

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

Annual Report  
1997-98  
Work Program  
1998-99



## FOREWORD

In its role as an independent, non-profit organization, the *International Centre for Criminal Law Reform and Criminal Justice Policy*, is dedicated to making a meaningful contribution to national, regional and international efforts to combat crime and to improve the administration of criminal justice. The *Centre* supports these efforts through policy analysis, technical assistance, information exchange and research. In doing so, the *Centre* is guided by international human rights standards, Canadian Foreign Policy objectives and United Nations Crime Prevention and Criminal Justice Programme priorities.

This report highlights the *Centre's* major achievements for 1997-98 and plans for the coming year. The *Centre* has had another exceptionally productive year. As in the past, the *Centre* has continued its close collaboration with the International Society for the Reform of the Criminal Law and our other partners. It has organized or helped organize several key national and international events. We have actively participated in and contributed to the work on the United Nations Crime Prevention and Criminal Justice Programme, including the United Nations Study of Firearm Regulation. During the year the *Centre* developed and launched several important programs of work: the China-Canada criminal law and criminal justice cooperation program; the China-Canada legal aid development project, the transnational financial crime program, the project on the rights of the child in Thailand, and developing draft strategies to eliminate violence against women in the criminal justice system. We were successful in renewing our joint initiative with CSC in moving to the operational phase of the corrections and sentencing reform program. Most of these are multi-year initiatives which will continue to define the *Centre's* activities for the coming year and give a tangible expression to its commitment to criminal law reform and the protection of human rights. The *Centre* continued to promote the creation of the Permanent International Criminal Court. Of special note and priority will be efforts to provide support to the UN Crime Prevention Centre on the drafting of the Convention on Transnational Organized Crime.

None of this would be possible without the successful partnerships the *Centre* has with the Department of Justice, the Department of Foreign Affairs and International Trade, Department of the Solicitor General, The Correctional Service of Canada, and the Department of the Attorney General of British Columbia. I also thank the Canadian International Development Agency, SEAFILD, and the Ford Foundation, without whose support we would not have been able to have the successful impact we have in our work

in Thailand and China. I express my sincere appreciation to all of our colleagues in the federal and provincial governments, the non-governmental organisations and our international partner institutes who continue to believe in the *Centre* and help it grow as a dynamic Centre of excellence.

It has been a great personal pleasure to have had the privilege of working alongside my colleagues at the *Centre*. I must also say that one of the most satisfying aspects of my position as Chief Executive Officer of the *Centre* has been the tremendous co-operation and support that my colleagues and I have received from the Chairman, Mr. Peter Burns, QC, the Members of the Board of Directors, as well as faculty members of both the University of British Columbia Law School and the School of Criminology at Simon Fraser University. I also express my gratitude for the strong support that the *Centre* continues to receive from the members of the International Society for the Reform of Criminal Law and the Canadian Bar Association (BC Branch).

I remain convinced that the work of the *Centre* makes an important and practical contribution to the development of criminal law and criminal justice policy in the world. I also believe that it will have a lasting impact and contribute, however modestly, to the lives of individuals and communities everywhere.

Daniel C. Préfontaine, QC  
Executive Director

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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, 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 International Society for the Reform of Criminal Law, with generous contributions from the Government of Canada and the Province of British Columbia. The *Centre* is registered as a charitable, non-profit organization and relies upon financial support from foundations, individuals, government and academic institutions.

The mission of the Centre is to promote human rights, democracy and good governance. These principles provide the Centre with concrete parameters within which to affirm and implement 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 an essential means to defend these values and give them a practical expression in the face of the challenges with which national and transnational crimes continue to confront people of all countries.

Criminal law reform in all legal systems is necessarily a process which evolves over a long period of time as, in most societies, law reform takes place in the context of complex socio-political and socio-economic climates. Coupled with these internal pressures, there are now increasing international influences which directly affect the lives of individuals.

The contribution that the Centre makes to various criminal law reform initiatives is one which reflects its commitment to democratic values and to fundamental human rights. Criminal law reform thus understood is not just a technical 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 *Centre* offers interested individuals and groups an opportunity to participate in several criminal law reform processes by organizing and coordinating participation in



various international fora dealing with crime prevention and criminal justice policy issues. The *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 following document is divided into three main sections. The first one presents the role and mission of the *Centre* in the broader context of international development and international attempts to promote criminal law reform and respect for human rights. This is followed by the *Centre's* annual report for the year 1997-1998, and a summary of its program of work for 1998-1999. Your comments and suggestions, particularly concerning the work program, are very welcome.

## **SOCIAL DEVELOPMENT, HUMAN RIGHTS, AND CRIMINAL LAW REFORM**

The *Centre* has been in existence for six years. Starting perhaps with the creation in 1991 of the United Nations Crime Prevention and Criminal Justice Commission, the international community has come to a new understanding of the importance of criminal law reform. Criminal law reform has revealed itself as a crucial part of any national or international initiative to promote social justice and human rights, international peace, and social and economic security and development. There is also a growing global awareness of the importance of international cooperation and mutual assistance in implementing urgent reforms and meeting the new challenges of crime.

Our societies are undergoing some of the most radical social, political, cultural, economic and technological changes faced in human history. The globalization of business and trade as well as the leap in communications technology has created an environment which criminal elements have used to their advantage, in some cases seriously threatening and destabilizing societies and their governments. Criminal elements have successfully infiltrated the State apparatus in some countries through corruption and bribery thus negatively affecting the process of democracy and the Rule of Law. An effective criminal justice system, based on a democratic process, must be both proactive and determined to protect itself and its people.

The international community today is aware and concerned about the intricate interdependence and balance which exists between social, political and economic development, both within countries and between developing and developed countries. There has been a noticeable growth in the number of international organizations, both governmental and non-governmental, representing different geographical regions, interests and issues ranging from peace, the environment, women's rights to indigenous human rights. The point is that there is an increasing awareness that overall development and sustainable growth must involve and include all aspects of civil society and be included on international development agenda.

## **AN EMERGING AGENDA FOR SOCIAL REFORM AND PEACE**

It is obvious that meeting the new challenges of our times will require that we learn to do things differently. Social development necessarily involves social reform. Social reform will in turn likely require vast and complex reforms to our political, economic and legal institutions, both nationally and internationally. There is no magic road map to guide us through these changes and no country or group can claim to have all the solutions.

At the global level, we collectively face challenges of an enormous magnitude. No country or region of the world can meet such challenges on its own. The fragility of social peace is revealed to us in ways we can no longer ignore. Peoples and nations of the world must learn to cooperate in ways which they can still hardly conceive and they have, by all accounts, little time left to do so. The international situation in the field of crime prevention and criminal justice is not different from that which prevails in most other areas of human activity on this small and vulnerable planet.

However, to say that the international community must learn new modes of cooperation and mutual assistance and that it has little time left to do so, is not necessarily to say that it is totally in the dark. The nature of the social reforms that are called for is being understood more clearly as part of a broad international consensus on human rights, democracy and governance issues reflected in the Universal Declaration of Human Rights (1948), international human rights treaties, as well as declarations adopted at recent UN conferences concerning children (The Children's Summit, New York, 1990), the environment and development (Rio de Janeiro, 1992), human rights (Vienna, 1993), population and development (Cairo, 1994), and in other international fora (Council of Europe, the Commonwealth, La Francophonie, or the Organization of American States).

The last few years have also seen several other international events which have helped delineate the international agenda for social, political and legal reform: the Fourth World Conference on Women (Beijing, 1995); the social summit (Copenhagen, 1995), the Ninth Congress on the Prevention of Crime and the Treatment of Offenders (Cairo, 1995), and Habitat II, "The City Summit," (Istanbul, 1996). In the field of crime prevention and criminal justice, there were also several important declarations and plans of action which were adopted at the regional or inter-regional levels, including declarations by the Commonwealth Law Ministers and "The Cairo Declaration and Plan of Action for Justice, the Rule of Law, Human Rights and Development, 1996-2000" adopted during the Third Conference of Ministers of Justice of La Francophonie.

In fact, however, and notwithstanding cultural and political differences nor the important differences in legal traditions, there is what can only be described as an amazing level of convergence between the various declarations and policy statements that we have referred to. They all point at the importance of international cooperative efforts to promote social development through the development of democratic, just, fair and effective social, political and legal institutions. This obviously must include assigning a high priority to the democratic development and the implementation, with due respect to

human rights and the inherent dignity of all human beings, of just, fair and effective criminal justice policies, systems and practices.

The administration of justice is one of the key components of governance. And, as was emphasized by former Secretary-General of the UN, Boutros Boutros-Ghali (in “An Agenda for Development,” 1995; United Nations Publication E.95.1.16, p. 45), governance may be the single most important development variable within the control of individual states.

In its *Resolutions 49/158* and *50/146*, the General Assembly again recognized the direct relevance of crime prevention and criminal justice in promoting sustainable development, stability, security and improved quality of life. It also recognized the urgent need to increase technical cooperation activities in order to assist countries to translate United Nations’ policy guidelines into practice.

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

## **Canada’s Foreign Policy**

In 1995, the Government of Canada published a major foreign policy statement, *Canada in the World*, which articulates its objectives in the areas of international assistance and social and economic development. Soon after, the Government released *The Government of Canada Policy for CIDA concerning Human Rights, Democratization and Good Governance* (December 1995).

In *Canada in the World* (1995), the Government of Canada made explicit the principles that guide both its foreign and its international assistance policies. In this statement, the Government of Canada articulates a broad concept of international security as the basis for Canadian action and assistance in the international field. It recognizes that “meeting the challenges that this broader security agenda poses means (...) working for the promotion of democracy and good governance, of human rights and the rule of law, and of prosperity through sustainable development” (p. 25).

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

The *Centre* is a significant component of the UN Crime Prevention and Criminal Justice Programme. The Programme, as it now exists was created in 1991 by *General Assembly Resolution 46/152*. The new political will which found an expression in that resolution is being translated into action by:

- Creating the essential mechanisms for practical collaboration against common problems;
- Providing a framework for inter-State cooperation and coordination to respond to the serious new forms and transnational aspects and dimensions of crime;
- Establishing information exchanges concerning the implementation and effectiveness of the UN norms and standards in crime prevention and criminal justice;
- Providing means of assistance, particularly to developing countries, for more effective crime prevention and more humane justice.

