
**Report on the
Privy Council Office's Executive Correspondence Procedures
and the Handling of Letters From
Karlheinz Schreiber to Prime Minister Stephen Harper,
June 2006 to September 2007**

**Submitted to:
Commission of Inquiry into Certain Allegations Respecting Business
and Financial Dealings Between Karlheinz Schreiber and
the Right Honourable Brian Mulroney**

by the Privy Council Office

January 30, 2009

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INTRODUCTION

This report has been prepared by the Privy Council Office (PCO) in compliance with the faxed letter dated November 26, 2008 from Nancy Brooks, Commission Counsel, Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings Between Karlheinz Schreiber and the Right Honourable Brian Mulroney, to Paul Vickery, Director and Senior General Counsel, Justice Canada, requesting a report describing in detail the PCO's policies and procedures relevant to the processing of Mr. Schreiber's correspondence of March 29, 2007 to Prime Minister Harper.

The report consists of the following sections: Part One is a general description of PCO Executive Correspondence Unit's procedures; Part Two provides information on the handling by PCO Executive Correspondence Unit of sixteen items of correspondence from Karlheinz Schreiber to Prime Minister Harper dated June 16, 2006 to September 26, 2007, including the letter of March 29, 2007. Eight appendixes are provided. Appendixes One to Six provide detailed information on aspects of the management of correspondence to the Prime Minister: the location of PCO Executive Correspondence Unit in the departmental chain of command; the volume of correspondence processed by PCO Executive Correspondence Unit; a glossary of terms used in PCO's correspondence tracking system; the form used when assigning responsibility for the preparation of replies to the Office of the Clerk of the Privy Council and Prime Minister's Office (PMO); guidelines for assigning the preparation of replies; and reasons for directing correspondence to file without response. Appendixes Seven and Eight are binders of photocopies of the sixteen items of correspondence sent by Mr. Schreiber to the Prime Minister from June 16, 2006 to September 26, 2007. Appendix Seven contains the four letters that were transferred by PCO Executive Correspondence Unit to Prime Minister's Correspondence Unit in PMO. Appendix Eight contains the twelve letters that were handled by PCO Executive Correspondence Unit. Appendixes Seven and Eight contain a printout of the record from the correspondence tracking system for each item of correspondence. The information in these printouts details how each item was handled.

I. PRIVY COUNCIL OFFICE'S EXECUTIVE CORRESPONDENCE PROCEDURES

A. Background

The Privy Council Office (PCO) dedicates 35 employees in the Executive Correspondence Unit (ECU) to the management of correspondence to the Prime Minister. An organization chart is provided as Appendix 1. A separate unit in the Prime Minister's Office – Prime Minister's Correspondence (PMC) – manages correspondence that is political or personal in nature, or is

correspondence that PMC wishes to handle itself, either because the Prime Minister knows the individual who has written or the issue is of particular interest to the Prime Minister or his staff.

ECU manages a significant volume of correspondence on behalf of the Prime Minister. In 2006-07, ECU handled 1,701,846 items of correspondence; 1,121,171 were handled in 2007-08 (Appendix 2). "Correspondence" is defined as letters (including any enclosures or attachments), electronic mail messages, post cards, petitions, birthday and anniversary greeting requests, and telephone calls that are addressed to the Prime Minister.

Procedures are in place to guide the handling of correspondence and an electronic system, the Correspondence and Issues Management System (WebCIMS), is used to manage and track the items (Appendix 3).

B. Process for Postal Mail

i. Sorting of Letters by Executive Correspondence Unit

Letters received by PCO are sorted by ECU Mailroom and Production Unit (MPU) Clerks into the following categories:

- Political and personal mail: detailed description below;
- Priority mail (mail from VIPs): detailed description below;
- General mail (mail from the public): detailed description below;
- Requests for special messages from the Prime Minister (such as messages to participants in conferences that appear in conference programs);
- Requests for greetings for significant wedding anniversaries, significant birthdays, and military retirements;
- Write-in campaigns on specific issues (postcards, form letters, and petitions).

Procedures for handling requests for special messages, requests for greetings and write-in campaigns will not be covered in this report as they are not relevant for the present issue. However, details can be provided should they be required.

ii. *Procedures for Handling Political or Personal Mail*

Personal or political mail is defined as mail that relates to the Prime Minister's constituency business and role as a Member of Parliament; party political matters (such as party leadership, party organization, and caucus affairs); and the private life and personal interests of the Prime Minister.

In addition, PMC sometimes identifies particular issues for handling by their unit, either because the Prime Minister knows the individual or the issue is of particular concern to the Prime Minister or his staff. PMC determines on an ongoing basis which issues are of particular interest, and informs ECU.

From time to time, ECU sends correspondence to PMC to give them the opportunity to determine if they wish to reply to correspondence on a subject where no specific instructions have been received by ECU from PMC. This could be done, for example, if a specific issue were receiving increased media coverage, or if an item of correspondence was received that had a bearing on an upcoming special event that the Prime Minister was going to attend. ECU initiates the transfer of correspondence by contacting PMC by telephone or email, and/or by transferring the correspondence file to them.

Personal or political mail is given a tracking number by ECU Mailroom and Production Unit Clerks and forwarded to the Correspondence Analysts for data entry (name and address of correspondent, date of letter, etc.) and scanning into WebCIMS. The originals are forwarded to PMC. No copies are kept by ECU and the permissions for viewing the scanned letters in WebCIMS are determined by PMC.

iii. *Procedures for Handling Priority Mail*

Letters from prominent individuals such as Heads of State, Premiers and Ministers are treated as priority mail and may receive a reply signed by the Prime Minister. They are given a tracking number and are brought to the ECU Mailroom and Production Unit Coordinator, who prepares a paper routing form (called a "T-form") (Appendix 4). This contains the name of the correspondent, the tracking number, the date of the letter and the date received, as well as boxes for check-off for action and for information copies. (It is used by PCO secretariats and the Office of the Clerk of the Privy Council to add notes, comments and actions to be taken.)

Priority mail is then forwarded to the ECU English or French Senior Editor for routing. The Senior Editor first decides whether it truly is priority mail or should be downgraded to general or "urgent general" (treated as general mail,

but with a shorter reply deadline). The Senior Editor checks off the boxes for action or information and assigns a distribution list (Appendix 5).

Priority mail is subsequently forwarded to the Correspondence Analysts for WebCIMS data entry (name and address of correspondent, date of letter, etc.) and scanning.

Letters from Heads of State and Government, Premiers, and Cabinet Ministers are normally assigned to the Office of the Clerk of the Privy Council for information and/or reply. Replies are prepared by PCO secretariats. Upon signature by the Prime Minister, copies of replies are returned to ECU for scanning into WebCIMS.

Letters from other individuals, such as heads of non-government organizations, are generally replied to by ECU, with the Senior Editor assigning the replies to writers according to their respective portfolios. These either receive a simple acknowledgement, a letter of thanks, or are forwarded to the appropriate line department.

iv. *Procedures for Handling General Mail*

General mail is mail from the public and is handled by ECU staff. Upon receipt, general mail is given a tracking number and is forwarded by the ECU Mailroom and Production Unit to the ECU Correspondence and Greeting Analyst Unit for data entry and scanning into WebCIMS. General mail does not receive a paper routing form (T-form) and goes straight to the ECU Correspondence Analysts for action.

The issues raised in general mail usually fall under the mandate of a particular department, and the majority of this mail is acknowledged by ECU staff and forwarded to line departments for information and action, as appropriate. If the letter should receive a standard reply, then the Correspondence Analyst chooses one from the standards library. WebCIMS produces a paper reply which is signed by the Coordinator of the Correspondence and Greeting Analyst Unit (ECU). If the correspondence is being forwarded for information or reply to the Office of the Clerk of the Privy Council or another department, copies of the incoming and outgoing correspondence are emailed from WebCIMS to the department.

Not all letters receive replies: letters that are unsigned, abusive, obscure, letters that concern a matter before the courts, or letters from a prolific writer (having written 10 times or more per year) are generally directed to file without a reply. A detailed list of the reasons for filing correspondence without a reply is provided as Appendix 6. These decisions are made by the Writer, in consultation with the ECU Correspondence Analyst and/or the Senior Editor.

C. Process for Electronic Mail

Emails to the Prime Minister are sent by individuals either to his email address on his website (pm@pm.gc.ca) or through his Parliament Hill Office, in which case they are transferred to the Prime Minister's email account, which is accessed by ECU.

Emails are first sorted by the ECU Coordinator of the Correspondence and Greeting Analyst Unit to delete any junk emails or copies. The remaining emails are processed by ECU Correspondence Analysts.

General emails that require a reply may receive a standard reply from the library of email standards. In cases where a standard is inappropriate, they are assigned to a writer, and treated the same as general postal mail. General emails are not printed and are entirely treated through the PCO email system.

Priority emails are printed, given a tracking number, and then scanned into WebCIMS and treated like postal priority postal mail.

Political and personal emails are transferred electronically to PMC, an automatic acknowledgement is generated and sent to the correspondent, and then the email is automatically deleted from the PCO email system.

D. Process for Telephone Calls

Two information officers are responsible for answering and responding to phone enquiries directed to the Prime Minister and transferred from the switchboard of PCO, from individuals and organizations in Canada and abroad. The officers note comments/opinions expressed by callers and respond to queries on the status of correspondence and requests for message from the general public, organizations, MPs' offices and Senators' offices.

The officers are also responsible for contacting applicants or correspondents when required information is missing from postal mail or emails.

II. HANDLING OF KARLHEINZ SCHREIBER'S LETTERS TO THE PRIME MINISTER

A total of sixteen letters from Karlheinz Schreiber to the Prime Minister were received by ECU between June 16, 2006 and September 26, 2007. These letters were received by ECU before the allegations made in an affidavit dated November 7, 2007 by Mr. Schreiber against Mr. Mulroney were made public. These sixteen letters were examined by Professor David Johnston in his first

report of January 9, 2008 to the Prime Minister and are referred to by the Oliphant Commission in its Public Consultation Paper of December 15, 2008.

Mr. Schreiber's mailings each consisted of a letter from Mr. Schreiber to the Prime Minister, along with various enclosures (copies of letters to and from other individuals, printouts of web sites, copies of articles, etc.).

The sixteen letters from Mr. Schreiber were received and registered by ECU as fifteen mailings. One mailing contained two letters from Mr. Schreiber (the letters of April 8, 2007 and April 10, 2007). These two letters were sent by Mr. Schreiber in one package, along with a number of enclosures. ECU registered this mailing as one correspondence item: the letter to the Prime Minister of April 8, 2007 was treated as an enclosure to the April 10, 2007 letter.

Over a period of fifteen months, four letters (June 16, 2006; August 23, 2006; May 3, 2007; and September 26, 2007) (Appendix 7) were sent by ECU to PMC. ECU did not treat Mr. Schreiber's correspondence differently than any other pieces of correspondence that are regularly sent to PMC. The first letter dated June 16, 2006 was sent to PMC for their consideration. Over the following fifteen months, three other items were transferred in order to inform PMC that Mr. Schreiber was continuing to write to the Prime Minister. Mr. Schreiber's correspondence was not identified as an issue of particular interest by PMC.

Twelve letters were handled within ECU (July 31, 2006; August 4, 2006; August 30, 2006; September 26, 2006; October 27, 2006; November 30, 2006; December 13, 2006; January 16, 2007; January 24, 2007; March 29, 2007; April 8, 2007; and April 10, 2007) (Appendix 8). Of the twelve letters handled by ECU, ten were directed to file without response, for the following reasons:

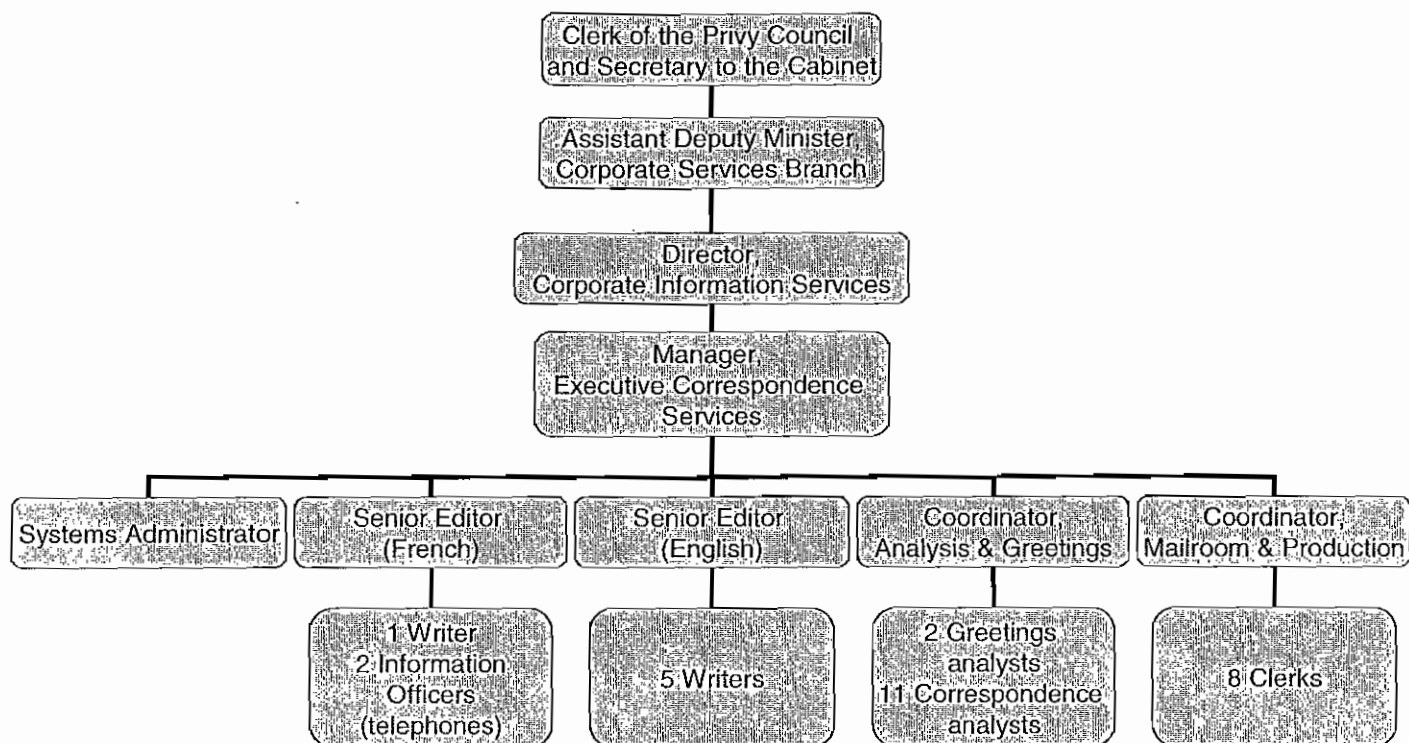
- The matters described in the letters were before the courts. It is standard ECU practice not to reply to correspondence about active litigation, and to direct these items to file without response;
- These letters were forwarding copies of letters between Mr. Schreiber and other individuals. ECU practice is not to reply to mailings that consist of copies of letters.

The remaining two letters of the twelve handled by ECU were handled as follows:

- The letter of January 16, 2007 was acknowledged by ECU as a courtesy and forwarded to the Department of Justice for information as the issue of the letter pertains to the portfolio of their Minister;

- The letter of November 30, 2006 was sent to the Clerk's Office in order to give PCO the opportunity to determine how the ongoing correspondence from Mr. Schreiber should be handled. The letter was examined by PCO Legal Counsel, who advised that no reply was necessary because the matter was still pending before the Minister of Justice. The letter was then filed.

Appendix 1: Executive Correspondence Unit Organization Chart



Appendix 2: PCO Executive Correspondence Unit – Volumes and Statistics

For statistical purposes, correspondence items addressed to the Prime Minister are divided into the following categories:

- postal mail (letters in paper format, and any other items sent in an envelope by postal mail, excluding petitions);
- electronic mail;
- petitions and postcards in paper format;
- telephone calls.

The following total amounts of correspondence to the Prime Minister have been received by Executive Correspondence Services from 2000-01 to 2007-08:

2000-2001 – 594,027	2004-2005 – 1,648,074
2001-2002 – 1,105,534	2005-2006 – 2,116,118
2002-2003 – 1,673,941	2006-2007 – 1,701,846
2003-2004 – 1,219,191	2007-2008 – 1,121,171

Postal Mail

In 2006-2007, 128,974 items of postal mail were handled. Of those items of postal mail:

- 39.4% (50,755) were greetings requests (certificates issued by Greetings Section);
- 30.6% (39,431) were other miscellaneous letters (copies of letters to other Ministers, junk and promotional mail, etc.)
- 30% (38,788) were letters that were registered (scanned and entered into database), of which 77.2% (29,941) were general mail, 8.9% (3,463) were priority mail, 7.6% (2,929) were invitations and 6.3% (2,455) were requests for special messages. Of the 38,788 registered letters, 81.5% (31,597) were replied to by ECU.

In 2007-2008, 114,672 items of postal mail were handled. Of those items of postal mail:

- 41.7% (47,704) were greetings requests (certificates issued by Greetings Section);
- 33.0% (38,027) were other (copies of letters to other Ministers, junk and promotional mail, etc.);
- 25.3% (28,941) were letters that were registered (scanned and entered into database), of which 76.4% (22,109) were general mail, 7.0% (2,029) were priority mail, 10.1% (2,933) were invitations and 6.5% (1,870) were requests for special messages. Of the 28,941 registered letters, 71.7% (20,746) were replied to by ECU.

Electronic Mail

In 2006-07, 1,064,455 e-mails were received. Of those emails:

- 80,482 (7.6%) received replies by ECU;
- 62,986 (5.9%) received no reply (were directed to file);
- 513,811 (48.3%) were electronic write-ins/petitions (counted but not replied to);
- 206,222 (19.4%) were junk mail (mainly advertisements or unreadable code);
- 179,682 (16.9%) were copies of emails to others;
- 19,803 (1.9%) were political or personal, and were transferred to PMC;
- 1,469 (0.1%) were other miscellaneous items.

In 2007-08, 541,830 e-mails were received. Of those emails:

- 39,287 (7.3%) received replies by ECU;
- 35,416 (6.5%) received no reply (were directed to file);
- 177,799 (32.8%) were electronic write-ins/petitions (counted but not replied to);
- 98,286 (18.1%) were junk mail (mainly advertisements or unreadable code);
- 182,773 (33.7%) were copies of emails to others;
- 7,084 (1.3%) were political or personal, and were transferred to PMC;
- 1,185 (0.2%) were other miscellaneous items.

Petitions and Postcards in Paper Format

- In 2006-07, 482,868 petitions and postcards were received;
- In 2007-08, 444,828 petitions and postcards were received.

Telephone Calls

- In 2006-07, 25,549 telephone calls were handled;
- In 2007-08, 19,841 telephone calls were handled.

Appendix 3: Glossary of Terms – Correspondence and Issues Management System (WebCIMS)

Folder ID – a number generated automatically by the system. Each file gets a folder number and a tracking number, which is a number stamped on the physical letter in the mailroom.

From: name of correspondent

Owner: who controls the record. “Prime Minister of Canada” = Executive Correspondence Unit; “PMC Group” = Prime Minister’s Correspondence Unit

Classification: General, priority, Invitation, Kids, etc.

Keyword: from list of keywords.

Notes: special instructions, reasons for filing.

Mail type: letter, fax, etc.

Folder type: not used

Tracking ID: tracking number stamped on first page of incoming letter. The first digit represents the year, the next three represent the day of the year – e.g. the 132nd day – and the next four represent the number of that document on that day.

Created by: name of analyst

Modified by: last person to modify file: e.g. close the file or add tasks

Date sent: date marked on letter by correspondent

Date received: date received in ECU

Date due: automatically assigned due date

Date closed: date the file is closed

Attachments: scanned incoming and outgoing reply generated by system (if any). Created/modified: date image was scanned.

Assignments: assignments to writer or other staff for action. Action may include directing to file.

Assigned to: name of writer

Assigned by: name of analyst

Work sequence: not used

Date assigned: date the task was assigned

Date closed: when the task was closed (may differ from file closed date).

Appendix 4: T-Form

This is the current version of the T-Form. The actual T-Forms used for the letters from Karlheinz Schreiber are provided in Appendixes 7 and 8.

CIMS Distribution List/Liste de diffusion: _____	Deadline Date: Date limite: _____
CIMS Assignment/Tâche : _____	
CIMS Assignment/Tâche : _____	

PRIME MINISTER'S CORRESPONDENCE TRANSMITTAL FORM FORMULE D'ACHEMINEMENT DE LA CORRESPONDANCE DU PREMIER MINISTRE

Name of Correspondent/Nom du correspondant: _____		
Subject/Objet: _____		
Accession Number/Numéro de référence: _____		CIMS Folder/Dossier de CIMS: _____
Route to/Acheminer à:		
PCO/BCP - CLR Secretariat/Secrétariat _____ PCO/BCP-ECU/SCHD _____ _____	<input type="checkbox"/> PMO/CPM Personal & Political /Personnelle et politique (PMC) <input type="checkbox"/> Appointments/Nominations <input type="checkbox"/> Communication (Media Office)/ Communication (Bureau des médias) <input type="checkbox"/> Principal Secretary/Secrétaire principal <input type="checkbox"/> Chief of Staff/Directeur de cabinet <input type="checkbox"/> Constituency/Circonscription <input type="checkbox"/> Tour and Scheduling/Visite et Agenda <input type="checkbox"/> Issues Management/Gestion des enjeux <input type="checkbox"/> Quebec advisor/Conseiller pour le Québec <input type="checkbox"/>	Other/Autre: _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/>
Action/Mesures à prendre: Action as appropriate/Mesures à prendre <input type="checkbox"/>		Advice/Avis <input type="checkbox"/>
Note/Remarque: _____ _____ _____		
Info Copies/ Copies pour information		
PCO/BCP-CLR _____ _____ _____ _____ _____	<input type="checkbox"/> PMO/CPM Personal & Political /Personnelle et politique (PMC) <input type="checkbox"/> Appointments/Nominations <input type="checkbox"/> Communication (Media Office)/ Communication (Bureau des médias) <input type="checkbox"/> Principal Secretary/Secrétaire principal <input type="checkbox"/> Chief of Staff/Directeur de cabinet <input type="checkbox"/> Constituency/Circonscription <input type="checkbox"/> Tour and Scheduling/Visite et Agenda <input type="checkbox"/> Issues Management/Gestion des enjeux <input type="checkbox"/> Quebec advisor/Conseiller pour le Québec <input type="checkbox"/>	Other/Autre: ECU/SCHD _____ <input type="checkbox"/> DCU/SCM _____ <input type="checkbox"/> _____ <input type="checkbox"/> _____ <input type="checkbox"/>
TO BE COMPLETED BY SECRETARIAT/RÉSERVÉ AU SECRÉTARIAT		
<input type="checkbox"/> Refer for reply to/Pour réponse: Outside PCO/Extérieur du BCP _____ Within PCO/Au BCP _____ <input type="checkbox"/> No Reply Required/Aucune réponse nécessaire <input type="checkbox"/> Other action taken or proposed/Autre mesure prise ou proposée Comments/Commentaires: _____ _____ _____		
Date: _____	Signature: _____	
Asst. Secretary / Director/ Secrétaire adjoint / Directeur		

Appendix 5: PCO Executive Correspondence Unit – Guidelines for Assignment

Executive Correspondence Unit Guidelines for Assignment		
Correspondence Type	Assignment	Information Copies & Notes
Heds of State & Ambassadors	PCO Clerk's Office *CLR-PMC,COS,IM, PS	PMO Chief of Staff PMO Correspondence PMO Issues Management PMO Principal Secretary Others (depending on content) NB: Originals of special thank you notes to PMC and copy filed in ECU. If directed to file by FDP, Use the *DF-CLR distlist. Originals are sent to Clerk for filing.
Invitations or meeting requests from Heads of State	PCO Clerk's Office CLR-PMC,-IM	PMO Correspondence PMO Issues Management
Provincial Premiers	PCO Clerk's Office *CLR-PMC,COS,IM, PS	PMO Chief of Staff PMO Correspondence PMO Issues Management PMO Principal Secretary
Cabinet Ministers about policy issues	PCO Clerk's Office *CLR-PMC,COS, IM, PS	PMO Correspondence PMO Chief of Staff PMO - Issues Management PMO Principal Secretary
Mayors of Large cities (Vancouver, Toronto, Montreal)	PCO Clerk's Office CLR-PMC-IM	PMO Correspondence PMO Issues Management
Government Caucus Members	PMO Correspondence (PMC) *PMC-COS, PS	PMO Chief of Staff PMO Correspondence PMO Principal Secretary NB: Copies will not be kept in the ECU. Originals are sent to PMC
Leaders of Opposition Parties	PCO Clerk's Office CLR-PMC-IM	PMO Correspondence PMO Issues Management
Opposition MPs & Senators	PCO ECU	NB: ECU will refer to minister responsible
Opposition MPs sending mail from constituents	PCO ECU	NB: ECU will prepare reply for the constituent and send copy to MP
Provincial Conservative leaders	PMO *PMC	NB: Copies will not be kept in the ECU
Conservative MLA's	PMO *PMC	NB: Copies will not be kept in the ECU
Recommendations concerning appointments to a government body (or requests to be appointed) Including Senate and all Governor-in-Council appointments, judicial appointments)	PMO Appointments (D. Penner) *DP	NB: Copies will not be kept in the ECU
Letters concerning Ministerial or Ambassadorial appointments	PMO Correspondence *PMC	NB: Copies will not be kept in the ECU

Executive Correspondence Unit Guidelines for Assignment		
Correspondence Type	Assignment	Information Copies & Notes
Letters concerning Deputy Minister appointments	PCO Clerk's Office	NB: Copies will not be kept in the ECU
Letters commenting positively or negatively on performance of an MP	PMO Correspondence (PMC)	NB: Copies will not be kept in the ECU
Personal or political mail <i>Library and Archives of Canada definition: Personal or political records (sometimes called "personal papers") typically include subjects that relate to: . the (Prime) Minister's constituency business and role as a Member of Parliament; . party political matters (such as leadership, party organization, caucus affairs, and political appointments); . deliberations of Cabinet and its committees (other than documents that belong in the Cabinet Paper System--see Chapter 4); and . the private life and personal interests of the (Prime) Minister."</i>	PMO Correspondence (PMC) *PMC	NB: Copies will not be kept in the ECU
Constituents of the PM's riding (about government issues)	PCO ECU	NB: Copies will be kept in the ECU
Constituents of the PM's riding (about personal or political matters)	PMO *PMC	NB: Copies will not be kept in the ECU
Priority Mail with questions/concerns about government policy. (Minor VIPs are usually dealt with by ECU)	PCO Clerk's Office *CLR-PMC- IM or *CLR-PMC, IM, PS or PCO ECU (Assigned to writer) or *DF-CLR (to CLR for info and filing)	PMO Correspondence PMO Issues Management or PMO Correspondence PMO Issues Management PMO Principal Secretary or For reply by ECU writer - no copies to PMO write "CLR to file" in notes Original is sent to CLR; no copies are kept in the ECU
Priority Mail - Gifts	PCO ECU	NB: Really nice gifts are sent to PMC for them to reply.
General Mail - Gifts	PCO ECU	NB: ECU acknowledges gift. Gift to file room.
Offers of Honourary Memberships	PMO * PMC	Copies are not kept in ECU
Invitations to the PM to visit a location or attend an event (other than from Heads of State)	PMO Deborah Campbell *DC	Invitations may be declined either by DC or ECU using standard reply

Executive Correspondence Unit Guidelines for Assignment		
Correspondence Type	Assignment	Information Copies & Notes
Invitations to the PM to visit a location or attend an event, including a request for special message	*DC-SPECMESS	Invitation goes to Deborah Campbell. ECU prepares special message.
Requests for interviews with the PM - including requests for video messages (from journalists, radio stations, etc)	PMO Press Office *PO	n/a
Requests for employment in PMO	PMO *PMC	NB: Copies will not be kept in the ECU
Requests for Special Messages	PCO ECU (if general) PMO Correspondence (if personal or political)	NB: Depending on event ECU may seek approval of the Clerk's Office and/or PMO Copies are not kept if political
Requests for Congratulatory Certificates (or letter)	PCO ECU	N.B. Wedding anniversary and significant birthday, military retirement or business anniversary.
Letters from Rideau Hall on Awards & Decorations	PCO ECU (Medal of Bravery, Order of Merit, Order of Canada, etc.)	ECU prepares replies
Suggestions or comments about a Cabinet shuffle	PMO Correspondence *PMC	NB: Copies will not be kept in the ECU
General subject matter from the public	PCO ECU	
From the general public and dealing with legislation in the House	PCO ECU	NB: ECU refers to Minister introducing legislation
Correspondence dealing with Private Member's bills	PCO ECU	NB: Letters are acknowledged but not referred. The Gov't. takes no position on Priv. Member's bills.

Appendix 6: PCO Executive Correspondence Unit – Reasons for Directing Correspondence to File without Response

Obscure: no main point, unclear request, paranoid, irrational, incoherent, nonsensical.

Religious: religious opinions, lectures on morality, although a writer should thank correspondents for prayers and good wishes (encouraging words).

Prolific: having written 10 times or more per year. Usually deemed so by the writer or Mailroom and Production Unit; noted in correspondents' address field. If the individual has not written in six months, the writer may wish to reply to his/her new correspondence (case by case basis).

Does not address PM: letter is not addressed to PM, including courtesy copies forwarded to his attention and general circulation lists (cc'd).

Overtaken by events: obsolete issue, matter resolved, too late to reply. Writer should reply if correspondent is offering additional comments on the issue.

Illegible: unable to read signature or handwriting.

