverse contexts and settings that tackle discrimination, prevent situations that lead children and youth to commit offences, and reduce child and youth contact with the justice system. It will showcase examples of effective responses to prevent recidivism through programmes focused on restorative justice, rehabilitation, and reintegration.

The 2021 World Congress will offer a dedicated space for **policy makers and justice system stakeholders, academics, civil society and UN representatives, children and youth** and other experts and practitioners to explore these challenging issues and to enhance our knowledge of – and commitment to the creation of – fair and appropriate child justice systems globally. It will provide technical expertise to support the operational implementation of international laws and standards related to the rights of children and youth in conflict with the law.

2021 World Congress Agenda:

Co-organised by the federal Mexican Supreme Court of Justice, the 2021 World Congress expects thousands of experts and child delegates to participate from all across the world. Over five days, academics, policy makers, judges and magistrates, and civil society representatives will participate in and contribute to global and regional plenary sessions and action-oriented workshops consisting of panel discussions, certified trainings, and policy-oriented working group meetings.

Based on the results of the different Preparatory Meetings, the 2021 World Congress will focus mainly, but not exclusively, on the following sub-themes:

- Systemic racism and the disproportionate criminalisation of children from indigenous, ethnic, and other minority groups;
- Discrimination due to gender, sexual orientation, and gender identity: fostering a gender justice approach;
- Discrimination experienced by children and young people affected by migration, including refugees, unaccompanied foreign children, and children of foreign parents;
- Discrimination due to disability and health conditions;
- Discrimination due to substance use and abuse;
- Criminalisation of children's online behaviour;
- Age limits and status offences;
- Ensuring that the voice of the child is heard in child justice systems;
- Fulfilling children's rights in the contexts of legal pluralism;
- Building resilient child justice systems in times of crises and pandemics; and
- Tackling violence within child justice systems and ensuring child-friendly approaches for child victims, offenders, and witnesses.

Specific topics of the sessions will be defined in collaboration with the Scientific Committee and the Child and Youth Advisory Group of the World Congress. The call for abstracts was launched in the summer of 2021.

How to Participate

For the first time, access to the Congress will be possible online, which will provide greater access to the programme for professionals who cannot travel and will facilitate greater participation of children. We hope to reach a wider audience and to allow greater participation and involvement via digital tools. A recording will also be made available.

Partners

Terre des hommes Foundation – Helping children worldwide



Terre des hommes Foundation (Lausanne) is the largest Swiss organisation for child relief. With delegations in over 30 countries and its expertise in the domains of health and child protection, Terre des hommes offers practical solutions and a better future for over one million children and their mothers each year. This engagement is financed by individual and

institutional support, of which more than 85% flows directly into the programs. Terre des hommes was founded in Lausanne in 1960.

Penal Reform International



Penal Reform International (PRI) is an independent nongovernmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide. It promotes the rights of detainees to fair and humane treatment, and campaigns for the prevention of torture and the abolition of the death penalty and works to ensure both just and appropriate responses for children and women who come into contact with the law.

International Association of Family and Youth Judges and Magistrates



IAYFJM is a worldwide organisation, dating to before the first World War and formally established in Belgium in 1928. It is dedicated to the study and exchange of information on issues concerning children and young people in need of care and protection and/or in conflict with the law, and their families. It aims to identify, publicise and promote best practice in these fields. The languages of the Association are French, English and Spanish.

International Institute for the Rights of the Child



The International Institute for the Rights of the Child (IDE) was created in 1995. It is a recognized training centre in children's rights for all professionals working for and with children in Switzerland and abroad. The IDE is active in numerous awareness-raising activities to promote children's rights and to enforce the Convention on the Rights of the Child. As a scientific centre, it is solicited by numerous networks of experts and institutions working for the respect of children's rights.