In July 1997 the Secretary General of the United Nations, Mr Kofi Annan, announced plans for a major reform to the organization of the United Nations. The new plan established the Office for Drug Control and Crime Prevention (ODCCP). This new office will focus the integrated efforts of the United Nations in drug control, crime prevention and combating international terrorism in all its forms. The ODCCP comprises the United Nations International Drug Control Programme and the United Nations Centre for International Crime Prevention (CICP) now performing the functions of the former Crime Prevention and Criminal Justice Division (CPCJD). Senator Pino Arlacchi, Under Secretary-General of the United Nations, was appointed Director-General of the UN Office at Vienna (UNOV) and Executive Director of the new UN Office for Drug Control and Crime Prevention (UNODCCP).

The UN has identified crime prevention as one of eight priorities of the Organization in its new Medium Term Plan. To reflect the need to preserve an appropriate balance between measures for the protection of human rights and measures for the prevention and control of crime, the Programme continues to emphasize the importance of existing UN instruments, norms, standards, and guidelines in the field of crime prevention and criminal justice. Such instruments exist not only as important guidelines for national criminal justice systems, but also to reaffirm the commitment of the international community to combat human rights violations and to promote the development of stable, just, democratic and prosperous societies at peace with each other. It is clear also that one of the main tasks of the new UN Programme is to raise awareness of the benefits of international cooperation in this field, and to assist countries in implementing international standards and norms. Since, in many cases national legislations do not reflect these standards, support for law reform implementation initiatives is a priority for action.

In carrying out its work the *Centre* cooperates with the other components of the Programme. These include: the United Nations Interregional Crime and Justice Research Institute (UNICRI) in Rome, Italy; the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) in Tokyo, Japan; the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) in San José, Costa Rica, a newly established ILANUD office in São Paulo,

Brazil; the European Institute for Crime Prevention and Control Affiliated with the United Nations (HEUNI) in Helsinki, Finland; the United Nations African Regional Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) in Kampala, Uganda; the Naif Arab Academy for Security Sciences (NAASS) in Riyadh, Saudi Arabia; the International Scientific and Professional Advisory Council (ISPAC) in Rome, Italy; the Australian Institute of Criminology (AIC) in Canberra, Australia; the International Institute of Higher Studies in Criminal Sciences (ISISC) in Siracusa, Italy; the International Centre for the Prevention of Crime (ICPC) in Montréal, Canada; the National Institute of Justice (NIJ) in Washington, D.C., USA; and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, in Lund, Sweden.

Furthermore, quinquennial congresses continue to be held and to act as advisory bodies to the Programme. The Ninth Congress was held in Cairo in April-May 1995 and its recommendations have since been incorporated into the Programme by various resolutions of the Commission and the Economic and Social Council. The Tenth Congress is scheduled to take place in Vienna in April 2000 on the theme "Crime and Justice: Meeting the Challenges of the 21<sup>st</sup> Century".

## **MAJOR COMPONENTS OF THE CENTRE'S PROGRAM**

The major program activities of the *Centre* can be grouped under three major headings: (1) policy development, analysis and research; (2) technical cooperation, assistance and advisory services; (3) public information, consultation and education. In practice, however, the three components are closely interconnected. In addition to these major elements, and taking into account the complexity of the international processes to which they relate, the *Centre* must also devote a significant portion of its efforts and resources to building and maintaining its various links and relationships with its many partners and potential partners in the field of criminal law reform. Finally, for any of the above activities to be at all possible, the *Centre* must maintain an effective executive direction, financial management and program support structure.

### **Policy Development and Research**

At the core of the *Centre's* mission is its ambition to make a contribution to the evolution of criminal justice policy and to law reform at the international level. It does so by attempting to provide all interested Canadian organizations and individuals with an occasion to participate in the endeavour.

In a democratic process, law reform is ultimately the responsibility of elected representatives. The contribution of the *Centre* usually takes the form of participating in consultations and discussions, expert groups meetings and other fora created to promote the sharing of experience and concerns between countries, experts, officials and other

interested groups or organizations. At the international level, the objective of most of these essentially political processes is to arrive at a consensus on shared policy objectives, based on an understanding of research evidence and the existing scientific and professional expertise in a particular area, and to forge a will for joint or concerted action.

To make its full contribution to such policy development processes, the *Centre* must also conduct its own research and consultations. Through the publication of research findings and issues papers and the organization of conferences, seminars and meetings, opportunities are created for specific issues to receive adequate consideration. In the majority of these activities, the *Centre* works in close cooperation with other national and international organizations that share the same objectives and interests. In the area of comparative criminological and legal research, cooperation between researchers and academic institutions of various countries is always an essential element to the success of a project. The *Centre*, whenever possible, is eager to participate in such important comparative research endeavours.

### **Technical Cooperation, Assistance and Advisory Services**

As noted earlier, the *Centre* was established at a time when the importance of the role of technical assistance in giving full effect to international standards and norms in the field of criminal justice was being affirmed. That new emphasis in the definition of international priorities for action was sometimes described as a major paradigm shift. It was characterized as a move from a normative approach to a cooperative approach emphasizing cooperation and technical assistance between jurisdictions.

In that new context, technical assistance soon became one of the three pillars of the *Centre's* own program. However, criminal law reform is a political process, hopefully a democratic one, which is deeply entrenched in cultural choices, values and traditions. Assisting that process can hardly be described as a narrow technical or technocratic exercise. The perception that it is, however, is hard to dispel.

The *Centre* is directly involved in several international cooperation projects, working in all cases in association with other Canadian partners as well as local organizations and other institutes of the UN Crime Prevention and Criminal Justice Programme Network. However, in most cases, the *Centre* defines its role more in terms of "cooperation" and "advisory services" than in terms of technical assistance. In fact, the concept of "technical assistance" too often seems to lend itself to assumptions of cultural superiority as an automatic consequence of technological development. In reality, such assumptions are rarely warranted by an examination of the respective experiences of cooperating countries. In truth, technologically developed countries, even those with very sophisticated criminal justice systems, often face crime prevention problems which are no less serious than those encountered by developing countries. In that context, cooperation

in the field of criminal justice is better understood as a process through which all parties can learn and evolve together and from which all participants can ultimately benefit.

International cooperation and mutual assistance in criminal justice is, relatively speaking, a new field of endeavour. Relatively little is known about what might constitute the best strategies to promote effective cooperation. Improvisation is often the enemy of well thought-out projects, as the need for trust-building, prior needs assessment surveys, transferability evaluations, and long-term initiatives is too often underestimated. Ensuring that collaborative efforts have the desired effect, as opposed to unanticipated disruptive consequences, or that they have a lasting, sustainable impact is always at the heart of the issue in international development efforts. There are many impediments to effective international cooperation in the field of criminal justice which must be identified and addressed. Among these difficulties, the lack of coordination of international development efforts and the potential for unnecessary duplication of initiatives are problems which the international community and, in particular, the UN Crime Prevention and Criminal Justice Programme are trying to address. The need to strategically deploy the extremely limited resources available for the task poses yet another challenge.

## **Public Information, Consultation and Education**

Given its commitment to a vision of criminal law reform as a participatory and democratic process through which difficult collective choices must be made both nationally and internationally, the *Centre's* public information, consultation and education function is indeed a crucial part of its mission.

The *Centre* is frequently called upon to provide information, education, and advisory services to serve a number of different audiences. These may include 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. The services provided by the *Centre* to respond to such requests can range from responding to simple requests for a copy of a particular UN declaration or standard, to preparing complex briefs and participating in formal hearings or informal discussion groups, to time consuming efforts to publish original research or proceedings of a consultation meeting or even efforts to expand the existing knowledge base in a particular area and disseminate the results.

However, given its mandate to broadly communicate, promote and explain international standards in the field of criminal justice, the *Centre's* activities in this area are not always reactive. There are many instances where the *Centre* must adopt a proactive approach in disseminating information, publishing research findings, describing successful or promising practices, and generally facilitating communication and information exchanges between people involved in criminal law reform everywhere. In the interest of making relevant



information as widely accessible as possible, the *Centre* is particularly interested in joint information dissemination projects with other components of the Crime Prevention and Criminal Justice Programme, academic institutions and groups, professional associations and other non-governmental organizations active in the fields of law reform and international development.

## **Participation and Cooperation with Other National and International Organizations**

The world of international criminal justice policy development is best described as a vast web of communications and exchanges which occur, not only in distant places and in different languages, but also over long periods of time. The *Centre* is, relatively speaking, a newcomer to this area. It is all too easy to underestimate the amount of effort and resources which the *Centre* has had to devote and must continue to invest, to build and maintain its channels of cooperation and communication as well as its credibility with other international organizations.

In the context of the complexities involved in law reform on an international scale, and the difficulties in meeting the needs of developing countries for assistance in the field of criminal justice, the *Centre* can make a significant contribution by using the pool of human, professional and scientific resources in Canada and promoting them through international cooperation. The *Centre* can best do this collectively and cooperatively through networks of trust, shared vision and determination.

## ANNUAL REPORT - 1997/1998

### 1. Executive Direction, Financial Management and Program Support

#### 1.1 Board of Directors

The *Centre* is governed by a Board of Directors. The Board consists of: two representatives of each of the *Centre's* Charter member organizations, the University of British Columbia, Simon Fraser University and the International Society for the Reform of Criminal Law; one representative of the Department of Justice Canada, the Department of the Solicitor General of Canada, the Ministry of the Attorney General of British Columbia; The Chief Executive Officer of the *Centre*; and, ex-officio, the Officer in Charge of the Centre for International Crime Prevention, UN Office for Drug Control and Crime Prevention. The *Centre* is also assisted by an International Advisory Council.

The *Centre's* Executive Director is Mr. Daniel C. Préfontaine, Q.C. He is assisted by a core management team consisting of a Director of Policy Development, a Director of Program Planning and Communications, an administrative assistant and a part-time accountant.

