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# **INTERNATIONAL CENTRE FOR CRIMINAL LAW REFORM AND CRIMINAL JUSTICE POLICY**

## **ANNUAL REPORT 2011 – 2012**

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**The International Centre for Criminal Law Reform and  
Criminal Justice Policy (ICCLR) /  
Le Centre international pour la réforme du droit criminel  
et la politique en matière de justice pénale (CIRDC)**

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## **INTRODUCTION**

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The International Centre for Criminal Law Reform and Criminal Justice Policy (“ICCLR” or the “Centre”) is an international institute based in Vancouver, Canada. Founded in 1991, ICCLR is a joint initiative of the Government of Canada, University of British Columbia, Simon Fraser University, the International Society for the Reform of Criminal Law, and the Province of British Columbia. It is officially affiliated with the United Nations (“UN”) pursuant to a formal agreement in 1995 between the Government of Canada and the UN. Through its activities, the Centre contributes to the priorities of Canada and the United Nations in the field of criminal law and criminal justice.

The Centre is incorporated under the *B.C. Societies Act* and is registered as a charitable, non-profit institution in Canada. It relies upon financial support from foundations, individuals, government and academic institutions.

## **MANDATE**

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The mandate of the Centre is to promote the rule of law, democracy, human rights, and good governance in criminal law and the administration of criminal justice, domestically, regionally and globally. The Programme assists with current Canadian priorities including efforts to combat transnational organized crime and corruption; to ensure safe and secure communities for Canadians; to emphasize the rights of victims; to actively promote protection of children and women; to enhance effective and fair justice systems, and to promote international cooperation in the fight against serious crimes. The underlying premise of ICCLR’s efforts is that a fair, responsible, ethical and efficient criminal justice system forms the foundation for economic development, social progression and human security.

## **ANNUAL REPORT OF 2011 - 2012**

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The International Centre for Criminal Law Reform and Criminal Justice Policy completed a successful year with particular attention focused on programmes addressing the globalization of crime, emerging crimes, anti-corruption, community corrections, prison reform, criminal justice efficiencies, identity-related crime, violence against women, and environmental crime. As in the past, we collaborated closely with our stakeholders and partners including the UN Office on Drugs and Crime, the BC Ministry of the Attorney General and key departments of the Government of Canada including Justice, Public Safety and Foreign Affairs, to affect meaningful positive change on critical international issues pertaining to the rule of law, human rights, democratic development and good governance. In responding to new and emerging crimes, the Centre continues its national and international efforts to reduce crime and improve justice, while respecting the fundamental principles of human rights.

### **I. PROMOTING EFFECTIVE COOPERATION IN TACKLING TRANSNATIONAL ORGANIZED CRIME AND CORRUPTION**

Transnational organized crime and corruption are complex crimes that are increasingly difficult to detect. Criminal groups operate across sovereign borders, involving multiple jurisdictions and different judicial systems, and are increasingly using new technologies to commit crimes and evade detection. No one single jurisdiction can act and effectively defend itself on its own. There is thus an urgent need for Canada to cooperate with other states to combat organized crime and corruption via the exchange of crime information, the collection of evidence, the restraint and confiscation of crime proceeds, and the improvement of international cooperation to address organised crime, security and terrorism. Such initiatives respond to the Canadian government's priority of ensuring public safety and combating crime.

The Centre continues to address the issue of corruption. It participated in three anti-corruption related meetings held in Marrakech, Morocco on October 22 - 28, 2011: the 5th Annual Conference and General Meeting of the International Association of Anti-Corruption Authorities (IAACA), the 2nd International Workshop on the Academic Anti-Corruption Curriculum Initiative, and the 4th Session of the Conference of the States Parties to the United Nations Convention against Corruption (UNCAC). As a result, ICCLR is participating in the collaborative Anti-Corruption Curriculum Initiative to develop curricula, modules and other educational tool to assist persons seeking to provide anti-corruption training.