Incomplete Information: missing return address or full name (after a search for the information).

Previous Reply: correspondent received reply(ies) on same issue previously (within the previous six months). If the correspondent offers new information, they may receive a "continuing interest" reply.

Inappropriate language: profane, slanderous, insulting, racist, undignified language or tone.

Comments: comments made without any expectation of a reply, information only, correspondent does not want a reply, no questions raised, notes on business cards, clippings from newspapers with little to say in the accompanying letter.

Write-ins: mass-produced postcards and form letters with no original content from correspondent; usually caught in the mail room.

Thank you letters: no need to reply except in certain circumstances, such as endorsement of government initiative, encouraging words, VIPs.

Inmates in penitentiary: provincial or federal prisoners do not usually receive replies.

Legal case: correspondents writing about a matter before the courts can receive the standard acknowledgement on the impossibility of intervening in a private legal matter, or be directed to file. People who write more than once on their legal troubles can be filed as a matter of course.

Irreverent: correspondence clearly with no serious intent, such as "buy me a motorcycle".

Appendix 7: Binder of Correspondence from Karlheinz Schreiber to Prime Minister Harper, 2006-07, Handled by Prime Minister's Correspondence Unit, Prime Minister's Office

This binder includes a printout of the WebCIMS record for each item.

Appendix 8: Binder of Correspondence from Karlheinz Schreiber to Prime Minister Harper, 2006-07, Handled by PCO's Executive Correspondence Unit, Privy Council Office

This binder includes a printout of the WebCIMS record for each item.

**Correspondence from Karlheinz Schreiber to
Prime Minister Stephen Harper, 2006-2007,
handled by Prime Minister's Correspondence,
Prime Minister's Office**

Appendix Seven

to

**Report on the
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and the Handling of Letters From
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January 28, 2009

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- 4O Copy of one-page letter dated September 6, 2007 from James N. Shaw, Senior General Counsel, Civil Litigation & Advisory Services, Justice Canada, Edmonton Office
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- 4Q 11-page English translation of documents from the "Swiss Federal Justice and Police Department," the "Federal Office of Justice, Department of Judicial Assistance in International Matters"
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- 4T One-page affidavit sworn by Sarah Degetz, translator of ALL LANGUAGES LTD. Of Toronto regarding the German-English translations.
- 4U One-page letter in German from the Swiss authorities dated 9 July 2007 and signed by Martin Trapp
- 4V March 29, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper entitled "Political Justice Scandal", "Airbus Affair", "RCMP & IAG Conspiracy and Coverup (sic), Public Inquiry" (DUPLICATE OF LETTER 10 in Binder of correspondence handled by PCO
- 4W Letter dated January 29, 2007 Karlheinz Schreiber to the Right Honourable Brian Mulroney (5 pages) (DUPLICATE OF ENCLOSURE 10A in Binder of correspondence handled by PCO

TAB 1 June 16, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

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- 1B Copy of article from Globe and Mail dated January 22, 1997 "Schreiber threatens Ottawa with court over Airbus."

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Folder

Folder ID **569483**

From* **Mr. Schreiber, Karlheinz**

Owner* **Matthews, Dennis**

Addressed To Prime Minister of Canada

Classification* **PMC-General Mail**

Keyword

Summary

Notes

Mail Type **Priority Mail/courrier prioritaire**

Folder Types **(None)**

Tracking ID* **61740161E**

Created By **Bleik, Ahmad 2006/06/26**

Modified By **Kennedy, Courtney (Inactive) 2006/06/28**

Dates

Date Sent*

Date Received*

Date Due

Date Closed

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Attachments

Details	Download	Description	Type	Classification	Owner	Created Modified
		Letter	Image Viewer	ECU-POLITICAL MAIL	<u>Bleik, Ahmad</u>	2006/06/26 2006/06/26

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Action as appropriate	<u>Matthews, Dennis</u>	<u>Kennedy, Courtney</u>	Active		2006/06/28	2006/07/06	
	Original to PMC	<u>MPU (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/06/26	2006/06/27	2006/06/26
	Action as appropriate	<u>PMC (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/06/26	2006/06/30	2006/06/26

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PRIME MINISTER'S CORRESPONDENCE TRANSMITTAL FORM
ORMULE D'ACHEMINEMENT DE LA CORRESPONDANCE DU PREMIER MINISTRE

Name of Correspondent/Nom du correspondant: **KARLHEINZ SCHREIBER**

Subject/Objet: _____

Accession Number/Numéro de référence: **61740161E** CIMS Folder/Dossier de CIMS: **569 483**

Route to/Acheminer à:

PCO/BCP - CLR Secretariat/Secrétariat	<input type="checkbox"/>	PMO/CPM Personal & Political /Personnelle et politique (PMC)	<input checked="" type="checkbox"/>	Other/Autre:	
_____		Appointments/Nominations	<input type="checkbox"/>	_____	<input type="checkbox"/>
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PCO/BCP-ECU/SCHD	<input type="checkbox"/>	Chief of Staff/Directeur de cabinet	<input type="checkbox"/>	_____	<input type="checkbox"/>
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_____		Scheduling/Agenda	<input type="checkbox"/>		

Action/Mesures à prendre: Action as appropriate/Mesures à prendre Advice/Avis

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Date: _____ Signature: _____

Asst. Secretary / Director/ Secrétaire adjoint / Directeur

Received/Date reçue: 2006-06-26

Letter Date /Lettre datée du: 2006/06/16

KARLHEINZ SCHREIBER

61740161

The Right Hon. Stephen Joseph Harper P.C., B. A., M. A.
Prime Minister
80 Wellington Street
Ottawa, Ontario
K1A 0A2

June, 16 2006

Subject: The Liberal legacy of scandal

Dear Prime Minister,

The insidious, destructive poison which your government inherited from its predecessors may very well prove to be, in terms of its international repercussions and its impact on Canada's reputation, by far the greatest, most fateful and most damaging scandal in Canadian political history.

The evidence under oath by RCMP Staff Sergeant Fraser Fiegenwald in an Examination for Discovery on March 8, 2006 in a civil action between myself and the Attorney General of Canada and Her Majesty the Queen and at the preliminary hearing in the "Eurocopter" case have finally shed light on the beginning of the fictitious "Airbus Affair" and confirmed the existence of a far more pernicious "Political Justice Scandal".

Staff Sergeant Fiegenwald, the RCMP officer in charge of the investigation, confirmed that the RCMP had no evidence of any criminal behavior involving Prime Minister Mulroney, Frank D. Moores or myself. What he did confirm, in fact, was that the stories came from a convicted Swiss criminal, Giorgio Pelossi, and since 1988 from Stevie Cameron, a journalist, writer and later a confidential RCMP informant and complainant.

As we know, the involvement of the Hon. Allan Rock, then the Minister of Justice, in the "Political Justice Scandal" was not the beginning, but merely one further element in the Liberals consistent strategy of undermining the Mulroney government and thereby seriously damaging the Progressive Conservative Party, with the willing assistance of the Liberal bureaucracy, support from the media, the RCMP and through the Canadian Embassy in Germany the involvement of the district attorney in Augsburg, Germany.

MackAY LAKE ESTATES
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OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697

The players that were responsible for the "Political Justice Scandal" are the individuals who stage-managed it and those who failed to discharge their political responsibilities by remaining silent or tolerating what went on in Canada, Germany, France, Saudi Arabia, Thailand, Costa Rica, Austria, Liechtenstein and Switzerland damaging conservative politicians including suicides and changing the political situation in Europe.

The initiators: Hon. Allan Rock, Stevie Cameron, CBC The fifth estate, Giorgio Pelossi.

Responsible yet silent: The Right. Hon. Jean Chretien, The Right. Hon. Paul Martin, Hon. Anne McLellan, Hon. Martin Cauchon, Hon. Irwin Cottler.

Dereliction of duty:

Solicitors General: Hon. Herb Gray, Hon. Andy Scott, Hon. Lawrence MacAulay, Hon. Wayne Easter, Hon. Anne McLellan.

The abused: The RCMP with Commissioners J.P.R. Murray and Giuliano Zaccardelli, who rejected the initial allegations by Hon. Allan Rock Minister of Justice as unsubstantiated, but apparently yielded subsequently to political pressure or opportunism.

This strategy, which we can say, based on what I now know, is ongoing and the persecution and the cover-up of the "Political Justice Scandal" continue, both here in Canada and in the international arena. The Hon. Elmer MacKay was correct in his letter August 27, 1997 to Commissioner J. P. R. Murray when he named the matter to be a long term "ass-covering and face-saving" operation simultaneously.

On Jan 9, 1997 Allan Rock, Minister of Justice & Attorney General of Canada and Philip Murray, Commissioner of RCMP sent a letter of apology to me and informed me about the settlement agreement with the Right Hon. Brian Mulroney. My answer in a letter Jan 20, 1997 was: "I recognize your apology but this matter will only be properly clarified in a courtroom".

On October 24, 1997 my lawyer filed the Statement of Claim in the Court of Queen's Bench of Alberta in Edmonton.

On March 1, 2001 RCMP Supt. Mathews learned from Jim Shaw, an Edmonton counsel representing the Federal Government of Canada, about the problems with a confidential RCMP Informant. Supt. Mathews tried to fix the problem and coded Stevie Cameron seven years backwards "code 2948" in order to protect the Crown and not to jeopardize the Alberta case with Karlheinz Schreiber.

My lawyer Edward L Greenspan Q. C. stated in an interview with the Globe & Mail 26/02/04: "We are at the front end of what will prove to be an incredible scandal." Mr. Greenspan said it will eventually emerge that top figures in the Liberal government approved the investigation of Mr. Mulroney, knowing full well it was being launched on information from an anonymous journalist.

There are still unresolved matters in the Eurocopter case, as Ontario Superior Court judge Edward Then has yet to rule on whether he was misled by the RCMP or the Crown when he issued orders in 2001 sealing court documents.

The RCMP abandoned the Airbus investigation in 2003, but the baton was passed to the fraud case involving Eurocopter Canada (MBB Helicopters). Once again, the ultimate target of this case was Brian Mulroney. I then found myself, after a two-year RCMP sting operation, once more in the position of the victim of an unsuccessful attempt to designate me as a hostile witness.

In November 2005, Justice Bélanger dismissed the Eurocopter case for lack of evidence and thereby finally laid the "Airbus Affair" to rest.

On December 30, 2005 the Crown appealed this judgment, thereby resurrecting the "Airbus Affair" and with it, implicitly, the allegations against Brian Mulroney.

The situation leaves my claim for damages against the Attorney General as the only avenue that can lead to disclosure in a courtroom of the truly unbelievable extent of the vendetta waged by the former government against Brian Mulroney, Frank D. Moores, myself and ultimately the Conservative Party and a number of highly respected international companies, including Thyssen (now ThyssenKrupp), MBB (now Eurocopter) and Airbus Industries with EADS and DaimlerChrysler.

In order to avoid my demolishing this vendetta once and for all in a Canadian courtroom, through my lawsuit, the justice system has until now sought to have me extradited to Germany, based on an Extradition Treaty without Reciprocity, downgrading the value of my Canadian Citizenship or to neutralize me by having me put in jail in Canada with the help of undercover agents and misleading statements to the court regarding my bail conditions.

Since 1996, many Members of the House of Commons, including your self, Mr. Gilles Duceppe, Mr. Peter MacKay, Mrs. Pierrette Venne, Mr. Jack Ramsay, Mr. Michel Bellehumeur, Mr. Chuck Strahl, Mr. Kevin Sorenson, and members of the Senate have asked from time to time in vain for an official investigation. I submit time has finally come for Canadian taxpayers to be able to find out what the "Political Justice Scandal" has cost so far and what will be the estimated costs for the ongoing saga and the upcoming lawsuits for damages.

Brian Mulroney, the international Industrial Companies, many conservative politicians and I have borne the brunt of the case for the past twelve years and at this point there is still no closure in sight.

The result of the recent federal election changed the situation and all pending actions of the "Political Justice Scandal" in Canada and other countries are now under the jurisdiction of your government.

Will the Attorney General in your government continue with the delay tactics of the Liberal Attorneys General in my Alberta court action who hope that I lose my extradition case at the Supreme Court of Canada and be extradited to Germany?

This would prevent me from pushing forward the legal case and bury the "Airbus Affair" and the "Political Justice Scandal" at the same time. Would this be in the interest of Canada? I think not.

Will the Minister of Justice & Attorney General like his predecessor ignore the false German statements and political blackmail in my extradition case?

My lawyer Mr. Edward L. Greenspan Q. C. informed the Hon. Vic Toews Minister of Justice & Attorney General about the comments recently made publicly by the Chief Prosecutor and by the Judicial Spokesperson for the Court in Augsburg, Germany.

No cleanup in government can take place in Canada without an intensive parliamentary investigation of what is, in terms of its international implications, the largest scandal in Canadian history. This is entirely consistent with your announced intention to appoint an independent Director of Public Prosecutions, the Federal Accountability Act and Action Plan.

In 1985, I became the Chairman of Thyssen-Bearhead Industries and came to Ottawa on the request of the Canadian Government and the Right Hon. Prime Minister Brian Mulroney to create jobs in the Province of Nova Scotia. For eight years I worked on the project. I had to learn that the Liberal bureaucracy with Paul Tellier and Bob Fowler in Ottawa undermined the policies of the strong majority Government of Brian Mulroney at every opportunity. What I did find? Lies, fraud, attempt of manslaughter, conspiracy, greed, ignorance, arrogance, disappointment, breach of agreements and great sadness for Canada and Canadians. Thyssen, the Canadian soldiers, the people of Nova Scotia and I have been misused and betrayed after Thyssen spent more than \$ 60 million on the project for peacekeeping and environment-protection.

I am sure you will appreciate that under the circumstances I can only turn to you, since all the other government agencies responsible are still involved and as a result are not interested in clarification. I have taken the liberty of attaching a number of documents for your information.

Prime Minister this is your opportunity to bring this insanity to an end and the truth coming out in the greatest political cleanup in Canadian History.

The "Political Justice Scandal" began in the year 1994, is still moving ahead and will not disappear on its own.

Yours sincerely,



Klaus Heinz Schreiber

Karlheinz Schreiber

86916 Kaufering Raiffeisenstrasse 27 Telefon (08191) 7884 Telefax (08191) 7888

January 20, 1997

Honourable Allan Rock
Minister of Justice &
Attorney General of Canada

- and to -

Phillip Murray
Commissioner, RCMP

Dear Sirs:

This letter is written as an open letter to yourselves and to the Canadian public as a response to your letter of apology sent in care of my lawyer, Mr. Robert W. Hladun, Q.C. on January 9, 1997. A number of things were mentioned in that letter besides the apology and accordingly, it has become necessary for me to respond to that letter. I will address each point as it appears in your letter of January 9, 1997, a copy of which is attached for your convenience. Addressing each point in order as follows:

1. I wish to express my satisfaction with the settlement you have reached with the Right Honourable Brian Mulroney. I can only state that this is a settlement that should have been reached much earlier and an apology which should have been given from the outset.
2. It is no news to me that the Government of Canada sought assistance from Switzerland. I was told that I was not being accused of any crime. However, I was implicated in the circumstances described in the Letter of Request from the moment the Canadian Government demanded access to accounts of mine all over Switzerland, also all of those accounts over which I may have had a proxy. On the direction of the Canadian government, the Swiss authorities caused a search and seizure of all of my banking papers and documents, whatsoever.

3. Whether or not it is reasonable for the Canadian Government to believe that the request for assistance was a highly confidential state-to-state communication remains to be seen. It is utter nonsense to state that the Swiss would understand that this Request for Assistance contained only allegations that were to be verified given the wording of the Request for Assistance. The Request for Assistance reads like a summary of facts and includes such statements as "this investigation is of serious concern to the Government of Canada as it involves criminal activity on the part of the former Prime Minister." In fact, if you look at the entire Letter of Request and the statements that are set out therein as facts, one must question how the Swiss are to understand these as being merely allegations, and "that the persons named were presumed innocent of any wrongdoing." In fact, nowhere in the Request for Assistance is it explicitly stated that the people named therein are presumed innocent and that these are only allegations. Indeed, the Letter of Request reads like a criminal indictment.
4. I can easily imagine that requests for assistance have been sent to Switzerland before which have remained confidential. However, I have the feeling that you did not grasp the difference between a request for assistance or information and a request for search and seizure which is what happened in my case. The average Canadian would have difficulty understanding that search and seizure is to remain confidential when the Letter and its contents are given by the police force in Switzerland to all sorts of bank employees from the board of directors down to the tellers at the counter.
5. The Canadian Government asked the Swiss to search and seize every account all over Switzerland which I owned or over which I had a proxy. The Swiss refused to do so and instead asked for copies of my banking documents. This has had a great impact on my reputation when you consider I have maintained a house in Switzerland and conducted banking there over the past twenty years.

If you ask to search offices, homes or apartments in Switzerland, invariably investigators will show up in four or five cars, they will look everywhere and will put everything of interest in boxes and transport them to their offices. Do you still expect something like this to remain confidential? This is akin to expecting that a request for the arrest and extradition of an individual in a foreign country will remain confidential.

6. Given the revelations regarding Sergeant Fiegenwald in media reports, this last paragraph is somewhat ridiculous. The tone and content of this paragraph only tells me and the Canadian public that the Government of Canada is totally unprofessional in formulating requests for assistance. A search and seizure or arrest can in and of itself never stay confidential. On the other hand, requested countries respect their law which requires them to disclose requests for search and seizure to the suspects. Since there is a dramatic difference between confidentially asking for information and a search and seizure, all civilized

countries are required to provide a search warrant from a proper court. I can provide you copies of Mutual Legal Assistance Treaties of all members of the European Community which show that search warrants are required.

It is readily apparent to me that the officials of the Canadian Government did not honour the *Treaty for Mutual Legal Assistance* entered into between Canada and Switzerland which was signed on October 7, 1993. It requires the Canadian Court to issue a declaration that such a measure would be permissible if the subject matter of the search and seizure were located in Canada prior to it being executed upon by the foreign country. As Justice Wetston ruled on July 4, 1996, the Canadian Government would not have been able to carry out a similar search and seizure on Canadian soil. Further, it is of interest that the *Treaty* was ratified in Canada on November 17, 1995 and the Letter of Request was sent in "just under the wire" on September 29, 1995. The only person competent to issue a search warrant is a judge or someone acting judicially. However, if it is your position that a competent authority is a police force acting on its own, then that reminds me of the nightmare years of my childhood when the Nazi regime set loose the Gestapo on the German public.

7. I also take great pleasure in learning today that it is recognized that I am "presumed innocent" as required by law under the *Charter* but for over the past year you have permitted the Letter of Request to stand where it names me as a criminal and sets out in great detail the criminal indictment as to the crime that I was implicated in. The person with whom I am to have perpetrated the crime is the former Prime Minister, Brian Mulroney. It is interesting that as of January 6, 1997, the Government of Canada says that there is no evidence to say that he was involved in criminal activity and you apologize to me for having reached a conclusion that I was involved in the criminal activity but you insist that there is still an ongoing criminal investigation. This begs the question – What criminal activity?

The Request for Assistance states that I was involved in the crime of bribing the former Prime Minister. You now say that - "No, you are not involved in that. For saying that you were, we apologize. However, we will still investigate." It is unclear to me, and I am sure the Canadian public feels the same, what it is that you are investigating. The whole foundation upon which the Request for Assistance is built has collapsed with the apology to the former Prime Minister.

I would not wish the enormous pain, suffering and embarrassment that you have caused for my friends and family on anyone. You have acted deliberately and recklessly in sending out the Letter of Request without foundation, and today, sixteen months later, you feel the need to apologize.

8. With respect to this paragraph, I would merely point out that this was not only the RCMP that had a hand in this letter but your own Department of Justice as well

and accordingly can be accused of reaching the same conclusions that the RCMP did.

9. I recognize your apology but this matter will only be properly clarified in a court room. This is my understanding. I have been a judge for commercial matters for nine years in Munich. Perhaps, I have a different understanding of law and order than you do.

Since the letter you sent me appeared in the media, this letter is provided to the media in order to give the Canadian public my side of the story.

Yours truly,



KARL HEINZ SCHREIBER

Globe + Mail 22.01.97

January 22, 1997

National News

Schreiber threatens Ottawa with court over Airbus

Federal apology 'will only be properly clarified in a courtroom'

BY STANISLAW OZIEWICZ
The Globe and Mail

VANCOUVER — German-Canadian businessman Karlheinz Schreiber says that the apology made to him by the federal government and the RCMP "will only be properly clarified in a courtroom."

Mr. Schreiber made the statement in a four-page letter dated Jan. 20 to Justice Minister Allan Rock and RCMP Commissioner Philip Murray. The letter, a point-by-point rebuttal of the federal apology, was released yesterday by Mr. Schreiber's Edmonton lawyer, Robert Hladun.

Mr. Hladun said in an interview that Mr. Schreiber means to say that only courts can properly vindicate people and that he is leaving open the possibility of legal action against the government.

Mr. Schreiber wrote that, given the way in which the Justice Department letter to Swiss authorities in the Airbus affair was drafted, it is utter nonsense for the Canadian government to suggest that the Swiss would understand that the letter contained only allegations that needed to be verified.

Nowhere does the letter indicate that the people named are presumed innocent, Mr. Schreiber said.

"Indeed, the letter of request reads like a criminal indictment."

Mr. Schreiber said the letter was destined to become public since such letters "are given by the police force in

Switzerland to all sorts of bank employees from the board of directors down to the tellers at the counter."

Mr. Schreiber, former prime minister Brian Mulroney and former Newfoundland premier Frank Moores were named in a federal Justice Department letter sent at the request of the RCMP to the Swiss government in September, 1986. The letter asked for Swiss help in pursuit of allegations of improper payments involving the three men and Air Canada's purchase of 84 planes from Airbus Industrie.

Mr. Schreiber said the Canadian request asked the Swiss to search and seize every Swiss account that he owned or over which he had a proxy.

"If you ask to search offices, homes or apartments in Switzerland, invariably investigators will show up in four or five cars, they will look everywhere and will put everything of interest in boxes and transport them to their offices. Do you still expect something like this to respect confidentiality?"

Mr. Schreiber said Ottawa has shown it is "totally unprofessional" in formulating requests for assistance. He said there is a big difference between asking for information and executing search and seizures.

Civilized countries, Mr. Schreiber said, require a court order before search warrants are executed.

"If it is your position," Mr. Schreiber wrote, "that a competent authority is a

police force acting on its own, then that reminds me of the nightmare years of my childhood when the Nazi regime set loose the Gestapo on the German public."

Mr. Schreiber said he finds it interesting that although the federal government has apologized to all three men named in the letter, the RCMP maintains that their investigation continues.

"It is unclear to me, and I am sure the Canadian public feels the same, what it is that you are investigating. The whole foundation upon which the request for assistance is built has collapsed with the apology to the former prime minister."

"You have acted deliberately and recklessly in sending out the letter of request without foundation, and today, 16 months later, you feel the need to apologize. . . . I recognize your apology, but this matter will only be properly clarified in a courtroom."

Cyrus Reporter, a spokesman for Mr. Rock, said yesterday that he has not yet seen a copy of Mr. Schreiber's letter and is therefore not in a position to comment.

RCMP spokesman Sergeant André Guertin said it would be inappropriate for the RCMP to comment about Mr. Schreiber's response to the apology given that his objections to the letter of request are being contested before the Federal Court of Appeal.

Executive Correspondence Unit
Le service de la correspondance de la haute direction

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
L'article décrit ci-dessous a été reçu avec la lettre suivante :

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Item Type/Type d'article	
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<input type="checkbox"/> Binder/Cartable	<input type="checkbox"/> Cassette tape/Cassette audio
<input type="checkbox"/> Poster/Affiche	<input type="checkbox"/> Cassette video/Cassette vidéo
<input type="checkbox"/> Petition/Pétition	<input type="checkbox"/> Press Release/Communiqué de presse
<input type="checkbox"/> Newspaper clipping/Article de journal	<input type="checkbox"/> Gift/Cadeau
<input type="checkbox"/> Photo/Photo	<input type="checkbox"/> School/École
<input type="checkbox"/> Magazine/Revue	<input type="checkbox"/> Other
Item Description/Description de l'article	
Political Justice Scandal / International Case	

**TAB 2 August 23, 2006 letter from Karlheinz Schreiber to the Right Honourable
 Stephen Harper**

Enclosures

2A 11-page "Case Report" entitled "Political Justice Scandal – International Case and the
 'Airbus Affair', dated August 20, 2006.

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Folder

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Tracking ID*

Created By **Carter, Jeanne 2006/09/01**

Modified By **Barrett, Allison 2006/11/16**

Dates

Date Sent*

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Date Due

Date Closed **2006/11/16**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		Letter	Image Viewer	ECU-POLITICAL MAIL	Carter, Jeanne	2006/09/01	2006/09/01

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Reply	Maguire, Craig	Goucher, Emily	Closed		2006/09/11	Never	2006/11/16
Response Notes: Automatically closed by system when folder was closed.								
	Original to PMC	MPU (Group)	Carter, Jeanne	Closed	10	2006/09/01	2006/09/04	2006/09/01
	Action as appropriate	PMC (Group)	Carter, Jeanne	Closed	10	2006/09/01	2006/09/07	2006/11/16

Response Notes: Automatically closed by system when folder was closed.

579003

KARLHEINZ SCHREIBER

62419121

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The Right Hon. Stephen Joseph Harper
Prime Minister
House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, August 23, 2006

Subject: "Political Justice Scandal"

Dear Prime Minister,

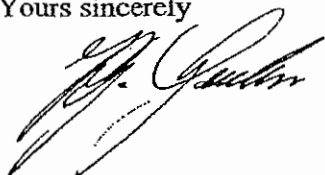
I am taking the liberty to send you a copy of the Case Report on the "Political Justice Scandal" International Case and the "Airbus" Affair, August 20, 2006 for your convenience.

The Case Books I sent to you on June 17, 2006 contain the evidence and substantiate the Case Report.

The document confirms the content of my letter to you from June 16, 2006 and the reason why I can only turn to you.

I wish you success in the interest of all Canadians.

Yours sincerely



“Political Justice Scandal” International Case And the “Airbus” Affair

Case Report

Ottawa, August 20, 2006

The case began as the “Airbus” affair. It turned quickly to become the biggest “Political Justice Scandal” in Canadian history with the most serious international implications.

The initiators of the scandal are: The Canadian Justice System (C. J. S.) including The Hon. Allan Rock, then the Minister of Justice and Attorney General of Canada, The Hon. Herb Gray, then the Solicitor General of Canada, Stevie Cameron a confidential RCMP informant and complainant, journalist and writer with the support of Kimberly Prost, Senior Counsel, then the Director, International Assistance Group for the Minister of Justice of Canada, the RCMP and a convicted Swiss criminal Giorgio Pelossi.

The vendetta against The Right Hon. Brian Mulroney and the Tories started after The Hon. Allan Rock was having dinner with the Globe and Mail reporter Susan Delacourt in the fall of 1993.

On June 14, 1996 The Right Hon. Stephen Harper, Prime Minister, then M.P (Calgary West, Ref) during Commons Debates:

Mr. Speaker, that kind of hair-splitting could only be done by a lawyer. I am citing an article in the Toronto Sun yesterday where it says that Globe and Mail managing editor Colin MacKenzie said that Rock approached parliamentary journalist Susan Delacourt for help in his behind the scenes probe of Mulroney one or two days after he first heard about allegations from an other journalist. My question is very simple. Going back to the beginning of this affair, why was the Minister of Justice conducting his own private investigation?

When Stevie Cameron’s book *On the Take* hit the best-seller lists in 1994, Liberals in Ottawa took to calling Cameron “Stevie Wonderful”. When Solicitor Herb Gray read it, he made sure that the RCMP were reviewing it carefully, to see if any investigation was warranted.

(An article from Saturday Night, October 1, 1996: *Vicious Circle – Media's Role in the Airbus Scandal Involving Brian Mulroney* is important to read.)

A letter from the Augsburg City Tax Office (Germany) to the office of the Public Prosecutor on August 02, 1995 confirmed that the C J S through the Canadian Embassy in Germany was, since May 24, 1995, in contact with the Senior Prosecutor Kolb and informed the authorities in Augsburg about their apparent investigation in Switzerland.

On July 24, 1995 the Augsburg tax investigators met with Giorgio Pelossi in Bregenz, Austria, to receive information on I. A. L. business. Because of the risk to be arrested Pelossi did not come to Augsburg.

On August 24, 1995 RCMP Inspector McLean, Liaison Officer Canadian Embassy Bern, Switzerland, writes to Kimberly Prost, Department of Justice, how to draft the Letter of Request to Switzerland to alleviate any problem *vis a vis* RCMP contact with a witness.

On September 6, 1995 G. Pelossi informed the tax investigators in Augsburg that Sergeant Fraser Fiegenwald and Inspector Yves Bouchard are the RCMP officers investigating in Switzerland. On September 11, 1995 the two officers met with the prosecutors in Augsburg and agreed to compare notes. (Read Cameron, *The Last Amigo*, page 260 about the illegal contact with a witness in Switzerland)

Kimberly Prost and the International Assistance Group (IAG) fabricated the Letter of Request to the Competent Legal Authority of Switzerland based on the stories from Giorgio Pelossi, without any real evidence but a lot of lies.

Giorgio Pelossi

On December 12, 1995 RCMP Inspector Gene McLean, acting as Liaison Officer at the Canadian Embassy in Bern, Switzerland informed the authorities in Ottawa that Giorgio Pelossi had a criminal record, being convicted on June 6, 1995 for a false accusation. Pelossi was sentenced on December 24, 1996 to three month detention, suspended for a two year period for embezzlement, specifically for wrongfully investing money for his own profit between 1984 and 1986.