For 1997/98 the Members of the Board of Directors were:

**Chair:**

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

Attorney General of B.C. Representative  
Ravi Hira Q.C.  
Watson, Geopel, Maledy

Eduardo Vetere (Ex Officio)  
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International Centre for Criminal Law  
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Dept of Justice Canada Representative

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Secretary to the Board

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

Society Representative

Ronald L Gainer  
Gainer, Rient and Hotis

## **1.2 Financial Management and Program Support**

The *Centre* is a registered charitable institution and seeks support and funding from individual donors and foundations. In 1997/98 the *Centre* received income for its core activities 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 Ministry of the Attorney General, also made a financial contribution to the core activities of the *Centre*.

Aside from the positions of the Executive Director and the Director of the Sentencing and Corrections Program, which are both funded by the Government of Canada, other professional staff members are contracted as Program Directors, Coordinators, Associates and Researchers 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 International Society for the Reform of Criminal Law also lend their generous support.

Most of the *Centre's* programme initiatives are funded separately through projects funding from the Canadian International Development Agency, Correctional Service of Canada, Department of Foreign Affairs and International Trade Canada, Department of Justice Canada, Department of the Solicitor General of Canada, the Ford Foundation, the Ministry of the Attorney General of British Columbia, and the Royal Canadian Mounted Police.

The Program Plan and budget for the year 1997/98 was approved by the *Centre's* Board of Directors. The following is a summary of the *Centre's* Financial Report for that year.

## 1997-98 Financial Year

1997-98 Financial Year Summary		
Core Revenue:	197,638	
Project Revenue:	363,494	
<b>TOTAL:</b>		<b>561,132</b>
Expenses:		
Salaries & Consulting Fees	121,368	
Office Expenditures	20,342	
Publications/Printing	11,865	
Telecommunications	6,562	
Travel	32,817	
Conferences	2,425	
Projects:		
China	191,095	
(i) Canada/China Criminal Law/Criminal Justice Cooperation Program		
(ii) Legal Aid		
Sentencing and Corrections	51,803	
Transnational Financial Crime	27,491	
Firearms Regulation	27,959	
(i) United Nations International Study		
(ii) Literature Review		
Thailand: Rights of the Child	57,371	
Elimination of Violence Against Women	10,034	
<b>TOTAL:</b>		<b>561,132</b>

## **2. Policy Development and Research**

The following is a summary of the *Centre's* activities in 1997-98 in the areas of policy development and research.

### **2.1 *Transnational Financial Crime (Organized Crime, Economic Crime, Corruption)***

In the broader context of the UN priority work to develop the Convention on Transnational Organized Crime, the need to combat money laundering is a major element. Money laundering, on which the profitability of most organized criminal activity depends, is increasingly achieved through transnational activities and practices. Effective action against this problem requires closer co-operation amongst jurisdictions and greater international co-ordination of enforcement activities. In turn, effective co-operation between jurisdictions is dependent upon the presence of national capacities to address the issue. This last year the *Centre*, in co-operation with a broad network of partners, developed a project of work on Money Laundering in the Asia Pacific (MLAP), seeking to address the issues. The goal of the project is to promote and facilitate international co-operation on action against money laundering in the region. The primary vehicle for this co-operation will be technical assistance on combating money laundering. To inform and support the development of technical assistance projects, the *Centre* will conduct a series of studies focusing on salient aspects of the problem in the regional context. A regional meeting involving key operational personnel will also be convened, to identify the most effective locations for delivery of assistance activities. Project partners include the United Nations Drug Control Program's Global Money Laundering Project; the Canadian Departments of the Justice, Solicitor General, and Foreign Affairs; the Royal Canadian Mounted Police; the United States Department of State, the Nathanson Centre for the Study of Organized Crime and Corruption; the Asia-Pacific Group on Money Laundering; the British Columbia Co-ordinated Law Enforcement Unit; the Commonwealth Secretariat; and the UN Criminal Justice and Crime Prevention Programme Network of Institutes.

The past year witnessed intensive efforts in the development of the MLAP project, the formation of a network of partners, and the identification of key requirements. A series of consultations in Vancouver, Ottawa, Washington, Vienna and Costa Rica have enabled the *Centre* to formally inaugurate the project in 1998-99 with the initial support of the Solicitor General of Canada and the Royal Canadian Mounted Police. 1997-98 also saw centre participation in the Working Group on the Elaboration of a Convention concerning Transnational Organized Crime. The Working Group is focused on the preparation of a draft convention for presentation to the Commission in plenary session, for approval and submission to the General Assembly. The *Centre*, through the Transnational Financial Crime Program, will continue to be involved in the activities of

the working group as the drafting process continues in 1998-99. Other MLAP activities included the initial preparation of a study of institutional requirements for action against money laundering in the Asia Pacific; two separate presentations by the Centre to the Department of the Solicitor-General; *Centre* participation in the 10th annual ILANUD Seminar on Organized Crime, San José, Costa Rica; consultative meetings with US Justice Department, US FinCEN, and US State Department officials; and organization and hosting of a two-day inaugural liaison group planning meeting (including senior representatives of Canadian Departments of Justice, Finance and the Solicitor-General, the RCMP, and the Nathanson Centre for the Study of Organized Crime).

Corruption continues to be an area of concern for the international community, from the legal, economic and humanitarian perspectives. Following earlier work on corruption, in the last year the *Centre* developed a working relationship with the newly formed Canadian chapter of Transparency International, a global anti-corruption organization. The *Centre* attended the annual general meeting of Transparency International Canada in Toronto. At that session, an agreement was reached between the *Centre* and the board of TI to pursue a jointly organized symposium for Canadian corporate personnel focusing on the recent OECD convention concerning bribery of foreign public officials (and Canada's legislative response). The objective of the symposium will be to provide information to the Canadian business community about the problems caused by foreign corrupt practices and the new responsibilities of Canadian businesses under the law, and to provide an interactive forum between key Canadian government officials and private-sector experts concerning the goals and requirements of Canada's legislative response to the convention.

## **2.2 *Firearm Regulation***

In the last year the *Centre* continued to play a part in the UN International Study on Firearm Regulation. It participated in a meeting of the UN Expert Group on Firearm Regulation. Upon the recommendation of the Commission on Crime Prevention and Criminal Justice, the Economic and Social Council recommended that work be undertaken towards an international instrument to combat the illicit manufacturing of and trafficking in firearms.

The *Centre* also conducted an updated review of the literature on Firearms, Accidental Deaths, Suicide and Violent Crime on behalf of the Department of Justice Canada. The study was later published in both English and French by the Department of Justice Canada.

## **2.3 *Standards for the Institutionalization of Mentally Disordered Offenders***

Although the mentally ill are significantly represented in prison populations, criminal justice systems are generally ill-equipped to deal with the particular needs of the mentally ill offender. This can lead to increased personal suffering, psycho-physical deterioration and possible danger to society in general. This issue has already received attention by the

United Nations in provisions 82-83 of the *Standard Minimum Rules for the Treatment of Offenders*. To date, however, there are few international standards dealing specifically with the treatment and management of mentally disordered offenders.

In order to address this issue, the *Centre* accepted an invitation to participate in a study conducted by Professor Philip Bean of the Midlands Centre for Criminology and Criminal Justice in Loughborough, England. The study examined the desirability of developing international standards for the care and treatment of mentally disordered offenders and to provide some concrete proposals for action.

In preparation for Professor Bean's visit, the *Centre* has conducted preliminary research on the subject, including the compilation of a bibliography of relevant reports and publications. In order to provide a comparative overview of national responses to this challenging issue, examples of national legislation are being collected concerning the management of the mentally ill at all stages of their legal treatment, local service standards, policies and programs within correctional services.

## **2.4 Sentencing and Corrections**

### **Corrections and Conditional Release Act (CCRA) Consultation Meeting**

On March 3, 1998 the Solicitor General for Canada, Mr. Andy Scott, announced a series of public consultations on the CCRA, as part of the five year parliamentary review required by law five years after its proclamation. The *Centre* collaborated with the Department of the Solicitor General of Canada to coordinate the consultation meeting for the Pacific Region to be held on May 28, 1998 in Vancouver.

## **2.5 Peace Keeping and Peace-building**

The *Centre*, UNICRI, the CPCJD, the RCMP and the DFAIT produced a reference document for civilian police personnel (CIVPOL). The document is entitled *The Role, Preparation and Performance of Civilian Police in UN Peacekeeping Operations*. It provides an accessible and readable analysis of the disparate sources of information and ideas concerning the involvement of CIVPOL in UN peacekeeping operations. The analysis answers a need of both Member States and the UN for a single document that canvassed the main issues in civilian policing. More specifically, the document is designed to assist policy managers, trainers involved in preparing CIVPOL personnel, operational staff assigned to peacekeeping duties, senior police managers, governmental advisers and others involved in civilian policy operations. The document will soon be published.



## 2.6 Human Rights, Crime Prevention and Criminal Justice

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

The international community is responding to the increased awareness and publicity being given to children and youth as victims and perpetrators of crime. There are a number of international instruments which address the issue of juvenile justice. Criminal justice systems must be involved in responding to the victimization of children, their exploitation and the complexity of the situations in which they come into conflict with the law. The UN Commission on Crime Prevention and Criminal Justice has developed a framework of standards, principles and guidelines to provide guidance to countries reforming their criminal justice system to respond to the needs of children.

In 1997, the United Nations Commission on Crime Prevention and Criminal Justice adopted a resolution on the Administration of Juvenile Justice which contained a set of guidelines to deal with children in the criminal justice system both as perpetrators and as victims and witnesses. It is a guide for the development of technical advice and assistance projects, such as assistance in legal reform, strengthening national capacities and infrastructures, training of criminal justice personnel. To this end, an International Coordination Panel on Technical Assistance in Juvenile Justice has been established to develop strategies to activate further international cooperation in the field of juvenile justice, facilitated the identification of common problems, compile examples of good practices, and analyse shared experiences and needs. The *Centre* participated in the first meeting of the International Coordination Panel.

