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FOREWORD

1999-2000 has been an exciting year for the International Centre – a year in which we have experienced many changes and challenges, as well as a year in which we have embarked on many new initiatives. Meeting its challenges head on, the Centre has continued to make an impact upon national and international efforts to reduce crime and improve justice, while respecting the fundamental principles of human rights and the freedom that we all cherish.

Throughout this past year the Centre has continued to make a significant contribution to Canada's international efforts in the area of crime and justice reforms. I am delighted to note the express support and confidence of the Government of Canada in this regard. I would also note the important, continuing affiliation and support of the United Nations Crime Prevention and Criminal Justice Division in the work of the Centre.

In 1999-2000 the China-Canada Criminal Law and Justice Program and the Corrections Program have continued to flourish. Components of the China program now include a project on International Human Rights Covenants. In addition to China the Corrections program continues to develop new partnerships and make inroads both in Central America and Africa.

This past year also saw the Centre take on a number of new activities, many of which will have an impact upon the Centre's program of work for several years to come. Highlights of this year's activities include the development of a manual for the International Criminal Court, a review of the implementation of the *Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará)* and the development of model guidelines for the effective prosecution of crimes against children.

I wish to acknowledge the important contributions made by the Board, supporters, the many national and international partners, and most importantly the dedicated team at the Centre. It is through our co-operative partnerships that we have been able to so successfully marshal effective teams capable of responding to any task at hand.

To conclude, I would especially like to thank the many individuals, agencies, and partner institutes that have supported and assisted the Centre in many ways. It is because of this support that the future of the International Centre will continue to be both exciting and promising. We look forward to working with you, our colleagues and friends, as we face the new challenges that lie ahead.

Daniel C. Préfontaine, QC
Executive Director

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ANNUAL REPORT 1999-2000

BACKGROUND

The International Centre for Criminal Law Reform and Criminal Justice Policy is an independent, non-profit, international institute based in Vancouver, Canada. It was established in 1991 as a joint initiative of the University of British Columbia, Simon Fraser University and the International Society for the Reform of Criminal Law. The Centre is an affiliated inter-regional institute of the United Nations Crime Prevention and Criminal Justice Programme. Its mission is to promote the rule of law, human rights, democracy and good governance. It fulfills this mission by contributing to national and international efforts to support law reform initiatives and to improve the administration of criminal justice. The Centre's objectives are to contribute to international policy development through analysis, research and consultation and to provide technical assistance to implement international human rights and criminal justice standards.

ACTIVITIES OF THE CENTRE

The International Centre conducts research and policy analysis, undertakes the development and delivery of technical assistance programs and provides public information, consultation and education relating to the field of international criminal law, criminal justice policy and crime prevention issues. In its role as an affiliated institute of the United Nations, the Centre participates in the annual meetings of the United Nations Commission on Crime Prevention and Criminal Justice, and the coordination meetings of the United Nations Crime Prevention and Criminal Justice Programme Network. The Centre contributes to the work of the United Nations Centre for International Crime Prevention, Office for Drug Control and Crime Pre-

vention. The Centre has also established cooperative working relationships with other international bodies, institutes and associations. Furthermore, the Centre facilitates the exchange of information and expertise in support of Government of Canada's national and foreign policy objectives in promoting reforms to criminal justice and human rights.

GOVERNANCE AND FINANCIAL SUPPORT

The Centre is governed by a Board of Directors consisting of two representatives of the University of British Columbia, Simon Fraser University, and the International Society for Reform of Criminal Law, and one representative each of the Department of Justice Canada, the Department of the Solicitor General Canada, the Ministry of the Attorney General of British Columbia, the Centre's Chief Executive Officer and, *ex-officio*, the Officer in Charge, United Nations Centre for International Crime Prevention. The Centre is managed by the Chief Executive Officer.

The Centre is supported in part from the endowment funds established by the British Columbia Law Foundation, the Ontario Law Foundation and the Vancouver Foundation. In addition, the Government of Canada through the Departments of Justice and Solicitor General, the Government of British Columbia through the Ministry of the Attorney General, the University of British Columbia and the International Society for Criminal Law Reform provide financial assistance.

Aside from the full and/or part-time positions of the Executive Director, Corporate Secretary, Administrative Assistant and Accountant, other professional staff members are contracted as Program Directors, Coordinators, Associates and Researchers of the Centre through separate project funds. Most of the Centre's programme initiatives are funded separately through project funding from the Canadian International Development Agency, the Correctional Service of Canada, the Department of Foreign Affairs and International Trade Canada, the Department of Justice Canada, the National Crime Prevention Centre, the Department of Solicitor Gen-

eral of Canada, the Ford Foundation, the Ministry of the Attorney General of British Columbia, the Royal Canadian Mounted Police, and the Organization of American States Inter-American Commission of Women. The Centre also benefits from the volunteer services of a number of professionals, students, and visiting scholars and practitioners.

