

been ratified by 105 nations, and was incorporated into Canadian law in 1986. In addition, the World Trade Organization (WTO) offers a mechanism for resolving trade disputes between states through a process of negotiation and submission to a special panel appointed by the Dispute Settlement Body of the WTO General Council.

At the same time, there is no doubt that we are now witnessing a globalization of rights. Fifty years after the Universal Declaration of Human Rights, which has inspired several other major related international human rights instruments such as the Conventions on Genocide and Torture, many groups and individuals that, until recently, did not truly think of themselves as rights holders, are asserting these fundamental rights in an increasingly concrete fashion.

In this context, courts in Canada have proven themselves, in the last two decades, to be a highly valued and much noticed forum in which important and controversial social and political claims have often clashed. This new Canadian identity has made us a focal point of international expectations in dealing with the current upsurge in claims by rights holders.

The criminal justice model is a particularly apt forum for the process by which rights are expanded. Lying as it does at the junction between public and private law, domestic criminal law has become the forum *par excellence* for society to reaffirm its fundamental and yet evolving values, and to calibrate the mechanisms that check abuses of government power and the other unavoidable excesses of democracy.

Canada has championed — and indeed, played a leading role in the creation of — the International Criminal Court (ICC), which it duly ratified last summer. I would like to salute my friend Philippe Kirsch for his work in this regard. Canada has a position of leadership in this area, and has the opportunity to transform the perception, which is particularly strong in this country, of its peacekeeping role.

Such a transformation is a very natural one, since criminal law, at the domestic level, is the preferred system for maintaining and restoring peace. In fact, it is a substitute for the use of force or armed intervention — an approach that all too often seems to be the only option available internationally, albeit the least attractive one.

I am aware of the ongoing efforts within international organizations such as the United Nations and the Organization of African Unity (OAU), and within the European Union, to develop effective military intervention mechanisms for situations in which such intervention is necessary and does not exist or is inadequate. I am not proposing some utopian vision where the justice system completely supplants the