The *Centre* as a member of the International Juvenile Justice Network whose office is based in Geneva, contributed to the development of an international Study on Children in Prison. The Study will be conducted in the coming year by the Network.

As part of its activities on children as victims, the *Centre* developed a draft annotated bibliography on trafficking in children, covering trafficking in the guise of international adoption; for organ transplants; for the purpose of economic exploitation; for the purpose of sexual exploitation, such as child prostitution, sex tourism, and child pornography. The bibliography remains in draft form at the present. In March, 1997 the *Centre* attended "Out From the Shadows", an International Summit of Sexually Exploited Youth in Victoria, British Columbia. The summit, a follow-up to the First World Congress Against the Commercially Sexually Exploited Youth held in Stockholm, Sweden August 1996, was a forum for youth delegates to meet on their own and to relate their experiences and develop a vision for change through the preparation of a Declaration and Agenda for Action of Sexually Exploited Children and Youth. This Declaration and Agenda was presented to 50 invited representatives from governments and international non-governmental organizations.

## 2.6.2 Elimination of Violence Against Women

The pervasiveness of violence against women in all countries has become an issue of global concern. Eliminating this violence remains high among the priorities of the United Nations. At its sixth session (Vienna, April/May 1997), the United Nations Commission on Crime Prevention and Criminal Justice adopted a resolution on the elimination of violence against women. The resolution was later adopted by the General Assembly in December, 1997. It calls upon Member States to review their own laws and practices in the criminal and social spheres to determine whether they could be modified to better address the needs of women and ensure their fair treatment in the justice system. The resolution further urges Member States to develop and promote crime prevention strategies that reflect the realities of women's lives and address their distinct needs.

The resolution includes an annex *Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice*. The *Model Strategies* suggest a series of measures which can be taken in a wide variety of areas to prevent violence against women and improve the law and processes for dealing with incidents of violence. The *Model Strategies* also touch on issues related to public awareness, the media, research and health and social services.

The *Centre* received funding from the Department of Justice, Canada in March, 1998 to begin the development of a draft Resource Manual and a Compendium of Promising Practices based on the *Model Strategies*. These companion documents will be a resource to lawmakers, criminal justice and social service officials, women's organizations and other non-governmental organizations, and a wide variety of other persons who are committed to eliminating violence against women. The Resource Manual and Compendium will describe examples of means and measures taken by various countries on how the *Model Strategies* are being implemented at the national level.

The *Centre* also helped deliver a workshop on the *Model Strategies* during the Vancouver conference of the British Columbia Association of Counselors of Abusive Men 1997 on "Coordinating Our Response: A Continuum of Services for Stopping Violence Against Women in Relationships".

The *Centre* attended the 42nd session of the United Nations Commission on the Status of Women held in New York. The Commission, a forum for governments to address women's human rights, is responsible for monitoring the implementation of the Beijing Platform of Action, which was adopted at the Fourth World Conference on Women, provides States and United Nations agencies with a blueprint for the achievement of equality between women and men.

In cooperation with the University of British Columbia Centre for Asian Legal Studies, the *Centre* prepared a paper presented at the Conference on "Illegal Labour Movements and the Trafficking of Women" in Thailand in November 1997. The paper, entitled "*Illegal Labour Movements and the Trafficking of Women: International Dimensions in the Era*

of *Globalization*” discussed the international, standards surrounding this issue and provided a reference for the national papers presented by representatives from the Mekong River Delta region.

### **2.6.3 50th Anniversary of the Signing of the Universal Declaration of Human Rights**

The *Centre* participated in the Human Rights 50th Anniversary Conference Celebration at the Vancouver Aboriginal Friendship Centre in Vancouver, BC. The focus of the Conference was to discuss the Draft Declaration on The Rights of Indigenous Peoples and the development of indigenous peoples’ rights within the United Nations Human Rights framework.

The *Centre* is co-organizing and attending the World Conference on the Universal Declaration of Human Rights scheduled for December 1998. Other co-organizers include: International Association of Young Lawyers, International Commission of Jurists, Canadian Foundation of Human Rights, International Centre for Human Rights and Democratic Development, Québec Society of International Law, Tribunal of Human Rights of Québec, University of Québec in Montréal, McGill University, Laval University, University of Montréal, University of Sherbrooke, University of Ottawa, Commission of Human and Children’s Rights, Canadian Human Rights Commission, Association du Barreau du Québec (Québec Bar Association), and League for Rights and Freedom.

## **3. Technical Cooperation, Assistance and Advisory Services**

Much of the *Centre*’s work in this area is undertaken within the framework of the UN Crime Prevention and Criminal Justice Programme, in cooperation with other members of the Programme Network of Institutes and in particular with the Program’s Interregional Technical and Advisory Services based in Vienna. Building further partnerships with other individuals and organizations in Canada and abroad who pursue similar objectives remains a priority for the *Centre*.

### **3.1 Transnational Financial Crime (Organized Crime, Economic Crime and Corruption)**

In 1997-98 significant progress was made in the development of a program of work in the areas of organized crime and corruption. The *Centre* anticipates the initiation of important technical assistance activities as a consequence of the project on Money Laundering in the Pacific Rim. These activities are planned for the 1999-2000 year and beyond, once the initial developmental phases of the project are complete.

### 3.2 *China Program*

Phase I of the Canada-China Criminal Law and Criminal Justice Co-operation Program, a project funded by CIDA and the Ford Foundation, was completed in this year. The main achievements of Phase I were: providing technical assistance in the law reform process, resulting in changes to the Law of Criminal Procedure in China in accordance with international human rights standards and the Rule of Law; the establishment of a non-governmental Research Centre for Criminal Law and Justice at the China University of Political Science and Law (henceforth “the Beijing Centre”); and the creation of formal partnerships between legal and justice institutes in China and their Canadian counterparts.

The *Centre* also continued its work with other organizations in China such as the National Prosecutors College of China. In addition, several consultative meetings were held with senior officials of the Supreme Court of China, the High Court of Guangdong Province, the Procuratorate of Guangdong Province and its Training Centre, the Intermediate Court of Shenzhen City, the Ministry of Justice and the China Prison Society.

The *Centre* has signed a second contract with CIDA for Phase II of the Program. The goal of this phase is to assist in the implementation of criminal law reform by providing technical assistance for institutional capacity building. The activities in this phase include: continuing support to the review of China’s efforts with its Reformed Law of Criminal Procedure; development of training programs and materials; combating financial fraud; establishing a legal aid system; and corrections reforms.

The corrections reforms component of the Program is managed by the Director of the Sentencing and Corrections Program in consultation with the Director of the China Program, the China Prison Society and the Ministry of Justice. The *Centre* coordinated a visit of officials of the Canadian Prison Officials to China in May 1998. A document published by the *Centre* called “Towards Improved Corrections”<sup>1</sup> was translated into the Chinese language and used in discussions during that visit.

The primary objectives of the corrections reforms component are to: increase awareness and understanding of Canadian values and principles related to the safe and humane custody, treatment and supervision of offenders as well as Canadian law, policies and practices related to the custody and community supervision of offenders; increase awareness and understanding of relevant United Nations Standards and international human rights and criminal justice instruments as they relate to corrections and the treatment of offenders; to conduct an assessment of the extent to which a selected site or region in China is in compliance with the United Nations Standard Minimum Rules for the Treatment of Offenders, as well as other international human rights and criminal justice standards applicable to juvenile and adult corrections; to identify and prioritize sustainable technical assistance and cooperation initiatives that can be undertaken by Canada to assist China in implementing correctional reforms; to identify impediments to

reform activities which may be alleviated by technical assistance and cooperation initiatives that can be undertaken by Canada; and to establish a baseline of information and data against which the impact of future reform activities can be measured.

The *Centre* assisted the Beijing Centre in translating the *Criminal Code of Canada* into Chinese. It is envisioned that this publication will equip Chinese law reformers with knowledge of Canadian criminal law in their efforts in reforming their own laws. It is to be published in China with an Introduction by the *Centre*.

### **Legal Aid Project**

In December 1997, the *Centre* signed an agreement with CIDA for a development phase of a proposed Canada/China Cooperation Project to Assist the Development of a Legal Aid System in China. The project is intended to provide assistance to the Government of the People's Republic of China, and in particular to the National Legal Aid Centre (NLAC) of the Ministry of Justice, to facilitate the development of a nation-wide legal aid system in that country.

A team from the *Centre* assessed the development of legal aid service in China and assisted the NLAC to complete the draft of its Proposal. The Project Proposal was approved by CIDA.

### **Other events:**

#### **Delegation of Shanghai Judges**

The *Centre* hosted a delegation of judges from Shanghai in September 1997. This was the first senior judicial delegation from Shanghai to Canada in nearly fifty years. The objective of the visit was to establish links with senior members of the Canadian judiciary, and to survey the system of justice and crime prevention in Canada.

#### **Senior Legal Experts' Training Centre in Beijing**

The *Centre* organized a visit from the Senior Legal Experts' Training Centre in Beijing. The delegation included senior officials from the State Bureau of Foreign Experts, the Ministry of Justice as well as legal academics. The delegates explored exchange program activities with the B.C. Law Society, the Canadian Bar Association and the Continuing Legal Education Society of B.C.

#### **Visit of the Minister of Justice of China to Canada**

The *Centre* hosted the Minister of Justice of China in November 1997 to discuss, inter alia, Phase II of the *Centre's* China Program and the Legal Aid Project. He and his delegation visited the Supreme Court of B.C. and the Burnaby Correctional Centre for Women.

## United Nations Standards and Chinese Law

The Centre cooperated with the Beijing Centre on a joint project to publish a book on United Nations Standards and China's Legal System of Criminal Justice. The Centre contributed the Preface and chapters on United Nations standards, an historical review of the standards, international organized crime and international drug crime. The book will be published in China with English abstracts.

### Conferences

The Centre participated in the International Conference on "Human Rights and Democratic Development in Asia" in Toronto in May 1997. This event was organized by the University of Toronto - York University Joint Centre for Asia Pacific Studies with the support of CIDA and Department of Foreign Affairs of Canada, and attended by many countries in the Asia and Pacific region. The Centre presented a paper entitled "*Recent Changes in China's Criminal Law: Political Culture and Legal Theory*".

