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**International Centre For Criminal Law Reform  
and Criminal Justice Policy**

**Annual Report 1995-96**



***The International Centre For Criminal Law Reform  
and Criminal Justice Policy***

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## Introduction

The *International Centre for Criminal Law Reform and Criminal Justice Policy* is an independent international institute, based in Vancouver, Canada, and officially affiliated with the United Nations. It was founded in 1991, as a result of a joint initiative of the University of British Columbia, Simon Fraser University and the Society for the Reform of Criminal Law, and with the generous contributions of the Government of Canada, the Province of British Columbia, the Ontario Law Foundation and the Law Foundation of British Columbia. The Centre is registered as a charitable, non-profit organization and relies upon financial support from foundations, corporations, individuals, government and academic institutions.

The mission of the *International Centre* is based on a commitment to promote human rights, democracy and good governance. These principles provide the *Centre* with concrete parameters within which it affirms the fundamental values to which it subscribes. These values include: respect for human dignity, justice, the rule of law, fairness, equity, public participation in decision making and institutional accountability. The *Centre's* mission is one which emphasizes the role of criminal law and the importance of criminal law reform as essential means to defend these values and give them a concrete expression in the face of the challenges from national and transnational crimes.

The *Centre* was created to provide a vehicle through which governmental, non-governmental and academic groups and other interested individuals, principally from Canada but also from other countries, can make a significant contribution to the various processes of criminal law reform at the international, regional and national levels.

The contribution that the *Centre* makes to these processes is one which reflects its commitment to democratic values and to fundamental human rights. Criminal law reform thus understood is not just a technocratic exercise, but a process which must build upon the effective participation of individuals in decision-making and the exercise of power in society. Effective participation through both the formal process of democracy and the organizations of civil society gives a voice to people's concerns for security as well as their aspirations for freedom, peace and justice. Such reforms must also remain respectful of local traditions, culture and aspirations.

The *International Centre* offers interested individuals and groups an opportunity to participate in several criminal law reform processes by coordinating and organizing participation in various international fora dealing with crime prevention and criminal justice policy issues. The *International Centre* also contributes to these processes through research, information dissemination, public information and consultation, and, when requested or invited by individual countries, through the provision of practical assistance in the development and the implementation of new criminal laws and criminal justice policies.

## **The United Nations Crime Prevention and Criminal Justice Programme**

The current priorities of the U.N. Commission of Crime Prevention and Criminal Justice are organized under three major themes:

- Theme A: National and transnational crime, economic crime including money laundering, and the role of the criminal law in the protection of the environment.
- Theme B: Crime prevention in urban areas, juvenile and violent crime.
- Theme C: Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in the developing countries for the regular collection, collation and analysis of data in the development and the implementation of appropriate policies.

The *International Centre* is a significant component of the United Nations Crime Prevention and Criminal Justice Programme Network. In carrying out its work the *International Centre* cooperates with the other components of the Programme. These include: the new Commission on Crime Prevention and Criminal Justice, a functional inter-governmental commission of the Economic and Social Council, which met for the first time in 1992 and meets once a year in Vienna; the Crime Prevention and Criminal Justice Division at the United Nations Office in Vienna, which is the secretariat to the Commission; the United Nations Interregional Crime and Criminal Justice Research Institute (UNICRI) in Rome, the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) in Tokyo; the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) in San Jose, Costa Rica, the European Institute for Crime Prevention and Control Affiliated with the United Nations (HEUNI) in Helsinki; the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) in Kampala, the Arab Security Studies and Training Centre (ASSTC) in Riyadh, the International Scientific and Professional Advisory Council (ISPAC) in Rome, the Australian Institute of Criminology (AIC) in Canberra, the International Institute of Higher Studies in Criminal Sciences (ISISC), the international Centre for the Prevention of Crime (ICPC) in Montreal, and the National Institute of Justice (NIJ) in Washington.

In defining its own program priorities and goals, the *International Centre* is guided by the objectives of Canada's Foreign Policy, those of the United Nations as well as those of relevant regional and inter-regional policy fora. Furthermore, the United Nations Commission on Crime Prevention and Criminal Justice meets each year and provides guidance and direction for the whole of the United Nations Crime Prevention and Criminal Justice Programme.