The Centre produced a research paper entitled *Fighting Corruption in Canada: Practices from Abroad to Improve Our Response*. ICCLR provided this paper to the Department of

Justice to assist in further defining and generating ideas for improving the detection, investigation and prosecution of domestic and transnational corruption. It will also be available on the ICCLR website. The Centre provided written input to the discussion topics for a roundtable organized by the Department of Foreign Affairs and International Trade (DFAIT) “Canadian Workshop: New Ideas for Canada’s Fight Against Foreign Bribery” held in Ottawa from January 24-25, 2012.

As part of its awareness raising activities, ICCLR organised an information table on December 9, 2011 at the Faculty of Law, University of British Columbia to celebrate International Anti-Corruption Day. Anti-corruption materials from the United Nations Office on Drugs and Crime (UNODC) were disseminated to law students, professors and the general public.

The Centre publication, *Responding to Victims of Identity Crime: A Manual for Law Enforcement Agents, Prosecutors and Policy-Makers*, is continuing to be widely disseminated. The manual was uploaded for on-line use by the Canadian Police Knowledge Network (which has 68,153 registered users), and the Calgary and Toronto Police e-resources. Paper copies were also distributed at the UN Crime Commission meeting in April 2011.

## II. PROTECTING VICTIMS OF CRIME, IN PARTICULAR CHILDREN

Canadian government priorities include providing safe and secure communities and emphasizing the rights of victims, including the protection of children and women. Victims are entitled to access the mechanisms of justice and to prompt redress for the harm that they have suffered. Victims should also be treated with compassion and respect for their dignity. Child victims and witnesses of crime have the right to have their best interests given primary consideration, while safeguarding the rights of an accused or convicted offender. ICCLR’s programmes focus on protecting victims of crime, especially those who are most vulnerable: women, children and Aboriginal people, as well as those victims considered “invisible”, such as victims of environmental crime.

ICCLR published and disseminated broadly two Briefing Notes. One was on victims of environmental crime and the other was on the Updated Model Strategies and Practical Measures to Eliminate Violence against Women in the Field of Crime Prevention and Criminal Justice.

ICCLR was a co-sponsor of an International Women’s Day event in Abbotsford, B.C. on March 8, 2012 and two of ICCLR associates were involved in the organizing committee and participated in “Sharing, Supporting and Strengthening Lives: What Makes Us

Vulnerable? What Gives us Strength". This event launched the new Fraser Valley Coalition for Women.

### **III. HELPING DEVELOP MORE EFFECTIVE AND FAIR JUSTICE SYSTEMS IN CANADA AND ABROAD**

A fair justice system is one of the pillars of democratic societies. When application of the rule of law is weak, corruption flourishes. Bribery, kickbacks, bid rigging, and policy favors for family and cronies are well known in countries with weak justice systems. Likewise, a fair and transparent justice system can prevent such abuses from occurring and hold accountable those who violate the law. Through capacity-building projects in the justice sector, ICCLR promotes human rights, the rule of law and democratic reforms both within Canada and abroad. Enhancing the criminal justice systems in fragile and failed states helps to limit the opportunity and the impact of organized crime and corruption on Canadian communities.

#### **Assisting the process of prison reform in South Sudan - Phase III**

For the past four years, the Centre has partnered with the UNODC, the United Nations Mission in Sudan (UNMIS) and later the United Nations Mission in South Sudan (UNMISS), and the National Prisons Service of South Sudan, to reform the prison system in South Sudan, a priority country for Government of Canada development efforts. The Prison Reform Project included a review of leadership capacity, strategic planning, prisoner information management, health and hygiene, prison regulations, standing orders, as well as alternatives to prison.

In 2011-2012, the Centre continued to support the development of leadership capacity within the prison system by providing inputs to the development of a core staff and core curriculum for a staff training college and developing a cadre of female leaders. ICCLR supported the development of a probation and aftercare function (unit) and supported the discussion of alternatives to imprisonment with the publication of *Alternatives to Imprisonment in South Sudan: Issues and Policy Options* and the *Manual for Probation and Aftercare Officers*.