On September 11, 1986 Pelossi was arrested by Swiss Police and detained for six month without charge. He was suspected of swindling money from a bank account belonging to someone laundering drug money for the Mafia. The prosecutor was Carla del Ponte, now Chief UN War Crimes Prosecutor. On January 22, 2000 Pelossi was arrested and detained by the police in Chicago in connection with Italian drug-trafficking charges.

The presiding Judge Maximilian Hofmeister together with 4 other judges and some prosecutors from the Augsburg Regional Court were traveling several times to Zuerich, Switzerland to examine Giorgio Pelossi. Pelossi cannot leave Switzerland because of the Italian arrest warrant against him. Switzerland will not extradite its Nationals.

M. B. B. AND THYSSEN

Based on the information from Giorgio Pelossi and the Canadian officials, the Augsburg prosecutors were granted warrants to search the offices of M.B.B., Messerschmitt – Boelkow – Blohm on August 2, 1995 and the offices of Thyssen – Industrie on August 14, 1995. The search of the offices of Thyssen - Industrie disclosed unrelated matters to the accusations, which finally led to the "C.D.U. Donation Scandal"

The Letter of Request to Switzerland

On September 29, 1995 Kimberly Prost, Senior Counsel Director International Assistance Group (IAG) Department of Justice Canada has sent the Letter of Request for Assistance from Canada to Switzerland in the Matter of Frank Moores and Martin Brian Mulroney to the Canadian Embassy in Bern, Switzerland. Kimberly Prost asked Insp. McLean, RCMP Liaison Officer at the Canadian Embassy, to present the letter to the appropriate authorities in Switzerland.

On October 26, 1995 Swiss officials seize the bank accounts and safety deposit boxes of Frank Moores and Karlheinz Schreiber.

Bayerische Bitumen Chemie

On October 5, 1995 German Police raid the Company and the home of Karlheinz Schreiber in Kaufering, Germany and seize documents. The raid is in connection with an investigation into suspected tax evasion.

International Cooperation

On April 30, 1996, Stevie Cameron, confidential RCMP informant, journalist and writer met with Senior Public Prosecutor Hillinger and Prosecutor Weigand in Augsburg, Germany. During the meeting Stevie Cameron provided documents regarding Canadian Companies of the suspect Mr. Karlheinz Schreiber, a copy of a newspaper article: "Arms and the Woman" and a copy of her book *On the Take*, which all has been placed on the file. Around the same time she met for some days with Giorgio Pelossi, the Swiss convicted criminal.

In the same month, Canadian tax officials were beginning to work together with their German counterparts. Stevie Cameron, the confidential RCMP informant reports in *The Last Amigos* at p. 285: On June 4, 1996 two Revenue Canada officers, Bruce Findlay and Guy Bigonnesse, met in Augsburg with the tax investigators Gumpendobler, Kindler and others to share intelligence. They swapped binders of confidential tax information.

The Legal Battle

On November 20, 1995 the Right Hon. Brian Mulroney filed a \$50 million lawsuit against the Canadian Government and the RCMP

On January 9, 1997 the Government of Canada, The Hon Allan Rock, then Minister of Justice and Attorney General of Canada and Philip Murray, then Commissioner, of the RCMP have sent a letter of apology to Karlheinz Schreiber and informed him about the settlement agreement of January 5, 1997 with the Right Hon Brian Mulroney.

Karlheinz Schreiber thought at that time- and thinks that he is proven right today- that it was a mistake to settle the lawsuit. He also believed at that time and feels the same way today that the statement by The Hon. Allan Rock and The Hon. Herb Gray, regarding the case of the *Right Hon. Brian Mulroney v. The Attorney General of Canada* on Monday, January 6, 1997 (see attached document) is a totally unacceptable insult and a historical lie in its dimension.

This political vendetta has cost the Canadian taxpayer millions of dollars so far and will cost much more because the case has not come to an end after 11 years and is still moving ahead, driven by the enormous fear of the individuals, responsible for the biggest "Political Justice Scandal" in Canadian history.

On January 20, 1997 Karlheinz Schreiber has sent a letter to Hon Allan Rock, then Minister of Justice and Attorney of Canada and to Phillip Murray, then Commissioner of the RCMP.

In his letter Karlheinz Schreiber explains, why the Minister's letter is pure nonsense and a pack of lies. The last paragraph No 9 of his letter: "I recognize your apology but this matter will only be properly clarified in a courtroom. This is my understanding .I have been a judge for commercial matters for nine years in Munich."

On January 30, 1997 Schreiber's lawyer Robert Hladun Q C., Edmonton, sent a letter to Hon.Allan Rock and Philip Murray, RCMP. Page 6 of the letter reads:

We have learned that the Swiss Government still labours under the impressions created by the original Request, together with all the accusations and indictment therein that now have been shown or proven to be erroneous, false and untrue.

In the event that the Government of Canada fails to recognize the above and officially withdraw / revoke the said Request, it is the intention of Mr. Karlheinz Schreiber to seek the appropriate legal remedy before the appropriate legal forum to resolve all of those issues that have arisen since the issuance of the said Request.

Therefore, we respectfully request an immediate reply not later than seven days from the date of this letter.

Neither Mr. Hladun, Q. C. nor Mr. Schreiber received an answer to their letters.

On October 24, 1997 Mr. Schreiber filed a \$35 million lawsuit against the Canadian Government.

Since the Right Hon. Brian Mulroney entered a settlement agreement with the Canadian Government, Mr. Schreiber's lawsuit is the only legal avenue, which would shed light to the unbelievable political vendetta and the biggest frightening "Political Justice Scandal" in Canadian history.

At the same time Mr. Schreiber's lawsuit is the greatest threat to all the responsible politicians and government officials, who were or are still involved in the case. Canadians from coast to coast will be shocked and scared when the truth of the case will come to light and when it will be known what all was done by the Department of Justice to avoid the truth to be seen.

The alternative to the Schreiber lawsuit would have been a publicly commissioned inquiry as unsuccessfully requested by several M.P.'s in the House of Commons.

On December 3, 1997 Mr. Jack Ramsay M. P. (Crowfoot, Ref.) made a motion to the Standing Committee on Justice and Human Rights.

The questions he raised are still unanswered and very interesting to read. The document attached contains also very important statements regarding the Brian Mulroney and Karlheinz Schreiber cases from:

Messr. Gilles Duceppe M.P. (Laurier-Sainte-Marie, B.Q.)
 Mr. Peter MacKay M.P. (Pictou-Antigonish-Guysborough, P.C.)
 Mr. Garry Breitkreuz M.P. (Yorkton-Melville, Ref.)
 Messr. Michel Bellehumeur M.P. (Bertier-Montcalm, B.Q.).

Mr. Breitkreuz stated: "The confidence of Canadians in their institutions and the justice system is at stake."

Today, 8 years and 7 months later Canadians still do not know what happened and what is still ongoing with the case.

Attempt to stop the Lawsuit

To avoid the disclosure of the "Political Justice Scandal" through the Schreiber lawsuit, the Justice Department and the R.C.M.P. have chosen different defence measures for their face-saving action.

1. Delay actions since 1997 regarding the lawsuit proceedings in Edmonton.
2. The M.B.B. fraud case.
3. RCMP undercover operation.
4. The German Extradition Request for Karlheinz Schreiber

All of these activities raise one question: What have they done and try to hide under all circumstances? Why have these people acted at all costs to suppress the truth?

Mr. Schreiber is convinced that his lawyers will make sure that the secrets of the biggest "Political Justice Scandal" in Canadian history will come to light.

The lawyers dealing with this task are:

Mr. Edward L. Greenspan, Q.C., LL. D., D.C.L.
The Hon. Jack Major, Q.C., LL.D.
Mr. Robert W. Hladun, Q.C.

1 Delay actions regarding the lawsuit

Since 1997 the Department of Justice has tried to delay the proceedings of the lawsuit by requesting more and more documents from Mr. Schreiber regarding business matters clearly irrelevant and not at issue. The requests are part of permanent "fishing expeditions," related to the Right Hon. Brian Mulroney. It looks like the Department of Justice wants to start a new investigation in a file the RCMP closed in April 17, 2003.

The Department of Justice failed to provide better affidavits of documents and undertakings from discovery examinations and refused to send documents to their own lawyers in Edmonton. The aim is clearly to keep the lawsuit away from the court because there is no chance to win the case, since the R.C.M.P. closed the file on the fact that there was no evidence of wrongdoing.

The main reason to keep the case away from a public trial in the courts is the fear of disclosure and personal consequences.

The M.B.B. fraud case

The M.B.B. fraud case is the only thing that was left from the accusations in the foolish Letter of Request to Switzerland on September 29, 1995, starting the "Airbus" affair, which is the legal basis for the lawsuit.

The Attorney General of Canada, the International Assistance Group (IAG) of the Canadian Department of Justice and the R.C.M.P., who fabricated the Letter of Request need the insane M.B.B. fraud case to claim that there is an ongoing investigation to avoid any access to information.

For the same reason the Crown appealed the ruling of Mr. Justice Paul Belanger of the Ontario Court of Justice, who has thrown out fraud charges against Eurocopter Canada Ltd. M.B.B.'s subsidiary, Messerschmitt Canada Ltd. (MCL, now known as Eurocopter Canada), has since sold 12 helicopters to the Coast Guard.

On August 9, 2006 the Ontario Superior Court of Justice dismissed the Crowns application. The expectation is the Crown will appeal for the same reason as before.

On October 2002 two German executives – Kurt Pfeleiderer and Heinz Pluckthun – were charged with fraud. Since Germany, like many other civilized countries- contrary to Canada- will never extradite their Nationals, the IAG and the Department of Justice could have requested the German legal authorities to prosecute the German executives with no costs for the Canadian taxpayer.

*TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY
CONCERNING EXTRADITION*

ARTICLE V

Extradition of Nationals

(3) If a request for extradition is refused only on the ground that the person claimed is a national of the requested state, that state shall, if asked to do so by the requesting state, take all possible measures in accordance with its own law to prosecute the person claimed. For this purpose, the files, documents and exhibits relating to the offence shall be transmitted to that state. All expenses incurred in connection with such prosecution shall be born by the requested state. The requesting state shall be informed of the result of the prosecution.

Why did the Canadian Department of Justice, the IAG, the Crown, and the RCMP not ask their friends in Augsburg to prosecute the M.B.B. executives since they worked on the M.B.B. case with them and jointly examined witnesses in Germany?

In the meantime the Crown should know that they have no case and that the Germans could never charge the M.B.B. executives.

This is what Karlheinz Schreiber (who was for 9 years a Judge at the Regional Court 1 for commercial cases in Munich, Germany) told the Crown as the Crown's witness in the Court in Ottawa during his testimony. Justice Paul Belanger ruled that Karlheinz Schreiber was not a hostile witness as requested by the Crown, Mr. Bernstein.

The Crown never asked the Germans to prosecute the M.B.B. executives, because they could not take the risk that a German Court would throw out their case immediately. This would badly ruin their case in Canada and constitute proof that since 1994 Canadian taxpayers' money was blown away and invested in a lot of nice international trips for Canadian officials, hunting the phantoms of Giorgio Pelossi's and Stevie Cameron's fairy tales.

What did the Crown do regarding the M.B.B. executives? They issued arrest warrants against the two men so that they cannot leave Germany (if they do not want to end up in a jail). Is this what people around the world expect to find with Canadian principles of fundamental justice? Is this just and fair treatment to a retired man, over 70 years old, who is highly respected on the international level of the world?

Mr. Edward Greenspan, Q.C., LL.D., D.C.L. recommended: "The Canadian Government should have only International Treaties with reciprocity guarantee. The Canadian citizenship should not have a lower value than the one from other countries."

RECIPROCITY

ARTICLE V: EXTRADITION OF NATIONALS

(1) Neither of the Contracting Parties shall be bound to extradite its own nationals.

This sentence reads like an agreement on reciprocity but it is misleading the Members in the House of Commons during the ratification. The truth would have been to write "(1): Germany will never extradite its nationals to Canada. Canada may extradite its nationals to Germany."

In reality: Canada will always extradite its nationals to Germany. Canada will never prosecute its nationals in Canada on the request of Germany. Germany will prosecute its nationals on the request of Canada.

What Government would enjoy the support of its own Nationals by signing such an agreement? What Opposition in the House of Commons would not provide the strongest protest supported by the national media? Nevertheless, the Treaty was signed by the Liberal Government on October 11, 1977.

The preliminary hearing of the M.B.B. fraud case was another fishing trip of the Crown hoping to find a crime involving Brian Mulroney and find help for their hopeless lawsuit with Karlheinz Schreiber in Edmonton.

The RCMP undercover operation

2001: During the secret court proceedings of the M.B.B. Eurocopter case, RCMP Inspector A. K. Matthews revealed the nature of the undercover operation in an affidavit he swore to support the continuation of a seal on information contained in a search warrant. The warrant was part of a court proceeding involving allegations of commissions paid to Schreiber in the sale of helicopters to the Canadian Coastguard in the mid-1980s.

The undercover sting operation began in November 2000 in cooperation with a foreign agency and ended in September 2002. The agent was introduced through Michel Cogger, a former lawyer of Karlheinz Schreiber. The agent was an elegant man, who tried unsuccessfully to involve Karlheinz Schreiber in several different criminal activities and also establish confidence with him by bringing nice gifts like French champagne, Russian caviar, Italian wine and invitations to luxurious restaurants.

2004: Mr. Justice Edward Then holds a special inquiry to determine if he was misled by the RCMP and the Crown when they had him issue the sealing orders in the Eurocopter case. Justice Then has not yet issued his findings.

The aim was clear: Vahe Minasian, the agent, tried to get information regarding Brian Mulroney and Schreiber's business and at the same time to involve Mr. Schreiber in criminal activities which would put him into prison. All this would help the Crown's sick lawsuit in Edmonton and hopefully stop Karlheinz Schreiber in proceeding with his own lawsuit.

All these expensive efforts must have a very important reason. Again what have the politicians and Government officials done with the "Airbus" affair and why are they so desperate and scared?

If one looks very critically at the facts he would have to agree that this case would be a good start for the Prime Minister to clean up the pile of political mire around Ottawa for a better and politically healthier environment for Canadian citizens.

The German Extradition Request for Karlheinz Schreiber

The Extradition Request comes from the same source like the "Airbus" affair: Giorgio Pelossi, Stevie Cameron, Allan Rock, other unknown political enemies. The request was prepared in Germany with the support of Canadian Government officials (IAG) International Assistance Group of the Department of Justice and the RCMP, in order to find allies and support for their vendetta against the Right Hon. Brian Mulroney and other Conservative supporters like Frank Moores, Gary Ouellet and Karlheinz Schreiber. The same group had send the Letter of Request to Switzerland.

On June 22, 1999 Professor Dr Erich Samson, Mr. Schreiber's lawyer reminded chief prosecutor Mr. Nemetz in Augsburg that the accusation for tax evasion is not an offence for extradition under the treaty between Germany and Canada. The response from Mr. Nemetz was: "We are going to get Mr. Schreiber. The Canadians have a new Extradition Act in place and behind the case is a Minister, who wants to Schreiber out of the country as soon as possible."

On August 31, 1999 Mr. Schreiber was arrested in Toronto based on an arrest warrant for tax evasion.

Since the arrest warrant did not satisfy the Canadian authorities, the prosecutor in Augsburg issued another arrest warrant on September 2, 1999 and added accusations of fraud, breach of trust and bribery.

From the 11th to the 15th of September 1999 and from the 4th to the 9th of October 1999 some Canadian lawyers from the IAG were in Augsburg and assisted the German prosecutor to prepare the record of the case for Mr. Schreiber's extradition from Canada. The document shows the date: October 11, 1999. The document was sent to the IAG and an authority to proceed was issued by IAG on behalf of the Minister of Justice of Canada.

The IAG is acting for the German prosecutors and at the same time for the Canadian Minister of Justice on Mr. Schreiber's Extradition case and until today on the pending lawsuit of Mr. Schreiber's against the Attorney General of Canada and the IAG.

Under the new Extradition Act, the IAG represents the greatest example of conflict of interest and abuse of power that one could ever imagine. They believe that they are a law unto themselves.

The circumstances amount to a violation of the principles of fundamental justice.

The German allies of the IAG misused the case immediately for their own political purposes and brought down the Conservative Government of Chancellor Helmut Kohl in the 1998 German election. The Social Democrats with Chancellor Gerhard Schroeder set up an Investigative Committee to shed light on the CDU affair and used this vehicle until the next German Election in 2002. They defeated the Conservative CDU/CSU again and forced the German Conservatives with Chancellor Angela Merkel after the 2005 election into a great coalition with the Social Democrats, who hope to win the next election again with the use of the Schreiber extradition case and the support from the Canadian Government.

On June 30, 2005, the last day of the legislative period of the German Bundestag, the Government of Chancellor Gerhard Schroeder (SPD) extended the statute of limitations on extradition. The new law, known in the German Parliament as the Lex Schreiber (Magazine *Spiegel* on line July 31, 2005) stipulates that the statute of limitations ceases to apply when the accused has fled abroad and extradition proceedings are under way. The prosecutors in Augsburg were afraid that the charges against Mr. Schreiber could soon be dropped because of the statute of limitations and were hoping that President Koehler will sign an amendment to the statute into law.

The law came into force on August 4, 2005 after the Deutsche Bundesrat confirmed the law on July 8, 2005.

It is the first time in German history that a new law was used after only a few days since it was proclaimed in force, to secure the extradition of a single person accused for tax evasion.

The name of the person who received his own law: Karlheinz Schreiber.

TAB 3 May 3, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures

- 3A Copy of three-page letter dated April 15, 2007 to the Rt. Hon. Brian Mulroney on childhood obesity, making reference to the "pasta business" and numerous enclosures of news items and Web pages. (These attachments to the Brian Mulroney letter were not transmitted to PCO or PMO.)

- 3B One-paragraph letter dated March 29, 2007 to the Rt. Hon. Brian Mulroney recommending he call for a public inquiry into the "Airbus Affair"

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Folder

Folder ID **615239**

From* **Mr. Schreiber, Karlheinz**

Owner* **PMC (Group)**

Addressed To **PMC**

Classification* **PMC-General Mail**

Keyword **Personal and Political - CON**

Summary **NR - as per Lanny Cardow**

Notes **NR - as per Lanny Cardow**

Mail Type **Letter**

Folder Types **(None)**

Tracking ID* **71290190E**

Created By **Duthie, Joseph 2007/05/17**

Modified By **Barrett, Allison 2007/06/13**

Dates

Date Sent* **2007/05/03**

Date Received* **2007/05/09**

Date Due **Never**

Date Closed **2007/06/13**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-POLITICAL MAIL	<u>Duthie,</u> <u>Joseph</u>	2007/05/17	2007/06/01

Assignments

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	Original to PMC	<u>MPU</u> <u>(Group)</u>	<u>Duthie,</u> <u>Joseph</u>	Closed	10	2007/06/01	2007/06/04	2007/06/04
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Response Notes: Automatically closed by system when folder was closed.

Action as appropriate – assigned to PMC Group by ECS analyst (01-06-2007). Task closed when folder closed by PMC.

This file was evidently transferred from an ECS writer to PMC, to give them an opportunity to reply or suggest different handling of the correspondent's increasingly distraught letter(s). This was likely done on the initiative of the ECS writer, in consultation with the Editor.

KARLHEINZ SCHREIBER

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Personal / For his eyes only

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, May 3, 2007.

Subject: "Child obesity an epidemic in Canada"
Brian Mulroney & Karlheinz Schreiber
Director of Public Prosecution

Dear Prime Minister,

I take the liberty to send you a copy of my letter April 15, 2007 to The Right Honourable Brian Mulroney P.C., LL. D. for your personal information.

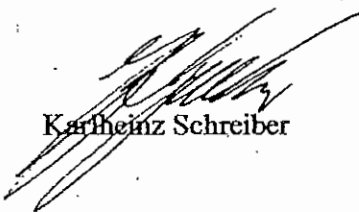
I am surprised you appointed Brian Saunders to be the acting Director of Public Prosecution after he recommended reopening the Mulroney settlement case and represented with the IAG and the Department of Justice the Attorney General against me in my lawsuit against the Attorney General of Canada for many years.

You named the "Airbus Affair" to be one of the reasons for the need of the Office of the Director of Public prosecution. Do you recommend I should take my case to him now?

I am very disappointed that you, until today, did not start the clean up of Ottawa with a public inquiry into the "Airbus" affair and the "Political Justice Scandal".

It looks to me you can not take the risk to call such an inquiry because of the Right Honourable Brian Mulroney, your important advisor.

Yours sincerely



Karlheinz Schreiber

KARLHEINZ SCHREIBER

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The Right Hon. Brian Mulroney, P.C., LL .D.
47 Forden Crescent

Per Fax (1) 514 369 9393

Westmount, Quebec
H3Y 2Y5

Ottawa, April 15, 2007

Subject: Child obesity an epidemic in Canada: Report

"For the first time, Canada's younger generations are expected to live shorter lives than their parents."

Dear Brian,

On April 10, 2007 I took the liberty to send you some information concerning our soldiers in Afghanistan and the problems they have with their armoured vehicles and their tanks.

I also sent you a copy of my letter March 16, 1993 concerning the armoured vehicles of the Canadian forces as a reminder.

Today I like to get your attention concerning my letter from July 2004 as a reminder to the: "PASTA BUSINESS" and my request for your support to fight child obesity.

I did not even get an answer from you and on top of this you refused to see Elmer MacKay and Mike Cochrane when they wanted to talk to you about the anti obesity project.

Contrary to His Royal Highness Prince Charles, Bill Clinton, Tony Blair, Arnold Schwarzenegger, Jamie Oliver, Dr. Arya Sharma, scientific director of the newly

established Canadian Obesity Network, The George Brown Toronto City College, The "George Brown Chef School" and many others, who care about our children.

See the attachments:

Canada .com: Child obesity an epidemic in Canada, March 26, 2007.

Globe&Mail.com: Canadians fatter than previously thought, Jun 13, 2006

Globe&Mail.com; We're raising fat children, April 21, 2005

CBC NEWS: Europeans O K Anti-Obesity Charter, November 16, 2006

Associated Press: Clinton takes on childhood obesity, May 4, 2005

BBC News: California bans school junk food. Governor Arnold Schwarzenegger has signed legislation... "California is facing an obesity epidemic" Mr. Schwarzenegger said.

Der Spiegel: Jamie Oliver with Prince Charles concerning the program "Feed me better!" July 26, 2005

BBC News: Junk food to be banned in schools, Ruth Kelly and Tony Blair September 28, 2005

Globe&Mail.com: Child obesity shocks Commons committee March 27, 2007

Reto Pasta Demonstration Project – The George Brown Chef School.

Looking back to the past 30 years, I have been in contact with you; I have to confess that in my opinion you are a coward and you did not care for

The lives of Canadian soldiers

The health of Canadian children

The Canadian environment

The jobless people of Nova Scotia, where you once had promised three things: "Jobs, jobs, jobs!"

The friends that helped you, when you needed them badly

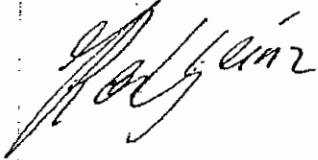
The International Industry which had confidence in you.

There was a time I was embarrassed when people or the media called you:
"Lying Brian."

Times have changed. Today I believe, if the lie itself would look for a proper
label, it would choose your name and your face!

In my opinion this is a very sad story.

Yours truly,

A handwritten signature in cursive script, appearing to read "Brian".

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

Per Fax [1] 514 4369 9393

The Right Hon. Brian Mulroney, P.C., LL .D.
47 Forden Crescent

Westmount, Quebec
H3Y 2Y5

Ottawa, March 29, 2007

Dear Brian,

I strongly recommend that you request a Public Inquiry concerning the "Airbus" Affair, the "Political Vendetta" and the "Political Justice Scandal" related to The Right Hon. Brian Mulroney, The Hon. Frank Moores, Garry Ouellet Q.C. and Karlheinz Schreiber before April 2, 2007.

Yours truly,



TAB 4 September 26, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures

- 4A Copy of signed 8X10 photograph of the Rt. Hon. Brian Mulroney, with the inscription "for my friend, Karlheinz, with gratitude and best personal regards"
- 4B Copy of three-page article by the Canadian Press entitled "Mulroney slams Liberals over Airbus, but won't explain dealings with Schreiber."
- 4C Four-page cover letter from Schreiber to the Prime Minister dated June 16, 2006 entitled "The Liberal Legacy of Scandal" (DUPLICATE OF 1A)
- 4D Three pages taken off Conservative Party Web site regarding the Director of Public Prosecutions.
- 4E Three-page National Post article taken off Canada.com Web site by Craig Offman entitled "Craig Offman: Mandate unwieldy say RCMP critics"
- 4F Copy of one-page letter dated September 13, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4G Copy of one-page letter dated August 13, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4H Copy of one-page letter dated July 13, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4I Copy of one-page letter dated June 12, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4J Copy of one-page letter dated March 21, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4K Copy of one-page letter dated February 16, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider
- 4L Copy of two-page letter dated February 15, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber regarding complaint by KS against Commission Zaccardelli, Superintendent Mathews and Inspector Brettschneider.

- 4M Copy of one-page Letter dated January 16, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber (DUPLICATE OF 9D in Binder of correspondence handled by PCO)
- 4N Copy of one-page Letter dated November 28, 2006 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber (DUPLICATE OF 9C in Binder of correspondence handled by PCO)
- 4O Copy of one-page letter dated September 6, 2007 from James N. Shaw, Senior General Counsel, Civil Litigation & Advisory Services, Justice Canada, Edmonton Office
- 4P Copy of one-page letter dated September 14, 2007 from Robert W. Hladun, Q.C. to James N. Shaw, Senior General Counsel, Civil Litigation & Advisory Services, Justice Canada, Edmonton Office regarding copies of documents received from the Swiss authorities. Letter encloses aforementioned documents (see below).
- 4Q 11-page English translation of documents from the "Swiss Federal Justice and Police Department," the "Federal Office of Justice, Department of Judicial Assistance in International Matters"
- 4R 7 pages of German language documents dated July 9, 2007 from the Swiss authorities "Bundesamt für Justiz", signed Rudolf Wyss, "Vizdirektor"
- 4S 2-page translation of letter from the "Swiss Federal Justice and Police Department," the "Federal Office of Justice, Department of Judicial Assistance in International Matters" regarding a request from the public prosecutor of Augsburg in the matter of Karlheinz Schreiber et al.
- 4T One-page affidavit sworn by Sarah Degetz, translator of ALL LANGUAGES LTD. Of Toronto regarding the German-English translations.
- 4U One-page letter in German from the Swiss authorities dated 9 July 2007 and signed by Martin Trapp
- 4V March 29, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper entitled "Political Justice Scandal", "Airbus Affair", "RCMP & IAG Conspiracy and Coverup (sic), Public Inquiry" (DUPLICATE OF LETTER 10 in Binder of correspondence handled by PCO)
- 4W Letter dated January 29, 2007 Karlheinz Schreiber to the Right Honourable Brian Mulroney (5 pages) (DUPLICATE OF ENCLOSURE 10A in Binder of correspondence handled by PCO)

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **629096**

Folder

Folder ID **629096**

From* **Mr. Schreiber, Karlheinz**

Owner* **PMC (Group)**

Addressed To Prime Minister of Canada

Classification* **PMC-General Mail**

Keyword Summary Personal and Political - Neutral

Notes NR

Mail Type Letter

Folder Types **(None)**

Tracking ID* 72750151E

Created By **Poelzer, David 2007/10/02**

Modified By **Smith, Donald R. 2007/11/16**

Dates

Date Sent* 2007/09/26

Date Received* 2007/10/02

Date Due Never

Date Closed

Either Compute Now or the system will auto left blank.

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		Letter	Image Viewer	ECU-POLITICAL MAIL	Poelzer, David	2007/10/02	2007/10/02

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Original to PMC	MPU (Group)	Poelzer, David	Closed	10	2007/10/02	2007/10/03	2007/10/02
	Action as appropriate	PMC (Group)	Poelzer, David	Closed	10	2007/10/02	2007/10/08	2007/10/02

Response Notes: Automatically closed by system when folder was closed.

NR

KARLHEINZ SCHREIBER

72750150

629096

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PIP

Personal

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, September 26, 2007

Subject: "Political Justice Scandal"
The "Airbus Affair" & Brian Mulroney
Abuse of Public Trust

Dear Prime Minister,

I take the liberty to lead your attention to an article of The Canadian Press,
September 7, 2007: (article attached)

Mulroney slams Liberals over Airbus, but won't explain dealings with Schreiber

"Mulroney says he was the victim of a smear campaign orchestrated by his liberal opponents in the Airbus scandal – but he's not yet ready to offer an explanation of his own for his personal dealings with businessman Karlheinz Schreiber, a key figure in the affair.

In a television interview, on the eve of the official publication of his memoirs, Mulroney blamed the government of Jean Chretien – thought he didn't name him personally – for an RCMP investigation that called his reputation into question."

"The matter was indeed organized by the government, acting on flimsy and false information," Mulroneu declared.

On the subject of the RCMP investigation during the Liberal years in power, he maintained that all Canadians should draw a lesson from his difficulties.

"I think that any time the force of the government is used against any citizens, unfairly and inappropriately, it represents a fundamental threat to our most basic rights," he said.

"It happened that, in my case I was able to fight back...(but) if the government comes after you and uses the resources, financial and otherwise, of the state, they can crush any Canadian. This is the greatest threat to the individual liberties of the ordinary Canadian citizen that can exist anywhere, and we have to fight this."