With technical support from:



The Special Representative of the Secretary-General on Violence Against Children is an independent global advocate in favour of the prevention and elimination of all forms of violence against children, mobilizing action and political support to achieve progress across the world. The mandate of the SRSG is anchored in the Convention on the Rights of the Child and other international human rights instruments and framed by the UN Study.



UNICEF is mandated by the United Nations General Assembly to advocate for the protection of children's rights, to help meet their basic needs and to expand their opportunities to reach their full potential. UNICEF is guided by the Convention on the Rights of the Child and strives to establish children's rights as enduring ethical principles and international standards of behaviour towards children.

UNICEF works in the world's toughest places to reach the most disadvantaged children and adolescents – and to protect the rights of every child, everywhere. Across more than more than 190 countries and territories, we do whatever it takes to help children survive, thrive and fulfil their potential, from early childhood through adolescence.

Before, during and after humanitarian emergencies, UNICEF is on the ground, bringing lifesaving help and hope to children and families. Non-political and impartial, we are never neutral when it comes to defending children's rights and safeguarding their lives and futures.

And we never give up.

unicef | for every child



The Office of the High Commissioner for Human Rights (UN Human Rights) is the **leading UN entity on human rights**. The OHCHR represents the world's commitment to the promotion and protection of the full range of human rights and freedoms set out in the [Universal Declaration of Human Rights](#).

The mission of the OHCHR is to work for the protection of all human rights for all people; to help empower people to realise their rights; and to assist those responsible for upholding such rights in ensuring that they are implemented.



The United Nations Office on Drugs and Crime (UNODC) is a global leader in the fight against illicit drugs, transnational organised crime, terrorism and corruption, and is the guardian of most of the related conventions. UNODC has the mandate to support Member States in preventing and responding to crime and violence and strengthening their justice systems, including the specific mandate to support Member States in ensuring that children are better served and protected by justice systems. Under the framework

of the Global Programme to End Violence Against Children, UNODC provides technical assistance to Member States at global, regional and country levels in the areas of crime prevention, child victims and witnesses, juvenile justice as well as children recruited and exploited by terrorist and violent extremist groups.



The Organisation for Economic Co-operation and Development (OECD) is an international organisation that works to build better policies for better lives. Its goal is to shape policies that foster prosperity, equality, opportunity and well-being for all.

Together with governments, policy makers and citizens, the OECD works on establishing evidence-based international standards and finding solutions to a range of social, economic and environmental challenges.



The Pathfinders are a group of 39 UN member states, international organizations, global partnerships, civil society and the private sector. Their work is to accelerate action to implement the SDG targets for peace, justice and inclusion (SDG16+). The Sub-group "Justice for Children, Justice for All" offers a new starting point to place children at the heart of an emerging global movement for justice.

Hosted by:



The Supreme Court of the Nation of Mexico is one of the depositary bodies of the Judicial Power of the Federation, in terms of the provisions of Article 94 of the Political Constitution of the United Mexican States and the Organic Law of the Judicial Power of the Federation.

It is the highest Constitutional Court of the country and heads the Judicial Power of the Federation. One of its responsibilities is to defend the order established by the Political Constitution of the United Mexican States; to maintain the balance between the different branches and spheres of government, through the judicial resolutions it issues; in addition to resolving, in a definitive manner, matters of importance to society.

Under the Auspices of:



The Council of Europe is the continent's leading human rights organisation. It works with its 47 member states to strengthen human rights, democracy and the rule of law throughout the continent and beyond.

It has successfully developed a rights protection system, the best-known mechanism of which is the European Court of Human Rights. The Court was established under the European Convention on Human Rights which has been ratified by all the member states of the Council of Europe.

With pro-bono support from:

**Baker
McKenzie.**

Baker McKenzie is an international law firm present in 47 countries. Its pro-bono department aims to deliver first-class legal services to the underserved and disadvantaged by fostering an environment that encourages and promotes service and promotes and sponsors activities that provide opportunities for all Firm personnel, independently, and in partnership with clients, in order to contribute to the well-being of the communities in which they practice and live.