#### **China-Canada Legislative Development Project for Community Corrections in China**

ICCLR continues its partnership with the College for Criminal Law Science of Beijing Normal University by jointly implementing a China-Canada Legislative Development Project for Community Corrections in China, which is funded by the Canadian International Development Agency. The purpose of this project is to develop an annotated "model law" for community corrections in China, together with supporting comparative research. A Work Planning Mission was successfully completed in

September 2011, and a study tour composed of 14 delegates including a deputy minister of justice was conducted in November 2011. The visiting delegation met with 36 Canadian representatives from 18 departments, ministries and agencies across Canada, gaining an awareness of relevant Canadian legal, policy and practices for community corrections for assisting the drafting of the Chinese law. The project will be finished in December 2012.

At the request of SINOTEC Industries Inc, a Canadian company, ICCLR organised meetings with two different Chinese delegations. The first delegation headed by the Chinese Ministry of Justice in August 2011 focused on community corrections. The second delegation from the Ministry of Supervision in November 2011 focused on anti-corruption measures. These visits permitted Chinese officials to learn about Canadian experiences in these areas and to dialogue with government counterparts.

### **UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems**

ICCLR continued to support the development of the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems with one ICCLR associate providing input for the gender and legal aid section of the Guidelines and another associate attending the Inter-governmental meeting of experts organised by UNODC.

### **Responding to Domestic Violence in Viet Nam**

An ICCLR representative attended, as an expert, an inter-ministerial conference on challenges and solutions to effectively respond to domestic violence and enhance the protection of the victims of this form of crime in Viet Nam, held in Halong Bay, Viet Nam in December 2011, and contributed to the findings and recommendation report. The associate also assisted in the drafting of the *Handbook for Legal Aid Providers at the Local Level to Provide Legal Aid in Domestic Violence Cases* that will be used throughout Viet Nam.

### **The Prevention of Recidivism and the Reintegration of Offenders**

A Centre's associate drafted a new UNODC Handbook on the Prevention of Recidivism and the Social Reintegration for Offenders. Centre's associates also participated in an expert group meeting on the same topic, as well as an expert group meeting on prison overcrowding organized by the UNODC in Vienna.

## **Ethiopia Ministry of Justice Project**

Until February 2012, the Centre assisted the Ethiopian Ministry of Justice in developing a draft Criminal Justice Administration Policy. In addition, two of the Centre's associates participated in an assessment of the Ethiopian Criminal Justice System conducted by the UNODC. The assessment emphasized how the new Criminal Justice Policy provides a blueprint for criminal justice reforms for many years to come.

## **Addressing Inefficiencies in the Criminal Justice System in Canada**

Building upon the Centre's past report on *Addressing Inefficiencies in the Criminal Justice System* (2009) for the British Columbia Criminal Justice Reform Secretariat, the Centre participated in the fourth National Criminal Justice Symposium in January 2012. This meeting provided influential members of the criminal justice system an opportunity to candidly share, off the record, perspectives on and solutions to the challenges faced by criminal justice stakeholders.

## **IV. HELPING CANADIANS UNDERSTAND THE IMPORTANCE OF INTERNATIONAL COOPERATION AND MUTUAL ASSISTANCE IN THE FIGHT AGAINST SERIOUS CRIMES**

Individual countries cannot fight many serious crimes on their own as current criminal activity is increasingly transnational. This need for cooperation is not only true for many developing countries that lack the expertise, resources, capacity and legal framework to effectively tackle serious crime, it is also true in Canada. Mutual legal assistance between countries, including via mutual legal assistance treaties, can address some of these challenges. At the same time, mutual legal assistance mechanisms can suffer difficulties such as procedural delays, lack of training and difficulties understanding differences between legal systems. Challenges to international cooperation may, in some instances, be more systemic and require a focus on rule of law more broadly. ICCLR's work in this area seeks to overcome these challenges in accordance with the Canadian government's goal to use international cooperation to promote a safe and secure Canada and world.

### **Globalization of Crime - Criminal Justice Responses**

In celebration of its 20th anniversary, ICCLR and the International Society for the Reform of Criminal Law delivered the *Globalization of Crime - Criminal Justice Responses* Conference, from August 7-11, 2011, in Ottawa, Canada.