The Centre's governing Board of Directors must approve the annual Programme Plan and budget. An external audit of the Centre's core and Programme activities is done on an annual basis to ensure that the Centre has fulfilled its reporting and audit responsibilities in accordance with the Guidelines of the Treasury Board of Canada and the British Columbia Societies Act. In addition, a review of the Centre was initiated during the 1999-2000 fiscal year. Canada requested that the Department of the Solicitor General conducts an audit of the Centre and that the Department of Justice Canada conducts a review of the Centre. The results of the Audit and the Review will be communicated to the Centre during the 2000-2001 fiscal year. The following statement is a summary of the Centre's Financial Report for the 1999-2000 year.

FINANCIAL SUMMARY 1999 - 2000

REVENUE

Core Revenue	296,159	
Project Revenue	526,028	
TOTAL		840,010

EXPENSES

Salaries & consulting fees	242,397
Office expenditures	16,285
Publications & Printing	3,872
Telecommunications	5,393
Travel	20,329
Conferences	1,543

PROJECTS

CIDA CHINA Crim Proc.	158,627
FORD CHINA Crim. Proc.	37,927
CIDA CHINA Legal Aid	61,947
CIDA CHINA Int'l Human Rights	22,250
CSC - Sentencing & Corrections	55,000
US Sec.State - Money Laundering - Asia Pac.	10,236
SEAFILD - Thailand - Child Protection	4,243
IAP/ISRCL - Model Prosecution Guidelines	30,693
DFAIT - Small Arms Roundtable	22,500
OAS - Review of VAW Convention (43,474 US)	62,602
DFAIT - International Criminal Court	65,000
DoJ - Violence Against Women	10,494
NCPC - 10th Congress Workshop	5,350
Lecture Series	3,322
TOTAL	840,010

BOARD OF DIRECTORS 1999-2000

Chairman of the Board & UBC Representative

Prof. Peter T. Burns, Q.C.
Professor - Faculty of Law
University of British Columbia

Attorney General of BC Representative

Ms. Maureen Maloney, QC
Assistant Deputy Attorney General
Min. of the Att. Gen. of BC

SFU Representative

Prof. Mark Carter
Professor - School of Criminology
Simon Fraser University

International Centre Representative

Mr. Daniel C. Préfontaine, QC
Executive Director
International Centre for Criminal Law
Reform and Criminal Justice Policy

UBC Representative

Prof. Elizabeth Edinger
Associate Dean, Faculty of Law
University of British Columbia

United Nations Representative Ex Officio

Mr. Jan J.M. van Dijk
Officer in Charge
United Nations Centre for International
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Mr. Ronald L. Gainer
Gainer and Rient

Secretary to the Board

Kathleen Macdonald
International Centre for Criminal Law
Reform & Criminal Justice Policy

International Society Representative

Hon. Frank Iacobucci
Supreme Court of Canada

Solicitor General of Canada Representative

Mr. Ole Ingstrup
Commissioner
Correctional Service of Canada

PROGRAM ACTIVITIES

Corrections Program

The International Centre, with the financial support and assistance of the Correctional Service of Canada, maintains an ongoing program of work in the area of corrections. Through this program the Centre promotes the implementation of human rights standards and principles, as well as other UN standards and norms in crime prevention and criminal justice, as they relate to corrections and the treatment of offenders. Activities include the provision of technical assistance, policy development, information exchange and training. Resource mobilization to carry out these activities remains fundamental to the program. Highlights of the 1999-2000 Corrections Program include:

- Under the China Corrections Phase II Criminal Law and Criminal Justice Program, conducted a series of lectures and presentations in China that provided an overview of Corrections and Conditional Release processes in Canada, international alternative to incarceration practices, international standards and covenants, and a general introduction of human rights principles related to the treatment of offenders.
- Undertook joint research and writing of a China/Canada comparative corrections book.
- “Chain Linked Project” - in collaboration with the Netherlands Support to Public Prosecutions Project, the Danida (Danish) Judiciary Programme and Ugandan criminal justice officials, initiated a pilot program to demonstrate the benefit of a greater integration and co-ordination of roles, functions and activities of the various components of Uganda’s criminal justice system.
- Collaborated to provide both Basic Managerial Skills and Professional Skills Development Training for Correctional Officers of the Uganda Prisons Service.
- Provided advice and assistance to the Namibia Prison Service in the drafting and development of a new policy (mission statement) document.
- Participated in the first “International Training Course on the Living Conditions in Prisons and their Programs” for Latin America.

- Continued to refine and develop a draft model instrument on basic prison regulations and regulatory practices.
- In preparation for the Tenth UN Congress the Centre, contributed to ISPAC’s conference paper providing an “Overview of Restorative Justice – its Programs and its Issues”.
- On behalf of the American Correctional Association, conducted a preliminary survey and developed a draft funding proposal to develop a current practices compendium dealing with infectious diseases in prisons worldwide.

On an ongoing basis provided information, education, and advisory services to a number of different audiences including the general public, non-governmental organizations, government officials, criminal justice and law reform experts and professionals, experts from other areas of social and international development, students and other interested individuals.