## ACTIVITY REPORT

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### MANAGEMENT AND ADMINISTRATION

#### **Governing Body and Executive Management**

The Centre is governed by a Board of Directors. The Board consists of two representatives each from its' founding partners: The University of British Columbia, Simon Fraser University and The Society for the Reform of Criminal Law; and one representative each from the Department of Justice Canada, The Solicitor General of Canada, the Attorney General of British Columbia and, ex-officio, the Chief of the United Nations Crime Prevention and Criminal Justice Branch in Vienna.

Daniel C. Préfontaine, Q.C., is the Director of the Centre and its Chief Executive Officer. Mr. Préfontaine brings to the International Centre many years of experience in international criminal law matters. He is a former Assistant Deputy Minister in the Canadian Department of Justice who led the Canadian delegations at several United Nations Congresses and other international meetings on crime prevention and criminal justice.

#### **Professional Staff**

During the 1995-96 reporting period the International Centre staff was complemented by several visiting associates. The Centre is pleased to have the opportunity to introduce these people and their contributions to the Centre during 1995-96.

Mr. Duncan Chappell, a Judge of the Administrative Appeal Court of Australia joined the Centre for a three month period of research and development of a draft reference document on the role, preparation and performance of United Nations civilian peacekeeping police personnel.

Justice F.B. William Kelly of the Supreme Court of Nova Scotia completed a year of study leave with the Centre. During his stay, Justice Kelly contributed to and participated in several Centre activities. Justice Kelly produced two papers during his stay: "The Unfinished Triangle: The Criminal Justice System, The Victim, and the Offender," a comparative review of victim treatment in some criminal justice systems, and "Free Press v. Fair Trial: Judicial-Media Interaction."

Catherine Bragg, a senior manager of the federal government joined the Centre on the Executive Interchange Program. Dr. Bragg's work with the Centre focused on: the Peacekeeping initiative of the Centre that began with the International War Crimes Tribunal and the Joint Parliamentary Committee Presentation: Peacekeeping and Peace building; A program of work on the Aboriginal Justice program, the development of a multinational workshop on the devolution of Aboriginal Justice; and the coordination of the Centre's participation in 9th United Nations Congress on the Prevention of Crime and Treatment of Offenders.

Yvon Dandurand, a professor in the Criminology Department, University College of the Fraser Valley joined the Centre to assist and advise on the Sentencing and Corrections program of work and the Victims of crime and aboriginal justice projects.

Vincent Cheng Yang, completed his Doctorate at Simon Fraser University and joined the Centre as an Associate and manager of the China Criminal Law Reform Program.

## **Funding Sources**

The Centre receives income from three separate endowment funds established by the British Columbia Law Foundation, the Ontario Law Foundation and the Vancouver Foundation. The government of British Columbia, through the Attorney General's office continues to make an annual contribution to the general administration of the Center. In addition, the Centre is a registered charitable institution and seeks support and funding from corporate and individual donors.

The Government of Canada continues to second three full-time staff who act as the Director and Senior Associates of the Centre. Other professional staff members are contracted as senior associates or associates of the Centre through separate, project funds. The Centre also benefits from the volunteer services of a number of professionals and students, and the visits of foreign scholars and practitioners. The University of British Columbia, Simon Fraser University and the Society for the Reform of the Criminal Law also support the Centre through contribution of staff time and facilities and sponsorship of some of the Centre's events. Accommodation and furniture for the Centre is provided by the University of British Columbia through the Faculty of Law.

The general revenue of the Centre is designated for the administration of the Centre and the presentation of the lecture series. Major initiatives are funded through separate project funding.

## **POLICY DEVELOPMENT AND RESEARCH PROGRAMS**

The *International Centre's* activities in the areas of policy development and research during 1995/96 must be situated in the context of several major international events which took place during the year and helped form much of the international policy development and research agenda for that year in the area of criminal law reform and criminal justice policy.