At this international conference, issues affecting criminal justice at the transnational level such as human trafficking and migrant smuggling, cybercrime, and terrorism were discussed in depth which provided for updates on international cooperation in the post Transnational Organized Crime Convention and Convention Against Corruption period. In addition, strategies for correctional reform, the promotion of a more efficient and accessible criminal justice system and the importance of remaining cognizant of the changing role of prosecutors, the defence, judges, and victims, in international and domestic contexts, were thoroughly discussed.

This conference drew together upwards of 200 judges, legal practitioners, policy-makers, law enforcement personnel, corrections officers, academics, non-governmental representatives and young justice professionals from 21 countries. The international conference provided for a dynamic exchange of current research and innovative praxis, taking place globally, on a vast array of justice issues. While these issues are complex and require further dialogue and discussion, many lessons can be learned from senior justice professionals in their respective areas of expertise. A selection of key articles will be published in an upcoming volume of the Criminal Law Forum.

### **ICCLR Dialogue Series on International Issues**

ICCLR organized a lunch hour dialogue series with ICCLR senior associates, staff and students from the University of British Columbia, Faculty of Law and the Simon Fraser University School of Criminology. The sessions were held throughout the academic year. ICCLR hosted the first session on January 30, 2012. Two of ICCLR's senior associates, the former Special Rapporteur for Iran and the former Chairperson of the UN Committee Against Torture, discussed the workings of the UN system in the matter of how human rights are established, their place in the UN system, and how they are monitored and, in some cases, enforced. The Centre organized the second session on March 14, 2012, where ICCLR's South Sudan Programme was introduced and topics on torture and corruption were discussed.

In addition to student engagement, ICCLR also engaged with other institutes based at UBC. It assisted the British Columbia Law Institute in a research project on family status to provide advice and information on international norms and standards.

### **UN COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE**

ICCLR assisted with the organization of the annual United Nations Crime Prevention and Criminal Justice Program Network of Institutes (PNI) workshop for the UN Crime Commission meeting. The workshop was on "Concrete Examples of Law Enforcement Cooperation in Child Pornography Cases".

During the 20th Commission on Crime Prevention and Criminal Justice (Vienna, April 2011), the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), the Permanent Mission of Finland and UNODC organized a side event to present a new HEUNI three country study. The side event on “Trafficking for forced labour and labour exploitation: examples and practical measures” was chaired by UNODC, was composed of representatives from HEUNI, the Council of the Baltic Sea States Task Force against Trafficking in Human Beings (CBSS-TF-THB) and the International Centre for Criminal Law Reform and Criminal Justice Policy (ICCLR). The Centre’s presentation focused on the Prevention of Human Trafficking.

ICCLR assisted with the preparation of the Crime Commission PNI workshop in April 2012. The workshop was on "Contributions of the PNI to the Effective Implementation of the Salvador Declarations". ICCLR prepared for and presented on one of the five topics, “Responding to the challenges of emerging forms of crime”, which discussed ways to strengthen national crime prevention and criminal justice legislation, policies and practice in respect of emerging forms of crime.

### **ANNUAL SUMMER LAW PROGRAMME**

ICCLR continued its support and participation in the four-week Southwestern Summer Law Programme, held in Vancouver, British Columbia, a collaboration between the University of British Columbia (UBC) Law School, Southwestern University School of Law (Los Angeles, California) and ICCLR. The 2011 programme involved prominent U.S. and Canadian scholars and in 2011 involved 27 Canadian and U.S. law students. It gives US and Canadian students and scholars the opportunity to exchange on current international law issues.

## RECENT REPORTS AND PUBLICATIONS

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- Fighting Corruption in Canada: Practices from Abroad to Improve Our Response (March 2012)

ICCLR prepared this paper for the Department of Justice Canada to assist in further defining and generating ideas for improving the detection, investigation and prosecution of domestic and transnational corruption.

- Alternatives to Imprisonment in South Sudan: Issues and Policy Options and the Manual for Probation and Aftercare Officers (March 2012)

ICCLR published this policy paper to contribute to the discussion of alternatives to imprisonment for the National Prisons Service of South Sudan.

- Health and Hygiene Training Manual for the National Prisons Service of South Sudan (March 2012)

The training manual aims at improving prison health and hygiene for women including specific training on maternal, child and baby health and hygiene.