China-Canada Criminal Law and Criminal Justice Co-operation Program

The Canada-China Criminal Law and Criminal Justice Cooperation Program is the first Sino-Canadian cooperation program in the area of criminal justice. Since 1995, with funding support from the Canadian International Development Agency and the Ford Foundation, the International Centre has provided assistance through the Program to legal reforms, policy development and professional training in China.

This multi-dimensional Program covers a variety of important subjects for promoting the rule of law and protecting human rights in criminal justice. Phase I of the Program, which started in 1995, focused on assisting China’s reform of the Law of Criminal Procedure. This led to the recognition of the presumption of innocence, increased access to defence lawyers and improvement in many aspects of the trial system. A number of international seminars were also delivered to hundreds of Chinese judges, prosecutors and law students. In 1997, the Program entered a three-year Phase II. The aim was to continue to support China’s implementation of its new Law of Criminal Procedure, develop a new training course at China’s National

Prosecutors College, promote research on the substantive criminal law, share expertise in combating international financial fraud and exchange information in the area of corrections. In 1998, a two-year CIDA-bilateral Canada/China Legal Aid Project was launched to assist in developing the first national Legal Aid Law and Legal Aid System in China. More recently, in late 1999 and early 2000, a CIDA-funded Canada/China Project on Human Rights Covenants was developed and launched. The continuing growth of the Program has demonstrated Canada's commitment to an effective cooperation with China in the area of law, governance and human rights.

The China Program has involved several leading legal institutions in China, including the Supreme Procuratorate, the Ministry of Justice, the Supreme Court, several leading law schools, the Centre for Criminal Law and Justice at China University of Political Science and Law in Beijing (hereinafter "the Beijing Centre"), the National Prosecutors College, the National Legal Aid Centre, justice departments and agencies in several provinces, police academies and many research institutes. Several key Canadian institutions have contributed to the success of various activities of this ground-breaking Program, including the Department of Justice, the Royal Canadian Mounted Police, the Ministry of Attorney General of British Columbia, the Legal Services Society of British Columbia, the Department of Foreign Affairs and International Trade, the Correctional Service of Canada and the National Parole Board, the Law Faculty of the University of British Columbia, the School of Criminology of Simon Fraser University, and many other governmental agencies and legal institutions.

Canada/China Criminal Law and Criminal Justice Cooperation Program – Phase II

Highlights of the 1999-2000 China Program include:

- A Sino-Canadian case study on basic principles of fair trial was launched with the Beijing Centre.

- A research project for developing a new course at the National Prosecutors College was conducted and a textbook on comparative prosecution was published. In 1999, a special seminar was delivered to present the "Draft Model Guidelines for the Effective Prosecution of Crimes Against Children" at the International Association of Prosecutors Conference in Beijing.
- A series of international expert lectures and seminars were delivered to about 400 legal professionals at the National Prosecutors College, China University of Political Science and Law, and the national police academy. Three books published earlier in the China Program, *The United Nations Standards and China's Legal System of Criminal Justice* (1998), *The Prevention and Control of Financial Fraud* (1999) and the complete *Chinese Translation of the Canadian Criminal Code* (1999) were used extensively during these sessions.
- A comparative research book on improving the system of punishment was launched with the Beijing Centre.
- Canadian seminars and papers were delivered to Chinese correctional officers in conjunction with the Shanghai Asia-Pacific Conference for Correctional Administrators, the 1st Shanghai Prison Society Seminar on Canadian Corrections and a China Prison Society Conference on Recidivism and Rehabilitation of Released Offenders in 1999.

Canada/China Legal Aid Legislative Research Cooperation Project

This CIDA bilateral project was completed in March 2000. Following the March 1999 Beijing International Legal Aid Conference, the International Centre continued to assist the Legal Aid Centre of the Ministry of Justice of China in conducting and completing the following project activities to assist China's development of legal aid legislation:

- Twenty-five foreign legal aid statutes, including three Canadian laws, were collected and distributed in a publication titled *Selected Foreign Legal Aid Laws and Regulations* (1999) and translated into Chinese.
- Twenty-two foreign legal aid papers, including ten Canadian papers, were published as *Theories of Legal Aid in Various Countries* (1999) and translated into Chinese.

- Research for China's draft of a national legal aid law and the publication of *Legislative Research for Legal Aid in China* (forthcoming) will present views and discussions on the Chinese draft law.
- Lectures to 200 Chinese legal aid managers and lawyers attending the UNDP-sponsored China Legal Aid Training Program. The 1999 publications were used as reading materials in this Program.

Canada/China Project on Human Rights Covenants

This project aims to assist the Beijing Centre in preparing its expert recommendations for the ratification and implementation of the United Nations Human Rights Covenants in China. China has signed both Covenants in recent years and is in a critical stage of preparing the ratification. The two Covenants are: The International Covenant on Civil and Political Rights (ICCPR) and The International Covenant on Economic, Social and Cultural Rights.