Dear Prime Minister,

how do you feel when you look at this statement of your advisor the Right Hon. Brian Mulroneu and your announcements on November 30, 2005 in Quebec City concerning the same subject:

Stand up for Canada. 30 November 2005, Quebec City:

Harper calls for office of public prosecutions.

"A Conservative government would institute an independent office of public prosecutions responsible for investigating criminal activity on Parliament Hill," party Leader Stephen Harper said Wednesday.

"There's going to be a new code on Parliament Hill: bend the rules, you will be punished; break the law, you will be charged; abuse the public trust, you will go to prison," warned Harper.

It appears to me that The Right Hon. Stephen Harper, Prime Minister of Canada, The Right. Hon. Brian Mulroneu and Karlheinz Schreiber, a victim of criminal activity on Parliament Hill, want the same: A clean up on Parliament Hill.

Until now only Karlheinz Schreiber is fighting for a clean up asking Prime Minister Stephen Harper without success since June 16, 2006 to call an inquiry.

The Issue: (Stephen Harper, November 5, 2005 Quebec City)

“The Liberal party’s 12 years in power have been 12 years of consecutive scandal. Despite Paul Martin’s promises to clean up Ottawa, nothing has changed. Worse, the Liberals have made no attempt to ensure that those responsible for these scandals pay the price – and they still pretend they are victims in the sponsorship scandal !” (The Right Hon. Paul Martin called the Gomery Inquiry. Not you.)

Additional examples of the need for prosecutorial independence:

“The Mulroneý – Airbus affair: Officials in the federal Department of Justice advised the RCMP during its investigation and it was the Justice Department that signed and sent the letter asking the Swiss authorities to cooperate. The Department’s letter wrongly indicated that the RCMP had reached conclusions about criminal activity and then – Attorney General Allan Rock subsequently apologized in writing.

(The apology was sent to the Right. Hon. Brian Mulroneý, the Hon. Frank D. Moores and Karlheinz Schreiber)

To avoid any possibility of interference, this is precisely the sort of issue that should have been handled by an independent Director of Public Prosecutions.”

The choice:

“The Liberals have failed to move swiftly and decisively to find justice in the sponsorship scandal. They continue to be distracted by their scandals and have been trying to micro-manage the response to the scandal. Only the Conservatives recreate an independent body to make binding and final decisions to prosecute those responsible for breaking the public trust. Only a Conservative government can get on with the job of governing, to deliver accountable government that Canadians deserve” (documents attached).

Since June 16, 2006 I provided information and evidence to you that officials of the Department of Justice and the RCMP, you mentioned with the “Airbus” affair, are still involved in my lawsuit against the Attorney General of Canada and in my extradition case with Germany. I explained the circumstances why I can only turn to you.

The same officials of the Department of Justice including Brian Saunders, your acting Director of Public Prosecution and the RCMP are involved in the “Political Justice Scandal”, the “Airbus” affair, illegal activities with German officials against me, a Minister who lies to the courts and a huge cover up action.

The same officials of the Department of Justice, who sent the letter of request to Switzerland and initiated the "Airbus" affair, fabricated the new Canadian Extradition Act 1999 after the Airbus settlement - disaster with Brian Mulroney and the commencement of my lawsuit against the Attorney General of Canada in 1996/1997.

The new Extradition Act neutralized the power of the Canadian qualified judges and made it become a nearly uncontrolled political tool in the hands of the Minister of Justice, which means in reality the IAG, International Assistance Group, who initiated the "Airbus" affair and costs millions of Canadian taxpayer's dollars so far in an ongoing crime.

Dear Prime Minister,

Your own statements provide the evidence that you are fully aware of the situation concerning the Department of Justice and the RCMP but you do nothing. I ask you for a long time, like the Conservatives asked the Liberal Government for many years, to call an inquiry to assure that the truth comes to light and fundamental Justice will be brought back to the Department of Justice and the RCMP.

The Department of Justice and the RCMP became political weapons to hunt political opponents and help to win political elections.

National Post, June 15, 2007 Craig Offman: "*Mandate unwieldy say RCMP critics*"
(Article attached)

Reading the article with the comments of Mr. David Brown, Ms. Shirley Heafey, the former chair of the force's commission of public complaints, author Mr. Paul Palango, Professor Ms. Linda Duxbury, Mr. Borys Wrzesnewskyj M.P. adding my own experience with the RCMP, the Department of Justice and the Commission for Public Complaints against the RCMP, it seems to me that I find the same practices which are used in countries with totalitarian Governments.

May I remind you what the Attorney General Allan Rock, the Solicitor General Herb Gray and the RCMP did to Sgt. Fraser Fiegenwald related to the "Airbus" affair and Stevie Cameron?

Since November 28, 2006 I receive reports from the RCMP concerning my complaints through the Commission for Public Complaints against the Royal Canadian Mounted Police, in the cases of Commissioner Zaccardelli and 7 RCMP officers.

Please find attached 9 copies of the reports as an example for you. I hope you will enjoy the farce!

Please find attached a copy of the letter September 6, 2007 from the Department of Justice Canada to my lawyer Robert Hladun Q.C. It is an additional piece of evidence of the abuse of power, the fear and the delay tactics of the Attorney General of Canada.

Please find also attached copies of the letter July 9, 2007 from the Department of Justice of Switzerland to the Department of Justice of Germany and my lawyer Dr. Heinz Raschein. The letters will tell you how the German Prosecutors in Augsburg mislead the officials of the Swiss Department of Justice, the German Federal Court (Supreme Court) and consequently the Canadian Courts with the knowledge and the support of the IAG of the Canadian Department of Justice.

Without qualified highly respected independent Judges and the Media, Canada would be in danger to lose its international reputation and attraction for people which come to Canada, hoping to find shelter and fundamental Justice.

My suspicion is that for personal and political reasons you became part of the illegal activities against me and the cover up action of the Department of Justice (IAG) and the RCMP.

Based on your own new code on Parliament Hill, in my opinion you face a classical example of abuse of public trust, by ignoring this case any longer.

You know: Canada has no treaty obligations to extradite its Nationals to Germany. You know: Germany will never extradite its Nationals to Canada.

For all the reasons of my case, known to you, I ask you in the interest of all Canadians to stop the political motivated vendetta against me immediately and to assure the return of fundamental Justice to the Department of Justice of Canada and to the RCMP.

As a reminder I attaché my letter of March 29, 2007 to you, a copy of my letter January 29, 2007 to The Right Hon. Brian Mulroney and a copy of his photo.

The Right Hon. Brian Mulroney stated:

"I think that any time the force of the government is used against any citizens, unfairly and inappropriately, it represents a fundamental threat to our most basic rights!"

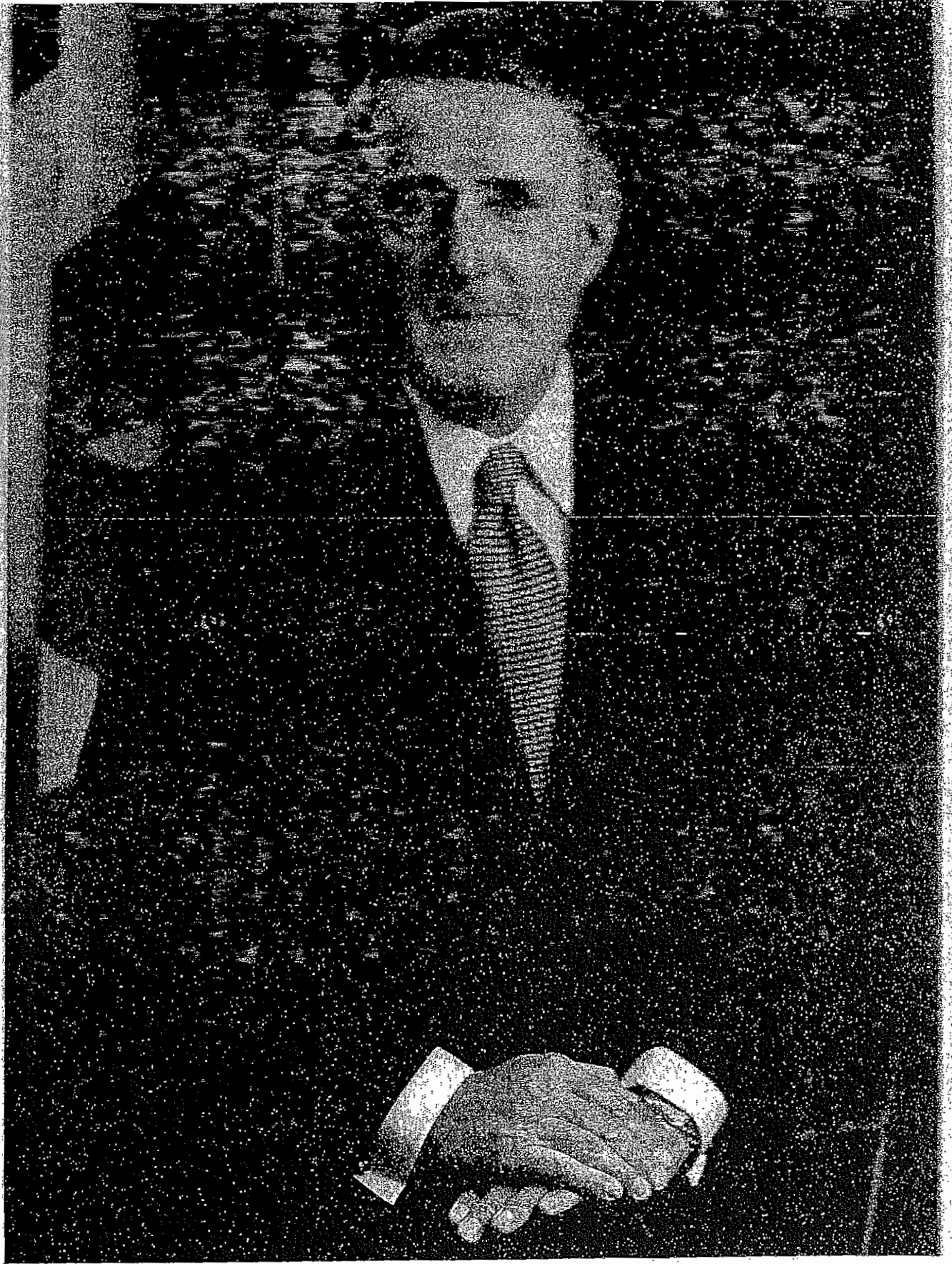
"It happened that, in my case I was able to fight back... (but) if the government comes after you and uses the resources, financial and otherwise, of the state, they can crush any Canadian. This is the greatest threat to the individual liberties of the ordinary Canadian citizen that can exist anywhere, and we have to fight this."

I urge you to fulfill your election promises to clean up Parliament Hill in Ottawa and start to fight for the protection of the individual liberties of the ordinary Canadian citizen.

Assure that the Canadian Citizenship provides the same values citizens in most of the civilized countries around the world are privileged to enjoy.

Yours sincerely

A handwritten signature in black ink, appearing to be "J. G. ...". The signature is written in a cursive style with a large, sweeping flourish at the end.



for my friend, Karl Heinz
with gratitude and best personal regards
Gudrun Klüber



Mulroney slams Liberals over Airbus, but won't explain dealings with Schreiber

2 hours ago

OTTAWA (CP) — Brian Mulroney says he was the victim of a smear campaign orchestrated by his Liberal opponents in the Airbus scandal - but he's not yet ready to offer an explanation of his own for his personal dealings with businessman Kariheinz Schreiber, a key figure in the affair.

In a television interview, on the eve of the official publication of his memoirs, Mulroney blamed the government of Jean Chretien - though he didn't name him personally - for an RCMP investigation that called his reputation into question.

"That matter was indeed organized by the government, acting on flimsy and false information," Mulroney declared.

"The case collapsed on the courthouse steps. I was totally exonerated But the origins of it we now know a great deal more about, and they are unflattering in the extreme to those people who held positions of influence in the government that succeeded me."

The RCMP and the federal Justice Department, in a letter to Swiss banking authorities in 1995, alleged that Mulroney may have been involved in a kickback scheme related to the purchase by Air Canada of European-made Airbus passenger jets during his time in office.

The former Conservative prime minister sued for libel, but just as the matter was about to go to trial in 1997 the Chretien government settled out of court, made a public apology to Mulroney and paid him \$2 million in damages.

Most of the political heat at the time was taken by Allan Rock, then justice minister, and Herb Gray, who as solicitor general was in charge of the Mounties. Both ministers adamantly denied any partisan motive in the investigation.

Despite the apology and settlement, the issue continued to boil and it was eventually

disclosed that Mulroney, after he left office in 1993, accepted \$300,000 from Schreiber, a German-Canadian lobbyist and deal maker who played a central role in the Airbus transactions.

There were more headlines this summer, when Schreiber won a court judgment - quickly set aside on appeal - claiming Mulroney had failed to live up to promises to help him in business ventures in exchange for the \$300,000 handed over in a series of meetings in hotel rooms in New York and Montreal.

Mulroney has never explained his side of the story. Spokesmen for him have said only that he was out of public life at the time of his dealings with Schreiber, and that the money was paid in connection with private business deals, including an effort by Schreiber to set up a pasta business. Schreiber is currently fighting extradition to Germany, where he is wanted on tax evasion charges.

Mulroney, in the interview Sunday, dismissed the continuing controversy as "the usual trash and trivia of politics" but said he couldn't go into detail because litigation with Schreiber remains before the courts. He insisted, however, that he will be vindicated and that some day he will be in a position to tell the whole story.

"I'm dealing with it, and I've won every case, I've won everything at every step of the road, and I'll continue to do so," said Mulroney. "I'm going to write about it in my next book."

On the subject of the RCMP investigation during the Liberal years in power, he maintained that all Canadians should draw a lesson from his difficulties.

"I think that any time the force of the government is used against any citizens, unfairly and inappropriately, it represents a fundamental threat to our most basic rights," he said.

"It happened that, in my case I was able to fight back . . . (but) if the government comes after you and uses the resources, financial and otherwise, of the state, they can crush any Canadian citizen. This is the greatest threat to the individual liberties of the ordinary Canadian citizen that can exist anywhere, and we have to fight it."

It wasn't the only point in the interview that has generated controversy.

In previously released excerpts, Mulroney tore a strip off Pierre Trudeau for helping to sink the Meech Lake constitutional accord, accusing him of "vicious" personal attacks over the matter. He also looked back to Trudeau's refusal, in his student days in Montreal, to serve in

the Second World War and argued that made him unfit for later moral leadership.

Muironey also slammed Lucien Bouchard, a longtime friend he described as being "like a brother" to him, for bolting from the federal Tories to found the Bloc Quebecois and campaign for Quebec separation. Muironey said he has never spoken to Bouchard since and "he won't come to my funeral."

On Sunday, Muironey poured more scorn on his political opponents, recalling the so-called "rat pack" of Liberal backbenchers who nipped at his heels during his years in power. Several, including Brian Tobin and Sheila Copps, went on to serve in Chretien's cabinet but Muironey's verdict on their opposition years was scathing:

"These were the years of the degradation of the House of Commons . . . the politics of personal destruction."

In an interview that aired Sunday on a French network, Muironey also said Canada cannot maintain itself if Quebec does not sign the Constitution.

He said it will take a leader "more skilled" and "more intelligent" than himself to bring Quebec into the constitutional fold.

"We cannot stay with a country like Canada without Quebec's signature on an important constitutional document," he said in French.

Muironey, who is optimistic about the country's future, believes a prime minister will find the right formula. If not, there will always be the possibility of another referendum on Quebec sovereignty, he said.

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KARLHEINZ SCHREIBER

The Right Hon. Stephen Joseph Harper P.C., B. A., M. A.
Prime Minister
80 Wellington Street
Ottawa, Ontario
K1A 0A2

June, 16 2006

Subject: The Liberal legacy of scandal

Dear Prime Minister,

The insidious, destructive poison which your government inherited from its predecessors may very well prove to be, in terms of its international repercussions and its impact on Canada's reputation, by far the greatest, most fateful and most damaging scandal in Canadian political history.

The evidence under oath by RCMP Staff Sergeant Fraser Fiegenwald in an Examination for Discovery on March 8, 2006 in a civil action between myself and the Attorney General of Canada and Her Majesty the Queen and at the preliminary hearing in the "Eurocopter" case have finally shed light on the beginning of the fictitious "Airbus Affair" and confirmed the existence of a far more pernicious "Political Justice Scandal".

Staff Sergeant Fiegenwald, the RCMP officer in charge of the investigation, confirmed that the RCMP had no evidence of any criminal behavior involving Prime Minister Mulroney, Frank D. Moores or myself. What he did confirm, in fact, was that the stories came from a convicted Swiss criminal, Giorgio Pelossi, and since 1988 from Stevie Cameron, a journalist, writer and later a confidential RCMP informant and complainant.

As we know, the involvement of the Hon. Allan Rock, then the Minister of Justice, in the "Political Justice Scandal" was not the beginning, but merely one further element in the Liberals consistent strategy of undermining the Mulroney government and thereby seriously damaging the Progressive Conservative Party, with the willing assistance of the Liberal bureaucracy, support from the media, the RCMP and through the Canadian Embassy in Germany the involvement of the district attorney in Augsburg, Germany.

MacKAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697

The players that were responsible for the "Political Justice Scandal" are the individuals who stage-managed it and those who failed to discharge their political responsibilities by remaining silent or tolerating what went on in Canada, Germany, France, Saudi Arabia, Thailand, Costa Rica, Austria, Liechtenstein and Switzerland damaging conservative politicians including suicides and changing the political situation in Europe.

The initiators: Hon. Allan Rock, Stevie Cameron, CBC The fifth estate, Giorgio Pelossi.

Responsible yet silent: The Right. Hon. Jean Chretien, The Right. Hon. Paul Martin, Hon. Anne McLellan, Hon. Martin Cauchon, Hon. Irwin Cottler.

Dereliction of duty:

Solicitors General: Hon. Herb Gray, Hon. Andy Scott, Hon. Lawrence MacAulay, Hon. Wayne Easter, Hon. Anne McLellan.

The abused: The RCMP with Commissioners J.P.R. Murray and Giuliano Zaccardelli, who rejected the initial allegations by Hon. Allan Rock Minister of Justice as unsubstantiated, but apparently yielded subsequently to political pressure or opportunism.

This strategy, which we can say, based on what I now know, is ongoing and the persecution and the cover-up of the "Political Justice Scandal" continue, both here in Canada and in the international arena. The Hon. Elmer MacKay was correct in his letter August 27, 1997 to Commissioner J. P. R. Murray when he named the matter to be a long term "ass-covering and face-saving" operation simultaneously.

On Jan 9, 1997 Allan Rock, Minister of Justice & Attorney General of Canada and Philip Murray, Commissioner of RCMP sent a letter of apology to me and informed me about the settlement agreement with the Right Hon. Brian Mulroney. My answer in a letter Jan 20, 1997 was: "I recognize your apology but this matter will only be properly clarified in a courtroom".

On October 24, 1997 my lawyer filed the Statement of Claim in the Court of Queen's Bench of Alberta in Edmonton.

On March 1, 2001 RCMP Supt. Mathews learned from Jim Shaw, an Edmonton counsel representing the Federal Government of Canada, about the problems with a confidential RCMP Informant. Supt. Mathews tried to fix the problem and coded Stevie Cameron seven years backwards "code 2948" in order to protect the Crown and not to jeopardize the Alberta case with Karlheinz Schreiber.

My lawyer Edward L Greenspan Q. C. stated in an interview with the Globe & Mail 26/02/04: "We are at the front end of what will prove to be an incredible scandal."

Mr. Greenspan said it will eventually emerge that top figures in the Liberal government approved the investigation of Mr. Mulroney, knowing full well it was being launched on information from an anonymous journalist.

There are still unresolved matters in the Eurocopter case, as Ontario Superior Court judge Edward Then has yet to rule on whether he was misled by the RCMP or the Crown when he issued orders in 2001 sealing court documents.

The RCMP abandoned the Airbus investigation in 2003, but the baton was passed to the fraud case involving Eurocopter Canada (MBB Helicopters). Once again, the ultimate target of this case was Brian Mulroney. I then found myself, after a two-year RCMP sting operation, once more in the position of the victim of an unsuccessful attempt to designate me as a hostile witness.

In November 2005, Justice Bélanger dismissed the Eurocopter case for lack of evidence and thereby finally laid the "Airbus Affair" to rest.

On December 30, 2005 the Crown appealed this judgment, thereby resurrecting the "Airbus Affair" and with it, implicitly, the allegations against Brian Mulroney.

The situation leaves my claim for damages against the Attorney General as the only avenue that can lead to disclosure in a courtroom of the truly unbelievable extent of the vendetta waged by the former government against Brian Mulroney, Frank D. Moores, myself and ultimately the Conservative Party and a number of highly respected international companies, including Thyssen (now ThyssenKrupp), MBB (now Eurocopter) and Airbus Industries with EADS and DaimlerChrysler.

In order to avoid my demolishing this vendetta once and for all in a Canadian courtroom, through my lawsuit, the justice system has until now sought to have me extradited to Germany, based on an Extradition Treaty without Reciprocity, downgrading the value of my Canadian Citizenship or to neutralize me by having me put in jail in Canada with the help of undercover agents and misleading statements to the court regarding my bail conditions.

Since 1996, many Members of the House of Commons, including your self, Mr. Gilles Duceppe, Mr. Peter MacKay, Mrs. Pierrette Venne, Mr. Jack Ramsay, Mr. Michel Bellehumeur, Mr. Chuck Strahl, Mr. Kevin Sorenson, and members of the Senate have asked from time to time in vain for an official investigation. I submit time has finally come for Canadian taxpayers to be able to find out what the "Political Justice Scandal" has cost so far and what will be the estimated costs for the ongoing saga and the upcoming lawsuits for damages.

Brian Mulroney, the international Industrial Companies, many conservative politicians and I have borne the brunt of the case for the past twelve years and at this point there is still no closure in sight.

The result of the recent federal election changed the situation and all pending actions of the "Political Justice Scandal" in Canada and other countries are now under the jurisdiction of your government.

Will the Attorney General in your government continue with the delay tactics of the Liberal Attorneys General in my Alberta court action who hope that I lose my extradition case at the Supreme Court of Canada and be extradited to Germany?

This would prevent me from pushing forward the legal case and bury the "Airbus Affair" and the "Political Justice Scandal" at the same time. Would this be in the interest of Canada? I think not.

Will the Minister of Justice & Attorney General like his predecessor ignore the false German statements and political blackmail in my extradition case?

My lawyer Mr. Edward L. Greenspan Q. C. informed the Hon. Vic Toews Minister of Justice & Attorney General about the comments recently made publicly by the Chief Prosecutor and by the Judicial Spokesperson for the Court in Augsburg, Germany.

No cleanup in government can take place in Canada without an intensive parliamentary investigation of what is, in terms of its international implications, the largest scandal in Canadian history. This is entirely consistent with your announced intention to appoint an independent Director of Public Prosecutions, the Federal Accountability Act and Action Plan.

In 1985, I became the Chairman of Thyssen-Bearhead Industries and came to Ottawa on the request of the Canadian Government and the Right Hon. Prime Minister Brian Mulroney to create jobs in the Province of Nova Scotia. For eight years I worked on the project. I had to learn that the Liberal bureaucracy with Paul Tellier and Bob Fowler in Ottawa undermined the policies of the strong majority Government of Brian Mulroney at every opportunity. What I did find? Lies, fraud, attempt of manslaughter, conspiracy, greed, ignorance, arrogance, disappointment, breach of agreements and great sadness for Canada and Canadians. Thyssen, the Canadian soldiers, the people of Nova Scotia and I have been misused and betrayed after Thyssen spent more than \$ 60 million on the project for peacekeeping and environment-protection.

I am sure you will appreciate that under the circumstances I can only turn to you, since all the other government agencies responsible are still involved and as a result are not interested in clarification. I have taken the liberty of attaching a number of documents for your information.

Prime Minister this is your opportunity to bring this insanity to an end and the truth coming out in the greatest political cleanup in Canadian History.

The "Political Justice Scandal" began in the year 1994, is still moving ahead and will not disappear on its own.

Yours sincerely,



Karlheinz Schreiber

STAND UP FOR CANADA

CONSERVATIVE



Director of Public Prosecutions

30 November 2005

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THE ISSUE

The Liberal Party's 12 years in power have been 12 years of consecutive scandal. Despite Paul Martin's promises to clean up Ottawa, nothing has changed. Worse, the Liberals have made no attempt to ensure that those responsible for these scandals pay the price - and they still pretend they are victims in the sponsorship scandal!¹

Judge Gomery concluded that the Liberal Party "as an Institution cannot escape responsibility for the misconduct of its officers and representatives."² Unfortunately, the current system of lap-dog oversight means Liberals get to hold themselves accountable. They negotiated with themselves to calculate how much taxpayers' money the Liberal Party would repay.³ They cut a deal letting Paul Coffin repay only \$1 million even though he stole \$1.6 million by fraud.⁴

Additional examples of the need for prosecutorial independence:

- François Beaudoin, former president of the Business Development Bank of Canada, was subjected to a vendetta after refusing the prime minister's request to give a loan to a personal friend. The vendetta included complaints to the RCMP that Justice André Denis of the Québec Superior Court later called "completely vexatious and without foundation." After the Crown Attorney concluded that there was no reason to charge Beaudoin, the government-owned bank, headed by a

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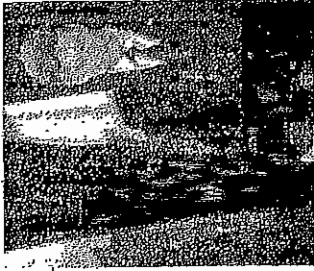
FIVE-YEAR-RECONSENSITIVE-NP

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ELECTION NIGHT 2005

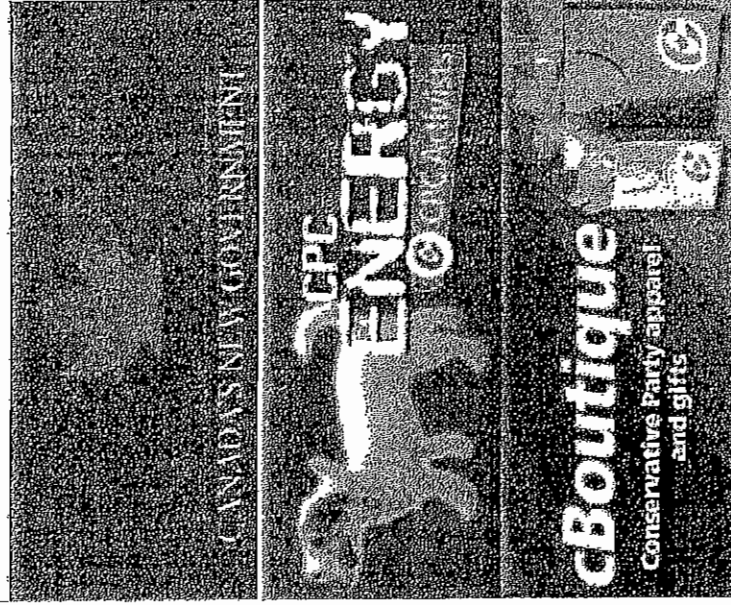
EVENTS

10 May, 2000

VANGOUVER SOUTH EASTERN NIGHT

July 30, 2000

- 6 The Choice
- 1 Accountability
- Opportunity
- Security
- Family
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- Canada



political appointee, refused to accept the outcome and hired a lawyer to try (unsuccessfully) to influence the prosecutor to change the decision.⁵

- The Mulroney-Airbus affair: Officials in the federal Department of Justice advised the RCMP during its investigation and it was the Justice Department that signed and sent the letter asking the Swiss authorities to cooperate. The Department's letter wrongly indicated that the RCMP had reached conclusions about criminal activity and then-Attorney General Allan Rock subsequently apologized in writing. To avoid any possibility of interference, this is precisely the sort of issue that should have been handled by an Independent Director of Public Prosecutions.

THE PLAN

The Conservatives have already released the Federal Accountability Act. In addition to those measures, and to ensure prosecutorial independence, a Conservative government will follow the path of several provinces, including Nova Scotia and British Columbia, and other parliamentary democracies such as the United Kingdom and Australia.

Nova Scotia passed a Public Prosecutions Act in 1990 in response to the report and recommendations of the Royal Commission on the Donald Marshall, Jr. Under this statute, the responsibility for all crown prosecutions under the Criminal Code or provincial law was transferred from the Attorney General's department to the independent Director of Public Prosecutions. The Director is the head of the provincial public prosecution service, and reports directly to the House of Assembly.

British Columbia passed a Crown Counsel Act in 1991 in response to a controversy over prosecutorial decisions affecting a provincial MLA, and a subsequent Commission of Inquiry conducted by Stephen Owen (now a federal Liberal cabinet minister). Under the B.C. statute, the Assistant Deputy Attorney General has responsibility for criminal prosecutions. The Attorney General, or the Deputy Attorney General can only give direction in an individual case in writing and the direction must be published in the British Columbia Gazette. The Assistant Deputy Attorney General may appoint a special prosecutor in cases of important public interest.

A Conservative government will establish an independent Office of the Director of Public Prosecutions (DPP). The DPP will have responsibility to conduct prosecutions under federal law and will be able to make binding and final decisions to prosecute or not unless the Attorney General or Deputy Attorney General instructs the Director to do otherwise by means of a public written notice. The DPP will be appointed from among qualified candidates recommended by a committee which will include representatives of the opposition parties in Parliament. The DPP will have a mandate to review recent decision on prosecutions in the sponsorship scandal and other matters which

have been the subject of investigation by the Auditor General and the ethics Counselor or Commissioner. The structure of the office will be based on best practices in other jurisdictions.