At a workshop organized by the China Forum Society, the Centre presented a paper entitled "*China's Criminal Law: Adopting International Values*". It also participated on a multidisciplinary panel during a second Conference also organized by the China Forum Society, the theme of which was the "Reform of Chinese Law for Improved Protection of Human Rights Post Hong Kong's Reunification with China".

The Centre and its Chinese partners are jointly organizing an International Symposium on the Prevention and Control of Financial Fraud in Beijing in October 1998. The Symposium will examine the nature of financial fraud in international banking, trade and investments activities, analyse preventative and enforcement methods, and review proposed changes to legal and regulatory frameworks.

### 3.3 Sentencing and Corrections

At its Sixth Session, the UN Commission on Crime Prevention and Criminal Justice adopted a resolution entitled "Technical Cooperation, Including Resource Mobilization and Co-ordination of Activities", which urged international cooperation among member states to contribute to the "improvement of prison conditions" world-wide. The UN further adopted "Offenders and Victims: Accountability and Fairness in the Justice Process" as one of the four substantive topics to be addressed during the Tenth UN World Congress on the Prevention of Crime and the Treatment of Offenders to be held in Vienna in the year 2000. The Centre, as part of the UN Network of Institutes, is committed to work with its partners to ensure the prioritization of correctional reform through international cooperation.

The Centre has been involved in a collaborative program of work with the Correctional Service of Canada (CSC) to promote sentencing and correctional reform at the international level. The program builds upon earlier international symposia on the *Future of Corrections*<sup>2</sup> and promotes, through technical assistance, the use of a strategic approach



to the implementation, of recognized human rights and other criminal justice standards and norms. The emphasis is on the provision of technical assistance to countries who request it.

The *Centre's* current and proposed program of work in the area of sentencing and corrections reflects priorities already identified through a series of national and international consultations, in particular in Africa, Latin America and in parts of Asia. Priorities for technical assistance were shown to include staff development and training, management training, policy development, bail and/or pre-trial detention reform, conditions of youth in detention, community corrections and the promotion of public awareness and participation. The major issue to be addressed is that of overcrowded prisons, especially in developing countries where the conditions are often such that the most basic human needs of prisoners cannot be met. In this regard, the *Centre* has provided sustained, technical and financial assistance to several developing and “transitional” countries in order to assist them in facing these challenges.

### **3.3.1 China**

The reader should refer to paragraph 3.2 in this section for work which the Sentencing and Corrections Program completed under the Canada-China Criminal Law and Criminal Justice Co-operation Program.

### **3.3.2 Uganda**

The *Centre*, The United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI) and the Uganda Prisons Service jointly held a seminar in Uganda entitled “The National Seminar on Alternatives to Incarceration: Their Applicability and Practice in Uganda”. The objectives were to:

- Present and discuss the major trends in the area of non-custodial sanctions
- Examine training requirements and infrastructure development with a view of publicizing, promoting and improving the credibility of non-custodial sanctions as viable sentencing options in the eyes of the public and among criminal justice personnel
- Provide the needed forum for exchange of contacts among personnel in various components of the criminal justice system and to facilitate the initiation of appropriate practical measures towards revitalizing, improving and reintroducing non-custodial sanctions
- Identify a series of recommendations for the use of non-custodial sanctions which will ultimately contribute to reducing the number of individuals incarcerated in Uganda.

The seminar produced recommendations which proposed strategies and an operational framework for sentencing and corrections practices in Uganda, focusing on the use of alternative sentences and sanctions as the principle response to crime.

As a follow-up, the *Centre* has provided technical advice on the development of draft legislation on Community Service Orders in Uganda, as well as in the development of local guidelines for community service.

In addition, the *Centre* provided guidance and assistance to the Uganda Prison Service in the development of a new policy (mission statement) document was later approved and endorsed by the Commissioner of the Uganda Prison Service.

### **3.3.3 African Penitentiary Association**

The *Centre* worked closely with the African Penitentiary Association particularly in the areas of research documentation and training, and contributed to the work of the Association by collecting and forwarding publications to its documentation centre.

### **3.3.4 Instrument for the Development of Prison Policy and Guidelines**

The development of a sound operational prison administration structure is an essential first step to improve prison conditions in developing countries. To this end, the *Centre* has developed a draft model instrument on basic prison regulations and regulatory practices including subjects such as institutional routine (i.e. movement, counts, exercise), inmate records and admission procedures, discipline and use of force, and visiting. The instrument also includes core components of correctional programming, case management and other services such as health care.

A draft compendium of all UN Standards, General Assembly Resolutions, and operational directives from a variety of jurisdictions (federal and provincial) in Canada, relevant to all operational areas within prisons has been completed. In November 1998, this draft policy instrument will be the focus of an expert meeting for the purpose of validating its usefulness and application to developing countries. This expert meeting will include officials from select African countries which will be the primary beneficiaries of this instrument.

The *Centre* is grateful for the continued support and advice that is provided by the Sentencing and Corrections Advisory Committee. The contribution of Committee Members is made through participation at scheduled meetings as well as through consultation, either individually or collectively, on a variety of issues. The following individuals, representative of both government and non-government organizations, comprise this committee and we thank them for their valuable advice and support: Professor Neil Boyd (School of Criminology, Simon Fraser University), Mr. John Braithwaite (Consultant and former Deputy Commissioner of CSC), Mr. John Conroy (Barrister, Conroy, Hammond and Company), Mr. Don Demers (Assistant Deputy Minister, Ministry of the Attorney General B.C., Corrections Branch), The Hon. Judge



William Diebolt (B.C. Provincial Court), Professor Michael Jackson (Faculty of Law, University of British Columbia), Ms. Allison MacPhail (Assistant Deputy Minister Community Justice, Ministry of the Attorney General B.C.), Mr. Terry Sawatsky (Assistant Deputy Commissioner, CSC Pacific Region), Mr. Fraser Simmons (Director, National Parole Board Pacific Region), Ms. Karen Wiseman (Director General, Intergovernmental Affairs, CSC)

### **3.4 Thailand: Rights of the Child Project**

The *Centre* provided technical assistance and advisory services to the Office of the Attorney General of Thailand to implement new legislation and reforms in the treatment of children as victims and witnesses of crime within the criminal justice system in Thailand. The objective of the project was to work with the Thai Attorney General's Office to develop and refine plans for a pilot project to demonstrate an integrated services approach to dealing with children in the justice system in Thailand and serve as a general professional resource to the project; to assist in involving other agencies in Thailand in the pilot project; to assist in developing co-ordination protocols for the agencies involved in the project; to assist in the development of training materials for professionals involved in the project; to develop a resource handbook on Child Abuse Investigation and Care; and to design, with a researcher from Thammasat University a data collection and evaluation plan for the project. The initial phase for the project was completed with the support of the Canadian High Commission in Singapore and CIDA's South East Asia Fund for Institutional and Legal Development (SEAFILD).

### **3.5 Roster of Experts**

The *Centre*, as part of a joint UN Crime Prevention and Criminal Justice Programme Network initiative, is maintaining a roster of Canadian experts in the field of technical assistance in criminal law reform and criminal justice.

## **4. Public Consultation and Information**

The *Centre* performs regular consultations and information sessions for each of its Programs of work. The *Centre* was engaged in a number of activities to fulfill its public consultation and information role.

### **4.1 Transnational Financial Crime (Organized Crime, Economic Crime and Corruption)**

The *Centre* made presentations on transnational organized crime to the annual general meeting of the International Studies Association in Toronto, April 1997, and the Seminar on Asia-Pacific Affairs and Canada's Future Role, sponsored by the Department of National Defence and held in Victoria, September 1997. The *Centre* published

*Transnational Organized Crime: A Security Threat?* under the auspices of the University of British Columbia's Institute of International Relations.

## **4.2 Sentencing and Corrections**

An important aspect of the Sentencing and Corrections Program is the provision of information, education and advisory services to a number of different audiences. The audiences include 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, and students. Activities have included: responding to requests for specific UN documents, preparing full briefs, participating in formal hearings or informal discussion groups, and publishing articles or reports.

### **4.2.1 Restorative Justice**

In response to an increasing number of requests for information about restorative justice, the *Centre* has compiled a standard information package which includes publications by the *Centre*, as well as a variety of local and international sources.

## **4.3 International Meetings**

The *Centre* attended the sixth session of the United Nations Commission on Crime Prevention and Criminal Justice in Vienna. The *Centre* also participated in the International Association of Prosecutors (IAP) meeting in Ottawa, presenting a paper on "The Role of the IAP in International Cooperation", and the Annual Conference of the ISPAC, in Courmayeur. Presentations were also made at the Coordination Panel for Technical Assistance and Advisory Services on Juvenile Justice in Vienna, ISISC Conferences on Reigning in Impunity For International Crimes and Serious Violations of Fundamental Human Rights and on Comparative Criminal Justice Systems, in Siracusa, and the third UN Meeting on Victims, held in The Hague.

The *Centre* was represented at the Beyond Prisons Conference in Kingston, Ontario on March 16-18, 1998, the Canadian Criminal Justice Association (CCJA) Congress in Ottawa on September 20-23, 1997, as well as the Western Correctional Association Training Conference which was held on September 29-Oct. 1, 1998 in White Rock B.C. The *Centre* also attended and contributed substantively to the International Training Workshop on Probation which was held in Malta on July 2-5, 1997, and organized by UNICRI.

The *Centre* participated in an international meeting on Democracy and the Rule of Law: Institutionalizing Citizenships Rights in New Democracies, at McGill University, Montreal, March 19-20, 1998.

#### **4.3.1 Coordination of Meetings**

The *Centre* participated in the twelfth co-ordination meeting of the UN Crime Prevention and Criminal Justice Programme Network held in Courmayeur, Italy. These annual meetings provide a forum for co-operation and co-ordination among the Network of Institutes. In particular it enables the Institutes to effectively contribute, in a timely manner, to UN Commission decisions.