During 1999-2000, the International Centre, in cooperation with the Beijing Centre, completed the initial phase of project development, which produced a detailed work plan. A study tour to Canada was conducted by a four-member team of experts from the Beijing Centre, the Law Committee of the National People's Congress of China, the Supreme Court and the Ministry of Justice of China. The team obtained materials and attended a series of sessions on the Canadian experience in ratifying and implementing the Covenants. A joint research was launched after for the production of a compendium of relevant United Nations instruments and other materials with a focus on ICCPR standards in criminal justice. This project will continue until December 2001.

Review of the Implementation of the Belém do Pará Convention

The International Centre, in cooperation with the United Nations Latin American Institute for Crime Prevention and the Treatment of Offenders (ILANUD) and the Commission of Women (CIM), Organization of American States (OAS), began a review of the implementation of the *Inter-Amer-*

ican Convention on the Prevention, Punishment and Eradication of Violence Against Women (Belém do Pará Convention). The Convention, adopted in June 1994, recognizes that violence against women is a manifestation of the historically unequal power relation between women and men. It is a binding treaty inspired by the *Declaration on the Elimination of Violence Against Women* adopted six months earlier by the United Nations General Assembly. The Convention remains the only regional instrument that addresses and protects the rights of women who are victims of violence. As of January 1999, twenty-nine of the thirty-four member states of the OAS had ratified the convention. Monitoring the progress achieved in implementing the Convention is crucial to the success of collective efforts to eliminate violence against women. The Convention has now been in place for five years and this review will systematically collect information on the progress achieved by countries of the region in implementing it. The results of the review will be examined by a committee of experts, who will meet in Washington and will prepare a report to submit to the delegates of the Commission of Women at the biennial Assembly of Delegates in November 2000.

Crime Prevention and Criminal Justice Strategies to Eliminate Violence Against Women

A Resource Manual developed by the Centre, with the financial assistance of the Department of Justice Canada, was distributed as a conference room document during the eighth session of the United Nations Commission on Crime Prevention and Criminal Justice. The Resource Manual was produced to facilitate the implementation of a set of model crime prevention and criminal justice strategies to eliminate violence against women. A companion tool, a Compendium of Promising Practices, is also available which can be consulted electronically and contains information on successful crime prevention and criminal justice practices and programs to eliminate violence against women. The Resource Manual is available electronically (on disk and from the Centre's web site) and was published in French and

English for distribution during the United Nations 10th Congress on the Prevention of Crime and the Treatment of Offenders (Vienna, April 2000).

The Centre also assisted the United Nations European Institute for Crime Prevention and Crime Control (HEUNI) with the preparation of a two-day workshop on women in the criminal justice system that will be part of the 10th United Nations Congress.

Protection of Children - Model Prosecution Guidelines

A project to develop model guidelines for the effective prosecution of crimes against children was undertaken in co-operation with the International Association of Prosecutors and with the financial assistance of the International Society for the Reform of Criminal Law, and the Ministry of the Attorney General, Province of British Columbia. A questionnaire was developed and distributed to selected countries. The purpose of the survey was to identify the successful practices, guidelines, policies or directives in use by prosecutors dealing with crimes against children. The collected information was used to produce a first draft of model guidelines. The draft was then reviewed and discussed by an international working group of experts. A revised draft of the model guidelines was presented at the annual meeting of the International Association of Prosecutors, in Beijing, September 1999. Final approval of the Guidelines will occur during the 10th United Nations Congress meetings in April 2000. After which, the International Association of Prosecutors will develop an implementation plan focusing on the distribution of the guidelines and the provision of training sessions with the assistance of the Centre. The Centre has made the draft version of the model guidelines available on disk form and on its web site. Copies of the draft version will be distributed at the 10th UN Congress.

Implementation of the United Nations Convention on the Rights of the Child Thailand Protection of Children as Victims and Witnesses

The International Centre's technical assistance project entitled "The Thailand Child Abuse Investigation and Care Project" focuses on assisting with the development of a strategic and operational plan for the introduction of reforms and the development of interagency protocols for an integrated system of caring for child witnesses and victims. The program is financially supported by The Canadian International Development Agency (CIDA) with the Canadian High Commission in Singapore, through the Regional SEAFILD Program. The program deals with the treatment and protection of children as victims and witnesses within the Thai judicial system. Police, social workers, medical staff, prosecutors and teachers will be trained to assist children during the judicial process and help make it easier for them to give evidence in court. The program which began in 1997 in cooperation with the Office of the Attorney General of Thailand, Thammasat University, Bangkok, and The Centre For The Protection Of Children's Rights, Bangkok developed a detailed plan for the implementation of changes to law, policy and training. The focus this year has been on monitoring the progress of the demonstration project in Bangkok. Based on the successful completion of the demonstration project, the Centre plans to conduct a review of the project and hopes to facilitate future implementation at the national level.