- Training Manual for Probation and Aftercare Officers of the National Prisons Service of South Sudan (March 2012)

This probation training manual was developed to build the capacity of probation and aftercare officers by providing specialized training on probation and aftercare and child friendly interviewing.

- Criminal Justice Policy (draft for the Ethiopian Ministry of Justice) (February 2011)

ICCLR assisted the Ethiopian Ministry of Justice in developing this draft policy, which provides a blueprint for criminal justice reforms for many years to come. The policy was adopted by the Government of Ethiopia in March 2011

- South Sudan Prison Service Health Responses Training Manual for Prison Officers (November 2011)

This training manual provides basic health and disease prevention information for prisons.

- ICCLR Briefing Note: Eliminating Violence Against Women – Updating the Model Strategies and Practical Measures (October 2011)

- ICCLR Briefing Note: Victims of Environmental Crime – Mapping the Issues (October 2011)

- Towards Human Trafficking Prevention: National And International Expert Group Meetings Final Report (May 2011)

This is a report on the expert group meetings on the prevention of human trafficking organized by ICCLR in March 2011. The main goals of the project were to advance knowledge about the effective prevention of human trafficking for the purposes of sexual exploitation and forced labour and to delineate possible elements of a human trafficking prevention framework for Canada.

- Responding to Victims of Identity Crime: A Manual for Law Enforcement Agents, Prosecutors and Policy-Makers (March 2011)

This Manual is designed to assist Canadian law enforcement, prosecutors and policy-makers respond effectively to victims of identity related crime, with a view to reducing the impact and incidence of such crime.

- Victims of Environmental Crime – Mapping the Issues (March 2011)

This research paper maps out the issues relating to victims of environmental crime and identifying topics requiring further study.

- ICCLR Briefing Note: Human Trafficking in Canada (January 2011)

## BACKGROUND

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To fulfill its mandate, the Centre cooperates closely with a network of local, national and international experts including representatives from Federal and Provincial governments, the legal and academic communities, as well as other members of the United Nations Crime Prevention and Criminal Justice Network of Institutes. The Centre conducts research and policy analysis, undertakes the development and delivery of technical assistance programmes and provides public information, consultation and education relating to the fields of criminal law, criminal justice policy, human safety, human rights, restorative justice and crime prevention issues. Further, the Centre facilitates the exchange of information and expertise to support the government of British Columbia and the government of Canada in meeting their objectives in the areas of criminal justice, crime prevention, and human rights. Since 1991, the Centre has successfully delivered numerous programmes including ones addressing:

Economic Fraud and Identity Related Crime	Southern Sudan Prison Reform
Efficiency and Fairness in the Criminal Justice System	Law Enforcement and Prosecutorial Cooperation
Rule of Law and Human Rights	Human Trafficking
Anti-Corruption	Child Protection
Elimination of Violence against Women	Legal Research
Counter Terrorism	Justice and Public Security
International Criminal Court	Drugs in BC
Restorative Justice	Financial Fraud
Transnational Organized Crime	Law in a Fearful Society
Firearms Protocol	Technical Assistance
Corrections Reform	Public Outreach
International Standards and Norms in Criminal Justice	Visiting Scholars
Victims	International Lecture Series
Young Offenders	International Cooperation
Civilian Police - Peacekeeping	Marijuana Grow-Op Study
Crime Prevention	Money Laundering

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## PEOPLE AT THE CENTRE

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### Full time Employees and Associates:

Kathleen Macdonald, Executive Director  
Eileen Skinnider, Director, Human Rights and Research  
Yuli Yang, Project Coordinator

### Part time project officers, advisors and associates

Daniel C. Préfontaine Q.C., President  
Vivienne Chin, Associate  
Yvon Dandurand, Senior Associate  
Virginia Will, Bookkeeper

