

An Agenda For Action

Countries like Canada are increasingly called upon to perform activities aimed at national reconciliation and rebuilding, like drafting constitutions, instituting administrative and financial reforms, strengthening domestic laws, enhancing judicial structures, training human rights officials and helping opposition movements transform themselves into democratically competitive political parties.

Leaving aside, for the moment, the broader question of direct support to the institutional instruments of democracy, we can perhaps now focus on the issue of providing concrete support to the rule of law and, in particular, on the concrete means through which local criminal justice systems can be supported by technical assistance and other initiatives to ensure that they themselves contribute fully to the peacebuilding process. What kind of concrete initiatives to assist in the reconstruction of a country's criminal justice system are more apt to create the temporary space where peace may grow?

There is an increasing recognition that democracy and a better quality of life can only flourish in a context of peace and security for all. Crime poses a threat to stability and to a safe environment. Crime prevention and criminal justice, with due regard to the observance of human rights, is thus a direct contribution to the maintenance of peace and security.

After the end of a conflict, the prompt re-establishment of a country's criminal justice system is a fundamental and urgent requirement for a functioning democracy. Efforts to re-establish a country's criminal justice system should also be considered in tandem with the development of other democratic institutions. Almost always in post-conflict situations, success in building democratic institutions and in reviving a country's economy largely depend on the observance of the rule of law and adequate human security. One of the important objectives of peacebuilding initiatives is thus to ensure that the criminal justice becomes capable of ensuring the maintenance of law and order, with due consideration to the protection of civil rights and basic freedoms. The provision of a legislative basis for the protection of human rights is clearly a priority for action¹².

Elements of an Intervention Strategy¹³

The criminal justice system is among those institutions that suffer most in conflict situation. At first, an attempt is usually made to make it subservient to those exercising political power. When it appears unlikely that it will lend itself to the attainment of

¹² *The United Nations crime prevention and criminal justice programme in the context of peace-keeping and peace-building*, presented to the Commission on Crime Prevention and Criminal Justice, 22 May 1996, E/CN.15/1996/CRP.7, p. 11.

¹³ Most of the content of this section is borrowed from : *The United Nations crime prevention and criminal justice programme in the context of peace-keeping and peace-building*, presented to the Commission on Crime Prevention and Criminal Justice, 22 May 1996, E/CN.15/1996/CRP.7