The year started with what is, every five years, a most significant event in our field: the United Nations Congress on Crime Prevention and the Treatment of Offenders. This was the ninth event of this kind and it was held in Cairo, in April-May 1995. The Congress was attended by 1200 delegates from 140 states, over 300 representatives of different intergovernmental and non-governmental organizations and over 400 individual experts. Three members of the International Centre participated and contributed substantively to the Congress. The focus of the Ninth Congress was on issues of violence against women, children as victims and as offenders, the control of firearms, the growing links between terrorism and organized crime, training in prison administration, corruption, the prevention of urban and violent crime, the role of mass media in crime prevention, computerization and the policy use of information, the role of criminal law in the protection of the environment, and practical international cooperation's. A summary of the Congress is available from the Centre.

The Congress was almost immediately followed by the Fourth Session of the United Nations Commission on Crime Prevention and Criminal Justice, in May, in Vienna. The Commission was attended by two representatives of the International Centre. Substantively the Fourth Session of

the Commission dealt with: Consideration of the recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders; Review of priority themes; Technical cooperation and strengthening of the United Nations crime prevention and criminal justice programme; United Nations standards and norms in the field of crime prevention and criminal justice; Cooperation and coordination of activities with other United Nations bodies and other entities; and Programme questions. The Centre contributed substantively and through interventions at the Commission.

The year was also marked by the 39th Commission on the Status of Women, in March 1995, and the Fourth World Conference on Women, in Beijing, in September 1995, which addressed several issues and adopted resolutions relating to the human rights of women and, in particular, to the issue of violence against women. The World Summit for Social Development held in Copenhagen, in March 1995, also offered the international community an opportunity to focus its attention on current social problems and to promote social development. Some essential elements of an international strategy for addressing social and institutional development issues have been emphasized. A vision of social development more clearly emerged which emphasized not only that people should have a voice in government, but also that they should enjoy certain basic human rights and live in equitable and just societies, with the freedom to make personal choices in their own lives, and the ability to carry out their daily activities free from fear of persecution or crime. The resolutions adopted during these various events meetings have already had a significant impact on international criminal justice policies and will be further addressed, next year, at the Fifth Session of the Commission of the Prevention of Crime and Criminal Justice.

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## **NATIONAL AND TRANSNATIONAL CRIME, ECONOMIC CRIME INCLUDING MONEY LAUNDERING, AND THE ROLE OF THE CRIMINAL LAW IN THE PROTECTION OF THE ENVIRONMENT.**

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### **Economic Crime, Including Money Laundering and Proceeds of Crime**

The International Centre continued its work in economic and organized crime. Representatives of the Centre teach a graduate course for the University of British Columbia Faculty of Law on the Proceeds of Crime. The Centre made presentations at a variety of conferences and events on organized crime issues and the paper presented at an academic conference in Los Angeles, "International Money Laundering: Enforcement Challenges and Opportunities" is being published in an American law journal in 1996.

### **Corruption**

The U.N. Commission on the Prevention of Crime and the Economic and Social Council have both adopted resolutions in 1995 calling for concerted international actions to combat corruption and noting the need to provide, upon request, to developing countries and countries with economies in transition technical assistance designed to improve public management systems and enhance accountability and transparency. The General Assembly also adopted a resolution in early April 1996 (*Resolution 50/222*) as a result of its consideration of the issue of public administration and development.



As part of its commitment to combating corruption, the Centre attended the Seventh International Anti-corruption conference in Beijing in October 1995. A brief summary of the conference is available from the Centre.

### **Migration and Crime**

The Centre is doing research on migration and crime and will contribute a paper to the Migration and Crime Conference, at the annual ISPAC meeting in Courmayeur this October, 1996.

### **United Nations Global Study on Civilian-owned Firearms, Small Arms Trafficking and Firearms Regulations**

With the passing of the cold-war era and a shift from inter-state military conflicts to insecurity resulting from violent crime, the United Nations is turning its attention to a class of armament that is killing more people than major weapons - namely civilian-owned firearms. Such arms are, as demonstrated again by recent Canadian studies, increasingly associated with crime, accidents and suicides, and form a major source of illicit profits for transnational criminal networks.

