

---

## CCIJ Backgrounder

### I. THE ISSUE

#### *Problem of Impunity*

The twentieth century has been called “the bloodiest century in history”. Indiscriminate and widespread murder, mass rape, the use of child soldiers, enslavement and disappearances carried out by state and non-state actors have affected millions of people on every continent. Despite the extent and horrific nature of the crimes, few perpetrators have been brought to justice. Yet despite these grim realities, there is hope that increased attention by international bodies, individual governments and global civil society to conflict and mass atrocities is having an impact.

#### *Changing Trends and the Need for National Trials*

Over the past decades, a system of international justice has been slowly emerging with the advent of international courts and tribunals established by the United Nations in the wake of atrocities committed in the former Yugoslavia, Rwanda and other countries. Then came the International Criminal Court in 2002—a watershed moment—with a permanent international judicial mechanism in place to address such international crimes. Canada played a lead role in this historic achievement.

The development of this international justice system has great potential to end the culture of impunity for mass atrocities, providing a measure of justice and preventing future crimes and conflicts. Yet the system of international justice is strongly predicated on the willingness and ability of national courts in countries like Canada to take on the majority of cases. There are limits on the ICC’s funding and jurisdiction, and at times Canadian corporations and even government officials are implicated in torture and other serious violations of international human rights. Continued leadership from the Canadian government and courts in this next critical phase of the global anti-impunity movement may be essential to its success.

#### *The relevance of International Justice to Canadians*

An estimated one million people living in Canada are said to have experienced torture and war trauma in the context of a conflict, a situation of massive human rights abuses, or in the so-called ‘war on terror’. At the same time, government figures indicate that as many as 2000 alleged war criminals and human rights abusers may be living in Canada, often in the same communities as their former victims. Seeking justice in Canada for some of these cases will have significant global impact.

In the year 2000, Canada became the first of all State Parties to the Rome Statute of the International Criminal Court to bring into force implementing legislation known as the *Crimes against Humanity and War Crimes Act (CAHWCA)*. The new law served to clarify the jurisdiction of Canadian courts to prosecute those thought to be guilty of genocide, war crimes and crimes against humanity.

So far only two cases have been prosecuted under the Act. Désiré Munyaneza was convicted in Quebec Superior Court in May 2009 on charges of genocide, crimes against humanity and war crimes for his role in the 1994 Rwandan genocide and is serving a life sentence. His case was widely heralded by the Rwandan community in Canada and globally, and by human rights organizations, as a landmark contribution to the promotion and protection of international human rights. A second Rwandan genocide suspect, Jacques Mungwarere, was arrested at the end of 2009 and is currently awaiting trial.

In addition to Rwanda, there are allegations involving mass atrocities related to many other regions of the world. Pursuing justice by prosecuting some of the hundreds of possible cases of war criminals present in Canada would strengthen this country's leadership role in the deterrence of mass atrocities and bolster the emerging system of international justice.

## **II. CCIJ's MISSION AND MANDATE**

The Canadian Centre for International Justice – Centre canadien pour la justice internationale works with survivors of genocide, torture and other atrocities to seek redress and bring perpetrators to justice.

In particular, working through appropriate domestic, foreign and international courts, and other mechanisms, the CCIJ's mandate is to work with victims, survivors and their immediate family members to pursue justice when individuals with a strong connection to Canada are experiencing, or have experienced serious violations of international law in Canada or abroad that are subject to universal jurisdiction. This includes war crimes, crimes against humanity, genocide, torture, enforced "disappearances" and extrajudicial executions.

Equally the CCIJ supports the pursuit of justice when an individual accused of committing or being complicit in such crimes is present in Canada, and seeks recognition, compensation and other forms of redress for the victims.

The CCIJ carries out this work in close cooperation with, and for the benefit of, affected communities and individuals in Canada and abroad. It also works collaboratively with domestic and international organizations and experts from a variety of fields in order to contribute to the success of the international justice system as a whole.