THE CHOICE

The Liberals have failed to move swiftly and decisively to find justice in the sponsorship scandal. They continue to be distracted by their scandals and have been trying to micro-manage the response to the scandal. Only the Conservatives will create an independent body to make binding and final decisions to prosecute those responsible for breaking the public trust. Only a Conservative government can get on with the job of governing, to deliver accountable government that Canadians deserve.

1. Liberal Party of Canada, News Release, "Liberal Party Announces Measures in Response to the Gomery Report" (November 1, 2005).
2. Who Is Responsible: Fact Finding Report, p. 435.
3. "Justice Minister Irwin Cotler said the Liberal government and the Liberal Party have come to a common understanding that \$1-million is appropriate"; Daniel LeBlanc, "Opposition Turns Up Heat on Two Fronts," *The Globe and Mail* (November 4, 2005), p. A4.
4. Department of Public Works and Government Services, News Release, "Government of Canada Announces First Success in Agreement to Recover Sponsorship Funds" (August 16, 2005).
5. The entire story is recounted in the Court's judgment, *Beaudoin v. Business Development Bank of Canada* (February 6, 2004), Quebec Superior Court, Court File No. 500-05-061128-003, Denis J., at paragraphs 608-615.

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Craig Offman: Mandate unwieldy say RCMP critics

Craig Offman
National Post

Friday, June 15, 2007

Pension-fund fraud is the least of the RCMP's woes.

While a parliamentary committee reviews allegations of pension-fund fraud, cronyism, and three years of expense reports of former RCMP commissioner Giuliano Zaccardelli that were either swapped out or disappeared by his underlings, his successor, Bev Busson retires today. The planned departure comes only hours after the report of lawyer and Bay Street mince grise David Brown delivered a report on the force's corruption to Public Safety minister Stockwell Day. The RCMP, Mr. Brown declared, is "horribly broken."

As Mr. Day and his colleagues try to figure out how to make the force healthy again, they might well wonder if they will be able to gather the manpower to perform the operation. Even though Mr. Brown suggests a task force recommend a way to overhaul the RCMP by the end of the year, there has been a history of political reluctance to deal with the problem. Liberal MP Borys Wrzesnewskij said he felt a chill last fall when he began asking questions about RCMP expenses. "They said, Borys, you sure you want to go there?" recalls Mr. Wrzesnewskij, who for the last eight months has been investigating top-down corruption on a parliamentary committee. "It is the RCMP you're dealing with."

That political hesitancy is detected by those inside the RCMP as well.

"I've worked with Liberals and Tories, and nobody wants to tangle with the RCMP," said Shirley Heafey, the former chair of the force's commission of public complaints.

"They have a lot of information on a lot of people ... It causes a chill. They have long memories in the RCMP."

Ms. Heafey, who three years ago alerted the country to the corruption at the top, said she had an extremely difficult time trying to communicate the need for reform.

"At the very end of my tenure, [Public Safety and Emergency Preparedness minister] Anne MacLellan was praising them and saying she had absolute confidence in them. It was, Hear no evil. See no evil."

Yet the first step in overhauling the Mounties will inevitably have to involve legislators.

Citing recent events in which the RCMP did not conduct thorough internal investigations, critics insist the force should instead report to an independent civilian board.

In a report last year around the scandal surrounding the RCMP's handling of information concerning Maher Arar, Justice Dennis O'Connor suggested an entity called the Independent Complaints and National Security Review Agency, which among many matters would investigate RCMP misconduct. The agency would be able to subpoena documents and compel testimony from RCMP staff and other agencies; its findings would be reported to the Mounties and the federal government, who would have a minister overseeing them.

Others call on Ottawa to break up the RCMP's mandate, which they believe is unwieldy.

While it has many federal responsibilities whose powers range from protecting the borders against drug-smuggling, enforcing stock markets against fraud and investigating politicians, the RCMP's bread-and-butter is the contracts it has with provincial and municipal governments.

Some observers believe that even with good intentions, it is impossible to have a staff that excels at such a diverse skill set. "It's like having the FBI handing out speeding tickets in North Dakota," said Paul Palango, investigative reporter and author of *The Last Guardians*, a book on problems within the RCMP.

These contractual arrangements harken back to the RCMP's roots as a guns-for-hire protection and enforcement group, he suggests, calling them essentially a paramilitary force working at the behest of their hosts.

The force, he said, has turned into a hybrid organization that is both a business and a national institution. Combine that lack of definition with the force's iconic stature and it becomes tricky terrain for politicians.

"You can't blame them," said Mr. Palango. "They bug their own people. What stops them from bugging politicians?"

In the past two years alone, there have been several cases in which the RCMP went after high-ranking government officials, only to have the cases thrown out of court.

The most recent involved Greg Sorbara in 2005. Ontario's finance minister resigned after the RCMP raided the premises of his family's real estate development company.

They were looking for evidence of wrongdoing in land transactions from the previous decade. Seven months later, the allegations of conflict of interest were thrown out for lack of evidence.

The same year, there was a botched case implicating former federal finance minister Ralph Goodale, who in the midst of re-election campaign in 2005 became a subject of a very public RCMP investigation: a leak from an upcoming decision on income trusts allegedly came from his office. Though Mr. Goodale's party soon tanked in the polls and lost the election, his name was eventually cleared.

There was also the so-called Airbus scandal, an eight-year RCMP investigation that alleged that former prime minister Brian Mulroney was accused of receiving kickbacks on the sale of Airbus jets to Air Canada. In 2003, the charges were dropped.

In 1999, the RCMP raided the home of British Columbia premier Glen Clark, a news crew ready to film the event. Mr. Clark was suspected of granting a casino license to a developer in turn for some free home improvement. He stepped down; three years later, the charges were dropped.

Add to this rich backdrop of bungled events involving politicians, the more recent scandals such as the case of Mr. Arar; the circumstances surrounding the death of B.C. resident Ian Bush, who was shot in the back of the head while in custody for only 20 minutes; the ongoing Air India debacle and the pension-fund scandal.

An Angus Reid poll taken last April found that 42% of Canadians lost confidence in the leadership over the past two years, and 72% saw that recent allegations against it indicate a "culture of corruption" at the top. Fully 57% of respondents believe the most recent set of allegations against the RCMP - committing fraud and abuse in managing its pension and insurance plans - are definitely or probably true.

A study into the management and culture of the RCMP revealed a crisis of confidence within

the force as well. Linda Duxbury, a professor at Carleton University's Sprott School of Business, said the study, which surveyed the attitudes of 300 RCMP members between 2000 and 2003, revealed that front-line officers and middle managers had lost trust and faith in their leadership.

Reforming the Mounties may seem like a popular move, but some say the Conservative government's minority status may make the party reluctant to tackle the project. "For some reason, the Tories don't want to go upstream where all the problems begin," said Mr. Wrzesnewskyj, who has been unpacking the RCMP's dirty laundry in the parliament's standing committee on public accounts. "Instead they want us to go downstream to look at all these little contracts."

In the course of investigating the RCMP over the past eight months, Mr. Wrzesnewskyj began worrying that someone might be investigating him, too. "I got a tip that my cell phone was hot," he said. "But you hear all sorts of stuff. You can't take it too seriously."

Still, he said, he'd prefer to speak on a land line.

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Mr. Karlheinz Schreiber
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Ottawa, Ontario
K1L 8K9

Your File - Votre référence

Our File - Notre référence

HQVII061401293

Date

September 13, 2007

Object **Public Complaint Against Commissioner Zaccardelli, Superintendent**
Sujet **Mathews, and Inspector Brettschneider**

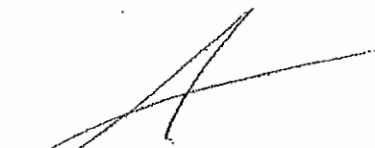
Mr. Schreiber,

This is further to our correspondence of August 13, 2007.

The investigating officer, Sergeant Paul Ingram, continues with his review of the volumes of documents from the criminal investigative file and with the investigation of your complaint.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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K1L 8K9

Your File - Votre référence

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HQVII061401293

Date

August 13, 2007

Object **Public Complaint Against Commissioner Zaccardelli, Superintendent**
Sujet **Mathews, and Inspector Brettschneider**

Mr. Schreiber,

This is further to our correspondence of July 13, 2007.

The investigating officer, Sergeant Paul Ingram, continues with his review of the volumes of documents from the criminal investigative file and with the investigation of your complaint.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,



S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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RCMP GRC 2823 (2002-11) WPT

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HQVII061401293

Date

July 13, 2007

Object **Public Complaint Against Commissioner Zaccardelli, Superintendent**
Sujet **Mathews, and Inspector Brettschneider**


Mr. Schreiber,

This is further to our correspondence of June 12, 2007.

The investigating officer, Sergeant Paul Ingram, has obtained voluntary statements from two of the subject members. He continues with his review of the volumes of documents from the criminal investigative file and with the investigation of your complaint.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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Your File - Votre référence

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HQV11061401293

Date

June 12, 2007

Object
Sujet

**Public Complaint Against Commissioner Zaccardelli, Superintendent
Mathews, and Inspector Brettschneider**

Mr. Schreiber,

This is further to our correspondence of March 21, 2007.

The investigating officer, Sergeant Paul Ingram, is proceeding with his review of the volumes of documents from the criminal investigative file and continues with the investigation of your complaint. He is in the process of attempting to obtain voluntary statements from the subject members.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,

S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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Your File - Votre référence

Our File - Notre référence

HQVII061401293

Date

March 21, 2007

Object
Sujet

**Public Complaint Against Commissioner Zaccardelli, Superintendent
Mathews, and Inspector Brettschneider**


Mr. Schreiber,

This is further to our correspondence of February 16, 2007.

We received your approval on the points addressed at the meeting with Sergeant Lise Noiseux and Sergeant Paul Ingram on March 15, 2007. Sergeant Ingram will continue with his investigation of your complaint.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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HQVII061401293

Mr. Karlheinz Schreiber
7 Bittern Ct, Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Date

February 16, 2007

Object **Public Complaint Against Commissioner Zaccardelli, Superintendent**
Sujet **Mathews, and Inspector Brettschneider**

Mr. Schreiber,

This is further to our correspondence of January 16, 2007.

As you are aware, the investigating officer, Sergeant Paul Ingram, and Sergeant Lise Noiseux met with you and your lawyer, Robert Hladun, at 144 King Street East, Toronto on the 13th of February, 2007 to clarify the allegations you have made against these three members. After receiving your approval on the points addressed at the meeting, Sergeant Ingram will continue with his investigation of your complaint.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO/Le Professional Standards Unit

cc Commissioner Zaccardelli
 Supt. Allan Mathews
 Insp. Rainer Brettschneider

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RCMP GRC 2823 (2002-11) WPT

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HQVII061401293

Mr. Karlhelz Schreiber
7 Biltem Court, Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Date

February 15, 2007

Object Public Complaint Against Commissioner Zaccardelli, Superintendent Mathews and Inspector Brettschneider

Mr. Schreiber,

Further to your meeting with Sergeant Lise Noiseux and Sergeant Paul Ingram, this letter is sent to you as clarification of the allegations you have brought against Commissioner Giuliano Zaccardelli, Superintendent Allan Mathews, and Inspector Rayner Brettschneider.

In speaking with Sergeant Noiseux and Sergeant Ingram you made the following complaint against Commissioner Zaccardelli:

1. Coming into the investigation, Commissioner Zaccardelli should have been aware of the principal case because he knew the main informant, Mr. Pelosi, from the Flick case in Calgary. Despite having this information, Commissioner Zaccardelli continued the investigation for political reasons.

The following complaints were made by you against Superintendent Mathews:

1. He arranged/hired a spy, Vahe Minaslan, to set you up to perpetrate a crime in Canada.
 - a. To get you to bribe DND personnel to buy portable living quarters.
 - b. Selling Russian torpedoes from the Russian Mafia to the Americans by smuggling them through Canada.
2. He coded Stevie Cameron as an informant to protect himself, and any other RCMP member who may have spoken to her, and backdated the coding by six years.
3. The conduct and actions of Superintendent Mathews as outlined above have interfered with and obstructed the course and administration of justice.
4. He provided insider information to Stevie Cameron for use in her books.

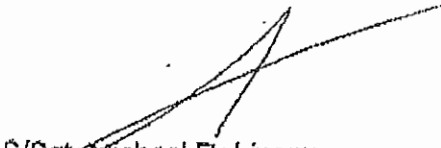
5. In all of this, he has breached his oath of secrecy and his duty to act impartially in carrying out his duties.

Finally, the following complaints were made by you against Inspector Brettschneider with reference to correspondence sent by Inspector Brettschneider on March 27, 1998 when he was the RCMP liaison officer in Germany:

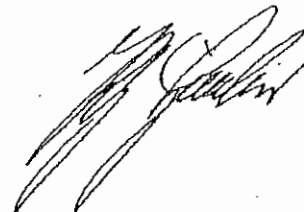
1. His reference in the correspondence that Canadian authorities would like to interview you is misleading and false, as no one asked for an interview.
2. He gave false and misleading information in the correspondence by saying that Canadian investigators were interested in having you arrested, when in fact, to this date, you have never been charged nor arrested for any crimes in Canada.
3. For what purpose are the investigators following your whereabouts in Switzerland and officially concerned and investigate the call-forward feature on your telephone calls in Liechtenstein and Switzerland.
4. You would like to know if there are any wiretaps or other court orders permitting the RCMP to investigate you in Liechtenstein and in Germany and in Switzerland.

Please carefully review each of the allegations set out against the three members of the RCMP. If you are concerned with the wording of any of the allegations, please do not hesitate to bring these concerns to the attention of Sergeant Ingram. If you agree with the wording of the allegations, please acknowledge your acceptance by facsimile and return a signed copy of this letter to Sergeant Ingram at his Coventry Square address.

Yours truly,



S/Sgt. Michael Robineau
NCO i/c Professional Standards Unit
Fax number: (613) 993-8832





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Your File - Votre référence

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HQVII061401293

Date

January 16, 2007

Object: **Public Complaint Against Commissioner Zaccardelli, Supt. Mathews, and**
Sujet: **Insp. Brettschneider.**

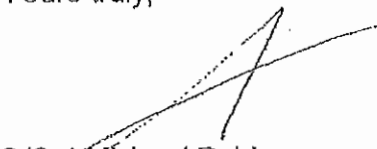
Mr. Schreiber,

This is further to our correspondence of November 28, 2006.

I presently wish to inform you that since our last correspondence, Sgt. Paul Ingram has been reviewing the file in relation to your complaint. The investigator would like to meet with you at your earliest convenience to discuss the complaint process and to seek some clarification with regards to the specifics of your complaint. Sergeant Ingram can be contacted at (613)993-8284 in order to schedule an appointment.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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Date

November 28, 2006

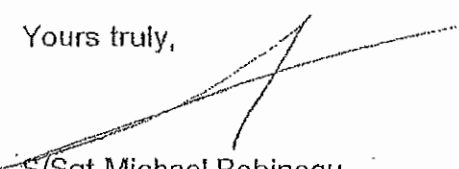
Object : **Public Complaint Against Commissioner Murray, Commissioner Zaccardelli,**
Sujet : **Supt. Mathews, Insp. McLean, Insp. Brettschneider and S/Sgt. Feigenwald.**

Mr. Schreiber,

The present is to acknowledge receipt of your complaint dated November 14, 2006, lodged against the above-mentioned RCMP officers. Please noted that Commissioner Murray, Insp. McLean and S/Sgt Feigenwald have retired from the Royal Canadian Mounted Police and are not subject to an investigation pursuant to the RCMP Act.

A member of the RCMP will be appointed to investigate this matter and will be in touch with you shortly. You will be notified of the status of the investigation into your complaint within forty-five days from the date we received it and on a monthly basis thereafter, until we are in a position to advise you of the results of our findings.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

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09/06/2007 12:17 FAX 7804958300

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Ministère de la Justice
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211 rue 101 - 10199
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Telephone: (780) 495-7126
Facsimile: (780) 495-6300

Internet: james.shaw@justice.gc.ca

Our File: 2-77605
Notre dossier:

Your File:
Votre dossier:

September 6, 2007

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
Edmonton, Alberta T5J 0Z9

Via Facsimile: (780) 424-0934

Attention: Robert W. Hladun, Q.C.

Dear Sir:

Re: Karlheinz Schreiber v. The Attorney General of Canada et al.

You will find attached a list of our production numbers which refer to SWISS and PELOSSI sourced documents provided pursuant to the September 1995 Letter of Request. These documents can be found on the cd-rom provided to you under cover of ours dated October 19, 2006.

We will need to obtain Swiss approval, through a legal assistance procedure, before use can be made of the above-referenced documents in this action. Please review same and let me know whether any of them are relevant or material to the Plaintiff's case such that a case can be made to the Swiss authorities to consent to the documents use in the law suit.

I will shortly provide you with a list of any those documents which I believe are material and useful in the defence.

It is unlikely that we can identify, produce and make a case to the Swiss prior to the end of September. It is my understanding that the application for further legal assistance is a formal one and not necessarily speedy.

I await your response.

Yours truly,

James N. Shaw
Senior General Counsel
Civil Litigation & Advisory Services

/s/ ac
attachment



Tel.780.423.1888 100, 101st Street, 101st Street, Edmonton, Alberta, Canada
100, 101st Street, Edmonton, Alberta, Canada
inquiries@hladun.com

18948.1

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September 14, 2007

Department of Justice Canada
211, 10199 - 101 Street
Edmonton, AB T5J 3Y4

Via Fax: 495-6300
(Original mailed)

Attn: James N. Shaw

Dear Sir:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Federal Action No.: A-334-07

Further to your correspondence of September 6, 2007, this is to advise that the list of documents received from the Swiss Authorities and forwarded to this office together with the documents produced thereunder, are neither relevant nor material to the Plaintiff's case. Therefore, it would not be necessary to make a request for Swiss approval to use these documents in our lawsuit.

In addition, and perhaps needless to say, any request to Switzerland for permission to use their documents would only delay matters further, which obviously in the circumstances is not in the Plaintiff's best interests nor, I presume, that of the Defendants.

Therefore, I look forward to the Examination for Discovery scheduled for September 26, 27, and 28, 2007 to proceed without delay.

Yours truly,

HLADUN & COMPANY

ROBERT W. HLADUN, Q.C.
RWH/ms

[Swiss national emblem]

Swiss Confederation

Swiss Federal Justice and Police Department (EJPD)

Federal Office of Justice (BJ)

Department of Judicial Assistance in International Matters

WY, BJ, Bundesrain 20, 3003 Bern, Switzerland

Registered Letter

Federal Office of Justice (BfJ)

Dr. Ralf Riegel

Adenauerallee 99-106

53113 Bonn

GERMANY

[stamp:]

Federal Office of Justice

Received July 16, 2007

[illegible]

[illegible signature]

Your reference: III 1-[illegible] etc.

Our reference: 1 [illegible] WY/AMM/TRM

Bern, July 9, 2007

Petition for judicial assistance by the Augsburg public prosecutor, dated June 5, 1996, in the criminal proceedings against Karlheinz SCHREIBER, Jürgen MASSMANN, Winfried HAASTERT et al.

Dear Dr. Riegel:

We are in receipt of your letters dated December 14, 2006, January 11, February 13, March 21 and May 24, 2007, respectively. Our position is as follows:

Rudolf Wyss

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I. Assessment of the legal situation with respect to Jürgen MASSMANN,
Winfried HAASTERT, Karlheinz SCHREIBER and Ludwig-Holger
PFAHLS

As you already know, the Swiss Federal Office of Justice (BJ), in its letter dated November 7, 2006, enjoined the German authorities from using the evidence provided to Germany by Switzerland by way of judicial assistance in the criminal proceedings initiated and, at the time, pending at the German Federal Court of Justice against Jürgen MASSMANN and Winfried HAASTERT. Furthermore, our office pointed out that this evidence must not be used in any way for the criminal assessment of the so-called Fuchs tank deal (delivery of Fuchs transport tanks to Saudi-Arabia in the years 1990/91 by the Thyssen group).

To our regret, we found that on January 10, 2007, the German Federal Court of Justice effectively concluded the criminal proceedings against Jürgen MASSMANN, thus deeming the use of the evidence provided by Switzerland admissible. By doing so, the Federal Court of Justice did not sanction the inadmissible use of the Swiss evidence by the Regional Court of Augsburg. Contrary to the opinion of the Federal Court of Justice, it is not true that the German authorities were only made aware of the ineligibility of the Fuchs tank deal for judicial assistance on November 7, 2006. Rather, it was already made clear in the letter from the Swiss Federal Office of Justice to the Ministry of Justice of North Rhine-Westphalia, dated December 18, 2002, that judicial assistance could not be granted in this matter. Despite this, the evidence procured from Switzerland apparently continued to be used in the criminal proceedings against Jürgen MASSMANN and other defendants in this matter. The Federal Office of Justice was never made aware why Switzerland's intervention, pertaining, at any rate, to the criminal proceedings against Jürgen MASSMANN, was disregarded, nor was this ever justified by the German authorities.

A central and general legal principle of international assistance in judicial matters is rooted in the trust that a state petitioned for judicial assistance may extend to the petitioning state. As can be inferred from our letter dated November 7, 2006, Switzerland does not impose any stringent requirements on the justification of a request for judicial assistance. The (Swiss) judge in charge of matters of judicial assistance does not have to examine matters of offence or guilt, nor is the consideration of evidence incumbent upon the judge, in principle; rather, the judge is bound by the representation of the facts as set forth in the petition, unless this representation is immediately invalidated by obvious errors, omissions or contradictions. Of course, it is a prerequisite in this context that the petition for judicial assistance fully describe the relevant facts required for the assessment of eligibility for judicial assistance. In the matter at hand, even the German side does not contest that the facts presented by the Augsburg public prosecutor's office were incomplete and that the Swiss authorities could not have recognized the incompleteness of the petition for judicial assistance. By refusing to revoke the judgement rendered by the District Court of Augsburg against Jürgen MASSMANN, the Federal Court of Justice disappointed Switzerland's trust in the completeness of German petitions for judicial assistance. Ultimately, the judgement endorses the actions of the Augsburg public prosecutor's office, which withheld from Switzerland significant information on the criminal proceedings it conducted, thus obtaining the grant of judicial assistance in breach of the legal principles in force between Germany and Switzerland. The said judgement evokes concerns as to whether the Swiss authorities will be able to trust that future petitions for judicial assistance from Germany will present the pertinent facts in full. There is a risk that the German authorities might now use the decision as a precedent for phrasing petitions for judicial assistance to Switzerland.

All evidence sent to Germany by Switzerland in the context of the prosecution of the Fuchs tank deal is subject to the principle of specialty, which is rooted in public international law as per letter b of the Swiss Declaration on Article 2 of the

European Convention on Mutual Assistance in Criminal Matters (EUeR).¹ A statement to this effect was included each time evidence was sent to the Augsburg public prosecutor's office. All German authorities and courts are bound under public international law by the principle of specialty declared by Switzerland. The key factor in this context is that Switzerland granted judicial assistance exclusively for the matter described in the above-mentioned petition. The Federal Office of Justice only learned in 2002 that significant facts that were relevant for the assessment of eligibility for judicial assistance had been withheld from Switzerland. For this reason, [the Federal Office of Justice] refused to grant further judicial assistance on December 18, 2002, and – after the evidence procured from Switzerland continued to be used despite this intervention, namely, in the criminal proceedings against Jürgen MASSMANN, and the information of the German fiscal and criminal prosecution authorities was documented to the Federal Office of Justice prior to the submission of the above-mentioned petition – on November 7, 2006, barred the use of all Swiss evidence in this context. Based on the documentation now presented to the Federal Office of Justice, it has been established that Jürgen MASSMANN was not convicted in the matter on which Switzerland had granted judicial assistance, but rather for an action that is punishable under German law which was not, at any time, eligible for judicial assistance by Switzerland. To this day, Switzerland has never been asked for permission to use the evidence it provided in the matter on which Jürgen MASSMANN was eventually convicted. By this act, the German authorities and courts have breached the principle of specialty applicable under public international law between Switzerland and Germany. For these reasons, the Federal Office of Justice, in its capacity as the duly appointed regulatory authority in the area of international assistance in judicial matters, demands that the German authorities adopt all suitable measures to undo the breach of the principle of

¹ Furthermore, Switzerland reserves the right to grant judicial assistance based on the said Convention only on the express condition that the results of the investigations conducted in Switzerland and the information contained in the records or documents provided must be used exclusively for the clarification and assessment of those criminal offences for which judicial assistance was granted.

specialty caused by the use of Swiss evidence within the context of the concluded criminal proceedings against Jürgen MASSMANN in connection with the Fuchs tank deal, thus re-establishing the lawful situation.

Should this not be done, it would constitute a risk that the German criminal prosecution authorities might in the future obtain judicial assistance from Switzerland on the basis of incomplete and/or fragmentary representations of the legally relevant facts of a case by invoking the judgement of the Federal Court of Justice dated January 10, 2007. It would then be possible for German courts to use evidence obtained in breach of the principle of specialty with the permission of the Supreme Court. Such legal practice by the German authorities would have incalculable consequences for the cooperation between Germany and Switzerland in matters of judicial assistance, namely, within the context of judicial assistance in fiscal matters, since in the future any petitions for judicial assistance put forth by the German criminal prosecution authorities would have to be systematically examined for incompleteness of the facts presented therein and, in case of any suspicions, refused. It is obvious that this would detract from a trusting cooperation and the efficient fight against criminal offences and would ultimately harm both countries.

That the German authorities and courts have the right to prosecute and judge criminal offences in connection with the Fuchs tank deal goes without saying and therefore requires no further elaboration. However, it is equally self-evident that the documentation provided by Switzerland must not be used in any way in such proceedings.

Contrary to the opinion of the Federal Court of Justice, the German Federal Office of Justice and the Bavarian State Ministry of Justice, nothing can be inferred from the decision of the Swiss Federal Court of Justice of January 13, 1999, on the question of eligibility for judicial assistance regarding the Fuchs tank deal since

[this decision] was based on the incomplete information provided by the Augsburg public prosecutor's office. The same applies to further decisions of the Swiss authorities in this context. According to the opinion of the Swiss Federal Office of Justice and the Swiss Federal Tax Administration, there is no sufficient information with respect to the Fuchs tank deal to suggest tax fraud. The opinion of the Federal Court of Justice implicit in the decision of January 10, 2007 that this case could be qualified as tax fraud is therefore unfounded. It must be pointed out in this regard that the Swiss authorities are exclusively competent in deciding this matter. In addition – as has already been established by the Federal Office of Justice in its letter to the Ministry of Justice of North Rhine-Westphalia dated December 18, 2002 – the matter at hand cannot be subsumed under other elements of an offence under Swiss criminal law either. In particular, the case now supplemented by the German side cannot be qualified as management fraud as defined by Art. 158 of the Swiss Criminal Code. Regarding the decision of the Federal Court of Justice of January 13, 1999, which made reference to a note in the files of the Fiscal Office for Corporate Auditing of Düsseldorf II, dated December 14, 1992, this note does not refer to the Fuchs tank deal, but the Bear-Head project. Consequently, it cannot be inferred from this that the Federal Court of Justice was aware of the information available to the German fiscal and criminal prosecution authorities prior to the submission of the petition for judicial assistance of June 5, 1996, which pertained to the amount of the commissions agreed upon in the context of the Fuchs tank deal, and of the extent of the audit carried out in this context by the competent fiscal authorities. Even if the complainants had informed the Federal Court of Justice of this, it would have had to assume, based on the described jurisdiction, that the facts presented by the Augsburg public prosecutor were complete, particularly since a certain amount of trust is also extended to the petitioning state in this respect as previously mentioned, and since the judge in charge of matters of judicial assistance neither examines matters of offence nor guilt.

German standards on the legal effectiveness of court decisions as well as other procedural regulations under German law, do not excuse Germany from its obligation under public international law to comply with the principle of specialty declared by the Swiss authorities and courts. As the Federal Court of Justice rightly stated in clause B, para. I, No. 1, letter b aa of its considerations in the decision with the reference 5 StR 299/03 of November 11, 2004, the question of admissibility of the use of (Swiss) evidence, namely, the requirement of previous approval by the Federal Office [of Justice], is solely determined by the principle of specialty declared by the Swiss institutions, which binds the German criminal prosecution authorities pursuant to Art. 72 IRG [Law on International Assistance in Criminal Matters]. Also accurate is the further consideration that the principle of specialty is established as binding by the competent Swiss courts and authorities and that the interpretation of Swiss law underlying the Swiss principle of specialty is exclusively reserved for the competent Swiss institutions. The Swiss Federal Office of Justice is competent for the assessment as to whether the further use of evidence can be permitted, pursuant to Art. 67, para. 2 of the Swiss Federal Law on International Assistance in Criminal Matters (IRSG). Therefore, the German authorities and courts are also bound under the jurisdiction of the Federal Court of Justice to the present conclusion of a breach of the principle of specialty reached by the competent Federal Office of Justice.

To stress it once again, there has neither been a change in the judicial conception of the Swiss authorities in the present matter, nor have the local authorities falsely applied the Swiss regulations on judicial assistance. Rather, the necessity for the interventions of the Federal Office of Justice on December 18, 2002 and November 7, 2006, was based on the fact that Switzerland was only fully informed by the German authorities about the Fuchs tank deal in 2002 and that the criminal proceedings against Jürgen MASSMANN were continued, illegally using the Swiss evidence, despite the letter dated December 18, 2002.

The ban on the use of evidence in relation to Jiirgen MASSMANN also extends to any other proceedings based on the decision of the Federal Court of Justice of January 10, 2007, and/or any judgements preceding this decision, particularly since these resulted from a breach of the principle of specialty.