A study was called for by the United Nations Economic and Social Council following a resolution adopted unanimously by the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Cairo, in May 1995, and later by the Commission on Crime Prevention and Criminal Justice. The resolution, initiated by Japan, co-sponsored by thirty countries and unanimously adopted, calls on the Crime Commission to consider urgent measures to regulate firearms, such as the prevention of illicit trafficking in those weapons, in order to suppress the use of firearms in criminal activities.

The *International Centre* is represented on the international team of experts in firearms matter and crime control called together by the United Nations. The first meeting after the Congress and Commission's endorsement of the resolution was in Vienna, December 1995. The team has launched the first world-wide survey of firearms ownership regulations and related issues. The study aims to obtain reliable and practical information on arms ownership by civilians, the relationship between firearms and crime, and the status of regulatory measures in force in about 50 selected countries throughout the world. More specifically, it focuses on: (1) criminal cases, accidents and suicides in which firearms are involved; (2) the situation with regard to transnational illicit trafficking in firearms; (3) national legislation and regulations relevant to firearms regulations; (4) relevant initiatives for firearms regulation at the regional and interregional levels.

Financial support for this study is provided by Japan and Canada is serving as Project Coordinator. The *International Centre* is assisting the project by managing the individual research contracts with the fifty or so national consultants involved in the data gathering.

### **Peacekeeping**

The Centre began work on a project of research and development of a draft reference document on the role, preparation and performance of United Nations civilian peacekeeping police personnel.

The document will provide an overview of the issues associated with CIVPOL involvement in the United Nations Peacekeeping Operations and can be used by policy makers, operational staff assigned to peacekeeping duties, senior police managers, governmental advisors and others operating or researching in this area.

## **Peacebuilding**

The Canadian Committee for the 50th Anniversary of the United Nations and the International Centre presented a seminar in December 1995, STATES WITHOUT LAW: The Role of Multilateral Intervention to Restore Local Justice Systems. A panel of national and international representatives focused on three separate topics: The Failed State Syndrome: Neo-Colonialism or Constructive Idealism; After "Rapid reaction" and Beyond Peace-keeping; and The Role and the Capacity of the United Nations, the role of humanitarian intervention in restoring civil society. A copy of the report is available from the Centre.

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## **CRIME PREVENTION IN URBAN AREAS: VIOLENT CRIMINALITY**

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### **Measures to Abolish Violence Against Women**

The International Centre's recent work in this area focused on domestic violence and was generally intended to contribute to the implementation of the 1993 United Nations Criminal Justice Programme priority set out in the publication "Strategies for Confronting Domestic Violence: A Resource Manual". The Centre's activities have focused so far on addressing the training requirements of senior justice officials and members of the judiciary in various countries of the world. In January 1995, the Centre's International Advisory Committee on Domestic Violence, comprised of United Nations, federal and provincial government, and foreign experts in the field, met in Vancouver to recommend a program delivery plan for implementing a training program for judges and other senior justice officials. A core training curriculum, developed with the assistance of the Justice Institute of British Columbia and financial assistance of the Department of Justice Canada, Department of Health Canada, the Ministry of the Solicitor General of Canada and the British Columbia Ministry of the Attorney General developed a core curriculum for the training of judges and justice official in requesting countries. The curriculum is currently being translated and adapted to allow its use in training projects organized by HEUNI, UNICRI, and ILANUD.

The curriculum will be used to train trainers and judges from judicial training institutes in twelve Latin American Countries and four Eastern European countries. It is anticipated that a tested curriculum will be published by the four U.N. institutes by the middle of 1997.

### **Justice for Victims of Crime and Abuse of Power**

The Centre participated in the meeting of the Expert Group on Victims of Crime and Abuse of Power in the International Context in Vienna, December 18 - 22, 1995. The Commission on Crime Prevention and Criminal Justice, at its fourth session following the 1995 Congress in Cairo,

requested the Secretary General to seek the views of member States and relevant organizations to prepare a manual on the use and application of the Declaration. A meeting of an ad hoc Group of Experts was thus convened to assist in formulating a comprehensive plan of action to prevent victimization and to protect and provide assistance to victims of crime and abuse of power. The Centre will continue to contribute to this priority.