This year's meeting was organized by the UNICRI, the Crime Prevention and Criminal Justice Division of Vienna, and with the support of ISPAC. The meeting, chaired by Mr. Herman Woltring, Director of UNICRI, was attended by all members of the Program Network. The delegates welcomed Mr. Pino Arlacchi, the newly appointed Under-Secretary General of the United Nations Office in Vienna and Executive Director of the United Nations Office for Drug Control and Crime Prevention to participate in the meeting.

Outcomes of the meeting included:

- the adoption of the UNOJUST Vision Paper including its strategic development and operational activities
- report and contributions to the seventh session of the Commission on Crime Prevention and Criminal Justice and the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders
- evaluation of technical cooperation projects in crime prevention and criminal justice
- preparations of the Secretary-General's Statement on Crime and Justice in the world for presentation at the Tenth Congress by UNICRI and the Secretariat

#### **4.3.2 Organization of the 11th Conference of the International Society for the Reform of Criminal Law**

The *Centre*, on behalf of the International Society for the Reform of Criminal Law, assisted with the organization of the 11th International Conference on *Law & Justice: Where Now?* held in London, United Kingdom 27 July - 1 August, 1997.

#### **4.4 The Department of Foreign Affairs and International Trade Lecture Series**

In collaboration with the University of British Columbia and Simon Fraser University and with the financial assistance of the Department of Foreign Affairs and International Trade Canada, the *Centre* sponsors annual lectures by leading experts who are invited to present their recent works. In March 1998, the *Centre* welcomed Distinguished Professor Roger S. Clark from Rutgers University who spoke on the state of negotiations of the creation of a permanent International Criminal Court.

#### **4.5 Canadian Consultations**

The *Centre* attended and contributed to several national consultations, including the Annual CIDA Stakeholders Meeting in Canmore, Alberta in June, 1997, The Vancouver Board of Trade - Policy Forum on Property Crime Task Force Report in Vancouver, The Canadian Criminal Justice Association Congress, in Kingston, September 1997, and the B.C. Coalition for Safer Communities Challenges to effective Crime Prevention in Vancouver, November 1997.

The *Centre* also participated in a consultation meeting on Technical Assistance in the Field of Criminal Justice held in Montreal, at McGill University, on March 21, 1998. The meeting was organized by the Canadian Foundations for the Americas and a report was submitted to the Canadian Centre for Foreign Policy development, Department of Foreign Affairs and International Trade Canada.

#### **4.6 Visiting Associates Program**

The *Centre* was pleased to welcome Professor Karl Kunz, Chair of the Department of Penal Law and Criminology at the University of Bern, Switzerland during June/July 1997, as part of the *Centre's* ongoing Visiting Associates Program. Prof. Kunz conducted research for a textbook on criminology, and met with Faculty at University of British Columbia's Law School regarding the possibility of launching a student exchange program between the two schools.

A law student in his sixth semester at the Institut für Kriminologie der Universität Tübingen joined the *Centre* to assist in the preparation of an annotated bibliography on Trafficking in Children from a European Perspective. A second criminology student from the University College of The Fraser Valley interned at the *Centre* and gathered data on HIV/AIDS in prisons for the annual conference of the International Society for the Reform of Criminal Law.

#### **4.7 Courses and Research Opportunities for Students**

The *Centre* will continue to help with the organization of an annual Summer Law Program with Southwestern University School of Law, Los Angeles. This very successful program is in its seventh year. Secondly, a representative from the *Centre* will continue to teach a graduate level course on the Control of the Proceeds of Crime at University of British Columbia Faculty of Law. The *Centre* also encourages students to complete their required degree practicum at the *Centre*. Finally, the *Centre* has hired, on a short term basis, a law student who researched and co-authored a paper for the 11th Annual Conference of the International Society for the Reform of Criminal Law, London.

## **PROGRAM PLAN - 1998/1999**

The following is the *Centre's* program of activities for 1998/1999, as approved by its Board of Directors. Since most of these activities must be undertaken on a cost-recovery basis, there is always a measure of uncertainty as to whether or not sufficient funds will be available to carry out each of the proposed activities. It should therefore be understood that the full implementation of the approved program or of any of its components remains predicated on the availability of sufficient funding. For ease of presentation, the program plan is subdivided into three major types of activities: (1) Policy Development and Research; (2) Technical Assistance and Advisory Services; (3) Public Consultation and Information. The reader will immediately note, however, that these areas are closely interrelated, and are designed to complement each other.

### **1. Policy Development and Research**

The *Centre's* proposed research and policy development activities mirror many of the priorities identified by the UN Commission on the Prevention of Crime and Criminal Justice. These activities are presented here under four main rubrics: (1) National, Transnational and Organized Crime, Economic Crime and Crimes Against the Environment; (2) Peacekeeping and Peace-building; (3) Human Rights, Crime Prevention and Criminal Justice; and (4) Technical Assistance Policies and Strategies.

#### **1.1 *Transnational Financial Crime (Organised Crime, Economic Crime, Corruption)***

April 1, 1998 saw the inauguration of the project on Money Laundering in the Asia Pacific (MLAP). The *Centre* will have a full-time program director from that date forward. The project aims to promote and facilitate effective co-operation between jurisdictions in the region in combating money laundering. The project constitutes the initial phase of a larger program of work to promote the mobilisation of key actors from various jurisdictions in the region. It will serve to identify the extent of the problem in the region, promote an awareness of the issues, and identify the technical assistance and co-operation requirements of participating jurisdictions. The project activities planned in 1998-99 will include:

## **Activity 1: Preparation of Supporting Documents & Research**

As support for the activities of the Regional Working Meeting, and directed towards the development of technical assistance activities, the project will involve the preparation of several key research products which will be brought together in a comprehensive background document for the Meeting. These products include:

*Money laundering and the unique challenges of the Pacific Rim:* A review of the current situation in terms of legislative framework, cultural differences and current practices as they affect regional co-operation on money laundering.

*Pacific Rim money laundering: flows and trends:* A review of patterns in money laundering activity in the region, with attention to common practices and new developments.

*Comparative regional investigative practices:* A comparative study drawing on regional experience in financial investigative techniques and strategies, accenting efficacy and cost-effectiveness, areas of highest prior success, opportunities for training and strategic development.

*Money laundering and corruption:* An analysis of the relationship between laundering activities and public and private sector corruption in the region; an analysis of current legislation, practices and prevention strategies to fight against corruption.

*Social and economic impact of money laundering in the Pacific Rim:* A preliminary assessment of the direct and indirect costs of unchecked money laundering activities in the region, including their current and potential impact on the integrity of financial systems, social and economic development, good governance and democratic institutions in the region.

## **Activity 2: Regional Working Meeting**

Involving invited senior practitioners, policy makers, and key experts from several jurisdictions in the Pacific Rim region, the meeting's work will include:

- Examination of previously collected comparative data and material;
- Development of a set of strategies for effective action against money laundering in the context of the unique challenges of each region;
- Examination, by multidisciplinary sub-groups, of specific issues including cash-based economies, informal banking practices, and offshore banking;
- Identification of required legislative reform;
- Identification of opportunities for greater co-operation between jurisdictions;

- Identification of individual jurisdiction's requirements for technical assistance.

### **Activity 3: Final Report**

A final report will be prepared which will focus on the identification of technical assistance requirements as determined through the activities described above, and which will include all relevant studies as described above. In addition, the *Centre* will present a report on international efforts to combat money laundering in the Asia-Pacific region to the annual meeting of the International Society for the Reform of Criminal Law.

**Corruption and bribery** undermine the rule of law and economic development, distort free and fair competition, and increase costs for businesses and consumers alike. In international business transactions also serve to support non-democratic and arbitrary rule in those regions most in need of good governance and a fair and open economy. In December 1997 the states of the Organization for Economic Co-operation and Development concluded a *Convention on Combating Bribery of Foreign Public Officials in International Business Transactions*. As a leading contributor and signatory to the Convention, Canada is committed to pass new legislation in 1998 governing corruption and bribery in foreign business transactions. In developing a program of work on action against corruption, the *Centre* is collaborating with Transparency International Canada on a joint venture planned for February 1999 in Vancouver. The one day seminar entitled 'Corruption and Bribery in Foreign Business Transactions: A Corporate Symposium on New Global and Canadian Standards', will provide key information for concerned Canadian firms with overseas business portfolios, and for those considering overseas investment. The Symposium will also provide an opportunity for the corporate community to respond to the new Canadian legislation with the view to develop policy. The Canadian Centre for Foreign Policy Development has been involved in the preliminary planning of the project and has offered financial support to the endeavour.

A final report for the Symposium will be prepared, including the proceedings of the consultation sessions between industry and government representatives during the event, and will be forwarded to participants and to the Centre for Foreign Policy Development as part of the policy consultation process on this issue.

#### **1.2 International Symposium on Financial Fraud, Beijing**

In October 1998, the *Centre* and its partner, the Research Centre for Criminal Law and Justice in Beijing, will jointly hold an International Symposium on the Prevention and Control of Financial Fraud. The objective of the financial fraud symposium is to bring together representatives from both the public and private sectors in China and Canada, as well as experts from other countries, to examine important matters of financial fraud in international banking, trade and investment activities. The major focus will be to review preventative and enforcement methods as well as legal and regulatory frameworks used to



deal with these problems in China, Canada, and several other countries. The main theme to be explored in the symposium is Regional and International Cooperation in Preventing and Controlling Banking, Investment, Securities and Credit Card Fraud, Money Laundering and the Proceeds of Crime.

### ***1.3 Sentencing and Corrections***

The Sentencing and Corrections Program will continue to be managed by a Program Director, on secondment from the CSC with the support of the Executive Director of the *Centre* and Members of the Sentencing and Corrections Advisory Committee. Other professional services will be obtained on a part-time, contractual basis as needed.

The main focus of the program of work will continue to be technical assistance<sup>3</sup>, through the promotion of a strategic approach to the implementation of international human rights standards, norms and principles, as they relate to corrections and the treatment of offenders. In addition to the provision of direct technical assistance, the cooperative programs of work which are ultimately established often focus on information exchanges, capacity building, research projects, curriculum development and training initiatives.