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Annex 2: Concept Note and Program of The Event

WORLD CONGRESS PREPARATORY MEETING

Thailand - Virtual meeting

Context:

In 2019 and 2020, several Preparatory Meetings have been planned to promote the Global Initiative on Justice with Children at the regional and national levels, and to identify the most relevant topics for the **2021 World Congress on Justice With Children**.

Two Regional Preparatory Meetings have been organized, in Merida-Mexico for North America, and in Buenos Aires-Argentina for Latin-America. Due to the COVID-19 pandemic, several other meetings have been arranged virtually, including for Central America, with the support of the UN Latin American Institute on Crimes and Drugs, and in Europe with European Union institutions. Meanwhile, National Preparatory Meetings were also held in person or virtually, like in Lebanon and Singapore, in order to continue protecting children and support global child justice during the pandemic.

Terre des hommes, together with the Department of Juvenile Observation and Protection (DJOP), Thailand, is organising **a virtual Thai preparatory meeting for the 2021 World Congress on Justice With Children in the context of the 18th Thai National Symposium on Justice Administration: Enhancing Justice for People in the New Normal Era in May 2021. This online symposium is aimed at creating a space of exchange and discussion regarding the trends and challenges in child justice in Thailand for both international and Thai experts.** Currently, it is undeniable that the impact of COVID-19 has been devastating across the world, including Thailand. This pandemic has caused several issues in the juvenile justice system, specifically in the DJOP. Therefore, Thailand is taking an effort in exploring ways to keep the wheel of child justice turning, despite the limitations and challenges happening in times of the pandemic. Thailand is considering the best international practices and programmes in responding to behaviours of children in conflict with the law, along with healthy measures in the new normal. More specifically, education and reintegration programmes are currently being considered particularly in relation to children in detention. Furthermore, the challenges of equal access to justice regarding non-discrimination for gender and sexual orientation are also becoming a strong interest for Thai practitioners. This virtual meeting will, therefore, be organised to respond to the Thai child justice situation in times of the pandemic, and it will aim at safeguarding children in conflict with the law in Thailand.

The Preparatory Meeting for Thailand aims at:

- Gathering policy makers, academics, and civil society representatives, with relevant work and influence in child justice, to identify key areas of interest around issues of detention, reintegration programmes, and challenges of equal access to justice in relation to sexual discrimination,
- **Fostering thematic priorities** and defining trends related to child justice and juvenile crime,
- **Bringing international commitment on specific issues of equal access to justice,**
- Formulating **action-oriented recommendations** for the next World Congress in 2021.

This virtual meeting will constitute a unique opportunity to define key challenges, trends, and advocacy priorities in child justice. Recommendations and proposals of topics, the agenda, and activities for the 2021 World Congress on Justice With Children will be formulated and proposed by the participants of the Thai Preparatory Meeting.

Annex 3: Agenda

– 12 May 2021–

(Hosted by Tdh and DJOP Thailand)