International Criminal Court

The Centre continued to support national and international efforts to establish a permanent International Criminal Court (ICC) that will investigate and prosecute those who commit genocide, crimes against humanity and war crimes. The ICC will be created on the basis of the Rome Statute, a treaty adopted at the United Nations Diplomatic Conference of Plenipotentiaries on July 17, 1998 in Rome. Representatives of the Centre attended three meetings of the Preparatory Commission established by the United

Nations General Assembly to draft the Elements of Crime and Rules of Procedure during 1999-00. A project to provide technical assistance to countries wishing to ratify and implement the Rome Statute was undertaken with the financial support of the Canadian Department of Foreign Affairs and International Trade. The project was a joint effort with the International Centre for Human Rights and Democratic Development based in Montreal. Through national and international consultation and cooperation, a team of researchers from both Centres and several independent consultants developed a *Manual for the Ratification and Implementation of the Rome Statute*. The Manual is predominantly directed at Commonwealth and Francophonie legislators in Africa, the Pacific Islands, and the Caribbean that want to implement and ratify the Rome Statute.

Money Laundering – Asia Pacific

The International Centre's project on money laundering in the Asia Pacific is working to promote and facilitate effective co-operation between jurisdictions in the Asia Pacific in combating transnational organized crime through legislative and enforcement action against the laundering of proceeds of crime. The project is supported by the United States Department of State. Research undertaken to date, with the financial assistance of the Department of Justice Canada, the Royal Canadian Mounted Police and the Department of the Solicitor General of Canada, will be used as background information in the planning of a regional training workshop. The Centre has been seeking the cooperation and support of the International Association of Prosecutors, the Asia Pacific Group of the Financial Action Task Force (FATF), and the United Nations Global Programme against Money Laundering. Discussions are ongoing with the office of the Attorney General of Thailand regarding its hosting the regional meeting.

International Consultation Meeting on Firearms

The Centre hosted a meeting of the "Ottawa Group", an international group of advisors on small arms to the Canadian Minister of Foreign Affairs and

International Trade, the Honourable Lloyd Axworthy. The meeting was held at the Simons Foundation in Vancouver and funded by the Canadian Centre for Foreign Policy Development.

The Group reviewed some of the policy development initiatives that have taken place in the area of firearms, small arms and light weapons proliferation during the fourteen months since its last meeting. Given Canada's foreign policy focus on human security, there has been a mounting interest in limiting the negative impact of the proliferation of small arms on human security at the national, regional and international levels. The uncontrolled proliferation of firearms is seen as a particularly dangerous and significant threat to human security. Furthermore, the links between this growing threat to human security and international criminal activity have not gone totally unnoticed. The brief report prepared by the Group was transmitted by the Canadian Centre for Foreign Policy Development to the Minister of Foreign Affairs and International Trade Canada.

The Foreign Affairs and International Trade Canada Lecture Series

The Honourable Mr. Justice Boštjan Zupančič, of the European Court of Human Rights, lectured in Vancouver on "The Privilege Against Self-Incrimination as a Human Right", on November 1, 1999, as part of the Centre's Foreign Affairs and International Trade Canada Lecture Series. Justice Zupančič discussed the jurisprudential justification for the privilege against self-incrimination, and the latter's logical reciprocity with the rule of law. Justice Zupančič spoke to both the University community and the Vancouver legal community.

Southwestern University School of Law, Summer Law Program

The Centre continued to coordinate the annual summer law school program for California's Southwestern University School of Law. The program is offered in cooperation with the University of British Columbia's Faculty

of Law. Law students from the United States and Canada participate in the annual program that offers a variety of academic and cultural experiences. The curriculum focuses on international criminal law and trade law, as well as comparative aspects of the Canadian and American justice systems.

International Society for the Reform of Criminal Law

The Centre assisted the International Society with the organization of its annual conference, *Commercial and Financial Fraud: A Comparative Perspective* held July 8-12, 1999 in Malta. The conference focused on national and international responses to combat investment and banking fraud, mutual funds and insurance fraud, securities fraud, electronic and information fraud. A paper, "Corporate Criminal Liability: National and International Responses", written by Markus Wagner, the Centre's visiting student, was distributed at the Conference.

8th United Nations Commission on Crime Prevention and Criminal Justice

One of the primary functions of the Centre is to be a credible and efficient vehicle for Canadians and the Canadian government to make specific contributions, at the international level and in the United Nations context in particular, to various criminal law reform and criminal justice initiatives. As such, the Centre attends the annual UN Commission meetings on Crime Prevention and Criminal Justice. In April 1999, the Centre participated in the eighth session of the United Nations Commission on Crime Prevention and Criminal Justice meeting. The Centre also participated in the work of some of the meetings of Ad Hoc Committee on the Elaboration of a United Nations Convention Against Transnational Crime. Although resources did not allow for the Centre's direct participation in all of the Transnational Crime Ad Hoc Committee meetings throughout the year, the Centre is committed to supporting the effort as resources permit.