### **Children and Youth as Victims and Perpetrators of Crime**

The situation around the world of children in conflict with the law is alarming. The victimization of children, their exploitation and the complexity of the situations in which they come into conflict with the law are matters which demand the urgent attention of the international community. There are a number of international instruments which address the issues of juvenile justice, most notably the *Convention on the Rights of the Child*, the *United Nations Rules for the Protection of Juveniles Deprived of Their Liberty* and the *United Nations Standard Minimum Rules for the Administration of Juvenile Justice*. However, the implementation of these standards and norms in the field of juvenile justice remains complex and problematic.

In 1994, the *International Centre* participated in a United Nations Expert Group Meeting on “Children and Juveniles in Detention: Application of Human Rights Standards”. The report of the Expert Meeting was recently published by the Austrian Federal Ministry for Youth and Family in Vienna under the title “*Children in Trouble - United Nations Expert Group Meeting.*, 1995.

The experts emphasized the need to raise awareness and advocacy and to focus on the identification of means whereby the implementation of existing international instruments may be rendered more feasible. Where the will for change exists, technical assistance and co-operation with a focus on alternatives to detention could be instrumental in effecting positive changes to existing juvenile justice practices.

In 1995/96, the *International Centre* reviewed its current technical assistance priorities to identify how the priorities for action proposed in the Experts Group Report can be reflected in the *Centre’s* activities.

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## **EFFICIENCY, FAIRNESS AND IMPROVEMENT IN THE MANAGEMENT AND ADMINISTRATION OF CRIMINAL JUSTICE SYSTEMS.**

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### **Opportunities For Renewal In Sentencing And Corrections**

In response to the many challenges facing correctional systems around the world, including those in Canada, the Centre has developed an initiative which establishes a process to build on existing international and regional co-operation in the field of sentencing and corrections and endeavors to promote enhanced forms of collaboration between jurisdictions. The emphasis of the initiative is on management excellence defined in terms of best practices, adherence to the rule of law, a thorough regard for justice and respect for human rights and democratic values.

To ensure success of the initiative the Centre has built on the existing expertise and technical co-operation experience of the United Nations Crime Prevention and Criminal Justice Programme Network (UN Programme Network). After extensive consultation throughout 1995/96 the May 1996 Commission meeting in Vienna presented the opportunity to hold a preliminary meeting with these and other key partners in the initiative. We will continue to seize upon similar opportunities to consult with these key partners, with the aim of finalizing an agenda for co-operation in the field of sentencing and corrections which will give effect to existing international standards and reflect the priorities of the UN Programme.

Throughout 1995/96 the Centre was active in organizing and facilitating events which serve to promote sentencing and correctional reform both nationally and internationally.

In June 1996 the Centre hosted and invitational symposium on restorative justice which was attended by both academics and criminal justice practitioners from the lower mainland of British Columbia. On behalf of the Society for the Reform of Criminal Law, the Centre was also responsible for the organization of an international conference which took place in Whistler, British Columbia on August 21-24, 1996. The theme for the first day of this conference was “emerging trends and tensions in sentencing and corrections”, and while emphasizing the over reliance on incarceration, highlighted some innovative approaches which have been adopted by jurisdictions around the world to address this prevailing concern. On a national level the Centre, in conjunction with the Canadian Criminal Justice Association, have received the support of various government agencies and have commenced to organize a national event on restorative justice which will be held in Vancouver on February 27-March 02, 1996.

### **Aboriginal Peoples and Criminal Justice**

The presence of ethnically differentiated groups within the bounds of a nation can give rise to major problems of cultural identity, social cohesion and national integration. With conquests and colonization, many indigenous populations have experienced the loss of sovereignty and dispossession of their resources. Dominant groups have pursued various policies of assimilation, apartheid, oppression or discrimination. Loss of cultural identity is widely feared among indigenous minorities. Positive policies are required to promote ethnic harmony and to heal the wounds created by a history of discrimination and oppression. These may include the recognition of constitutional rights and guarantees for indigenous people, devolution of power, affirmative action, cultural pluralism and a range of measures in the economic field.