The *Centre*, in cooperation with other members of the United Nations Crime Prevention and Criminal Justice Programme Network of Institutes, has and will actively support sentencing and correctional reform in developing countries. The *Centre* has mobilized key Canadian partners such as the CSC, the National Parole Board of Canada (NPB), the Department of Justice Canada, and the Office of the Correctional Investigator, who will provide professional advice and support for the activities which have been planned.

### ***1.4 Preparation for the Tenth UN Congress on the Prevention of Crime and the Treatment of Offenders (Year 2000)***

The *Centre* is cooperating with other members of the Crime Prevention and Criminal Justice Programme Network to prepare for the Tenth Congress. The agenda topics for the Congress are: promoting the Rule of Law and strengthening the criminal justice system; international cooperation in combating international crime, new challenges in the twenty-first century; effective crime prevention: keeping pace with new developments; and offenders and victims: accountability and fairness in the justice process.

The *Centre* has played a central role in placing the issue of restorative justice on the agenda of the Congress, and will be preparing the background and discussion material on the subject. In addition and in conjunction with HEUNI, the *Centre* will assist to develop the program for the workshop on the theme “Women in the Criminal Justice System: the Roles that They Play as Victims, Offenders and Practitioners”.

### ***1.5 Institutionalization and Treatment of Mentally Disordered Offenders***

Funding for a joint research project with the The Midlands Centre for Criminology and Criminal Justice in Loughborough, United Kingdom, on the institutionalization and



treatment of Mentally Disordered Offenders has been approved by the Canadian High Commissioner in the U.K. Representatives from the Midlands Centre are scheduled to visit Vancouver in November 1998 in order to discuss with the *Centre* and SFU the scope of this research activity.

### **1.6 *Children in Prisons***

The *Centre* is developing a joint venture with two Geneva based organizations: Defence Children International and the International Juvenile Justice Network, to conduct an international study of children in prisons around the world. The project will initially entail sending a questionnaire on the deprivation of liberty of children, to researchers from selected countries.

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

Following the *Centre's* participation in an ad-hoc meeting on the formulation of a strategy for a new coordination panel on technical assistance activities in the field of juvenile justice, it is expected that the Panel will initially focus its attention on the coordination of multi-lateral projects. Subsequently, the Panel is also intended to evolve into a useful mechanism to assist and support all international development, human rights, and criminal justice agencies and organizations involved in the field of technical cooperation and assistance in the area of juvenile justice. Another major focus of the Panel is to provide an effective response to international requests for technical assistance which are generated each year by specific recommendations through the Committee on the Rights of the Child.

### **1.8 *Elimination of Violence Against Women***

The *Centre* is developing a Resource Manual and Compendium of Promising Practices on the Model Strategies and Practical Measures on the Elimination of Violence Against Women in the Field of Crime Prevention and Criminal Justice. In the next year, the *Centre* will recruit a national advisory project committee and an international panel of experts that will provide critical input to the drafting of these tools. The plan is to have these products completed for the eighth session of the United Nations Commission on Crime Prevention and Criminal Justice in April, 1999 and to contribute newsletter articles on the Model Strategies for BARTALK and BC Institute against Family Violence.

The Model Strategies, along with the Resource Manual and Compendium, can serve as concrete guides for international technical assistance and international development initiatives undertaken by Canada and other countries. In accordance with the purpose of Canada's Official Development Assistance in supporting sustainable development in developing countries, these tools address the concern that discrimination and violence against women are among the most pervasive ways in which women are excluded from fully participating in the development of their own societies.

One of the scheduled workshops for the Tenth UN Congress on the Prevention of Crime and the Treatment of Offenders to be held in the year 2000 is on women in the criminal justice system which is to address the “fair treatment” of women on the part of criminal justice systems. It is anticipated that the Compendium will eventually be accessible on the internet and be a growing database containing examples of strategies and measures undertaken by various countries, and therefore be a focal point of discussion at the workshop.

### ***1.9 Environmental and Consumer Protection Law Seminar for Brazilian Federal Judges***

In conjunction with the Faculty of Law of the University of British Columbia, the *Centre* has been invited to design a 5 day education program for a group of approximately 20 Brazilian Federal Judges on environmental and consumer law. The seminar is expected to take place in the early part of 1999 on the UBC campus Vancouver, and cover the relevant Canadian legislation, the application of international law in Canadian Courts, public participation and judicial review, as well as a comparative analysis of the Canadian-Brazilian experience in the legal development of environmental and consumer protection laws.

## **2. Technical Assistance in Criminal Justice - Policy Framework**

### ***2.1 Transnational Financial Crime (Organized Crime, Economic Crime and Corruption)***

In the coming year, the *Centre* will be actively part of the consultation process with respect to Canada’s development of new legislation on currency export controls and mandatory transaction reporting. The *Centre* will also deliver a presentation on Asia-Pacific organized crime to the annual meeting of the Canadian Consortium on Asia-Pacific Security, in Victoria, B.C., in December 1998.

### ***2.2 Drugs in the Lower Mainland of British Columbia Project***

The *Centre* is involved in developing a local concerted crime prevention strategy as it relates to all drug offences and to drug-related property offences which in recent years have become issues of great concern to local communities. The initiative will give full effect to both Canada’s Crime Prevention Strategy and Canada’s Drug Strategy and promote a greater co-ordination between the crime prevention efforts of various sectors, public and private, with respect to drug and drug-related offences. In particular, it was also suggested that there was a need for a greater co-ordination between the activities of the various sectors of the criminal justice system itself, and between the criminal justice and the health systems in responding to various types of drug-related and addiction-related offences.

It is proposed that the preliminary phase itself will identify key individuals and organisations who can play an active role in the development of an effective strategy and produce a summary profile of current sentencing practices in drug related offences and addiction-related property offences in three selected jurisdictions in British Columbia: Vancouver City, the City of Victoria, and the City of Nanaimo.

## **2.3 China**

### **2.3.1 Implementation of the Law of Criminal Procedure**

Legal institutions in China are at a critical stage in implementing the 1996 Law of Criminal Procedure. In this regard, the *Centre* will participate in a conference in China in October 1998 to promote the United Nations standards and norms in criminal procedure and criminal justice. The *Centre* will work with the Research Centre for Criminal Law and Justice in Beijing to produce a case study which will address issues of implementation of the 1996 Law, with the objectives of promoting and assisting policy changes, and improving the actual operation of the Law. The result of this study will be published in China.

### **2.3.2 Development of Training Materials**

The *Centre* will assist the Central Prosecutors College in designing and developing a course on Comparative Prosecution Systems. Subsequently, the *Centre* will host a delegation of senior professors from the College for a short-term study tour in Canada in 1998. Finally, the *Centre* will participate in the development of a course curriculum and a textbook of Comparative Prosecution Systems at the College. These teaching materials will be used by the College in its training programs and will also be recommended and made available to provincial training centres.

### **2.3.3 Reform of Criminal Law**

The *Centre* will assist the Beijing Centre in conducting a study on criminal law reform. Two researchers from the Beijing Centre will examine Canadian and western criminal law, the aim of which will be to publish a report for use in the promotion and implementation of reforms in the area of criminal law in China.

### **2.3.4 Corrections Reforms**

Two exchange visits will be organized by the *Centre* and the China Prison Society in 1998. At the invitation of the China Prison Society, a Canadian delegation will visit prisons and other correctional institutions in China. In return, a Chinese delegation of prison officials will visit correctional facilities in Canada. During these visits, information and prison data will be exchanged, and seminars will be organized for presentations and discussions. Following the visits, it is likely that a joint research project on the reform and improvement of the prison systems will be launched.

### **2.3.5 China Legal Aid Project**

1998-1999 will see significant progress in the development of China's first national Legal Aid Law. As the executing agency for CIDA in this bilateral project, the *Centre* will undertake a number of activities to assist the legislative development in China. The *Centre* will host a delegation from the National Legal Aid Centre of the Ministry of Justice of China to conduct a study tour in Canada. This visit will provide senior experts from the NLAC opportunities to observe and study the various models of legal aid in Canada, collect Canadian and western legal aid research materials, and exchange views with Canadian legal aid directors and experts. The *Centre* will also assist in the design of a field investigative study in China, which will cover three different geographical areas in China. In addition, the *Centre* will participate in a legal aid conference in China.

## **2.4 Sentencing and Corrections**

### **2.4.1 Uganda**

As a follow-up to the seminar entitled "Alternatives to Incarceration: Their Applicability and Practice in Uganda," which was made possible in part by the financial support of the CSC, the *Centre*, in collaboration with Ugandan criminal justice officials, is proposing to develop a pilot project to demonstrate the benefit of a greater integration and coordination of roles, functions and activities of the various components of Uganda's criminal justice system. The focus of the proposed project is on the use of community alternatives to imprisonment.

### **2.4.2 Hong Kong**

The *Centre* has been invited by the Society for the Rehabilitation of Offenders of Hong Kong, to coordinate a planned visit by the Society to Canada in December 1998. The program will include visits to federal correctional institutions in the Pacific Region as well as aftercare agencies and criminal justice non-governmental organizations in the lower mainland of British Columbia, in order to learn about the vocational training opportunities available to offenders within Canadian institutions and the employment services provided to them by aftercare agencies in the community.

### **2.4.3 China**

A Canadian delegation visit to China and a reciprocal delegation visit by Chinese officials are the principal activities that will be funded by CIDA during this first year of a three-year program of work agreed upon by the *Centre* and the China Prison Society. The purpose of these visits is to determine the conceptual nature of the correctional reforms contemplated by China and to identify specific activities to be conducted in the later phases of the China project.

The *Centre* is also currently providing assistance to the Chinese Ministry of Justice in the development of a national legal aid system. One component of the project will deal specifically with the issue of the legal representation of convicted offenders in correctional institutions.

#### **2.4.4 Malawi**

The *Centre* has received a formal request from the Chief Commissioner of the Malawi Prison Service to assist in the implementation of recommendations contained within a 'Needs Assessment Report' on Malawi's prisons, conducted for the Government of Malawi and funded by CIDA. A preliminary funding proposal in support of those activities has been submitted to the Canadian High Commissioner in Harare, Zimbabwe for approval.