Visiting Associates Program

Associate Professor Liu Mei, China University of Political Science and Law, Beijing, China, was awarded a 12 month fellowship from the Canada-China Scholar Exchange Programme, and joined the Centre to undertake research in the field of Canadian criminal procedure and evidence. Prof. Liu Mei produced two Chinese research papers: *A Comparative study of Lawyers Systems and Criminal Defense in Canada and China*, (The Journal of Beijing Lawyer) and *Introduction to Canada's Criminal Justice System* (The Law Press).

Visiting student, Markus Wagner, from the University of Giessen, Germany, spent almost a year at the International Centre from September 1998 to July 1999. During his stay, Markus concentrated his research on international relations, human rights, and Transnational Organized Crime. He also paid special attention to the development of the International Criminal Court. Markus participated in several research papers and also enrolled in three courses with the UBC Faculty of Law during his stay.

Visiting Fellows Program

A Committee of the Board of Directors has been established to help establish a Visiting Fellows Program. The two proposed fellowships will be selected annually, one Canadian and one from a foreign country. Fellows will be selected from a pool of lawyers, judges, law and social science academics and graduate students who are interested in participating for three to six months in the Centre's activities.

PROGRAM OF WORK 2000-2005

The International Centre's Program of Work is approved annually by the Board of Directors and covers the fiscal year period of April 1 to March 31. Traditionally the Program of Work identifies the priority areas of work the Centre will focus on for a one - two year period. This program of work contains the proposed priority areas for the period of 2000-2005 including work projects in progress, projects under consideration, and programs or projects in the proposal stage. As most of the activities must be undertaken on a cost-recovery basis, there is some uncertainty as to whether or not sufficient funds will be available to carry out each of the proposed activities and projects. Full implementation of the approved program and all or any of its components is conditional upon the receipt of sufficient funding.

OBJECTIVE

- To contribute to international criminal justice policy development through analysis, research and consultation.
- To provide technical assistance to implement international policy and standards.

PROGRAM FOCUS

- I. International Criminal Law
- II. Protection of Human Rights through Criminal Law in National Systems
- III. Criminal Law Responses to Emerging Threats to Human Security

BACKGROUND

The International Centre was established in Vancouver, British Columbia, Canada in 1991 at the initiative of the Canadian government. Its founding partners are the University of British Columbia, Simon Fraser University and the International Society for the Reform of Criminal Law. Affiliated

with the United Nations it is one of two interregional institutes in the United Nations Crime Prevention and Criminal Justice Programme. The Centre's mission is to promote the rule of law, human rights, democracy and good governance. It fulfills its purpose by contributing to local, national and international efforts to support law reform initiatives and to improve the administration of criminal justice. The Centre, as outlined in the Canada - United Nations Agreement, supports and contributes to the policies, and activities of the United Nations Crime Prevention and Criminal Justice Programme, and assists with the achievement of Canadian Foreign Policy objectives.

The International Centre conducts research and policy analysis, undertakes the development and delivery of technical assistance programs and provides public information, consultation and education relating to the international field of criminal law, criminal justice policy and crime prevention issues. Further, the Centre facilitates the exchange of information and expertise to support the government of Canada in both its national and foreign policy objectives in the areas of crime prevention, criminal justice and human rights.

What follows in this document is the desired five-year program of work. The Centre will continue to respond to issues and priorities that are consistent with its objectives, as they arise and as the Centre is able. The Board of Directors will continue to meet on an ongoing basis to review and identify priorities.

MAIN ACTIVITIES

I. International Criminal Law

■ Supporting the Creation of an International Criminal Court

The International Centre continues to support the efforts to establish a permanent International Criminal Court. During 2000-01 the Centre will complete the production of a Manual for the Ratification and Implementation of the 1998 Treaty of Rome. This will be undertaken in collaboration with the International Centre for Human Rights and Democratic Development in Montreal, with the support of the Department of Foreign Affairs and International Trade. The Manual will be distributed in English and French to the U.N. member states and NGO's promoting the creation of the Court. Enhancements and supplementary materials will be developed for distribution later in the year. Participation in the work of the Preparatory Commission meetings during the year will result in further documentation being developed. In addition a major thrust will be undertaken in organizing Regional Training sessions to assist countries in the development of legislation and administrative procedures to assist the ICC when it comes into existence. These sessions will take place during the 2000-01 and 2002-03 with the funding assistance of the Canadian International Development Agency.

■ State Responsibility for Crimes

Research and Policy Analysis will be conducted on the reports of the International Law Commission on State Responsibility for Crimes. This will include participation in working groups of experts.

- **Crimes Against the Peace and Security of Mankind**

During 2002-2005 the Centre will be involved in research, policy analysis and participation in working groups of experts to support the efforts of the International Law Commission and to assist in responding to the needs of member states as they are identified.

- **Analysis and Review of Emerging International Crimes and their Impact**

During 2001 -2003 the Centre will continue to make every effort to respond to requests to be involved in research, policy analysis and participation in working groups of experts conducting analysis and reviews of emerging international crimes and their impact.