In the context of the planning of the International decade of the World's Indigenous People, United Nations regional and affiliated institutes and organizations are called upon to develop new regional and inter-regional programs to promote the objectives of the Decade. The International Centre has accepted the challenge and decided to focus its efforts, whenever possible in co-operation with other regional institutes of the Crime Prevention and Criminal Justice Network, and national and regional organizations, on providing opportunities for criminal justice systems around the world to re-examine how they deal with aboriginal populations.

In many parts of the world, Aboriginal people have expressed the wish and have demonstrated an increased capacity to become more actively responsible for justice matters and conflict resolution within their communities. Many aboriginal peoples have emphasized the need for significant change in the delivery of justice services, access to the justice system and the ways in which victims of crime are treated by the existing system. There is, in Canada and in many other countries, a fast growing body of evidence and cumulative experience which points in the direction of some successful strategies for change. Justice related initiatives, the experience has shown, must be related to effective crime prevention strategies, community development and empowerment, health promotion and education.

In July 1995, the International Centre in co-operation with the School of Criminology at Simon Fraser University organized an international workshop on "Putting Aboriginal Justice Devolution Into Practice: The Canadian and International Experience." A workshop report has been published and is available from the Centre.

The Centre is continuing its work in this area and will be guided by the results of its consultations and by the advice of its Advisory Committee in trying to develop a proposed program which will reflect the priorities of aboriginal organizations and individuals dealing with criminal justice issues. Informal consultations held by the International Centre with criminal justice officials and aboriginal lawyers and leaders from various countries allow only one possible conclusion: there is a growing need to create an opportunity for some cross-national exchanges of information and experiences and for informed and focused discussions to take place. The International Centre organized a special session during the *11th Commonwealth Law Conference* in Vancouver, Canada in August 1996 and is planning an international conference to be held in Canada in 1997 on the theme of "Modern Indigenous Justice and Community Development". The International Centre is also hoping to participate in another project organized by the Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) to conduct a study on the protection of the rights of aboriginal people in Central America. Finally, because of the interest expressed internationally in learning more about the Canadian experience with the establishment of sentencing circles in aboriginal communities, the Centre is preparing a short publication on the subject.

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## **REFORM OF INTERNATIONAL CRIMINAL LAW AND CRIMINAL PROCEDURES**

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### **International War Crimes Tribunal**

The International Centre continues to promote the work of the Ad Hoc War Crimes Tribunal for the former Yugoslavia and Rwanda as well as the creation of a permanent International Court of Criminal Jurisdiction. The Centre will participate over the next two to three years in several meetings and workshops of the Canadian network of an International Criminal Court and the Syracuse International select group of experts. A meeting of experts hosted by the Centre is planned for 1997 on the basis of support of the Canadian Department of Foreign Affairs in preparation for the 1998 Plenipotentiary Meeting of Ministers to consider a convention to establish the Court.

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## **TECHNICAL COOPERATION, ASSISTANCE AND ADVISORY SERVICES**

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### **The China Project**

The Centre began a cooperative program committed to Criminal Justice Reform in China in September 1995. The first event in the program was the participation of two representatives at the 7th International Anti Corruption Conference in Beijing in October, 1995. A summary of the conference is available at the Centre. During December a negotiating team with representatives of the Centre, SFU, and the B.C. Attorney General's department traveled to Beijing for meetings with representatives from the Ford Foundation, The Canadian Embassy in Beijing, the All China Lawyers Association, China University of Political Science and Law, the Supreme People's Procuratorate, The State Bureau of Foreign Experts, the Ministry of Justice and the People's University. In March 1996 the Centre, with the support of the Canadian International Development Agency and the Ford foundation, hosted a delegation of senior officials of the Supreme People's Procuratorate and senior professors from China. The delegation was the first sent by the Chinese procuratorate system to Canada since 1949. The exchange of Canadian experiences and ideas, the focus of the visit, was to assist the Chinese with the on-going reform of their system, to help maintain a balance of due process and crime control in criminal proceedings, and to assist the future development of a cooperative relationship between the relevant Canadian and Chinese institutions. As a result of the efforts an Agreement of Cooperation was signed between the International Centre and the Research Centre of Criminal Law, Beijing, China. The agreement is to develop cooperation for research and exchange in the area of criminal law and criminal justice. The two Centres have agreed to scholarly exchange visits, academic symposiums, training of practitioners, and undertaking research that will be published and made available. The Centre also notes that efforts are ongoing to continue to collaborate with Pitman Potter and Ivan Head of the UBC Faculty of Law, and representatives at the Canadian Bar Association with their respective projects of work in China.

