

**Commission of Inquiry into Certain Allegations Respecting Business
and Financial Dealings between Karlheinz Schreiber and the Right
Honourable Brian Mulroney**

AGREED STATEMENT OF FACTS

John H. Sims
Deputy Attorney General of Canada
Department of Justice
234 Wellington Street
10th floor, East Tower, Room 1001
Ottawa, Ontario
K1A 0H8

Per: Paul B. Vickery

Tel: (613) 948-1483
Fax: (613) 941-5879
E-mail: paul.vickery@justice.gc.ca

**Counsel for the Attorney General of
Canada**

In lieu of witnesses from the Royal Canadian Mounted Police being called to testify before the Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings between Karlheinz Schreiber and the Right Honourable Brian Mulroney (the "Commission") regarding the following facts, the parties agree that :

1. On January 8, 2009, Mr. Giuseppe Battista, Commission Counsel, sent a letter to the Attorney General of Canada (AGC) requesting "specific documents and information regarding persons Commission Counsel would like to interview pertaining to matters of the Commission of Inquiry" ("the January 8, 2009 letter").
2. Commission Counsel requested specifically from the Royal Canadian Mounted Police (RCMP) "all documents, including, without limitation, records, day timers or reports, of officers involved in accompanying, or involved with security for, the Right Honourable Brian Mulroney, on the following dates :
 - (a) June 23, August 27 and December 18, 1993;
 - (b) December 8, 1994; and
 - (c) February 2, 1998."
3. Commission Counsel further requested that "the officers who accompanied, or were involved with security for, the Right Honourable Brian Mulroney on June 23, August 27, and December 18, 1993, on December 8, 1994 and February 2, 1998 be made available for interviews with Commission counsel."
4. Further to this request, the RCMP conducted extensive searches within and verifications with :
 - (a) the RCMP's Prime Minister's Protection Detail (PMPD) Unit;
 - (b) the Very Important Person Security Sections (VIPSS) Units in "O", "C" and "A" Divisions, representing Ontario, Québec and Ottawa respectively; and
 - (c) the RCMP's International Operations Branch (Liaison Officers).

RCMP Search Results

5. The RCMP made every effort, and conducted diligent searches, to locate all relevant documents and identify all RCMP members who accompanied or provided security for Mr. Mulroney on the dates identified in the January 8, 2009 letter.
6. The RCMP has no surviving record of receiving a request for, or of providing Protective services for Mr. Mulroney on the dates specified in the January 8, 2009 letter, with the exception of June 23, 1993 when Mr. Mulroney was still in office.
7. Notwithstanding and in order to ensure due diligence, extensive searches were

conducted to locate any relevant RCMP documents and to identify RCMP members working for units that would have been responsible for the security of Mr. Mulroneu on the dates identified in the January 8, 2009 letter. Queries were conducted on the RCMP's Human Resource Management Information Systems (HRMIS), Police Information Retrieval System (PIRS), and Q&A databases. All members identified in this fashion were then canvassed to determine if, from their own recollection, they had any relevant documentation or recollection of specific events on the dates in question. It should be noted that VIP-PMPD personnel do not generally take notes unless there is a specific event or incident which deviates from the pre-planned agenda of the VIP.

8. The RCMP did not locate any relevant documents since files, assignment sheets and shift schedules relevant to the dates in question have been purged in accordance with RCMP Records Management Policy. The RCMP did not identify any RCMP member who had any relevant documentation or recollection of specific events for the dates identified in the January 8, 2009 letter.

PMPD Searches

9. Due to the fact that Mr. Mulroneu was still in office on June 23, 1993, searches were conducted within the RCMP's PMPD Unit.
10. HRMIS searches identified seventy members working at PMPD at the time, 35 of whom have since retired. Members contacted in the initial stages were able to provide sufficient information from their recollections and notes to allow PMPD to re-create shift schedules for June 23, 1993. 29 members assigned to Mr. Mulroneu were identified in this fashion.
11. Of the 29 members identified, 24 members were contacted, 2 members were sent letters, and 3 were not located. The members contacted have no relevant documentation or recollection of any specific events that day.

"O" Division Searches

12. RCMP "O" Division VIP Security Q&A database confirms that Mr. Mulroneu received RCMP assistance while in Toronto on January 27 and 28, 1998 and February 9 and 10, 1998 (File # 98VP00181).
13. 4 members that were assigned to "O" Division VIP Security were identified and contacted. 3 members have no relevant documentation or recollection of any specific events on those dates.
14. The assigned member, according to his recollection and notes, picked Mr. Mulroneu up at Pearson Airport on February 9, 1998. Mr. Mulroneu was alone at the time. No other information or documentation has been identified. The origin of Mr. Mulroneu's February 9, 1998 arrival at Pearson Airport was unknown to

the member as was his departure destination on January 28, 1998.

“C” Division Searches

15. No relevant documents were located as a result of the “C” Division VIP Unit search.
16. 38 active members who were assigned to “C” Division VIP Unit on August 27, 1993, December 18, 1993 and December 8, 1994 were identified. Of those, 32 members were contacted, and 6 were not located. The members contacted have no relevant documentation or recollection of any specific events on those dates.

“A” Division Searches

17. No relevant documents were located as a result of the “A” Division VIP Unit search.
18. 124 members who were assigned to “A” Division VIP Unit on August 27, 1993, December 18, 1993 and December 8, 1994 were identified. 67 have since retired. 106 members have been contacted. The RCMP was unable to locate 18 members. The members contacted have no relevant documentation or recollection of any specific events on those dates.

International Operations Branch - RCMP Liaison Officer Verifications

19. The RCMP does not have any records or indication that RCMP members provided security to Mr. Mulroney on February 2, 1998 in Zurich, Switzerland.
20. The RCMP Liaison Officer stationed in Berne at the time was identified and contacted. He advised that he has no recollection or documentation of any visit by Mr. Mulroney on the date in question. Further, it would have been normal practice that he would have been advised of Mr. Mulroney’s visit if accompanied by RCMP members.
21. The RCMP was advised that the driver employed at the Canadian Embassy at the time was identified and contacted. He has confirmed that he did not drive Mr. Mulroney in either Zurich or Berne. Indeed, he has confirmed that he has never met nor spoken with Mr. Mulroney. Since the Embassy has had only one driver position since 1993, no other driver could have provided services to Mr. Mulroney on February 2, 1998.
22. The RCMP was advised that the Embassy no longer has log sheets dating back to 1998.

Incorrect, Inaccurate or New Information

23. Should this Agreed Statement of Facts contain any incorrect or inaccurate information, the Commission shall be contacted forthwith with the correct information.
24. Should any documents or information that may be relevant to the January 8, 2009 letter, which have not been identified in the RCMP's searches due notably to oversight or inadvertence, surface during the Commission's proceedings or prior to the public release of the Commissioner's final report, the Commission shall be informed forthwith of the documents' or information's existence.

Paul B. Vickery
Counsel for the Attorney General of Canada
Date :

Commission Counsel
Commission of Inquiry Into Certain Allegations Respecting Business and Financial Dealings Between Karlheinz Schreiber and the Right Honourable Brian Mulroney
Date :