It does not clearly arise from the documentation presented to us whether the decision of the Federal Court of Justice dated January 10, 2007 also refers to Winfried HAASTERT and the Fuchs tank deal. Should this be the case, we also demand that the German authorities take suitable measures to undo any breach of the principle of specialty caused by the use of Swiss evidence in the context of the concluded criminal proceedings against HAASTERT in connection with the Fuchs tank deal. Should the criminal proceedings against HAASTERT still be pending, this evidence must not be used in the proceedings in any way.

According to reports, the evidence provided by Switzerland was also used to judge Ludwig-Holger PFAHLS. Please inform us at your earliest convenience whether any Swiss evidence was also used in this case, and whether the Fuchs tank deal was involved in these judgements. Should this be the case, the Federal Office of Justice also demands that all suitable measures be adopted in this respect to undo any breach of the principle of specialty caused by the use of Swiss evidence in the context of the criminal proceedings against Ludwig-Holger PFAHLS in connection with the Fuchs tank deal.

According to our information, the Swiss evidence is still being used in a criminal trial against Karlheinz SCHREIBER. Please inform us whether these criminal proceedings are still pending. The use of the evidence provided by Switzerland in the criminal prosecution of the Fuchs tank deal is not permitted, since this would be in breach of the principle of specialty. Please confirm to us in writing that the said evidence is not being used for such purpose.

II. Assessment of the legal situation with respect to Max Josef STRAUSS

Regarding the criminal proceedings against Max Josef STRAUSS, the German Federal Office of Justice and the Bavarian State Ministry of Justice, in their statement dated March 21, 2007, refer to the decision of the Federal Court of Justice of January 10, 2007 in the matter of Jürgen MASSMANN. However, nothing can be inferred from this about the admissibility of the grant of judicial assistance based on the applicable laws in force between Germany and Switzerland. Inasmuch as Switzerland, based on the petition for judicial assistance of the Augsburg public prosecutor, dated June 5, 1996, provided judicial assistance, the resulting evidence must not be used in the criminal proceedings against Max Josef STRAUSS. For justification, please refer to the above-mentioned statements on Switzerland's trust in the presentation of the facts in petitions for international judicial assistance, as well as the principle of specialty.

On December 22, 2006, the German defence counsels for Max Josef STRAUSS reprimanded the German authorities for breaching the principle of specialty. It can be inferred from your letter dated March 21, 2007 that these reprimands had been presented to you. The Augsburg public prosecutor's office was accused of having represented the legally relevant facts in an objectively inaccurate and/or misleading and mistakable manner in the petitions for judicial assistance dated March 19 and August 10, 1999, respectively. Unfortunately, your letter dated March 21, 2007 contains no comment on these reprimands, although the suspicious facts were not only alleged, but substantiated by the German case records. Thus, there is evidence for the suspicion, which has not been refuted by you, that Switzerland was also misinformed about the effective facts in these two petitions for judicial assistance and therefore carried out the requested measures to provide evidence on false premises. The case of Max Josef STRAUSS, based on the assertions of his German defence counsels, which have not been refuted by the

German authorities, does not constitute either a tax fraud or money laundering offence under Swiss law according to the current information; therefore, the German criminal proceedings pending against him are not eligible for judicial assistance according to the current information. For this reason, the evidence resulting from the execution of the petitions for judicial assistance by the Augsburg public prosecutor's office dated March 19 and August 10, 1999, must also not be used in further proceedings against Max Josef STRAUSS.

Inasmuch as the evidence provided by Switzerland to execute the petitions for judicial assistance by the Augsburg public prosecutor's office dated June 5, 1996, March 19 and August 10, 1999 has already been used against Max Josef STRAUSS, the Federal Office of Justice demands that suitable measures also be adopted in this respect to undo any breach of the principle of specialty caused by the use of Swiss evidence in the context of the criminal proceedings against Max Josef Strauss.

The competent German authorities are free to comment on the assertions of the defence counsels of Max Josef STRAUSS made in the letter dated December 22, 2006. In that case, the Federal Office of Justice will re-examine the facts.

III. Assessment of the legal situation with respect to Mahmoud OTHMAN

In his petition dated May 11, 2007, the German defence counsel for Mahmoud OTHMAN notified us of a breach of the principle of specialty with respect to his client. This letter was accompanied by an arrest warrant dated September 23, 2004, issued by the investigating judge of the District Court of Augsburg. At no time did Switzerland grant permission for the further use of any evidence provided to the German authorities by way of judicial assistance. Please confirm to us in writing that no Swiss evidence was used in the criminal proceedings of the Augsburg

public prosecutor versus Mahmoud OTHMAN for suspected attempted obstruction of criminal prosecution. However, should this be the case, please note that no evidence procured from Switzerland must be used in these proceedings, due to a lack of the relevant authorization for our office.

Until the situation has been clarified, the Swiss Confederation will grant no more judicial assistance in the criminal proceedings pending in Germany in the context of the present circumstances.

Our office has no objections to the present letter being forwarded to the German defence counsels of the defendants.

If you have any questions, please do not hesitate to contact Mr. Martin Trapp (+41 31 324 85 29). Should you or other German authorities wish to discuss this matter with us, we would be pleased to arrange a meeting.

We are looking forward to your response.

Yours sincerely,

per: [illegible signature]

Rudolf Wyss

Vice Director



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun Svizra

Eidgenössisches Justiz- und Polizeidepartement EJPD
Bundesamt für Justiz BJ
Internationale Rechtshilfe

WY, BJ, Bundesrain 20, 3003 Bern, Schweiz

Einschreiben
Bundesamt für Justiz BJ
Herr Dr. Ralf Riegel
Adenauerallee 99 - 103
53113 Bonn
DEUTSCHLAND

Bundesamt für Justiz	
Eing. 16. JULI 2007	Org.-Eintr.
..... Anl.	111A

iv Riegel

Ihr Zeichen : 111-13525-S4-73 462 etc.
Unser Zeichen : B 100/220 WY/AMM/TRM

Bern, 9. Juli 2007

Rechtshilfeersuchen der Staatsanwaltschaft Augsburg vom 8. Juni 1996 in einem Strafverfahren gegen Karlheinz SCHREIBER, Jürgen MASSMANN, Winfried HAASTERT u.a.

Sehr geehrter Herr Dr. Riegel

Ihre Schreiben vom 14. Dezember 2006, vom 11. Januar, 13. Februar, 21. März und 24. Mai 2007 haben wir erhalten. Wir nehmen dazu wie folgt Stellung:

I. Beurteilung der Rechtslage in Bezug auf Jürgen MASSMANN, Winfried HAASTERT, Karlheinz SCHREIBER und Ludwig-Holger PFAHLS

Bekanntlich untersagte das schweizerische Bundesamt für Justiz (BJ) den deutschen Behörden mit Schreiben vom 7. November 2006 die Verwendung derjenigen Beweismittel, welche die Schweiz Deutschland rechtshilfewise zukommen liess, in dem gegen Jürgen MASSMANN und Winfried HAASTERT geführten und dannzumal beim deutschen Bundesgerichtshof hängigen Strafverfahren. Überdies wies unser Amt darauf hin, dass diese Beweismittel in keiner Weise zur strafrechtlichen Beurteilung des sog. Fuchspanzergeschäfts (Lieferung von Fuchs-Transportpanzern durch den Thyssen-Konzern an Saudi-Arabien in den Jahren 1990/91) verwendet werden dürfen.

Mit Bedauern haben wir festgestellt, dass der deutsche Bundesgerichtshof am 10. Januar 2007 das gegen Jürgen MASSMANN geführte Strafverfahren rechtskräftig abgeschlossen und damit die Verwertung der aus der Schweiz stammenden Beweismittel im Ergebnis als zulässig erachtet hat. Der Bundesgerichtshof sanktionierte dadurch die unzulässige Verwendung der schweizerischen Beweismittel durch das Landgericht Augsburg nicht. Entgegen der Auffassung des Bundesgerichtshofs war den deutschen Behörden nicht erst ab dem 7. November 2006 klar, dass das Fuchspanzergeschäft nicht rechtshilfefähig war. Vielmehr ging schon aus dem vom 18. Dezember 2002 datierenden Schreiben des BJ an das Justizministerium Nordrhein-Westfalen hervor, dass für diesen Sachverhalt keine Rechtshilfe geleistet werden konnte. Dessen ungeachtet wurden die aus

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der Schweiz stammenden Beweismittel in den gegen Jürgen MASSMANN und weitere Beschuldigte wegen dieses Sachverhalts geführten Strafverfahren offenbar weiterhin verwendet. Weshalb diese Intervention der Schweiz jedenfalls in dem gegen Jürgen MASSMANN geführten Strafverfahren nicht beachtet wurde, entzieht sich der Kenntnis des B.J und wurde seitens der deutschen Behörden auch nie begründet.

Ein zentraler allgemeiner Rechtsgrundsatz der internationalen Rechtshilfe besteht im Vertrauen, welches ein um Rechtshilfe ersuchter Staat einem Rechtshilfeersuchen des ersuchenden Staats entgegenbringen darf. Wie unserem Schreiben vom 7. November 2006 zu entnehmen ist, stellt die Schweiz an die Begründung eines Rechtshilfeersuchens keine strengen Anforderungen. Der (schweizerische) Rechtshilferichter hat weder Tat- noch Schuldfragen zu prüfen und grundsätzlich auch keine Beweiswürdigung vorzunehmen, sondern ist vielmehr an die Sachverhaltsdarstellung im Ersuchen gebunden, soweit sie nicht durch offensichtliche Fehler, Lücken oder Widersprüche sofort entkräftet wird. Dabei ist selbstverständlich vorauszusetzen, dass im Rechtshilfeersuchen der für die Beurteilung der Rechtshilfefähigkeit relevante Sachverhalt vollständig geschildert wird. Vorliegendenfalls wird auch auf deutscher Seite nicht bestritten, dass der von der Staatsanwaltschaft Augsburg vorgetragene Sachverhalt unvollständig war und dass die Schweizer Behörden die Lückenhaftigkeit des Rechtshilfeersuchens nicht erkennen konnten. Durch die Weigerung des Bundesgerichtshofs, das vom Landgericht Augsburg gegen Jürgen MASSMANN ausgefallene Urteil aufzuheben, wurde das Vertrauen der Schweiz in die Vollständigkeit deutscher Rechtshilfeersuchen enttäuscht. Das Urteil heisst im Ergebnis das Vorgehen der Staatsanwaltschaft Augsburg gut, welche der Schweiz wesentliche Erkenntnisse aus dem von ihr geführten Strafverfahren vorzuenthalten und dadurch entgegen den zwischen Deutschland und der Schweiz anwendbaren Rechtsgrundlagen die Leistung von Rechtshilfe erreichte. Das besagte Urteil weckt Bedenken, ob Schweizer Behörden auch inskünftig auf die vollständige Sachverhaltsdarstellung in deutschen Rechtshilfeersuchen vertrauen können. Es besteht die Gefahr, dass deutsche Behörden den Entscheid nunmehr als Präjudiz für die Formulierung von Rechtshilfeersuchen an die Schweiz verwenden könnten.

Sämtliche Beweismittel, welche die Schweiz im Rahmen der strafrechtlichen Aufarbeitung des Fuchspanzergeschäfts an Deutschland sandte, unterliegen dem Spezialitätsvorbehalt. Dieser findet seine völkerrechtliche Verankerung in lit. b der schweizerischen Erklärung zu Artikel 2 des Europäischen Übereinkommens über die Rechtshilfe in Strafsachen (EUER)¹. Eine entsprechende Erklärung wurde jeweils bei der Übersendung von Beweismitteln an die Staatsanwaltschaft Augsburg angebracht. Sämtliche deutschen Behörden und Gerichte sind völkerrechtlich an den von der Schweiz ausgesprochenen Spezialitätsvorbehalt gebunden. In diesem Zusammenhang zentral ist der Umstand, dass die Schweiz ausschliesslich für den im eingangs erwähnten Ersuchen geschilderten Sachverhalt Rechtshilfe leistete. Dass der Schweiz wesentliche für die Beurteilung der Rechtshilfefähigkeit relevante Tatsachen vorenthalten wurden, erfuhr das B.J erst im Jahre 2002. Aus diesem Grund verweigerte es am 18. Dezember 2002 die Leistung weiterer Rechtshilfe und –

¹ Die Schweiz behält sich ferner das Recht vor, Rechtshilfe auf Grund dieses Übereinkommens nur unter der ausdrücklichen Bedingung zu leisten, dass die Ergebnisse der in der Schweiz durchgeführten Erhebungen und die in herausgegebenen Akten oder Schriftstücken enthaltenen Auskünfte ausschliesslich für die Aufklärung und Beurteilung derjenigen strafbaren Handlungen verwendet werden dürfen, für die die Rechtshilfe bewilligt wird.



nachdem die aus der Schweiz stammenden Beweismittel namentlich in dem gegen Jürgen MASSMANN geführte Strafverfahren ungeachtet dieser Intervention weiterhin verwendet wurden und dem BJ der Wissensstand der deutschen Steuer- und Strafverfolgungsbehörden vor Einreichung des eingangs erwähnten Ersuchens urkundlich dokumentiert wurde – verbot es am 7. November 2006 die Verwendung sämtlicher Schweizer Beweismittel in diesem Zusammenhang. Aufgrund der dem BJ nunmehr vorliegenden Unterlagen steht fest, dass Jürgen MASSMANN nicht für denjenigen Sachverhalt verurteilt wurde, für welchen die Schweiz Rechtshilfe leistete, sondern vielmehr für ein nach deutschem Recht strafbares Verhalten, welches in der Schweiz zu keinem Zeitpunkt rechtshilfefähig war. Bis heute wurde die Schweiz nie um Zustimmung zur Verwendung der von ihr übersandten Beweismittel für denjenigen Sachverhalt ersucht, für welchen Jürgen MASSMANN schliesslich verurteilt wurde. Dadurch verletzen die deutschen Behörden und Gerichte den zwischen der Schweiz und Deutschland völkerrechtlich Geltung beanspruchenden Spezialitätsvorbehalt. Aus diesen Gründen verlangt das Bundesamt für Justiz als gesetzlich bestimmte Aufsichtsbehörde im Bereich der internationalen Rechtshilfe, dass die deutschen Behörden sämtliche geplanten Massnahmen ergreifen, um die erfolgte Verletzung des Spezialitätsvorbehaltes durch Verwendung von schweizerischen Beweismitteln im Rahmen des abgeschlossenen Strafverfahrens gegen Jürgen MASSMANN im Zusammenhang mit dem Fuchspanzergeschäft rückgängig zu machen und dadurch den rechtmässigen Zustand wieder herzustellen.

Sollte dies nicht geschehen, bestünde die Gefahr, dass die deutschen Strafverfolgungsbehörden von der Schweiz inskünftig mit Berufung auf das Urteil des Bundesgerichtshofes vom 10. Januar 2007 Rechtshilfe unter unvollständiger bzw. lückenhafter Schilderung des rechtserheblichen Sachverhalts erlangen könnten. Für deutsche Gerichte wäre es dann möglich, mit höchstrichterlicher Zustimmung die so beschafften Beweismittel unter Verletzung des Spezialitätsvorbehaltes zu verwenden. Eine solche deutsche Rechtsprechung hätte für die Zusammenarbeit zwischen Deutschland und der Schweiz im Rechtshilfebereich, namentlich im Rahmen der Fiskalrechtshilfe, unabsehbare Konsequenzen, müssten doch die von deutschen Strafverfolgungsbehörden übersandten Rechtshilfeersuchen inskünftig systematisch auf Unvollständigkeit des darin geschilderten Sachverhalts überprüft und bei entsprechendem Verdacht abgewiesen werden. Es ist offensichtlich, dass dies einer vertrauensvollen Zusammenarbeit und der effizienten Bekämpfung strafbarer Handlungen abträglich wäre und im Ergebnis beiden Ländern schaden würde.

Dass die deutschen Behörden und Gerichte zur Verfolgung und Beurteilung strafbarer Handlungen im Zusammenhang mit dem Fuchspanzergeschäft berechtigt sind, versteht sich von selbst und bedarf deshalb keiner weiteren Erörterung. Ebenso klar ist jedoch auch, dass dabei die von der Schweiz übermittelten Unterlagen in keiner Weise verwendet werden dürfen.

Entgegen der Auffassung des Bundesgerichtshofs, des deutschen Bundesamtes für Justiz sowie des Bayerischen Staatsministeriums der Justiz lässt sich dem Urteil des schweizerischen Bundesgerichts vom 13. Januar 1999 zur Frage der Rechtshilfefähigkeit des Fuchspanzergeschäfts nichts entnehmen, basiert es doch auf den unvollständigen Angaben der Staatsanwaltschaft Augsburg. Dasselbe gilt für weitere Entscheidungen schweizerischer Behörden in diesem Zusammenhang. Nach Auffassung des BJ sowie der Eidgenössischen Steuerverwaltung liegen in Bezug auf das Fuchspanzergeschäft keine hinreichenden Angaben zur Annahme eines Abgabebetrugs vor. Die im Beschluss vom 10. Januar 2007 implizit vertretene Ansicht des Bundesgerichtshofs, dieser Sachverhalt lasse sich als Abgabebetrug qualifizieren, ist somit unzutreffend. Diesbezüglich ist festzustellen, dass ausschliesslich schweizerische Behörden zur Beurteilung dieser Frage zustän-



4 dig sind. Überdies lässt sich – wie das BJ bereits in seinem Schreiben vom 18. Dezember 2002 an das Justizministerium Nordrhein-Westfalen feststellte – der nunmehr vorliegende Sachverhalt auch nicht unter einen weiteren Tatbestand des schweizerischen Strafrechts subsumieren. Insbesondere lässt sich der nunmehr von deutscher Seite ergänzte Sachverhalt nicht als ungetreue Geschäftsbesorgung gemäss Art. 158 des schweizerischen Strafgesetzbuches qualifizieren. Sowohl im Bundesgerichtentscheid vom 13. Januar 1999 auf einen Aktenvermerk des Finanzamts für Konzernbetriebsprüfung Düsseldorf II vom 14. Dezember 1992 Bezug genommen wurde, bezieht sich dieser Hinweis nicht auf das Fuchspanzergeschäft, sondern das Bear-Head-Projekt. Daraus lässt sich demnach nicht ableiten, dem Bundesgericht seien die den deutschen Steuer- und Strafverfolgungsbehörden vor Einreichung des Rechtshilfeersuchens vom 5. Juni 1996 vorliegenden Erkenntnisse über die Höhe der beim Fuchspanzergeschäft vereinbarten Provisionen sowie der Umfang der durch die zuständigen Steuerbehörden diesbezüglich durchgeführten Prüfung bekannt gewesen. Selbst wenn die Beschwerdeführer das Bundesgericht darüber informiert hätten, wäre nach der geschilderten Rechtsprechung von der Vollständigkeit des von der Staatsanwaltschaft Augsburg geschilderten Sachverhalts auszugehen gewesen, zumal dem ersuchenden Staat wie erwähnt auch in dieser Hinsicht Vertrauen entgegengebracht wird und der Rechtshilferichter weder Tat- noch Schuldfragen überprüft.

Deutsche Normen über die Rechtskraft von Gerichtsurteilen sowie weitere prozessuale Bestimmungen des deutschen Rechts erheben Deutschland nicht seiner völkerrechtlichen Verpflichtung, den von den Schweizer Behörden und Gerichten ausgesprochenen Spezialitätsvorbehalt einzuhalten. Wie der Bundesgerichtshof in Bst. B Abs. 1 Ziff. 1 lit. b aa seiner Erwägungen in seinem Beschluss mit dem Zeichen 5 StR 299/03 vom 11. November 2004 zu Recht feststellte, bestimmt sich die Frage der Zulässigkeit der Verwertung (schweizerischer) Beweismittel, namentlich das Erfordernis einer vorgängigen Zustimmung durch das Bundesamt, allein nach dem von den Schweizer Institutionen ausgesprochenen Spezialitätsvorbehalt, der die deutschen Strafverfolgungsbehörden nach § 72 IRG binde. Zutreffend ist auch die weitere Erwägung, dass der Spezialitätsvorbehalt von den zuständigen Schweizer Gerichten und Behörden verbindlich festgelegt werde und die Auslegung des dem Schweizer Spezialitätsvorbehalt zugrunde liegenden Schweizer Rechts ausschliesslich den zuständigen Schweizer Institutionen vorbehalten bleibe. Zuständig für die Beurteilung, ob eine weitere Verwendung von Beweismitteln bewilligt werden kann, ist nach Art. 67 Abs. 2 des schweizerischen Bundesgesetzes über Internationale Rechtshilfe in Strafsachen (IRSG) das BJ. Damit sind die deutschen Behörden und Gerichte auch nach der Rechtsprechung des Bundesgerichtshofs an die vorliegende Feststellung einer Verletzung des Spezialitätsvorbehalts durch das hierfür zuständige BJ gebunden.

Nochmals sei betont, dass in vorliegender Angelegenheit weder eine Änderung der Rechtsauffassung schweizerischer Behörden eintrat, noch die hiesigen Behörden Schweizer Rechtshilfevorschriften falsch anwendeten. Vielmehr ergab sich die Notwendigkeit zu den Interventionen des BJ vom 18. Dezember 2002 und vom 7. November 2006 aus dem Umstand, dass die Schweiz erst im Jahre 2002 durch die deutschen Behörden vollständig über das Fuchspanzergeschäft informiert wurde bzw. das gegen Jürgen MASSMANN geführte Strafverfahren ungeachtet des Schreibens vom 18. Dezember 2002 unter unzulässiger Verwendung der Schweizer Beweismittel weitergeführt wurde.

Das betreffend Jürgen MASSMANN ausgesprochene Verwendungsverbot erstreckt sich auch auf allfällige weitere Verfahren, welche auf dem Beschluss des Bundesgerichtshofs vom 10. Januar



2007 bzw. den diesen vorangehenden Urteilen gründen, zumal diese in Verletzung des Spezialitätsvorbehalts zustande kamen.

Aus den uns vorliegenden Unterlagen geht nicht klar hervor, ob sich der vom 10. Januar 2007 datierende Beschluss des Bundesgerichtshofs auch auf Winfried HAASTERT und das Fuchspanzergeschäft bezieht. Sollte dies der Fall sein, wird auch diesbezüglich von den deutschen Behörden verlangt, dass sie die geeigneten Massnahmen treffen, um eine allfällige Verletzung des Spezialitätsvorbehalts durch Verwendung von schweizerischen Beweismitteln im Rahmen des abgeschlossenen Strafverfahrens gegen HAASTERT im Zusammenhang mit dem Fuchspanzergeschäft rückgängig zu machen. Falls das gegen HAASTERT geführte Strafverfahren noch hängig sein sollte, dürfen diese Beweismittel in keiner Weise darin verwertet werden.

Dem Vernehmen nach wurden die von der Schweiz übersandten Beweismittel auch zur Beurteilung von Ludwig-Holger PFAHLS verwendet. Bitte orientieren Sie uns raschmöglichst darüber, ob auch in diesem Fall aus der Schweiz stammende Beweismittel verwendet wurden und ob dabei das Fuchspanzergeschäft zur Beurteilung gelangte. Sollte dies der Fall sein, verlangt das BJ auch hier die Ergreifung von sämtlichen geeigneten Massnahmen, um eine allfällige Verletzung des Spezialitätsvorbehalts durch Verwendung von schweizerischen Beweismitteln im Rahmen des Strafverfahrens gegen Ludwig-Holger PFAHLS im Zusammenhang mit dem Fuchspanzergeschäft rückgängig zu machen.

Nach unserem Wissensstand werden die Schweizer Beweismittel nach wie vor in einem gegen Karlheinz SCHREIBER geführten Strafverfahren verwendet. Wir ersuchen Sie, uns darüber zu orientieren, ob diese Strafverfahren nach wie vor hängig sind. Die Verwendung der von der Schweiz übersandten Beweismittel zur strafrechtlichen Verfolgung des Fuchspanzergeschäfts ist nicht zulässig, da sie den Spezialitätsvorbehalt verletzt. Bitte bestätigen Sie uns schriftlich, dass die besagten Beweismittel nicht zu diesem Zweck verwendet werden.

II. Beurteilung der Rechtslage in Bezug auf Max Josef STRAUSS

Bezüglich des gegen Max Josef STRAUSS geführten Strafverfahrens weisen das deutsche Bundesamt für Justiz und das Bayerische Staatsministerium der Justiz in ihrer Stellungnahme vom 21. März 2007 auf den Beschluss des Bundesgerichtshofs vom 10. Januar 2007 in Sachen Jürgen MASSMANN hin. Daraus lässt sich indessen nichts über die Zulässigkeit der Rechtshilfeleistung nach dem zwischen Deutschland und der Schweiz anwendbaren Recht ableiten. Soweit die Schweiz gestützt auf das Rechtshilfeersuchen der Staatsanwaltschaft Augsburg vom 5. Juni 1998 Rechtshilfe leistete, dürfen die daraus resultierenden Beweismittel in dem gegen Max Josef STRAUSS geführten Strafverfahren nicht verwendet werden. Zur Begründung kann auf die oben gemachten Ausführungen zum Vertrauen der Schweiz auf die Schilderung des Sachverhalts in ausländischen Rechtshilfeersuchen sowie zum Spezialitätsprinzip verwiesen werden.

Am 22. Dezember 2006 rügten die deutschen Verteidiger von Max Josef STRAUSS die Verletzung des Spezialitätsvorbehalts durch deutsche Behörden. Ihrem Schreiben vom 21. März 2007 ist zu entnehmen, dass Ihnen diese Rügen vorlagen. Der Staatsanwaltschaft Augsburg wird vorgeworfen, den rechtserheblichen Sachverhalt in ihren vom 19. März und vom 10. August 1999 datierenden Rechtshilfeersuchen objektiv unzutreffend bzw. irreführend und missverständlich dargestellt zu



haben. Leider ist Ihrem Schreiben vom 21. März 2007 keine Stellungnahme zu diesen Rügen zu entnehmen, obwohl die Verdachtsmomente nicht nur behauptet wurden, sondern vielmehr mit Vorlage deutscher Verfahrensakten untermauert werden. Damit bestehen von Ihnen nicht widerlegte Verdachtsmomente, dass die Schweiz auch in diesen beiden Rechtshilfeersuchen unzutreffend über den effektiven Sachverhalt orientiert wurde und deshalb zu Unrecht die beantragten Beweismassnahmen durchführte. Bezüglich Max Josef STRAUSS liegt aufgrund der von den deutschen Behörden unwidersprochenen Vorbringen seiner deutschen Verteidiger beim jetzigen Wissensstand weder ein Abgabebetrug noch eine Geldwäscherei nach schweizerischem Recht vor; das gegen ihn hängige deutsche Strafverfahren ist also nach jetzigem Wissensstand nicht rechtshilfefähig. Aus diesem Grund dürfen auch die aus dem Vollzug der Rechtshilfeersuchen der Staatsanwaltschaft Augsburg vom 19. März und vom 10. August 1999 resultierenden Beweismittel im weiteren Verfahren gegen Max Josef STRAUSS nicht verwendet werden.

Soweit die von der Schweiz in Vollzug der Rechtshilfeersuchen der Staatsanwaltschaft Augsburg vom 5. Juni 1996, vom 19. März und vom 10. August 1999 übersandten Beweismittel bereits gegen Max Josef STRAUSS verwendet wurden, verlangt das Bundesamt für Justiz dass auch hier die geeigneten Massnahmen getroffen werden, um eine allfällige Verletzung des Spezialitätsvorbehaltes durch Verwendung von schweizerischen Beweismitteln im Rahmen des Strafverfahrens gegen Max Josef Strauss rückgängig zu machen.

Es steht den zuständigen deutschen Behörden frei, zu den mit Schreiben vom 22. Dezember 2006 geäusserten Vorbringen der Verteidiger von Max Josef STRAUSS einlässlich Stellung zu nehmen. Diesfalls wird das BJ die Sachlage erneut prüfen.

III. Beurteilung der Rechtslage in Bezug auf Mahmoud OTHMAN

Mit Eingabe vom 11. Mai 2007 zeigte uns der deutsche Verteidiger von Mahmoud OTHMAN eine Verletzung des Spezialitätsvorbehalts in Bezug auf seinen Klienten an. Diesem Schreiben liegt ein vom 23. September 2004 datierender Haftbefehl des Ermittlungsrichters beim Amtsgericht Augsburg vor. Die Schweiz erteilte zu keinem Zeitpunkt eine Bewilligung zur weiteren Verwendung irgendwelcher an deutsche Behörden auf dem Wege der Rechtshilfe übersandten Beweismittel. Bitte bestätigen Sie uns schriftlich, dass in dem von der Staatsanwaltschaft Augsburg gegen Mahmoud OTHMAN wegen des Verdachts der versuchten Strafvereitelung geführten Strafverfahren keine aus der Schweiz stammenden Beweismittel verwendet werden. Sollte dies jedoch der Fall sein, bitten wir Sie um Kenntnisnahme, dass in diesem Verfahren mangels entsprechender Ermächtigung unseres Amtes keine aus der Schweiz stammenden Beweismittel verwendet werden dürfen.

Bis zur Klärung der Sachlage wird die Schweizerische Eidgenossenschaft für die im vorliegenden Sachverhaltskomplex in Deutschland noch hängigen Strafverfahren keine weitere Rechtshilfe mehr leisten.

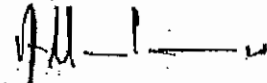


Seitens unseres Amtes bestehen keine Einwände dagegen, das vorliegende Schreiben den deutschen Verteidigern der Beschuldigten zukommen zu lassen.

Zur Beurteilung allfälliger Fragen steht Ihnen unser Herr Martin Trapp (+41 31 324 85 29) jederzeit gerne zur Verfügung. Sollten Sie oder andere deutsche Behörden die vorliegende Angelegenheit mit uns besprechen wollen, sind wir zu einem Treffen gerne bereit.

