

TABLE OF CONTENT

APPROVAL PAGE.....	ii
ACKNOWLEDGEMENT PAGE.....	
STATEMENT OF AUTHENTICITY.....	iii
PREFACE.....	
TABLE OF CONTENT.....	iv
ABSTRACT.....	vii
<i>INTISARI</i>.....	viii
CHAPTER I: INTRODUCTION.....	1
A. Underlying Background.....	1
B. Legal Problems.....	4
C. Research Purposes.....	5
D. Originality of Research.....	5
E. Research Benefits.....	6
CHAPTER II: THEORETICAL AND NORMATIVE OVERVIEW.....	8
A. The Historical Development of Human Rights.....	8
B. The Recognition of Rights of the Child under International Treaties, Norms and Children’s Rights Frameworks.....	9
C. Juvenile Delinquency and Children in Conflict with the Law.....	16
D. Restorative Justice.....	22
E. Diversion.....	24
CHAPTER III: RESEARCH METHOD.....	27
A. Type of Research.....	27
B. Research Method.....	28

C. Sources of Data.....	28
D. Data Analysis.....	32
E. Stages of the Research.....	32
F. Challenges of the Research.....	33
CHAPTER IV: RESEARCH RESULT AND ANALYSIS.....	35
A. United Nations Convention on the Rights of the Child (CRC) and its Ratification by Indonesia and France.....	34
B. The Implementation of Juvenile Justice System in Indonesia.....	35
1. The Applicable laws.....	36
2. Age Limits (Minimum of Criminal Responsibility (MACR)) and other age matters.....	39
3. The Juvenile Sanctions: Should it exist?.....	41
4. The Use of Diversion.....	47
C. The Implementation of Juvenile Justice System in France.....	51
1. The Applicable laws.....	51
2. Minimum Age of Criminal Responsibility (MACR) and Sanctions for minors.....	53
3. Diversion: Does it exist in France?.....	56
D. Comparison.....	62
E. Critical Analysis: Should Indonesia learn something from France? Or it is France that should learn something from Indonesia's System?.....	66
1. Shifting the Paradigm from Retributive Justice to Restorative Justice.....	66
2. How Damaging It would be without Restorative Justice?.....	69
3. Diversion: Can it really reduce recidivism?.....	70



F. Which legal system that tends to comply with the international standards:

Indonesia or France?.....77

CHAPTER V: CLOSING.....80

A. Conclusions.....80

B. Recommendations.....82

BIBLIOGRAPHY.....84