### **The Vietnam Project**

The Centre, along with the UBC Centre for Asian Legal Studies developed a comprehensive program proposal of legal assistance for Vietnam. The prospectus is not limited to criminal law but also includes resource law, environment law, maritime law, etc. The prospectus was developed after a needs assessment trip to Vietnam, funded by the Canadian International Development Agency in May, 1995. The prospectus has been submitted to and it is expected that CIDA will identify its areas of priority in Vietnam. The prospectus involved a multi-year commitment

currently under consideration with CIDA. A more specific proposal will be developed based upon the information and response received from CIDA.

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## **PUBLIC INFORMATION, CONSULTATION AND EDUCATION**

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### **Public Lecture Series**

Public lectures are arranged as part of the International Centre's Foreign Affairs and International Trade Canada Lecture Series in collaboration with the Faculty of Law at The University of British Columbia and the School of Criminology at Simon Fraser University.

In September 1995 Mililani B. Trask, a native Hawaiian attorney and activist spoke on Sovereignty, Self-determination and Independence at Simon Fraser University. Ms. Trask has an extensive legal background on Native Hawaiian land trusts, resources and legal entitlements. In 1987, she became the prime minister of the Sovereign Nation of Hawaii. That same year she founded the Civil Rights for Hawaiians, a grassroots organization created to educate legislators and the general public about Hawaiian civil rights.

The lecture series is an on-going event and plans are underway to invite speakers during the period September, 1996 through April, 1997.

### **50th Anniversary of the United Nations Celebrations Seminar: States Without Law: The Role of Multilateral Intervention to Restore Local Justice**

In December 1994 Sr. Associate Marcia Kran participated in the United Nations Anniversary Celebrations in Ottawa. The International Centre and the Canadian Committee for the 50th Anniversary of the United Nations presented a seminar on December 9th, 1995 in Vancouver, British Columbia. The seminar brought together experts and interested persons on the topic to examine the issues dealing with the failed state syndrome, what should be the response after Rapid Reaction: and beyond peacekeeping: the requirements for restoring civil society and models for rapid deployment of justice, law and order and the capacity of the United Nations to play the role. A report of the meeting is available from the Centre.

### **State Sovereignty and Human Rights: An Agenda for Humanitarian Action**

Director Daniel Préfontaine and senior associate Marcia Kran participated in an experts meeting in Ste-Adèle, Québec, February 28-March 3, 1995. The meeting was organized and sponsored by the International Centre for Human Rights and Democratic Development. The meeting brought together thirty experts from governments, international organizations, non-governmental organizations, the military, academics and politicians to examine the issues relating to state sovereignty and humanitarian intervention in cases of gross breaches of human rights.

The Centre continues to build cooperative and communicative relationship with the International Centre for Human Rights and Democratic Development.

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## **GRADUATE EDUCATION AND CURRICULUM DEVELOPMENT**

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### **Graduate Programs**

The Centre is involved in the furthering of graduate courses and research in the areas of criminal law and justice policy with an international/ comparative focus. Candidates can apply to the respective graduate programs at the Faculty of Law, UBC (LL.M. and Ph.D.) and the School of Criminology, SFU (M.A. and Ph.D.). Students at either university will have the opportunity to receive credit and participate in courses at the partner institution.

The fields of specialization build on the already established work of the School of Criminology at Simon Fraser University and The Faculty of Law at the University of British Columbia, including the Centre for Asian Legal Studies. This cooperative endeavor also draws on the intellectual resource base of the international Society for the Reform of Criminal Law and its work in criminal law and criminal justice reform with the Commonwealth, the Council of Europe, and the United Nations.