Ihrer Stellungnahme sehen wir mit Interesse entgegen.

Freundliche Grüsse

i.v. 

Rudolf Wyss
Vizedirektor

[Swiss national emblem]

Swiss Confederation

Swiss Federal Justice and Police Department (BJPD)

Federal Justice Office (BJ)

Department of Judicial Assistance

TRM BJ, Bundesrain 20, 3003 Bern, Switzerland

A-Post

Raschein & Mazzetta

Dr. iur. Heinz Raschein, Attorney

Obere Plessurstrasse 25

7000 Chur

Your reference: [blank]

Our reference: B 100'220 TRM

Bern, July 9, 2007

**Request for judicial assistance of the Public Prosecutor of Augsburg in the
matter of Karlheinz SCHREIBER et al.**

Breach of the principle of specialty

Dear Attorney:

Our office, by a letter bearing today's date to the German Federal Justice Office, is requesting the revocation of the judgement rendered by the German Federal Court of Justice on January 10, 2007, against Jürgen MASSMANN, as well as any and all previous judgements regarding the Fuchs tank deal. Furthermore, we bar all German authorities and courts from using the evidence sent to Germany from Switzerland in response to the above-mentioned request for judicial assistance, for the assessment of the Fuchs tank deal, with the specific requirement that this also applies to your client.

This letter is for your information only.

Yours sincerely,

[signed]

Martin Trapp

Martin Trapp

Bundesrain 20, 3003 Bern, Switzerland

Telephone: +41 31 324 85 29 Fax: +41 31 322 53 80

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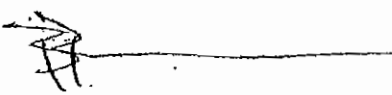
I, Sarah Degetz, translator for ALL LANGUAGES LTD, of Toronto, in the Province of Ontario, make oath and say:

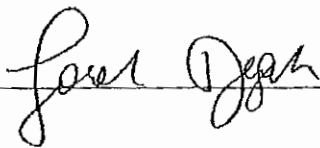
1. I understand both the German and English languages;

2. I have carefully compared the annexed translation from German into English with the letter sent to Dr. Heinz Raschein, Attorney, by the Swiss Federal Justice Office, dated July 9, 2007, regarding the Augsburg Public Prosecutor's request for judicial assistance in the case of Karlheinz Schreiber et al.; and

3. The said translation, done by me, is, to the best of my knowledge and ability, a true and correct translation of the said document in every respect.

SWORN before me at the)
City of Toronto, on this)
16th day of July 2007 A.D.)


A Notary Public in and for the)
Province of Ontario.)
Bradley Robert Pearson)





Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun Svizra

Eidgenössisches Justiz- und Polizeidepartement EJPD
Bundesamt für Justiz BJ
Fachbereich Rechtschutz

BFM, c/o Bundesrat 20, 3003 Bern, Schweiz

A-Post

Raschein & Mazzotta
Herr Rechtsanwalt Dr. iur. Heinz
Raschein
Obere Plessurstrasse 25
7000 Chur

Ihr Zeichen :
Umsatz-Zahlen : B 100220 TRM

Bern, 9. Juli 2007

**Rechtshilfeersuchen der Staatsanwaltschaft Augsburg in Sachen Karlheinz SCHREIBER u.a.
Verletzung des Spezialitätsvorbehalts**

Sehr geehrter Herr Rechtsanwalt

Mit von heute datierendem Schreiben an das deutsche Bundesamt für Justiz verlangt unser Amt die Aufhebung des Urteils des deutschen Bundesgerichtshofs vom 10. Januar 2007 gegen Jürgen MASSMANN sowie sämtlicher diesem vorangehenden Urteile betreffend das Fuchspanzergeschäft. Weiter verbieten wir sämtlichen deutschen Behörden und Gerichten die Verwendung der von der Schweiz in der Folge der eingangs erwähnten Rechtshilfeersuchen an Deutschland übersandten Beweismittel zur Beurteilung des Fuchspanzergeschäfts, unter ausdrücklicher Betonung, dass dies auf für Ihren Klienten gelte.

Wir bitten Sie um Kenntnisnahme und verbleiben mit freundlichen Grüessen


Martin Trapp

Martin Trapp
Bundesrat 20, 3003 Bern, Schweiz
Telefon : +41 31 324 85 28, Telefax : +41 31 322 53 80
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KARLHEINZ SCHREIBER

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Personal / For His Eyes Only

The Right Hon. Stephen Joseph Harper P.C.; M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, March 29, 2007

**Subject: "Political Justice Scandal"& "The Airbus Affair"
RCMP & IAG Conspiracy and Coverup
Public Inquiry**

Dear Prime Minister,

Today I take the liberty to send you a copy of my letter January 29, 2007 to The Right Hon. Brian Mulroney, P.C., L. L. D. for your personal and private information.

Concerning a Public Inquiry I am referring to all the letters I have sent to you since June 16, 2006 especially to my letters January 16, 2007 and January 24, 2007. I also attaché a copy of an article of the Toronto Sun November 17, 1997: "Former Prime Minister Brian Mulroney is calling for a Royal Commission into a possible coverup of the Airbus scandal."

**AIRBUS INQUIRY URGED; MULRONEY SUSPECTS HIGH-LEVEL
COVERUP IN SCANDAL**

Since the 6th of February 2006 Canada has a Conservative Government and Brian Mulroney's request for a Public Inquiry disappeared.

Concerning Extradition I attaché 3 pages of a RCMP publication.
 Interpol · 1- The Canadian Central Authority
 2.2 Court Proceedings
 2.4 The Decision to Surrender

The document explains the duties of the officials involved and shows the political power of the Minister of Justice.

The situation appears like your Conservative Government is using previous Liberal Government tactics.

Delay the Schreiber lawsuit against the Attorney General of Canada, try to involve him in criminal activities and put him in a jail or extradite him to Germany. Shut him up.

Conceal the biggest "Political Justice Scandal" in the history of Canada.

Assure that the Canadian Public will never get to know what really happened concerning the "Airbus" affair, when a Liberal Minister of Justice and the IAG of the Department of Justice teamed up with the RCMP in an illegal international conspiracy to hunt a previous Conservative Prime Minister and his friends.

How would this work with the Accountability of the Conservative Government and the election promise: Let's clean up government. Canadians have been let down by 12 years of Liberal scandal?

Dear Prime Minister, I always thought that events like this belong to the political behavior in countries with totalitarian Governments and have been the reason for many people to escape to Canada.

Could it be that there is serious concern within the Conservative Government regarding the possible findings of a Public Inquiry which caused you to become part of the conspiracy and the concealing of the biggest "Political Justice Scandal" in the history of Canada?

Yours sincerely



KARLHEINZ SCHREIBER

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The Right Hon. Brian Mulroney, P.C., LL. D.
47 Forden Crescent

Westmount, Quebec
H3Y 2Y5

Ottawa, January 29, 2007

Dear Brian,

I refer to my letter January 19, 2006 concerning the decision of The Hon. Vic Toews, P.C. M.P. then the Minister of Justice and Attorney General of Canada to support his predecessor The Hon. Irwin Cotler by denying the "Airbus" vendetta against you and your friends and the existence of the "Political Justice Scandal".

This case is much worth and much more dangerous than the Maher Arar case.

Imagine, a Liberal Minister of Justice initiates a political vendetta against a retired Conservative Prime Minister, his friends and the Conservative Party with the involvement of the officials of the Department of Justice, the RCMP, confidential informants and complainants, undercover agents from foreign agencies, journalists and foreign informants with criminal records.

Officials from the Department of Justice and the RCMP participate in an international political conspiracy, traveling during 12 years on taxpayer's money all over the world even violating the sovereignty of foreign countries. No confirmation concerning their allegations of fraud and bribe was found.

A victim of the vendetta files a lawsuit against the Minister of Justice and the Attorney General of Canada.

The vendetta caused an extradition case against the victim. The officials from the Department of Justice and the RCMP are trying to conceal the vendetta and the abuse of power and committed crimes through extradition or detention.

I always thought that events like this belong to the political behavior in countries with totalitarian Governments.

Since February 2006 Canada has a Conservative Government. The victim informed the Prime Minister, the Minister of Justice, the Minister of Foreign Affairs, the Minister of Public Safety and others, including you, about the ongoing vendetta.

On December 1, 2006 the Conservative Minister of Justice confirmed his predecessor's decision to extradite the victim to Germany required through Extradition – Treaty obligations. Every Minister involved and you know that this is a huge lie.

THE CANADIAN - GERMAN EXTRADITION TREATY

ARTICLE V: EXTRADITION OF NATIONALS

(1) NEITHER OF THE CONTRACTING PARTIES SHALL BE BOUND TO EXTRADITE ITS OWN NATIONALS .

Germany will never extradite one of its Nationals to Canada. The German Constitution, Article 16 (2) will not allow the extradition of its Nationals.

Dear Brian, can you please tell me why the Conservative Minister of Justice wants the Canadian National Karlheinz Schreiber, the victim, out of the country and help to conceal the biggest "Political Justice Scandal" in Canadian history contrary to the normal political interest of the Conservative Government.

I do not believe that the Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada, made this decision on his own. What is the political interest of the Conservative Government and the Prime Minister in this case and what are the benefits? Is there a serious concern about the possible result of an inquiry?

Unfortunately, you did not respond to my letter as requested and it appears to me that you have no desire to bring any support to my request for a public inquiry which could bring the insanity to an end.

All my personal problems began with Stevie Camerons book "ON THE TAKE" and Allan Rock's political witch-hunt with the RCMP against you.

Since 1996 I am fighting to bring the truth to light through my lawsuit against the Attorney General of Canada. I never received any support from you despite the fact that I provided support at your request since the late 70s.

From 1985 until 1993 I had confidence in you and your statements concerning the Thyssen Bear Head project. You always told me to hang on and that the Thyssen project would go ahead as promised when the company was asked to come to Canada and provide jobs to the people in Nova Scotia.

During the year 2001 I could read in Stevie Cameron's book "The last Amigo" on page 260 that Norman Spector told RCMP officers : Prime Minister Brian Mulroney killed the Thyssen project in 1990 or 1991. Paul Tellier and Bob Fowler were looking after the business interests of General Motors London Ontario.

This was some time after Thyssen Bear Head Industries signed agreements concerning the projects with the Federal Government and the Provincial Government of Nova Scotia and Thyssen had paid substantial amounts of Dollars to GCI Frank Moores related to the achievements.

You never told Elmer Mackay or me that you killed the project and I went on working on it to fulfill your promises to bring jobs to the people in Nova Scotia.

During the summer of 1993 when you were looking for financial help, I was there again. When we met on June 23, 1993 at Harrington Lake, you told me that you believe that Kim Campbell will win the next election. You also told me that you would work in your office in Montreal and that the Bear Head project should be moved to the Province of Quebec, where you could be of great help to me. We agreed to work together and I arranged for some funds for you.

Kim Campbell did not win the election, but we met from time to time.

At the beginning of November 1995 I informed you about the letter of request from the Canadian Department of Justice (the IAG) to the Swiss Department of Justice.

Some days later your wife Mila was extremely concerned about you and told me that you are considering committing suicide. I was shocked and spoke to you for quite a while and you may recall that I told Mila to buy a little lead pipe to cure the disease.

I did not understand what your problem was since the Airbus story was a hoax as I told Bob Fife from the Sun. When I look back and consider what all you have done in the meantime I have the suspicion that there must be something else of great concern to you.

When we met in Zuerich, Switzerland on February 2, 1998 at the Hotel Savoy, I left with the impression that you were in good shape.

On October 17, 1999 you asked for an affidavit or assurance from me which confirms that you never received any kind of compensation from me.

At the beginning of October 1999 to my great surprise I learnt that your spokesman Luc Lavoie told Harvey Cashore: "*Karlheinz Schreiber is the biggest fucking liar the world has ever seen. That is what we believe!*"

Believing the story, I got from you through a friend, I filed a lawsuit against the CBC which I had to drop when I got to know the truth and listening to the tapes. The fee: \$ 50.000.

During the Christmas Holydays 1999 I visited Fred Doucet at his home and told him that he should tell you that I would not commit perjury if I would have to testify and that I cannot understand why you don't simply tell the truth. A few days later, when I met with Fred again, he asked me to sign certain agreements concerning our business relationship. I refused to do so.

On January 24, 2000 Mila sent a letter to Baerbel and wrote: "the truth is certainly the best weapon!" She was right. If you would have taken her advice, you might have avoided a lot of trouble for you.

Until now you have to recognize that the Vendetta is not going away by itself.

During the summer of 2006, you again asked for a certain letter from me to be able to support my case, which I have sent to you on July 20, 2006 for your meeting on July 30, 2006.

When I look at the news during the last week and the activities from last year within the Department of Justice, concerning your settlement with the Government, I have a certain idea why your meeting was very important.

To assure that we have the same understanding about my case:

The Decision to Surrender

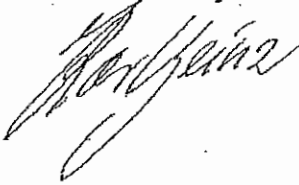
The judicial phase of the extradition process is a determination only that the evidence is sufficient to warrant that the person be extradited. The ultimate decision with respect to whether the person will, in fact, be surrendered to the extradition partner is that of the Minister of Justice.

When you look at my extradition case you have to agree with me that Baerbel's and my life is in the hands of the Minister of Justice and the Prime Minister or the IAG, who can arbitrarily decide since they have no obligation to extradite me to Germany.

Since the Minister of Justice decided on my surrender he must have a special reason to do so. What is the reason, becomes the most interesting question.

Dear Brian, I would like to ask you what the reason might be in your opinion, besides this I think it is in your and my best interests that you show up and help me now and bring this insanity to an end. If I am forced to leave Canada this will not end the matter.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Brian".

**Correspondence from Karlheinz Schreiber to
Prime Minister Stephen Harper, 2006-2007,
handled by Executive Correspondence Unit,
Privy Council Office**

Appendix Eight

to

**Report on the
Privy Council Office's Executive
Correspondence Procedures
and the Handling of Letters From
Karlheinz Schreiber to Prime Minister Stephen
Harper, June 2006 to September 2007**

January 28, 2009

TABLE OF CONTENTS

TAB 1 July 31, 2006 from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 1A Letter dated July 31, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2A, 5F, 5M)
- 1B Letter dated July 25, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2B, 5L)
- 1C Letter dated June 22, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2C)
- 1D Letter dated June 5, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Robert Hladun, Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada. (DUPLICATE OF 2D, 5E, 5K)
- 1E Affidavit dated June 2, 2006, sworn by Melissa Smith, legal assistant with Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2E)
- 1F Letter dated March 1, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to James Shaw, Department of Justice, Edmonton Regional Office (DUPLICATE OF 2F)
- 1G Letter dated July 25, 2006 from Karlheinz Schreiber to Hon. Peter MacKay, Minister of Foreign Affairs.
- 1H Copies of online Hansard, dated May 27, 1998; February 17, 1998
- 1I Letter dated August 2, 1995 from Augsburg City Tax Office to Office of Public Prosecutor, Augsburg State Court (Germany)
- 1J Letter dated May 17, 2006 from Edward Greenspan, Greenspan, White Barristers, Toronto, to Hon. Vic Toews, Minister of Justice and Attorney General of Canada (DUPLICATE OF 5R)
- 1K Letter dated June 16, 2006, from Karlheinz Schreiber to the Right Hon. Stephen Harper, PM.
- 1L Letter dated January 20, 1997, from Karlheinz Schreiber to Hon Allan Rock, Minister of Justice and Attorney General of Canada and Philip Murray, Commissioner, RCMP (DUPLICATE OF 5U)
- 1M Letter dated July 25, 2006 from Karlheinz Schreiber to Kevin Sorenson, MP

- 1N Three pages of content from web site of Conservative Party of Canada, Crowfoot Electoral District Association, Address by Kevin Sorenson to House of Commons, October 23, 2001.

TAB 2 August 4, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 2A Letter dated July 31, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1A, 5F, 5M)
- 2B Letter dated July 25, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1B, 5L)
- 2C Letter dated June 22, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1C)
- 2D Letter dated June 5, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Robert Hladun, Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada. (DUPLICATE OF 1D, 5E, 5K)
- 2E Affidavit dated June 2, 2006, sworn by Melissa Smith, legal assistant with Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1E)
- 2F Letter dated March 1, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to James Shaw, Department of Justice, Edmonton Regional Office (DUPLICATE OF 1F)

TAB 3 August 30, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Letter provides enclosure that Mr. Schreiber forgot to send with his letter of August 23, 2006, which ECS transferred to PM Correspondence. The attachments were forwarded to PM Correspondence by ECS. The enclosure is item 2A in the binder of correspondence handled by PM Correspondence.

TAB 4 Sept. 26, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 4A Letter dated September 24, 2006 from Karlheinz Schreiber to Gilles Duceppe, Chef du Bloc Québécois
- 4B Letter dated September 25, 2006 from Karlheinz Schreiber to Hon. Stockwell Burt Day, Minister of Public Safety
- 4C "Political Justice Scandal" International Case and the "Airbus" Affair, Case Report, Ottawa, September 27, 2006 (13 pages) (DUPLICATE OF 5W)
- 4D "Political Justice Scandal" International Case, The "Airbus" Affair – Allan Rock & William Corbett (4 pages) (DUPLICATE OF 5X)

TAB 5 October 27, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 5A Letter dated October 25, 2006 from Karlheinz Schreiber to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada (13 pages)
- 5B Cover sheet to attachments to above letter.
- 5C Letter dated October 2, 2006 to Robert W. Hladun, Hladun & Company, Barristers and Solicitors from Christine A. Ashcroft, Counsel, Civil Litigation and Advisory Services, Dept of Justice Canada, enclosing Notice of Motion (Allan Rock) and supporting Affidavit
- 5D Letter dated September 7, 2006 to Christine Ashcroft from Robert W. Hladun, enclosing copy of letter dated Aug. 24, 2006 addressed to Sutts Strosberg and Appointment for Examination for Discovery served for Allan Rock.
- 5E Letter dated June 5, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1D, 2D, and 5K)
- 5F Letter dated July 31, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1A, 2 A, and 5M)
- 5G Website pages CBC Watch dated June 3, 2004, entitled: RCMP launched fraud investigation after hearing journalist Stevie Cameron on CBC Radio (printed 01/10/2006)
- 5H Website pages Dept of Justice Newsroom dated January 6, 1997, entitled: Brian Mulroney v. The Attorney General of Canada et al (printed on 28/04/2006)
- 5I Harvie Cashore and Stevie Cameron, *The Last Amigo*, pages 288 and 289.
- 5J Website pages from AMPMQ, entitled: Delisle vs. the Attorney General of Canada: A Decision of Great Importance for all RCMP Members, printed 29/09/2006
- 5K Letter dated June 5, 2006 to Robert W. Hladun from Christine Ashcroft (DUPLICATE OF 1D, 2D, and 5E)
- 5L Letter dated July 25, 2006 to Christine Ashcroft from Robert W. Hladun (DUPLICATE OF 1B AND 2B)
- 5M Letter dated July 31, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1A, 2 A, and 5F)

- 5N Website pages Interpol entitled: Canada has Extradition Treaties with the Following Countries (3 pages) (printed 13/10/2006)
- 5O Website pages Canada Treaty Information (16 pages) (printed 26/10/2006)
- 5P Website pages Interpol – The Canadian Central Authority (17 pages) (printed 26/10/2006)
- 5Q Website pages Interpol Ottawa (4 pages) (printed 13/10/2006)
- 5R Letter dated May 17, 2006 to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada from Edward L. Greenspan, Greenspan, White Barristers, re: Federal Republic of Germany v. Schreiber (9 pages) (DUPLICATE OF 1J)
- 5S Facsimile Transmission to Edward L. Greenspan from Lisa Anderson, Paralegal, International Assistance Group Federal Prosecution Services (IAGFPS), attaching letter dated July 28, 2006 to Edward Greenspan from Barbara Kothe, Senior Counsel (IAGFPS). Enclosure copy of a memo dated July 28, 2006 on Germany v. Karlheinz Schreiber – Extradition from Canada to Germany – Request for Reconsideration - Summary of the Case and Submissions (6 pages)
- 5T Letter dated August 10, 2006 to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada from Edward L. Greenspan, re: Federal Republic of Germany v. Schreiber
- 5U Letter dated January 20, 1997 to Honourable Allan Rock, Minister of Justice & Attorney General of Canada and to Phillip Murray, Commissioner, RCMP from Karlheinz Schreiber (4 pages) (DUPLICATE OF 1L)
- 5V Website pages Canada Treaty Information (45 pages) (printed 26/10/2006)
- 5W "Political Justice Scandal" International Case and the "Airbus" Affair, Case Report, Ottawa, September 27, 2006 (13 pages) (DUPLICATE OF 4C)
- 5X "Political Justice Scandal" International Case, The "Airbus" Affair – Allan Rock & William Corbett (4 pages) (DUPLICATE OF 4D)

TAB 6 November 30, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 6A Faxed letter dated November 16, 2006 from Jacqueline Palumbo, Counsel, International Assistance Group, Federal Prosecution Service, Department of Justice, to Karlheinz Schreiber (including fax cover sheet), enclosing copy of memorandum dated November 16, 2006 from Palumbo to Minister of Justice on the subject of Germany v. Karlheinz Schreiber, Extradition from Canada to Germany
- 6B Faxed letter dated November 14, 2006 from Jacqueline Palumbo to Karlheinz Schreiber, including copy of fax cover sheet.
- 6C Letter dated November 20, 2006 from Karlheinz Schreiber to Hon. Stockwell Burt Day, Minister of Public Safety, enclosing letter of November 15, 2006 from Lorraine

Blommaert, Commission for Public Complaints Against the Royal Canadian Mounted Police

6D Letter dated November 28, 2006 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber

TAB 7 December 13, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

7A Letter dated December 7, 2006, from Jacqueline Palumbo, Counsel, International Assistance Group, Federal Prosecution Service, Department of Justice, to Karlheinz Schreiber

7B Letter dated November 15, 2006, from Hladun and Company, Barristers and Solicitors, Edmonton, to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada

TAB 8 January 16, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

8A Letter dated December 14, 2006 from the Honourable Vic Toews, Minister of Justice and Attorney General of Canada to Edward Greenspan, Greenspan, White Barristers, Toronto (6 pages, plus fax cover sheet)

8B Two pages from Conservative Party of Canada web site

8C Two pages from AOL News web site

TAB 9 January 24, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

9A Letter dated January 23, 2007 from Karlheinz Schreiber to the Honourable Robert Douglas Nicholson, Minister of Justice and Attorney General of Canada

9B Letter dated January 24, 2007 from Karlheinz Schreiber to the Honourable Stockwell Burt Day, Minister of Public Safety (2 copies)

9C Letter dated November 28, 2006 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber (duplicate of letter enclosed with November 30, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper)

- 9D Letter dated January 10, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber
- 9E Letter dated January 16, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber
- 9F Complaint, appears to be a memo prepared on a complaint by Karlheinz Schreiber on November 14, 2006 to the Commission for Public Complaints Against the Royal Canadian Mounted Police (?)
- 9G Complaint, appears to be a memo prepared on correspondence sent by Karlheinz Schreiber on December 7, 2006 to the Commission for Public Complaints Against the Royal Canadian Mounted Police (?)
- 9H Copy of 3 pages from www.enterstageright.com

TAB 10 March 29, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 10A Letter dated January 29, 2007 Karlheinz Schreiber to the Right Honourable Brian Mulroney (5 pages)
- 10B Copy of November 17, 1997 article by Robert Fife, Toronto Sun
- 10C Copy of 3 pages from RCMP web site (www.rcmp-grc.gc.ca)

TAB 11 April 8, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

(N.B.: the April 8 and April 10, 2007 letters were received as a single mailing by PCO ECS and were entered as a single record in the database. Their treatment was identical.)

Enclosure:

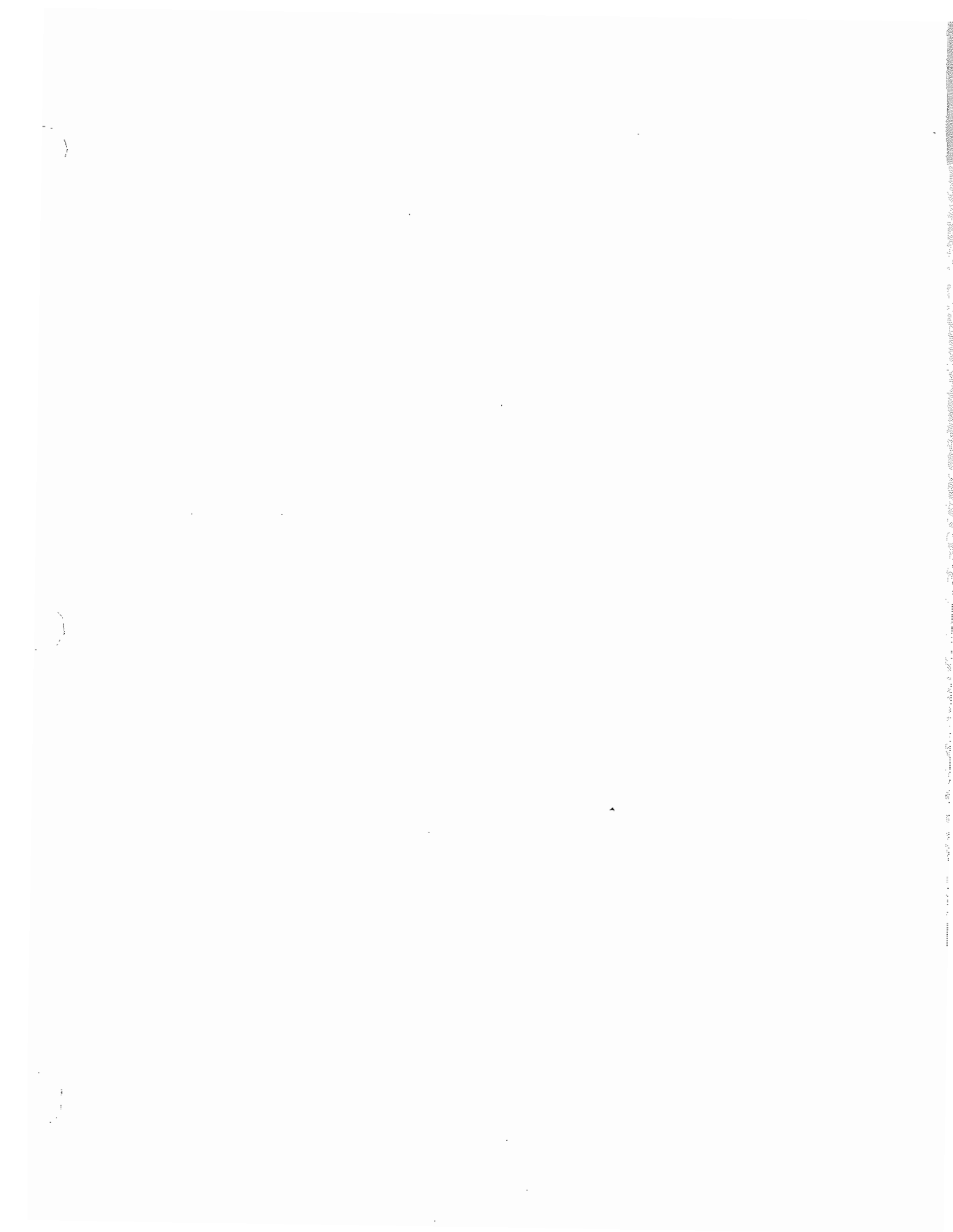
- 11A Letter dated April 3, 2007 from Robert W. Hladun, QC, Hladun and Company, Barristers and Solicitors, Edmonton, to the Honourable Robert Douglas Nicholson, Minister of Justice and Attorney General of Canada

TAB 12 April 10, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

(N.B.: the April 8 and April 10, 2007 letters were received as a single mailing by PCO ECS and were entered as a single record in the database. Their treatment was identical.)

Enclosures:

- 12A Copies of 4 pages from www.globeandmail.com
- 12B Copies of press clippings from Globe and Mail
- 12C Letter dated April 10, 2007 from Karlheinz Schreiber to the Right Hon. Brian Mulroney (1 page) with enclosures
- 12D Two pages from www.cbc.ca; 1 page from www.canada.com
- 12E Letter dated March 16, 1993 from Karlheinz Schreiber to the Right Honourable Brian Mulroney
- 12F Diagrams of military equipment
- 12G Copy of article from International Defense Review, 1993
- 12H Page from web site, URL not clear
- 12I Letter dated March 17, 1993 from Karlheinz Schreiber to Hon Kim Campbell, Minister of National Defence
- 12J One page picture of military equipment
- 12K One page news clipping
- 12L Letter dated October 18, 1990 from Karlheinz Schreiber to Honourable Bill McKnight, Minister of National Defence
- 12M Letter dated September 25, 1990 from Karlheinz Schreiber to Robert Fowler, Deputy Minister of Department of National Defence
- 12N Letter dated August 1, 1995 from Paul Heinbecker, Canadian Ambassador, Embassy of Canada in Germany to Karlheinz Schreiber
- 12O One page news clipping.



