

Canada will participate in a conference this fall under the auspices of the Hague Conference on Private International Law during which a convention on international abduction will be negotiated and opened for signature. The purpose of the convention is to ensure the speedy return of the child to the custodial parent in the country of habitual residence of the child. It is expected that Canada will become a party to the convention.

In recent years, Canada has entered into Treaties on the Execution of Penal Sentences, i.e., (the Transfer of Offenders) with the United States and Mexico. In July 1980, Canada ratified a similar treaty with Peru. Under these treaties, a Canadian citizen convicted and sentenced to a term of imprisonment in these countries may apply to serve the sentence in a Canadian penal institution subject to the approval of the states concerned. To date, 58 Canadians have been returned to Canada from the United States and 9 Canadians were transferred to Canada from Mexico to serve their sentence. As far as Peru is concerned, the treaty will be implemented as soon as possible. At present, there are 27 Canadians detained in Peru, most of whom are awaiting their trials. A similar treaty was signed between Canada and France on February 9, 1979 and ratification is awaiting completion of internal procedures in France. A treaty on the Execution of Penal Sentences was also signed with Bolivia on March 6, 1980 and it is hoped that ratification will take place in the near future. Negotiations for a similar treaty have also been held with several other states. In October 1980, a Canadian delegation with observer status will attend a meeting at Strasbourg of the select committee of experts established by the Council of Europe, to consider the possibility of drawing up a model agreement for a simple procedure for the transfer of prisoners for use by member and non-member states.

At the Commonwealth Law Ministers meeting in Barbados in April 1980, Ministers considered whether it might be appropriate to develop Commonwealth arrangements under which a prisoner might be transferred from a country in which he had been convicted, so that he could serve his sentence in his home country. Ministers endorsed in principle that a Commonwealth Scheme be developed and have as its basis the consent of the countries involved and of the prisoner.