

TREATIES ON MATTERS INVOLVING CRIMINAL LAW

MUTUAL LEGAL ASSISTANCE TREATIES (MLATS)

During the past year, Canada has continued to negotiate and sign Treaties on Mutual Legal Assistance in Criminal Matters. The network of MLATS ensures that an effective mechanism of international legal assistance exists for use by Canadian law enforcement authorities. MLATS may be used to obtain evidence, exchange information on the proceeds of crime and assist, to the extent permitted by respective laws, in forfeiture. An MLAT may also be used to examine objects, exchange information, locate and identify persons, transfer persons in custody, and facilitate requests for search and seizure.

Canada has entered into treaties with Australia, the Bahamas, France, Hong Kong, the Netherlands, Mexico, the United Kingdom and the United States. On October 3, 1994, an MLAT with Thailand was signed by the Minister of Foreign Affairs and came into force on signature.

In the past year Canada has signed MLATs with China, India, Korea, Poland, Spain, and Switzerland. Negotiations have been held with Austria, Denmark, Germany, Hungary, Panama Portugal, Sweden, Switzerland, Uruguay, Venezuela and Vietnam.

TRANSFER OF OFFENDERS

Canada has transfer of offenders arrangements with about 38 countries through bilateral treaties, the Strasbourg Convention on the Transfer of Sentenced Persons and the Scheme for the Transfer of Convicted Offenders within the Commonwealth. These arrangements permit individuals in prison abroad to be returned to Canada to serve their sentence in their own culture and language close to friends and relatives. Rehabilitation is one of the principle objectives of these arrangements

On July 27, 1993, Canada accepted the Scheme for the Transfer of Convicted Offenders within the Commonwealth. This permits offenders from Commonwealth countries which accept this Scheme to serve their sentences in their home countries. Under the Scheme a Canadian prisoner in a