Time	Activities
08.00 – 09.00 (03.00 – 04.00 CET)	Registration and System testing
09.00 – 09.30 (04.00 – 04.30 CET)	Opening ceremony <ul style="list-style-type: none">• Pol.Lt.Col. Wannapong Kotcharag, Director General of Department of Juvenile Observation and Protection• Komol Prompang, Deputy Director – General of Department of Juvenile Observation and Protection
09.30 – 10.30 (04.30 – 05.30 CET)	Children in Justice System in the New Normal Era <ul style="list-style-type: none">• Santi Siritheerajesd, Child Protection Officer, UNICEF Thailand
10.30 – 10.45 (05.30 – 05.45 CET)	Break (15 minutes)
10.45 – 12.00 (05.45 – 07.00 CET)	General trend on juvenile crimes and juvenile justice <ul style="list-style-type: none">• Najat Maalla M'jid (record), Special Representative of the Secretary-General on Violence Against Children• Cedric Foussard (record), Advocacy and Global Learning Advisor, Terre des hommes Switzerland• Chaisiri Suthapradit, Probation Officer, Department of Juvenile Observation and Protection Thailand
12.00 – 13.30 (07.00 – 08.30 CET)	Lunch break
13.30 – 14.45 (08.30 – 09.45 CET)	Education and Reintegration programmes in detention in time of pandemic <ul style="list-style-type: none">• Benoit Van Keirsbilck (record), member of the Committee on the Rights of the Child, Belgium• Marta Pascual (record), President of the International Association AIMJF• Cedric Foussard (record), Advocacy and Global Learning Advisor, Terre des hommes Switzerland• Angela Vigil, Partner and Executive Director of Pro Bono, Baker McKenzie, USA
14.45 – 15.00 (09.45 – 10.00 CET)	Break (15 minutes)
15.00 – 16.15 (10.00 – 11.15 CET)	Right to Non-discrimination and Equal Access to Justice: Current Challenges including discrimination due to gender, and sexual orientation <ul style="list-style-type: none">• Ton Liefwaard, Vice-Dean of Education of Leiden Law School, Leiden University• Currey Cook (record), Senior Counsel and Youth In Out-of-Home Care Project Director, Lambda Legal• Angela Vigil, Partner and Executive Director of Pro Bono, Baker McKenzie, USA
16.15 – 16.30 (11.15 – 11.30 CET)	Conclusion and Q&A session

– 13 May 2021–

(Hosted by DJOP Thailand)

Time	Activities	Parallel room
08.30 – 09.00 (03.30 – 04.00 CET)	Registration	
09.00 – 09.45 (04.00 – 04.45 CET)	Welcoming address <ul style="list-style-type: none">• Somsak Thepsuthin, Minister of Justice Opening ceremony and special lecture: The Direction on Justice Administration in the New Normal Era <ul style="list-style-type: none">• Wissanu Krea-ngam, Deputy Prime Minister of Thailand	
09.45 – 10.00 (04.45 – 05.00 CET)	Break (15 minutes)	
10.00 – 11.00 (05.00 – 06.00 CET)	Special lecture: Shifting Thai Court of Justice's Paradigm in the New Normal Era <ul style="list-style-type: none">• Methinee Chalothorn, President of the Supreme Court	
11.00 – 11.30 (06.00 – 06.30 CET)	Special lecture: Enhancing Justice in the Office of Attorney General in the New Normal Era <ul style="list-style-type: none">• Wongsakul Kittipromwong, Attorney General of Thailand	
11.30 – 12.15 (06.30 – 07.15 CET)	Increasing the Effectiveness of Legal Enforcement in the New Normal Era (Interviewing video) <ul style="list-style-type: none">• Pol. Gen. Suwat Jangyodsuk Commissioner-general, Royal Thai Police	
12.15 – 13.00 (07.15 – 08.00 CET)	Lunch break	
13.00 – 14.30 (08.00 – 09.30 CET)	The Impact of Covid-19 on the Justice System in international setting <ul style="list-style-type: none">• Speakers from UNDP, UNDOC and RoLD programme	Creating the Justice System in the New Normal Era Forum: The Assessment of the Unfair Situation and Environmental Management <ol style="list-style-type: none">1. Professor Emeritus Surichai Wun'gao, Center for Peace and Conflict Studies2. Apinan Thammaseana, The Princess Maha Chakri

		Sirindhorn Anthropology Centre
		3. Dawan Jantarahassadee
		Moderator: Paisit Panichkul, Assistant to the President, Chiang Mai University
14.30 – 16.00 (09.30 – 11.00 CET)	The disparity in the Justice System in the New Normal Era	A Proposal for the Justice System
	<ul style="list-style-type: none"> • Montira Narkvichien, UN Women • Kiratipong Naewmalee, Research Fellow TDR1 • Kitti Singhapat, Reporter of 3mitinews 	<ul style="list-style-type: none"> • Judiciary/ Representative, Administrative Court • Judge/ Representative, Court of Justice • Representatives from Law Society Network
	Moderator: Nattha Komolvadhin Assistant News Director, Thai PBS	Moderator: Paisit Panichkul, Assistant to the President, Chiang Mai University