#### **2.4.5 South Africa**

The *Centre* has been invited to participate in "The Second International Conference on Modern Trends in Corrections" to be held in South Africa in order to discuss further collaborative efforts with Technikon SA, including participation in a scientific validation of study programs for correctional staff. Technikon SA is a career oriented teaching institution, subsidized by the South African government. The South African Department of Corrections has also expressed interest in discussing the possibility of establishing a collaborative program of work with the *Centre*.

#### **2.4.6 Brazil**

The *Centre*, with the support of the Governments of Canada and Brazil, will continue to work with ILANUD and in particular the ILANUD office in São Paulo on the development of a bilateral technical assistance project in São Paulo. A concept paper for the project will be submitted to CIDA prior to the development of a formal project proposal, which, from early discussions, suggest that the focus of the first project will be alternative sentencing for juveniles.

#### **2.4.7 African Penitentiary Association**

The *Centre* will continue to provide assistance to the African Penitentiary Association in realizing various aspects of the program of work, namely in the areas of research documentation and training.

#### **2.4.8 Central America**

The *Centre* is committed to assisting ILANUD in facilitating the implementation of a strategic plan of action for the years 1995-98 as adopted by all seven Central American countries. As part of the implementation of the overall strategic plan and following a needs assessment study in each of the seven countries, the meeting of Central American

sentencing and corrections officials has tentatively been rescheduled to take place in 1998. The primary purpose of the meeting will be to outline a course of action and key activities which must be undertaken in order to ensure that correctional systems and programs reflect the principles and values which have been adopted, and to identify the resources that will be required.

Earlier this year, the *Centre* co-published with the Canadian Foundation for the Americas, a document advocating the importance of greater cooperation between Canada and Latin America in the field of criminal justice and corrections.<sup>4</sup>

#### **2.4.9 Instrument for the Development of Prison Policy and Guidelines**

As referred to earlier in the Annual Report, the *Centre* has completed a draft model instrument on basic prison regulations and regulatory practices, based on relevant UN Standards, General Assembly Resolutions and Canadian operational guidelines. In November 1998 this draft policy instrument will be the focus of an experts meeting for the purpose of validating its usefulness and applicability to developing countries. This expert meeting will include officials from select African countries who will be the ultimate users of this instrument.

#### **2.4.10 Draft Policy Framework for Canada's Technical Assistance Initiatives in the Area of Sentencing and Corrections**

Based on consultations in the last eighteen months, the *Centre* proposes to develop a draft policy framework document to encourage broad discussion in this complex area. The objective of the document will be, in part, to relate current technical assistance initiatives in this area to Canada's broader foreign and international development policies. It will also attempt to draw together some of the lessons learned so far by various Canadian individuals and agencies already involved in international cooperation efforts in this field.

#### **2.4.11 Needs Assessment Instrument**

The needs assessment instrument, developed by the *Centre* to assist developing countries to identify the priorities for technical assistance in the area of sentencing and corrections, will continue to be utilized.

### **2.5 Thailand: Rights of the Child**

This project is now in its second phase which will entail refining the plan for the implementation of the UN Convention on the Rights of the Child in Thailand; assisting in involving other Thai agencies in the pilot project; assisting in adapting materials and creating others for Thai use; completing the resource book on Child Abuse Investigation and Care; and designing in collaboration with the Thammasat University, the data collection and evaluation plan.

## **2.6 CIDA China Program Stakeholders Meeting, Halifax**

The *Centre* was invited by CIDA to attend the China Program Stakeholders Meeting and to present a paper on “Canada/China Cooperation in the Field of Criminal Law Reform: A Few Lessons Learned”. The meetings enabled various executing agencies to share their respective project experiences in China. The *Centre*’s knowledge and strategy in this area is based largely on the sizeable work it has already done in China. The formulation of a policy framework in this regard is ongoing and depends heavily on fostering partnerships as well as an understanding of the needs of China.

## **2.7 Participation in the UNOJUST Network**

The *Centre* as part of the UN Network of Institutes in Crime Prevention and Criminal Justice, has joined the UNOJUST network. UNOJUST is the United Nations Online Crime and Justice Clearinghouse, and is a technical information service. In joining the network the *Centre* will expand its ability to provide for global information exchange via electronic networks.

# **3. Public Consultation and Information**

A public information and communication plan is being further developed to highlight and promote technical assistance and international cooperation activities in the fields of crime prevention and criminal justice. The *Centre* uses international fora to distribute and disseminate such information, for example:

## **3.1 Attendance at International Meetings**

The *Centre* will take an active role in the seventh session of the United Nations Commission on Crime Prevention and Criminal Justice, in Vienna. The *Centre* will also participate and present papers at the 12th Annual Conference of the International Society for the Reform of Criminal Law, the theme of which is “*Drugs, Criminal Justice and Social Policy: New Alternatives for an Old Problem*”. In addition, the *Centre* will present a paper at the International Association of Prosecutors Conference in Dublin on “Violence Against Children: International Criminal Justice Norms and Strategies”.

### **3.1.1 Coordination with Other Members of the UN Crime Prevention and Criminal Justice Programme Network of Institutes**

The *Centre* will continue to work closely with other members of the Programme Network of Institutes. In the coming year, the *Centre* will participate in the Annual Coordination Meeting, other informal Network meetings, and the Annual Meeting of ISPAC in Courmayeur, Italy.



### **3.1.2 Tenth UN Congress on the Prevention of Crime and the Treatment of Offenders**

The UN Congress is the most important gathering of Heads of State, Attorneys General, Ministers, Network Institutes and NGO's in the field of crime prevention and criminal justice. It is therefore an essential forum within which the *Centre* may exchange information, develop new contacts and renew professional relationships for the purpose of furthering the objectives of the *Centre*

### **3.2 Participation in Canadian Events**

The *Centre* will continue to participate in national and local events which directly impact on its objectives. Examples of these are: the Canadian Criminal Justice Congress, the Annual Meeting of National Non-Governmental Organizations organized by the CIDA, and the Annual Consultation Meeting of the Department of Foreign Affairs and International Trade with non-governmental human rights organizations.

FOCAL is a non-profit organization that promotes academic, political, business, and cultural cooperation between Canada, Latin America, and the Caribbean. The *Centre* intends to participate in a FOCAL workshop on the Privatization of Security in Latin America in 1998.

### **3.3 Annual Department of Foreign Affairs and International Trade Canada Lecture Series**

The *Centre* will continue to organize in cooperation respectively with the School of Criminology, SFU, and UBC Law School, two international lectures annually.

### **3.4 Permanent International Criminal Court**

The *Centre* is committed to continuing to support the national and international efforts for the establishment of a Permanent International Criminal Court. The *Centre* plans to send two representatives to participate in the Diplomatic Conference in Rome during June and July, 1998, and will continue to make presentations and provide public lectures on the topic.

### **3.5 Course and Research Opportunities for Students**

The *Centre* intends to continue its Summer Law Program with Southwestern University School of Law, Los Angeles. It will also carry on providing opportunities for students wishing to complete the practicum part of their degrees in the field of criminal law.

### **3.6 Development of an Internship Program**

The *International Centre* is planning on establishing a visiting fellows program at the *Centre*. The *Centre* is seeking national and international firms to act as fellowship patrons.



Fellows will spend three to six months at the *Centre* participating in the *Centre's* education, research and training activities.

### ***3.7 Development of a Common Curriculum***

The *Centre* and the Max-Planck Institute, in Freiburg, Germany, are continuing to work together for the development of a common international curriculum on comparative criminal justice studies.

### ***3.8 Visiting Associates Program***

The *Centre* is looking forward to welcoming The Honourable Madam Justice Elizabeth McFadyen of the Court of Appeal of Alberta, who will be working on, inter alia, the Independence of the Judiciary. In the future, the *Centre* anticipates a law student from Justus-Liebig-Universität Giessen to assist in several research projects relating to the Transnational Financial Crime Program. Information and data on money laundering techniques through the Internet (offshore business, second citizenship, online gambling) will be collected, as part of the research component of the Program, with the aim of the possibility of publishing an article.

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## LIST OF ACRONYMS

AIC	Australian Institute of Criminology
CICP	Centre for International Crime Prevention, Vienna
CIDA	The Canadian International Development Agency
CIVPOL	Civilian Police Personnel
CCFPD	Canadian Centre for Foreign Policy Development
CPCJD	Crime Prevention and Criminal Justice Division, UN at Vienna
CSC	The Correctional Service of Canada
DFAIT	Department of Foreign Affairs and International Trade, Canada
DOJ	Department of Justice Canada
HEUNI	European Institute for Crime Prevention and Control, affiliated with the United Nations
ICPC	International Centre for the Prevention of Crime
IIR	Institute of International Relations, University of British Columbia
ILANUD	United Nations Latin American Institute for Crime Prevention and the Treatment of Offenders
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 Programme
MSG	The Ministry of the Solicitor General of Canada
NAASS	Naif Arab Academy for Security Studies
NIJ	National Institute of Justice, USA
NLAC	National Legal Aid Centre, China
NPB	National Parole Board of Canada
ECOSOC	United Nations Economic and Social Council
ODCCP	Office for Drug Control and Crime Prevention, Vienna
OECD	Organization for Economic Cooperation and Development
RCCL	Research Centre of Criminal Law, The China University of Political Science and Law
SEAFILD	Southeast Asia Fund for Institutional and Legal Development
SFU	Simon Fraser University
TACJ	Technical Assistance in the Field of Criminal Justice
UBC	University of British Columbia
UCFV	University College of The Fraser Valley
UNAFEI	United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders

UNAFRI United Nations African Institute for the Prevention of Crime and  
the Treatment of Offenders  
UNICRI United Nations Interregional Crime and Justice Research Institute  
UNOJUST United Nations On-line Crime and Justice Clearinghouse  
UNOV United Nations Office at Vienna

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

1822 East Mall  
Vancouver, B.C.

V6T 1Z1

Tel: (604) 822-9875

Fax: (604) 822-9317

e-mail: [prefont@law.ubc.ca](mailto:prefont@law.ubc.ca)

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