

2. ***Leave at the discretion of the Chief Justice.*** Judges may apply for leave to the Chief Justice, for a maximum of 6 months. Leave may be favourable to judges' involvement in peace operations because it allows flexibility.
3. ***Supernumerary status.*** To acquire supernumerary status judges have to be over 65 years old and have 15 years sitting experience. They are required to sit only half time. Supernumerary status allows flexibility and would provide peace operations with experienced, seasoned judges. However, the age limit set by some deployment agencies (including the UN) prohibits judges over 63 years old from being deployed.
4. ***Early retirement.*** Based on the date of appointment, the rule of 80 allows judges to take retirement before reaching the age eligibility. Earlier retirement may allow judges to dedicate their time to working abroad for a medium to a longer term.
5. ***Vacation time.***
6. ***Non-sitting week.*** (Non-sitting week is the 4<sup>th</sup> week during which judges are expected to write judgements after 3 weeks of sitting.)

Justice Peter Jarvis suggested that first of all, concrete projects for judges have to exist. Second, the Chief Justice should approve the projects and ensure they are legitimate and useful. Third, an application process with clear submission guidelines should be developed. Fourth, the Chief Justice should be directly involved in selecting judges for deployment (or matching them with projects), despite existing screening and selection mechanisms of some international and domestic organisations (UN, OSCE, CANADEM).

Questions about authority to spend money related to travel and other expenses have to be answered. Justice Macdonald suggested that the Commission for Federal Judicial Affairs (CFJA) could act as an intermediary. In case of deployment during JSL, reimbursements could be transferred from universities to judges through the CFJA. The universities would, in turn, receive funding for "judges in peace operations projects" from the Canadian International Development Agency (CIDA).

Patrick Ulrich (DFAIT) outlined a framework for deployment the Regional Security and Peacekeeping Division at the Department of Foreign Affairs and International Trade has been trying to develop. He emphasised the importance of prosecution in conflict prevention and its impact on peacebuilding. He addressed the logistics of deployment including the need for adequate screening, selection, training, debriefing and reintegration. Training, in particular, he said, requires some attention, from getting candidates psychologically ready for their activities abroad to providing inter-cultural management skills. Candidates should also be familiar with the workings of an international mission before being deployed. A system is being developed in co-operation with CANADEM aimed at addressing some of these pre-deployment needs. Ulrich warned that in many instances peace operations are inherently political, posing questions about the ability of judges to retain their independence and impartiality.

Efforts should be made to ensure that Canadian judicial activity abroad is not perceived or interpreted as "carrying the white man's burden." The "public good" aspect of the judges' work