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Canadian Delegation to the
Organization for Security & Cooperation
in Europe



Délégation du Canada auprès de
l'Organisation pour la sécurité et la coopération
en Europe

**DELEGATION OF CANADA TO THE OSCE
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OSCE HIGH LEVEL MEETING ON VICTIMS OF TERRORISM
SEPTEMBER 13-14, 2007**

I would like to preface Canada's intervention today with a personal expression of condolence to all victims who have suffered pain and loss.

Victims' assistance programs need to meet four categories of assistance: immediate crisis needs, post crisis victim assistance, criminal pre-trial and trial assistance and long-term assistance. It is easy to conclude that only by listening to the victims and taking steps to address each category of need will the expectations of victims following an act of mass victimization be met. These needs are best met by an interplay of government and NGOs, each playing differing but important roles in rendering victims' assistance.

I would like to share the Canadian federal experience in certain initiatives in victims' assistance and which have application to victims' of terrorism.

When a Canadian citizen is a victim of crime, abroad, they may not meet the eligibility criteria for domestic victims' services and programs that are provided according to the jurisdiction of the criminal act. Canadians are eligible to receive consular services while outside of Canada through the Department of Foreign Affairs Canada, Consular Affairs. However, the Canadian victimized abroad may need specialized services, especially upon their return to Canada, which are not covered under the consular mandate.

As of April 1, 2007, emergency financial assistance through the Victims Fund is available to individual Canadians who are victims of serious violent crimes in a foreign jurisdiction

Canadians victimized abroad may apply to the Department of Justice for emergency financial assistance if they:

- Are a victim of a violent crime in a foreign jurisdiction; or
- Are a family member of a victim, where the victim is dead, ill or incapacitated due to their victimization in a foreign jurisdiction; or

- In the case of a child victim, is a parent or the person responsible for the care and support of the child.

The categories of financial reimbursement for Canadians victimized abroad may include:

- Resources to cover travel expenses of victims to return to the country where the crime occurred in order to attend the preliminary hearing and/or the trial or equivalent process,
- Resources to cover travel expenses of victims to return to the country where the crime occurred in order to testify at the preliminary hearing and/or trial or equivalent process if the host country is unwilling/unable to pay,
- Resources to send a support person to be with the Canadian victimized abroad, during the immediate aftermath of the crime, and
- Where no other support is available, cover the expenses for a Canadian victim of crime to return to Canada.

Canada has ongoing formal and informal working relations with the provinces on issues related to victims of crime that facilitate the implementation of both levels of government assistance in the event of a mass victimization. Canada has remained attentive to the lessons learned from other nations and where appropriate facilitates the incorporation of such practices into victims' assistance programs.

Canada's recent experience with a terrorism trial arose from the prosecution of two persons alleged to have been involved in the Bombing of Air India Flight 182. Provincial officials developed the victims' assistance program for this trial based upon the program implemented for the Lockerbie trial that occurred in Camp Van Zeist in the Netherlands.

Both levels of government participated in the provision of court based services for victims in the Air India trial with the federal government assuming the financial responsibility for the provincially implemented court based victims' assistance program. This extensive program developed for the Air India trial utilized the services of a victims' services manager, two caseworkers, travel organizer, Crown prosecutor and support staff to reach out to victims' families using a variety of media strategies.

Victims' services included:

- Access through a confidential web portal to information and guidance about the progress of the trial.
- Regular contact from a victims services worker
- Communications and regional meetings
- Travel, accommodation and a per diem allowance for two representatives of victims' families to attend during up to two weeks of the trial,
- Accompaniment to court by victim services workers
- Participation in the preparation and publication of a memorial book.

The Government of Canada is providing increased resources to the Department of Public Safety and Emergency Preparedness to defray the travel costs of registered victims who wish to attend parole hearings of offenders under federal supervision

who harmed them. This has permitted victims' families to travel to the parole hearings held in relation to the offender convicted of role in the Air India bombing.

The mandate of the Federal Ombudsman for Victims of Crime relates exclusively to matters of federal responsibility and includes:

- facilitating access of victims to existing federal programs and services by providing them with information and referrals;
- addressing complaints of victims about compliance with the provisions of the Corrections and Conditional Release Act that apply to victims of offenders under federal supervision and providing an independent resource for those victims;
- enhancing awareness among criminal justice personnel and policy makers of the needs and concerns of victims and the applicable laws that benefit victims of crime, including to promote the principles set out in the Canadian Statement of Basic Principles of Justice for Victims of Crime; and
- identifying emerging issues and exploring systemic issues that impact negatively on victims of crime.

The Ombudsman is a key player in maintaining federal government accountability to victims in issues within its scope and mandate.