– 14 May 2021–

(Hosted by DJOP Thailand)

Time	Activities	Parallel room
08.30 – 09.00 (03.30 – 04.00 CET)	Registration	
09.00 – 12.00 (04.00 – 07.00 CET)	The Justice System in the Era of Digital Economy <ul style="list-style-type: none"> • Time Chuastapanasiri, National Institute for Child and Family Development, Mahidol University • Tee Vachiramon, Chief Executive Officer of Sertis Co., Ltd. • Dr Prinya Hom-anek, ACIS Professional Centre Co., Ltd. • Dr. Supot Tiarawut, Digital Government Development Agency • Dr. Pongsatorn Thanyasiri, Director of Office of Justice Affair 	Redesigning of Correctional Facility Architecture for New Normal Era 09.00 – 10.30 Forum: Correctional Facility Architecture and Humanitarian Principles and Fundamental Rights of people <ul style="list-style-type: none"> • Mr. Jean Marc Zbinden, Architect, Water and Habitat Advisor for Asian And Pacific, International Committee of the Red Cross (ICRC) • Mr. Kavan Applegate, Director of Guymer Bailey Architect • Director of Facilities Division, Minister's Secretariat Ministry of Justice Japan • Director General of Prisons Department, Malaysia Prison Department

- **Sithi Sutheewong**, Deputy Director-General of Department of Corrections

Moderator: Assistant Professor Prnyos Chattarakul, King Mongkut's University of Technology Thonburi

10.45 – 12.15

Workshop: Redesigning of Correctional Facility Architecture for New Normal Era

- **Assistant Professor Dr. Antika Sawadsri**, the Dean of Faculty of Architecture, KMITL

Moderator: Assistant Professor Prnyos Chattarakul, King Mongkut's University of Technology Thonburi

12.00 – 13.00 (07.00 – 08.00 CET)	Lunch Break
13.00 – 13.30 (08.00 – 08.30 CET)	<p>Impact of COVID-19 and challenges of Juvenile Justice System as a whole, Concerns regarding rights and wellbeing of juveniles in the juvenile justice system during the pandemic</p> <ul style="list-style-type: none"> • Cedric Foussard (record), Advocacy and Global Learning Advisor, Terre des hommes Switzerland
14.00 – 15.00 (09.00 – 10.00 CET)	<p>The Adjustment of Organisations in the Juvenile Justice System in the New Normal Era</p> <ul style="list-style-type: none"> • Ampatcha Dithaamnaj, the Secretary of Central Juvenile and Family Court • Kongsak Matangkarat, Provincial Chief Public Prosecutor attached to the Office of the Attorney General • Pol.Lt.Col. Wannapong Kotcharag, Director General of Depart of Juvenile Observation and Protection • Pol.Col. Pongbol Iemvicharn, Superintendent, Cyber Support Unit, High-Tech Crime Division,

Cybercrime Investigation Bureau,
Royal Thai Police

Moderator: Songpon Suwannapong,
Assistant Secretary to the Attorney
General.

15.00 – 15.30
(10.00 – 10.30 CET)

Conclusion
Pol.Lt.Col. Phongthon Thanyasiri,
Director of Office of Justice Affair

15.30 – 16.00
(10.30 – 11.00 CET)

Closing ceremony
Wisit Wisitsora-At, Permanent Secretary
for Justice, Thailand

Date

12 – 14 May 2021

Location

The meeting will take place online via Zoom. An email with a link will be sent to participants prior to the meeting with connection details.

Annex 4: Pictures from The Meeting