### **Common International Curriculum**

The International Centre, The University of British Columbia and Simon Fraser University, in collaboration with the Max-Planck Institute for Foreign and International Criminal Law of Freiburg, Germany have begun a project to develop a Common Curriculum in Criminal Law and Criminal Justice Policy. The Centre and the Max-Planck-Institute organized the Workshop to Explore the Development of a Common International Curriculum in April, 1994, in Vancouver, that involved experts from around the world. The report on the workshop is available from the Centre. A central coordinating committee was struck by the International Centre and the Max-Planck Institute in December 1994 and a follow up meeting was held during 1995/96. The development of new proposals and a meeting is scheduled for during the winter of 1996-97.

### **Summer Law Program**

The International Centre, in partnership with The University of British Columbia, Faculty of Law and Southwestern University School of Law, Los Angeles, California, facilitate an annual Summer Law Program at Green College located on The University of British Columbia campus. Courses in Comparative Criminal Evidence; Comparative Criminal Law and Procedure; and International Criminal Law and Criminal Justice Policy were developed and delivered to a group of students during June and July. The class of 1995/96 was the best attended class to date with a total of 42 students. The Centre looks forward to the continued cooperation and success of the summer law program.

### **Course Offerings**

Professional staff of the Centre contribute to academic programs at the two founding universities, as well as other institutions on an ongoing basis. Senior associates have contributed to regular course



offerings by lecturing on relevant international criminal justice topics including international issues regarding women and criminal law and the proceeds of crime

### **Society for the Reform of the Criminal Law**

The Centre continues to support the activities of the Society for the Reform of the Criminal Law. The Centre contributes to preparations for the Society's International Annual conferences, contributes scholarly articles to the Criminal Law Forum and information articles to the Reformer Newsletter. The Society members are involved on an ongoing basis with the work of the Centre.

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## **PUBLICATIONS**

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- Putting Aboriginal Justice Devolution into Practice: The Canadian and International Experience
- Guide to Internet Resources in Criminal Law and Criminal Justice 2nd Edition
- About the Renewal of our Youth Justice System
- International Money Laundering: Enforcement, Challenges and Opportunities
- The Reform of Criminal Procedure: From United Nations Policy to Canadian Law
- The China-Canada Criminal Law and Criminal Justice Needs Assessment Program: Opening the Door
- Opportunities for Renewal in Sentencing and Corrections A Consultation document
- International Advisory Committee Meeting Report on Domestic Violence
- Bibliography of the Effects of Organized Crime on Women and Children
- Renovating Justice: A report of the Vietnam legal needs assessment mission
- States Without Law: The Role of Multilateral Intervention to Restore Local Justice

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## **PRESENTATIONS**

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- CIAJ in Banff, October 1995, *Victims of Crime: The Victim & the Offender*, by Justice B. Kelly
- CBA in Vancouver, October 1995 International Law Section, The Proposed International Criminal Court, by D. Prefontaine
- NJI in Toronto, November, 1995 *Is Punishment Working?*, by D. Prefontaine
- World Federalist Organization in Vancouver, November 1995, The Proposed International Criminal Court, by D. Prefontaine
- UBC Faculty of Law seminar, December, 1995: *Free Press Vs Fair Trial - Judicial Media Interaction* by Justice B. Kelly
- SRCL in Santa Monica, December 1995: *Free Press vs Fair Trial - Judicial Media Interaction*, by Justice B. Kelly
- UBC Legal Studies Group, January 24, 1996: The Proposed International Criminal Court by D. Prefontaine
- NJI in March, 1996, Vancouver: *Is Punishment Working?*, by D. Prefontaine
- ABA in Montreal, May 1996, International Criminal Court by Daniel Prefontaine and Peter Burns
- CIDA Legal and Judicial Roundtable April, 1996
- Canadian Centre for Foreign Policy Development meetings

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**Visiting experts:**

The staff of the Centre is complimented by visiting experts and associates in international criminal law and justice matters from various geographic regions who are located at the Centre for a fixed period of time.

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