## ICCLR & CJP FREQUENTLY USED ACRONYMS

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AGBC	Attorney General Department of British Columbia
AIC	Australian Institute of Criminology
APAI	Association of Paroling Authorities International
APPA	American Probation and parole Association
BC CJA	British Columbia Criminal Justice Association
CBA	Canadian Bar Association
CACP	Canadian Association of Chiefs of Police
CCIC	Canadian Council for International Cooperation
CCIL	Canadian Council International Law
CCJA	Canadian Criminal Justice Association
CCLS	College for Criminal Law Science, Beijing Normal University
CESCA	Corrections Conference of Eastern, Southern and Central Africa
CIAJ	Canadian Institute for the Administration of Justice
CICC	Coalition for an International Criminal Court - NY
CICP	United Nations Centre for International Crime Prevention – Vienna
CIDA	Canadian International Development Agency
CIVPOL	Civilian Police Personnel
CCFPD	Canadian Centre for Foreign Policy Development
CNICC	Canadian Network for an International Criminal Court
CPCJD	Crime Prevention and Criminal Justice Division, United Nations at Vienna
CSC	Correctional Service of Canada
DFAIT	Department of Foreign Affairs and International Trade Canada
DOJ	Department of Justice Canada
ECOWAS	Economic Community of West African States
EU	European Union
FOCAL	Canadian Foundation for the Americas
GoSS	Government of Southern Sudan
HEUNI	European Institute for Crime Prevention and Control, affiliated with the United Nations
IAACA	International Association of Anti-Corruption Authorities
IAP	International Association of Prosecutors
IBCR	International Bureau Children’s Rights
ICAR	International Centre for Asset Recovery, Basel Institute on Governance
ICC	International Criminal Court
ICPA	International Corrections and Prisons Association
ICPC	International Centre for the Prevention of Crime - Montreal
ICRC	International Committee of the Red Cross
ILANUD	United Nations Latin American Institute for Crime Prevention and the Treatment of Offenders
IOM	International Organization for Migration

ISRCL	International Society for the Reform of Criminal Law
ISISC	International Institute of Higher Studies in Criminal Sciences
ISPAC	International Scientific and Professional Advisory Council of the United Nations Crime Prevention and Criminal Justice Program
ISS	Institute for Security Studies
KIC	Korean Institute of Criminology
NAUSS	Naif Arab University for Security Studies
NIJ	National Institute of Justice, USA
NJC	National Joint Committee of Senior Criminal Justice Officials, Canada
NJI	National Judicial Institute, Canada
NPB	National Parole Board of Canada
NPWJ	No Peace Without Justice
OAS	Organization of American States
OECD	Organization for Economic Cooperation and Development
OSCE	Organization for Security and Co-operation in Europe
PNI	United Nations Program Network of Institutes
PSEP	Public Safety and Emergency Preparedness Department, Canada
PGA	Parliamentarians for Global Action
PRI	Penal Reform International
RCMP	Royal Canadian Mounted Police
RWI	Raoul Wallenberg Institute of Human Rights and Humanitarian Law
SFU	Simon Fraser University
SPP	Supreme People's Procuratorate - China
SSPS	South Sudan Prison Service
TACJ	Technical Assistance in the Field of Criminal Justice
TOC	Transnational Organized Crime
UBC	University of British Columbia
UFV	University of the Fraser Valley
UNAFEI	United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders, Japan
UNAFRI	United Nations African Institute for the Prevention of Crime and the Treatment of Offenders, Kampala, Uganda
UNCAC	United Nations Convention against Corruption
UNDP	United Nations Development Program
UNICRI	United Nations Interregional Crime and Justice Research Institute - Turin, Italy
UNMIS	United Nations Mission in Sudan
UNODC	United Nations Office on Drugs and Crime, Vienna
UNTOC	United Nations Convention Against Transnational Organized Crime
VAW	Violence Against Women
WFM	World Federalist Movement



## **ACKNOWLEDGEMENTS**

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## **DONATIONS**

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ICCLR is registered in Canada as a not-for-profit organisation. It relies upon financial support from foundations, academic institutions, governments and individual donations. The Centre issues official receipts for all tax-deductible donations.

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**The International Centre for Criminal Law Reform and  
Criminal Justice Policy (ICCLR) /  
Le Centre international pour la réforme du droit criminel  
et la politique en matière de justice pénale (CIRDC)**

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