The CCIJ is incorporated federally and has charitable status. The organization is not affiliated with the Canadian government and is not a government agency.

The CCIJ fulfills its mission by focusing on five key areas of work:

1. **Education and training** for legal professionals, civil society groups and the general public in Canada about impunity as a critical human rights issue, by offering courses and workshops, and speaking at events and in classrooms, as well as developing educational materials;
2. **Investigations and legal research** in collaboration with diaspora in Canada and with international partners to help bring cases to criminal and civil trial in Canada and abroad;
3. **Advice, direction and referrals to victims and witnesses** of human rights abuses and/or their immediate family and friends, about other services they may need;
4. **Resource centre** for anti-impunity initiatives launched across the country and internationally, including access to Canadian and international jurisprudence, information regarding Canadian law, policy and practice, and making such information available to the interested public;
5. **Support for on-going law reform efforts** aimed at strengthening the legal remedies available in Canada for the commission of serious crimes of international concern.

### **III. WHO'S INVOLVED?**

The CCIJ has a small staff lead by the Executive Director, Jayne Stoyles, a lawyer who has been awarded an Ashoka Fellowship and two human rights awards for work in the field of international justice. A core team of CCIJ staff and consultants is complemented by a national network of more than 100 committed and diligent volunteers including lawyers, law professors, health professionals, members of affected communities, communications experts, translators and students in many disciplines.

The staff and volunteer groups are supported by the national Board of Directors which represents survivors and experts in the field of human rights and charitable management. An Advisory Committee of international experts on issues critical to the CCIJ provides input and support to the Board and staff.

In addition, a group of high-profile Canadians who have made important contributions to international human rights and justice serve on CCIJ's Honorary Council. Members include Louise Arbour, Philippe Kirsch, Lloyd Axworthy, Maher Arar, Ed Broadbent, Flora MacDonald, Senator Raynell Andreychuk, author Erna Paris and former Supreme Court Justice Claire L'Heureux-Dubé.

The CCIJ also works in close collaboration with global partners, including Human Rights Watch, the Center for Justice & Accountability and the Center for Constitutional Rights in the US, Redress, Global Witness and Amnesty International in the UK, Fédération Internationale des

Ligues des Droits de l'Homme in France, and many Hague-based organizations. On every case in which CCIJ is involved, we collaborate closely with NGOs in the affected country and with diaspora in Canada.

#### **IV. CCIJ HISTORY & SUPPORT**

The idea of creating the Canadian Centre for International Justice was originally promoted by the Center for Justice and Accountability, a US-based NGO with a similar mandate, which saw the need for a Canadian affiliate. The meeting at which the CCIJ was founded in 2000 coincided with Canada's enactment of the *Crimes Against Humanity and War Crimes Act*. The meeting included senior staff from Amnesty International Canada, the Canadian Centre for Victims of Torture, the Canadian Council for Refugees and many other organizations and individual experts in this area. The CCIJ was established because these learned individuals identified a gap in the Canadian charitable landscape for the cultivation and promotion of international justice.

Funders of the CCIJ's activities include or have included Ashoka Canada, the Law Foundations of Ontario and British Columbia, the Walter & Duncan Gordon Foundation, the Ontario Trillium Foundation, Tides Canada, the Toronto Funding Network, Service Canada, many individual donors, and Maher Arar as a major donor. CCIJ also generates its own revenue through Continuing Legal Education courses for the legal community, and through speaking honorariums and mentoring.

Significant in-kind contributions including rent and related overhead costs are provided by Amnesty International-Canada, and meeting costs are often donated by the Canadian Centre for Victims of Torture and the many other organizations involved. The CCIJ's legal services involve law firms working on a *pro bono* basis and volunteer practitioners and academics who serve as advisors. The CCIJ also benefits from significant volunteer contributions of communications support, design work, translation and event organizing.

*Last updated: February 11, 2011*