

# RCMP



ROYAL CANADIAN MOUNTED POLICE

# International Anti Corruption Teams

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**RCMP International Anti Corruption Unit**



## What is Corruption?

**Corruption occurs when officials in the public and private sectors improperly and unlawfully enrich themselves, or others, by misusing the power entrusted to them. This includes embezzlement of funds, theft of corporate or public property, influence peddling, bribery, extortion and other corrupt practices.**



## Overview

**Law Enforcement and Offences**

**Compliance with United Nations Convention  
Against Corruption (UNCAC)**

**Checks and Balances of System**

**Enforcement**

**Case Studies**



## Enforcement of Corruption Laws

### **Municipalities, such as cities and villages**

- Municipal police

### **Provincial Government**

- Provincial police or contract the RCMP to police

### **Federal Government**

- Royal Canadian Mounted Police



## Offences

**Offences related to government officials:**

- **Bribery, Breach of Trust Public Official**

**General offences**

- **Breach of Trust, Forgery, Fraud,**

**International offences**

- **Corruption of Foreign Public Officials Act (CFPOA)**



## Corruption of Foreign Public Officials Act

### **Bribing a Foreign Public Official**

- Persons and Corporations can be charged

### **Laundering Property and Proceeds**

- Removed from CFPOA as it is in the Criminal Code

### **Possession of Property and Proceeds**

- Persons and Corporations



## Corruption of Foreign Public Officials

### Section 3 CFPOA

- Spells out offence and punishment

### Facilitation Payments

- Based on the US Foreign Corrupt Practices Act (FCPA)
- US Case law will likely be used as a starting point



## United Nations Convention Against Corruption

- In 2003, the UN adopted the UNCAC
- October 2007, Canada ratifies UNCAC
- Canadian Government has a responsibility to act against international corruption



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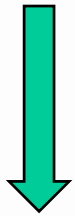
## Corruption Policy Centers

- **Department of Justice**
- **Department of Foreign Affairs and International Trade**
- **Royal Canadian Mounted Police**



## Royal Canadian Mounted Police

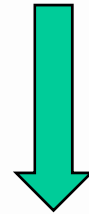
Financial Crime Directorate



Integrated Market  
Enforcement



Commercial Crime



Proceeds of Crime



International Anti Corruption



## International Anti Corruption Units

- There are two seven-person International Anti Corruption Units
- Located in Calgary and Ottawa
- Units deliver services on four fronts: Investigation, Prosecution, Prevention and Detection



## IACU Mandate

### Investigations:

- To investigate matters concerning the corruption of foreign public officials by a Canadian person or business
- To investigate matters concerning the corruption of domestic public officials by a foreign person or business
- To investigate matters in accordance with Canadian Treaty obligations (MLATs)



## IACU Mandate

### Prosecution:

- Preparation for and participation in court processes
- Actual prosecution is done by the Department of Justice

### Prevention:

- Participation in government training programs to educate personnel in international trade/relations



## IACU Mandate

### Prevention:

- Awareness presentations made to business sector members operating internationally

### Detection:

- Proactive investigations derived from intelligence



## Protection of Person Reporting

### Whistle-blower Legislation

- Federal legislation to protect subjects who provide information
- A person who reports cannot lose job or be penalized
- Section 425.1 CC makes it an offence for an employer to retaliate or threaten an employee for reporting a crime

### Privacy of Investigation

- While investigation is ongoing, the product of the investigation is confidential



## Checking on Government

### Ombudsman

- Answers complaints and can have independent investigation

### Access to Information (ATIP)

- Any citizen or agency can make a request for access to information

### Auditor General

- Appointed by government but independent





## Is Canada Free of Corruption?

- **Canada does not tolerate corruption**
  - Google Corruption Canada
- **Must stay vigilant**
- **Investigations**
  - 2005 CBC lists Canada's Top Scandals dating back to 1873
  - 1995 large number of Saskatchewan Conservative members of the legislature charged
  - 2006 Saulteaux First Nation Chief and Council convicted
  - Ad Scandal

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## Questions / Comments?