II **Protection of Human Rights Through Criminal Law in National Systems**

CRIMINAL JUSTICE POLICY DEVELOPMENT

- **Restorative Justice**

At the Ninth Session of the UN Commission on Crime Prevention and Criminal Justice (April 2000) a draft resolution entitled "Basic principles on the use of restorative justice programmes in criminal matters" was adopted. The resolution, which was introduced by Canada, calls for the Secretary general to seek comments from member states, as well as relevant intergovernmental and non governmental organizations, as well as the UN Network of Institutes, re the desirability and means of establishing common principles on the use of restorative justice programs. It also calls for the holding of an experts meeting to review the comments received, and to examine the possibility of developing an instrument such as a declaration of basic principles on the use of restorative justice programs in criminal matters. The Centre has received a preliminary request and pro-

poses to assist Canada in the organization of this "Experts Meeting", the drafting of a declaration or similar instrument and subsequent reporting to the Commission.

- **Alternatives to Incarceration**

Overcrowding in prisons, is one of the most severe and critical challenges faced by correctional jurisdiction worldwide, particularly in developing countries. Through the provision of information, organization of meetings and seminars, and demonstration projects, the Centre will continue to promote of the use alternative measures and influence policy development aimed at responsibly reducing prison populations.

- **Anti-Corruption Strategies**

In view of the Centre's past experience in this field, the Centre in April 2000 had discussions with the Vienna Centre regarding support to be provided to the UN Global Programme to combat Corruption. Specific issues to deal with commercial and financial fraud, honest justice systems, good governance, and the development of an international strategy against corruption were identified as possible areas to be explored. A proposal to undertake a research and information gathering program of work will be developed for the purpose of consultation and obtaining financial assistance.

- **Cyber Crime**

The International Centre is assisting the program committee of the Canadian Institute for the Administration of Justice (CIAJ) in the planning of the CIAJ Annual conference, to be held in Victoria, BC., October 12-14, 2000. The Conference theme is "Science, Truth and Justice" with a full session dedicated to criminal law issues involving the Internet.

The Centre will develop a research proposal to examine the impact of international criminal activity, through the use of the internet and computers, on local and national systems.

TECHNICAL ASSISTANCE

■ Corrections

Through its ongoing program of work in the area of corrections the Centre promotes the implementation of human rights standards and principles, as well as other UN standards and norms in crime prevention and criminal justice, as they relate to corrections and the treatment of offenders. Activities include the provision of technical assistance to policy development, information exchange and training. Resource mobilization to carry out these activities remains fundamental to the program.

■ China

The International Centre, with the financial assistance of the Canadian International Development Agency and the Ford Foundation, has continued to support the reform of the law and criminal justice system as well as the implementation of international standards in China. The Centre provides the prime source of Canadian expertise to support the initiatives of law reform and the training activities of the Centre for Criminal Law and Justice in Beijing, the National Prosecutors College, the National Legal Aid Centre of the Ministry of Justice of China, and the China Prison Society. The Centre also assists other legal institutions including the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Justice and the Ministry of Public Security of China. The Centre's China Program this year will focus on at least two components of technical cooperation: first, the implementation of China's new Law of Criminal Procedure and reforms to criminal law and corrections; second, ratification and implementation of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Each component will consist of comparative research, conferences for legislative and policy development, exchange visits and advisory services. These activ-

ities involve the sharing of expertise, systematic collection and joint translation of inter-national materials in law and criminal justice, joint publications for information dissemination, joint-authoring of teaching materials for the training of legal practitioners and scholars, as well as lectures and seminars at law schools and judicial training colleges. Most of the activities are undertaken with the support of governmental and legal institutions in Canada and other western jurisdictions. The Centre will also continue to support rule of law initiatives that are organized by international donor agencies in China.

■ Thailand

The on-going, Thailand Child Abuse Investigation and Care will be completed during the 2000-01 year. The project is a multi-disciplinary, integrated services one that deals with the treatment and protection of children as victims and witnesses within the Thai judicial system. Police, social workers, medical staff, prosecutors and teachers will be trained to assist children during the judicial process. Successful completion of the project is expected to produce an effective model that is intended for replication throughout Thailand and possible other Asian countries.

■ Protection of Children - Model Guidelines

Model guidelines for the effective prosecution of crimes against children were developed in co-operation with the International Association of Prosecutors and the financial assistance of the International Society for the Reform of Criminal Law. A revised draft of the model guidelines was presented at the annual meeting of the International Association of Prosecutors, in Beijing, September 1999. A plan focusing on the distribution of the guidelines and the provision of training sessions is being developed by the International Association of Prosecutors with the assistance of the International Centre.

MONITORING AND ASSISTING THE IMPLEMENTATION OF INTERNATIONAL CONVENTIONS AND HUMAN RIGHTS INSTRUMENTS

■ **Review of the Belem do Para Convention - OAS**

The International Centre, the Latin American Institute for Crime Prevention and the Treatment of Offenders (ILANUD), and the Inter-American Commission of Women (CIM), Organization of American States, are conducting a review of the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women (Convention of Belém do Pará). The purpose of this project is to review the progress made in implementing the Convention of Belém do Pará, in selected countries in the Americas, during the five years following its adoption by the OAS General Assembly. The review refers to both the specific provisions of the Convention as well as the model crime prevention and criminal justice strategies, adopted by the United Nations General Assembly, to eliminate violence against women. The project will be completed during the Summer 2000 and the results of the review will be considered by the Assembly of Delegates, Commission of Women, in November 2000.

■ **Other**

As an interregional UN institute, the Centre will continue to respond, where possible, to the ongoing requests for technical assistance as they meet the priorities of Canada and the UN Crime Prevention and Criminal Justice Programme. The Centre will generally monitor the progress achieved in implementing various international conventions in the field of crime prevention and criminal justice. In particular, it will participate, as required, in activities to promote the implementation of the proposed new United Nations Convention against Transnational Organized Crime and its supplementary protocols on the con-

trol of various forms of trafficking in firearms, human beings and illegal migrants.

III **Criminal Law Responses to Emerging Threats to Human Security**

The 10th United Nations Congress on the Prevention of Crime and Treatment of Offenders adopted the "Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century" as part of its report to the 9th UN Commission. The Commission, including Canada, expressed full support for the Vienna Declaration on Crime. The Vienna Declaration identifies a number of priority areas for the UN Commission on Crime Prevention and Criminal Justice. The Centre, in co-operation with the Centre for International Crime Prevention, ODCCP in Vienna, and possibly other members of the UN Programme Network of Institutes, plan to develop a collaborative program of work on three of the identified priorities of the Vienna Declaration. Discussions have begun with the Vienna office on how best to collaborate and address the issues of:

■ **Crimes related to xenophobia and other forms of intolerance**

The Centre will develop an issue identification paper and research project on the question of combating violence stemming from intolerance on the basis of ethnicity. It will, together, with the International Centre for Crime Prevention, prepare a contribution to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance which will take place in 2002

■ **Economic and Commercial Crimes**

The Centre will examine the feasibility of developing a program of research on the rapidly changing nature of economic and commercial crimes and the capacity of national criminal justice systems to control these emerging new forms of economic criminality.

- **Trafficking: Human Beings, Small Arms, Drugs**

The Centre intends to participate, as much as possible, in the activities of the United Nations Crime Prevention and Criminal Justice Programme to assist States in capacity-building, including obtaining training and technical assistance and in developing legislation, regulations and expertise, with a view to facilitate the implementation of the United Nations convention against Transnational Organized Crime and the protocols thereto. In particular, the work of the Centre will focus on measures to combat trafficking in human beings and trafficking in firearms.

IV Pubic and Professional Education and Information

The Centre will continue to bring an international perspective to its local, regional and national partners on matters and priorities related to crime prevention, criminal justice and human rights. In particular the Centre will continue to deliver an International Lecture Series that promotes the exchange of information on criminal law reform and criminal justice policy. The Centre will continue to organize and participate in and organize seminars and expert meetings as related to the identified priorities of the United Nations Crime Prevention and Criminal Justice Program and the Canadian Governments national and foreign policy objectives in the areas of crime prevention, criminal justice and human rights.

The Centre will provide consistent, professional communications through its re-search activities and the production and distribution of publications, reports, a Newsletter on a quarterly basis, informational packages on each of its programs, and the annual program of work plan and annual report. The Centre will continue to encourage the use of its www site to assist and contribute to the global exchange of information on criminal justice and human rights. The site will contain the reports and descriptions of the Centre's activi-

ties, programs, upcoming events, a bibliography of all products as well as a variety of associated links, including the United Nations Online Crime and Justice Clearinghouse (UNOJUST).

V Institutional Responsibilities

The ongoing responsibilities, events and activities of the Centre function independently of its programs and projects. As an inter-regional institute of the United Nations Crime Prevention and Criminal Justice Programme, the Centre acts as a link to the UN Crime Prevention and Criminal Justice Programme, the network of institutes as well as a number of other international bodies. The Centre plans to continue to carry out a number of activities and commitments on an annual basis, including:

- Assisting and responding to requests for national technical assistance
- Conducting research
- Supporting and contributing to the annual meetings of the United Nations Commission on Crime Prevention and Criminal Justice
- Supporting and participating in the meetings of the institutes comprising the UN Crime Prevention and Criminal Justice Programme as well as the Ad Hoc Committees of the UN Crime Commission
- Coordinate annually, in collaboration with the UBC Faculty of Law, the Southwestern University School of Law Summer Law Program
- Develop a Visiting Fellows Program
- Maintain an ongoing visiting scholars/researchers program
- Project/program development and proposal writing
- Program/project management, including assisting with project implementation and on-going activities
- Supporting and contributing to the annual conference of the International Society for the Reform of Criminal Law
- Developing collaborative initiatives with national and international organizations.

REPORTS AND PUBLICATIONS

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