TAB 1 July 31, 2006 from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 1A Letter dated July 31, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2A, 5F, 5M)
- 1B Letter dated July 25, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2B, 5L)
- 1C Letter dated June 22, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2C)
- 1D Letter dated June 5, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Robert Hladun, Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada. (DUPLICATE OF 2D, 5E, 5K)
- 1E Affidavit dated June 2, 2006, sworn by Melissa Smith, legal assistant with Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 2E)
- 1F Letter dated March 1, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to James Shaw, Department of Justice, Edmonton Regional Office (DUPLICATE OF 2F)
- 1G Letter dated July 25, 2006 from Karlheinz Schreiber to Hon. Peter MacKay, Minister of Foreign Affairs.
- 1H Copies of online Hansard, dated May 27, 1998; February 17, 1998
- 1I Letter dated August 2, 1995 from Augsburg City Tax Office to Office of Public Prosecutor, Augsburg State Court (Germany)
- 1J Letter dated May 17, 2006 from Edward Greenspan, Greenspan, White Barristers, Toronto, to Hon. Vic Toews, Minister of Justice and Attorney General of Canada (DUPLICATE OF 5R)
- 1K Letter dated June 16, 2006, from Karlheinz Schreiber to the Right Hon. Stephen Harper, PM.
- 1L Letter dated January 20, 1997, from Karlheinz Schreiber to Hon Allan Rock, Minister of Justice and Attorney General of Canada and Philip Murray, Commissioner, RCMP (DUPLICATE OF 5U)
- 1M Letter dated July 25, 2006 from Karlheinz Schreiber to Kevin Sorenson, MP
- 1N Three pages of content from web site of Conservative Party of Canada, Crowfoot Electoral District Association, Address by Kevin Sorenson to House of Commons, October 23, 2001.

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **576351**

Folder

Folder ID **576351**
 From* **Mr. Schreiber, Karlheinz**
 Owner* **Prime Minister of Canada (Group)**
 Addressed To **Prime Minister of Canada**
 Classification* **ECU-General mail/SC**
 Keyword **Personal**
 Summary
 Notes **direct to file as per DS overtaken by event**
 Mail Type **letter**
 Folder Types **(None)**
 Tracking ID* **62140194E**
 Created By **Duthie, Joseph 2006/08/18**
 Modified By **Russell, Shelly 2006/09/13**

Dates

Date Sent* **2006/07/31**
 Date Received* **2006/08/02**
 Date Due **2006/09/13**
 Date Closed **2006/09/13**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duthie, Joseph</u>	2006/08/18	2006/08/18

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Reply-General/ré	<u>Opalick, Alanna</u>	<u>Duthie, Joseph</u>	Closed		2006/08/18	2006/09/13	2006/09/11
	Reply-General/ré	<u>Russell, Shelly</u>	<u>Opalick, Alanna</u>	Closed		2006/09/11	2006/09/13	2006/09/13

Response Notes: Automatically closed by system when folder was closed.

KARLHEINZ SCHREIBER

62140194

57e351

The Right Hon. Stephen Joseph Harper, P. C., M. P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, July 31, 2006

Dear Prime Minister,

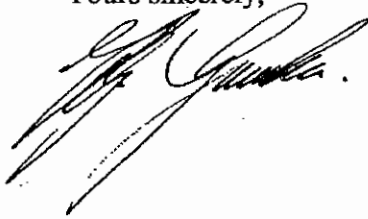
I am taking the liberty of sending you copies of my letters to

The Hon. Peter MacKay, P.C., M.P. July 25, 2006

Mr. Kevin Sorenson, M.P. July 25, 2006

for your personal information.

Yours sincerely,



MacKAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697

Executive Correspondence Unit
Le service de la correspondance de la haute direction

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
L'article décrit ci-dessous a été reçu avec la lettre suivante :

Tracking number 62140194E Numéro de suivi

Item Type/Type d'article	
<input type="checkbox"/> Book/Livre	<input type="checkbox"/> Pamphlet/Brochure
<input type="checkbox"/> Binder/Cartable	<input type="checkbox"/> Cassette tape/Cassette audio
<input type="checkbox"/> Poster/Affiche	<input type="checkbox"/> Cassette video/Cassette vidéo
<input type="checkbox"/> Petition/Pétition	<input type="checkbox"/> Press Release/Communiqué de presse
<input type="checkbox"/> Newspaper clipping/Article de journal	<input type="checkbox"/> Gift/Cadeau
<input type="checkbox"/> Photo/Photo	<input type="checkbox"/> School/École
<input type="checkbox"/> Magazine/Revue	<input type="checkbox"/> Other/Autre
Item Description/Description de l'article	
<u>Personal letters from Karlheinz Schreiber</u>	



Department of Justice
Canada

Ministère de la Justice
Canada

Edmonton Regional Office
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Bureau régional d'Edmonton
Edifice de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: christine.ashcroft@justice.gc.ca

Our File: 2-90141
Notre dossier:

Your File: 45890.1
Votre dossier:

July 31, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

Thank you for your letter requesting discovery of Mr. Allan Rock. We can advise that we object to any examination of Mr. Rock.

At common law, the Crown is not compellable at discovery. It is only through legislation that it may be compelled to discovery. Section 7 of the Regulations passed pursuant to the *Crown Liability and Proceedings Act* states that an officer or servant of the Crown may be designated for examination for discovery. The Court of Appeal has interpreted this section to mean that except for the right to examine a Crown designated officer, there is no machinery for examination for discovery as of right. See *CDIC v Prisco*, (1997) 206 A.R. 283 (C.A.)

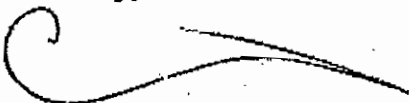
This decision was followed in *Milne and Milne v AG of Canada et al.*

Quite apart from the foregoing, there is case law regarding when a Minister may be examined. There must be special circumstances, and there must be no other person who is equally well-informed.

62140194
attachments

In any event, we will object to the examination of any person other than the Crown officer.

Yours truly,



CHRISTINE A. ASHCROFT
Counsel
Civil Litigation and Advisory Services

CAA/jr

Tel: 780.423.1888

Fax: 780.424.6934

www.hladun.ca

100, 101st Street, Edmonton, Alberta

Edmonton, Alberta

T5R 0Z9



15737

Orig. Date

2-77605

Your Ref.

July 25, 2006

Department of Justice Canada
211, 10199 - 101 Street
Edmonton, AB T5J 3Y4

Via Fax: 495-6300
(Original retained)

Attn: Christine Ashcroft

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

Please be advised that we have been instructed to examine for discovery Allan Rock, as a former employee of the Defendants, pursuant to Rule 200(1)(c) of the Alberta Rules of Court. Accordingly, please contact the writer's assistant to make the necessary arrangements for this examination.

Yours truly,

HLADUN & COMPANY

Signed in the writer's absence to avoid delay
ROBERT W. HLADUN, Q.C.
KFS/ms

cc: Karlheinz Schreiber - via fax



Tel. 780.423.1888

Fax: 780.424.0074

www.hladun.com

100 Street, 10th Floor, Edmonton, Alberta T5J 0A9

Edmonton, Alberta T5J 0A9

10009

15737

Sur #11

2-77605

June 22, 2006

This is Exhibit "B" referred to in the Affidavit of

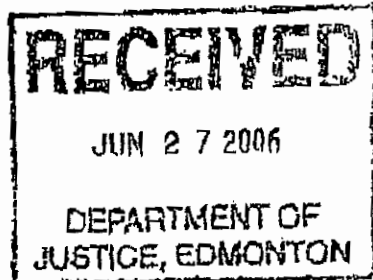
Joanne Romans

Sworn before me this 13th day

of July A.D. 2006

Tania Norris

A Notary Public, A Commissioner for Oaths in and for the Province of Alberta



Ms. Christine Ashcroft
Department of Justice Canada
#211, 10199 - 101 Street
Edmonton, Alberta T5J 3Y4

Dear Madam:

Re: **Karlheinz Schreiber v. The Attorney General of Canada**
Q.B. Action #9703 20183

TANIA NORRIS
Commissioner for Oaths
My Commission Expires
May 30, 2007

Further to your June 5, 2006 letter, this is to re-confirm that June 27, 2006 at 10:00 a.m., is the date upon which we will return to Court of Queen's Bench Chambers relative to our outstanding Notice of Motion.

By way of general response to your June 5, 2006 letter, it's quite clear to the writer, that "a fishing expedition" is being embarked upon in an effort to dissuade Mr. Schreiber from pursuing his legitimate claims as set out within the Amended Amended Statement of Claim, for example:

- a) Swiss banking records, records of contracts or undertakings in principle, are clearly irrelevant to the lawsuit.
- b) Banking records have been recognized by the Supreme Court of Canada as privileged and attract privacy protection section 8 Charter of Rights.
- c) Mr. Schreiber's business dealings are clearly irrelevant and not at issue.

On Examination for Discovery, there may well be some latitude, though confined to the allegations raised in the pleadings and not "fishing expeditions".

Yours truly,

HLADUN & COMPANY

Dictated, but not read and signed
in the writer's absence by:

R. Rosy chuk
f ROBERT W. HLADUN, Q.C.
RWH/dr
Via fax 495-6300 and mail

18-Jul-06

10:08

From: Hladun & Company

+7804240934

T-245 P.008/012 F-212

Canada

Canada

Edmonton Office
Prairie Region
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Bureau d'Edmonton
Région des Prairies
Édifice de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: cashcrof@justice.gc.ca

Our File: 2-77605
Notre dossier:

Your File:
Votre dossier:

June 5, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

I am assisting Jim Shaw with this file.

I understand that you have asked us to produce our documents.

We have reviewed Mr. Schreiber's Amended Amended Statement of Claim, and the Affidavit of Records. If this action is to proceed, our view is that Mr. Schreiber will need to file a further and better Affidavit of Records.

Below, we speak of the Statement of Claim, but in each case are referring to the Amended Amended Statement of Claim.

Referring to para. 12 of the Statement of Claim, we understand that Mr. Schreiber received some sort of notification of the Swiss authorities' request for banking records from the Swiss Union Bank. Mr. Schreiber should disclose the documents related to the notification in his Affidavit.

As you know, Mr. Schreiber is responsible to produce documents which are or were in his custody and control, which includes documents of companies which he owns or controls, or has owned or controlled. We understand that Mr. Schreiber conducted his business through several companies. Mr. Schreiber will need to produce any relevant and material documentation from these companies. Such documents would include, but not be limited to, records of contracts or understandings in principle between Mr. Schreiber's companies and such companies as MBB, Thyssen Industrie AG, Airbus Industrie, and Bear Head Manufacturing Industries BMI Inc.

This is Exhibit "A" referred to in the
Affidavit of
Joanne Romans

Sworn before me this 13th day
of July A.D. 2006

Tania Norris
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009

Canada

- 2 -

Documents held by Mr. Schreiber's lawyers or ex-lawyers remain within Mr. Schreiber's possession or control, and therefore Mr. Schreiber should produce non-privileged documents relevant to this matter which are in the possession of Mr. Schreiber's lawyers or ex-lawyers, including Peter Widmer.

Referring to para. 12 of the Statement of Claim, Mr. Schreiber should have banking records which relate to this matter. Such documents would include banking records from Verwaltungs-Und Private Bank in Vaduz, Liechtenstein. Banking records of companies controlled by Mr. Schreiber which relate to the allegations in the Statements of Claim and Defence are also relevant to this matter.

The documents would also include bank documents showing payments from MBB, Thyssen, Airbus Industrie, and Bear Head Manufacturing to IAL or other companies controlled by Mr. Schreiber, and payments from companies controlled by Mr. Schreiber to persons such as Mr. Moores and Mr. Schreiber, or companies such as Consultants International Incorporated.

You have said in discoveries that the ownership of IAL was by bearer certificate. Mr. Schreiber should be able to produce the bearer certificate or advise when it left his possession. There should be other relevant IAL documents. Even if some of them are no longer in Mr. Schreiber's possession or control, they should be listed in the Affidavit.

Referring to para. 14 and 15 of the Statement of Claim, Mr. Schreiber should have a copy of the letter of apology, and his own letter to the Deputy Attorney General and the Commissioner of the RCMP, and any letter he received in response. If he has other correspondence related to his alleged efforts to obtain apologies or revisions to Crown documents, that documentation should be produced.

Referring to para. 20 of the Statement of Claim, we understand that Mr. Schreiber says that he did pay some money to Brian Mulroney. He should produce documentation related to those payments.

Referring to para. 20 of the Statement of Claim Mr. Schreiber states there was no criminal activity as set out in the Letter of Request, or at all. He has denied criminal activity. He has put all of his business dealings into issue. He has also made many public statements, or responded in books and interviews. Mr. Schreiber must inform himself of all of that and disclose all documents relating to the matter which are relevant and material to this lawsuit.

At para. 30 of the Statement of Claim, the Plaintiff alleges that he has lost economic opportunity and income. He must have documentation in relation to that claim, and he will need to produce it.

At para. 19 of the Amended Statement of Defence, we allege that Mr. Schreiber provided Mr. Mulroney with a copy of the German version of the Letter of Request. If Mr. Schreiber has or had a copy of the German version, it should be set out in his Affidavit.

- 3 -

In *Germany v Schreiber*, before Mr. Justice Watt, there is reference to Mr. Schreiber's personal organizer. Documentation from the organizer which is material to this lawsuit must be produced.

Further, your client has been involved in many lawsuits related to this matter. All documentation which he or his counsel has received in these lawsuits is now within his possession or control, and must be produced in this matter. For example, Mr. Schreiber sued CBC, and should have documents produced during that lawsuit for disclosure, as well as documentation of his own related to that lawsuit which is also relevant and material to this lawsuit.

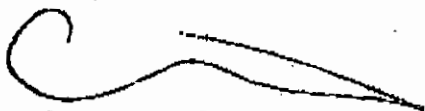
Some time has elapsed since 2003. Your client will likely have new relevant and material documentation in his possession, which should be added to his production.

Of course, we are unable to know exactly what relevant and material documents your client has in his possession or control. Clearly, however, his present Affidavit of Records is deficient.

We know you will review Mr. Schreiber's responsibilities respecting document production with him, to ensure compliance with his legal obligation to locate, gather, and produce all documents material and relevant to this matter. No doubt there are more material and relevant documents beyond what we have requested in this letter.

We look forward to receiving your filed further and better Affidavit of Records.

Yours truly,



Christine Ashcroft
Counsel

jr

Action No. 9703 20183
Sworn this 2nd day of June, 2006
Deponent: Melissa Smith

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Defendants

AFFIDAVIT

I, Melissa Smith, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a legal assistant with the law firm of Hladun & Company, which represents the Plaintiff in this action and as such have personal knowledge of the matters hereinafter deposed to, except where stated to be based upon information and belief.
2. I am advised by a review of the file that:
 - (a) the Statement of Claim in this action was filed on October 24, 1997;
 - (b) the Amended Statement of Claim was filed on May 25, 1998;
 - (c) an Amended Amended Statement of Claim was filed on May 4, 1999;
 - (d) the Statement of Defence of the Defendants was filed on May 25, 1998;
 - (e) on or about April 27, 2000, the Defendants provided an unfiled and unsworn Affidavit of Records, together with certain producible documents;
 - (f) Examinations for Discovery in this action proceeded on March 29, 2001, notwithstanding the absence of the Defendants' unfiled Affidavit of Records. In

particular, on March 29, 2001, Sergeant Fiegenwald, a former employee or agent of the Defendants, represented by his counsel, Gordon McKenzie of Bishop & McKenzie was examined and numerous undertakings were elicited.

- 3. I am still further advised by a review of the file that on March 1, 2006, Robert W. Hladun, counsel for the Plaintiff, wrote to counsel for the Defendants' counsel, Jim Shaw, reminding him of his continued obligation in this matter to produce relevant and producible records and requesting a sworn and filed Affidavit of Records. Attached hereto and marked as Exhibit "A" to this my Affidavit is a copy of this correspondence.
- 4. I am advised and do verily believe that to the present date, the Defendants have failed to provide a sworn and filed Affidavit of Records.
- 5. I make this Affidavit in support of an application compelling the Defendants to provide their sworn and filed Affidavit of Records and abridging the time for provision of service of same to 21 days, failing which, the Statement of Defence of the Defendants shall be struck.

SWORN before me at the City of Edmonton,)
in the Province of Alberta, this 2nd day)
of June, 2006.)

Susan M. Sauvé)
A Commissioner for Oaths in and for)
the Province of Alberta)


MELISSA SMITH

Susan M. Sauvé
My commission expires
December 8, 2007

15737

2-77605

March 1, 2006

Mr. James N. Shaw
Department of Justice Canada
#211, 10199 - 101 Street
Edmonton, Alberta T5J 3Y4

Dear Sir:

**Re: Karlheinz Schreiber v. The Attorney General of Canada and
Her Majesty the Queen in Right of Canada
Court of Queen's Bench Action #9703 20183**

This is to advise that the Examination for Discovery of Fraser Fiegenwald will be held at 10:00 a.m. on March 8, 2006, at the office of Hladun & Company.

In preparing for the continued Examination for Discovery of Mr. Fiegenwald, I have noticed that there are still several undertakings to be delivered and a number of questions still under advisement, for which I need the Crown's position. These matters must be attended to on an urgent basis, giving me an opportunity to properly prepare for the Examination for Discovery on March 8, 2006.

I look forward to your immediate attention to these matters.

Yours truly,

HLADUN & COMPANY
*Dictated, but not read and signed
in the writer's absence by:*

D. Kosychnuk
for ROBERT W. HLADUN, Q.C.
RWH/dr

THIS IS EXHIBIT "A" REFERRED TO IN THE
AFFIDAVIT OF Melissa Smith
SWORN (OR AFFIRMED) BEFORE ME THIS

7 DAY OF June, 2006

Susan M. Sauvé
A COMMISSIONER FOR OATHS IN AND
FOR THE PROVINCE OF ALBERTA

Via fax 495-2964

cc: Gordon McKenzie
Bishop & McKenzie LLP, Via fax 426-1305

Susan M. Sauvé
My commission expires
December 8, 2008

Action No. 9703 20183

Sworn this 2nd day of June, 2006

Deponent: Melissa Smith

IN THE COURT OF QUEEN'S BENCH
OF ALBERTA

JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

THE ATTORNEY GENERAL OF
CANADA
HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

Defendants

AFFIDAVIT

ROBERT W. HLADUN, QC
Barrister & Solicitor
Phone No. 423.1888

File No. 15,737.1

HLADUN & COMPANY

Barristers & Solicitors

100, 10187-104 Street
Edmonton, AB T5J 0Z9



KARLHEINZ SCHREIBER

62140194

attachments

The Hon. Peter Gordon MacKay, P.C., M.P.
Minister of Foreign Affairs and Minister of the Atlantic Opportunities Agency

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, July 25, 2006

Dear Minister

I read with great interest the statements you gave in the House of Commons on May 27, 1998 and February 17, 1998. I attach six pages of your statements to this letter to refresh your memory and I am sure that you still endorse the same principles as you did at that time. I have underlined relevant portions of your statements.

You stated: "The government is faced with a very important issue, which relates directly to integrity and accountability.

Will the government do the right thing and call a public inquiry into the Airbus scandal? If the Prime Minister and the present Minister of Health had no roles in this affair, surely there is nothing to hide.

When this happens, Canadians will be allowed to finally see the truth".

Dear Minister unfortunately Canadians are still waiting for that moment to come. Nothing has changed. The biggest "Political Justice Scandal" in Canadian History with the most serious international implications is still moving ahead on several different places.

It looks like fate that both of your Ministries may have to deal with the "Political Justice Scandal".

Foreign Affairs:

The people who initiated the vendetta in Canada are the same in Germany and other countries. The German Conservatives lost two Federal Election and were forced into a great coalition with the Social Democrats after the last election. The Minister for Foreign Affairs and the one for Justice are Social Democrats. I am sure that Chancellor Angela Merkel will lose the next election, if the scandal continues the way it is now.

ACOA:

The people behind the "Political Justice Scandal" are the same, which are responsible for the tremendous fraud on the Thyssen Krupp Bear Head Project in Nova Scotia. You are very familiar with the company, the project, (an ACOA Project) and the victims, which are the Canadian people in Nova Scotia, the Canadian Peacekeeping soldiers, ThyssenKrupp and myself.

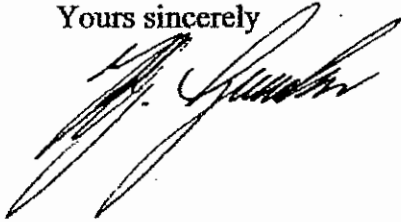
MackAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697

On June 16,2006 I wrote to the Right Hon. Stephen Harper and sent a number of relevant documents, which I enclose for your information.

On May 17,2006 my Lawyer Edward L. Greenspan Q. C., LL. D., D. C. L. sent a letter to the Hon. Vic Toes Minister of Justice and Attorney General of Canada, which I provide for your attention. (See tap 18 in the folder "Political Justice Scandal" International Case.)

I wish you good luck and success with your difficult and important job.

Yours sincerely

A handwritten signature in black ink, appearing to read "R. W. Hladun", written in a cursive style.

Attachments:

Letter to The Right Hon. Stephen Joseph Harper, Prime Minister June 16, 2006
Letter to The Hon. Allan Rock, Minister of Justice January 20, 1997
Letter from Department of Justice to Mr. Robert W. Hladun, Q. C. June 5, 2006
Letter to Department of Justice from Mr. Robert W. Hladun, Q. C., June 22, 2006
Letter to Department of Justice from Mr. Robert W. Hladun, Q. C., July 25, 2006
Letter from Augsburg City Tax Office to Office of the Public Prosecutor Augsburg State
Court August 2, 1995 (regarding Canadian Embassy)
Letter from Edward L. Greenspan, Q. C., LL. D., C. L.

Please join me in congratulating the Minister of National Defence.

* * *

[Translation]

GLOBALIZATION

Mr. Stéphan Tremblay (Lac-Saint-Jean, BQ): Mr. Speaker, members of the political and economic community met this week to look at certain aspects of globalization in terms of economic imperatives at the world conference in Montreal.

The members of a popular lobby group, l'Opération Salami, vigorously expressed their resistance to globalization, which, according to them, is creating its share of injustice.

One phenomenon, two visions: a world where everything should be done to facilitate economic exchange, because it is the guarantee of prosperity, or a world where community well-being means protecting the social values that have come from democracy.

When groups demonstrate to such an extent to express their viewpoint, it is time for us, the politicians, to look at the phenomenon of globalization and especially at its impact on our social values.

This is tangible evidence that we parliamentarians should adopt the solution I recently proposed, which is to create a parliamentary committee to study the consequences of this new reality.

* * *

[English]

AIRBUS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, in anticipation of tomorrow's supreme court ruling on a case involving Karlheinz Schreiber in the ill-conceived, politically motivated airbus investigation, many questions remain unanswered.

It is increasingly clear that Kimberly Prost, retired Staff Sergeant Fiegenwald, mysterious convict Mr. Palosi and the equally credible Stevie Cameron are not the main players in this entire debacle.

We know a former prime minister has been harassed and defamed by the current government's administration and, when challenged on the merits, this same government only offered a qualified apology, paid the bill and now presses on with renewed vigour like an addicted gambler doubling his bets in the hope of covering his debts.

The affront to public sensibility and personal vendetta continues. The questions remain. Why has this dragged on? When will the government show good faith and abandon this dead end trail, saving Canadians further tax dollars? In light of Air Canada's decision to purchase more airbuses, does the government fear for the future integrity of the current Prime Minister, given the Liberal history of involvement with the airbus which dates back to 1971?

* * *

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Taking a look at it and the principles associated both in her bill and with Bill C-47 which preceded it in the last Parliament, it is I think the intention of all members in the House, of course, with the minister and the department to ensure that the bill which did not make it through the entire legislative process in the last Parliament will be revisited again. This would take into consideration at the same time all the changes that have transpired in the interim.

While the member for Drummond introduces this as an amendment to the Criminal Code, she will of course acknowledge, as I think she has today and in the past, that this is a most important social and health issue.

It will be dealt with as an issue that pertains essentially to the health of Canadians everywhere, particularly as did Bill C-47 to women and children. They are much more the focus of Bill C-47.

I think the member has done a service to the House by ensuring that those of us who are new to the issue can come back, revisit it in its principles, its details and in its particulars. I am hoping that members will be as co-operative when the bill is reintroduced in the House as they have been tonight.

I thank all members for intervening in the debate.

[*Translation*]

The Acting Speaker (Ms. Thibeault): The time provided for the consideration of Private Members' Business has now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

[*English*]

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

AIRBUS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Madam Speaker, on November 17, 1997 I asked the government, in light of the millions of dollars and the forced apology of the Liberal government, who was responsible for the Airbus affair scandal. Scandal is the appropriate word.

I also asked the government when it would withdraw the bogus letter and accusations which were sent to the Swiss authorities. It appears that the Liberals, when faced with the reality that they have done something completely wrong and at a cost to Canadians—needless to say this is not the first time nor the last—they refuse to answer questions, and the word helicopters comes to mind.

Canadians know better. Canadians know that the Airbus affair was political revenge from the Liberals extracted upon a man from whom they had been stealing ideas and programs since they were elected in 1993. I mention free trade and GST as a few examples there.

Canadians deserve answers when the cost is millions of dollars from skulduggery. The former prime minister was recklessly and falsely described as a criminal in a Canadian document which was sent to a foreign state which obviously the CBC and the RCMP bought hook, line and sinker.

The government acted on the fictional prose of Stevie Cameron and the mysterious Mr. Pelossi. The Government of Canada admitted that there was no basis for the conclusions, apologized to Mr. Mulroney and paid his legal fees.

Yet, the letter falsely accusing him is still in circulation and the government refuses to withdraw it. On top of that, the RCMP say they are still investigating, incredibly and increasingly so I am told.

Is this truly in the criminal investigating tradition? Is there any likelihood of conviction? What are the reasonable and probable grounds that will even bring this to a charge?

Many journalists last November said that this was an astonishing expression of cruelty and personal attack on Mr. Mulroney by the government. Sadly enough, this is only part of the continuing scandal.

Corporal Mike Niedubek of the RCMP came out last November and said something that people already knew, that was that the whole thing was highly political and that the RCMP were being asked to cover up a government mistake.

Staff Sergeant Fiegenwald, the designated fall guy, has mysteriously disappeared from the scene, something that the former Minister of Justice said that he lamented.

Here we are again. The government is faced with a very important issue which relates directly to integrity and accountability. It is all talk and no action.

I would like to pose some very serious questions that need answering. Who among the cabinet knew and were responsible for this scandal? Why is the government fighting so hard at the supreme court level to retain the anonymous and arbitrary power to exercise search warrants against Canadians abroad without judicial review, something two courts have already ruled on?

When is the government going to withdraw the letter containing the false allegations which they admitted were false? Why is the RCMP still conducting this abortive, futile and ill-founded investigation for which there has been no basis?

▲ [▶ Next](#)



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Further, how many more resources—and I am talking about money and manpower—will be sunk into this farcical witch-hunt? Who speaks for Canadian taxpayers on this issue? When the investigation grinds to its inevitable halt and no conclusions are reached, who will be held accountable?

If they are really investigating, why has Mr. Mulroney never been questioned?

Will the government do the right thing, clear the air on this sordid affair and call a public inquiry into the Airbus scandal? If the Prime Minister and the present Minister of Health had no roles in this affair, surely there is nothing to hide. When this happens, Canadians will be allowed to finally see the truth.

I have to ask the question: What is the government afraid of? If the Prime Minister and his government really cared for this country and the reputation of fairness and democracy, they would themselves call for a public inquiry and present themselves as witnesses.

Ms. Eleni Bakopanos (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, it is a pleasure to assist the hon. member one more time in bringing forth the actual facts in the case and to familiarize him with international assistance in legal and criminal matters.

Police agencies must follow a clearly established process to seek the assistance of another country when carrying out an investigation.

When a police force is conducting an investigation which takes it outside Canadian borders, the police force's request must be channelled through the international assistance group of the Department of Justice.

This group is a Canadian authority administering incoming and outgoing requests for assistance from and to other countries. The group's main focus is to ensure that the requests for assistance meet the legal requirements of the country receiving a particular request or those of Canada in the case of incoming requests.

[Translation]

In the Airbus affair, the international assistance group sent a request for mutual legal assistance to Swiss authorities on behalf of the RCMP. The RCMP was and is responsible for this investigation. It was always clear to both the Canadian and Swiss authorities that the request for mutual legal assistance contained allegations that were the very subject of the police investigation.

So that this would be perfectly clear, this point was repeated several times. Certain turns of phrase wrongly left the impression, however, that the conclusion had been reached that there had been some form of embezzlement.

The Government of Canada apologized for this and reached an out-of-court settlement with Mr. Mulroney.

[*English*]

In addition, changes were made to the mutual legal assistance process in November 1995 to ensure that this does not happen again. For example, counsel within the international assistance group will now review all requests to consider whether they contain conclusory statements or statements inconsistent with the investigative nature of the request.

The statement reached by the parties, I repeat, in January 1997, speaks clearly to the inappropriate language of the letter. It specifies that the letter is part of an—

The Acting Speaker (Ms. Thibeault): The hon. member for Qu'Appelle.

BANKING

Hon. Lorne Nystrom (Qu'Appelle, NDP): Madam Speaker, on the 22nd of October last I asked the Minister of Finance about bank service charges and whether or not he would work toward bringing down bank service charges on behalf of ordinary Canadians.

Since then, of course, a lot has happened. We have had reports of bank service charges being excessive. We all know they are very regressive. They hit all Canadians in the same way. Whether wealthy or poor, people pay the same for a particular transaction. That is why these service charges should be investigated, not just by the Minister of Finance, but by a parliamentary committee of this House representing all five Canadian parties which have been elected by the people of Canada.

These service charges are regressive. We should have a certain number of service charges which are free of cost to every single Canadian, like they have in some American states. After eight, nine or ten charges there could be a fee. I think that a basic life-line account such as that would be a very progressive step.

Since that time, of course, we have seen a number of other things occur. We have seen the profit reports of the banks. Their profits in the last year were the highest ever in the history of this country. The profits amount to \$7.5 billion. Those are very high profits. Surely to goodness the banks can afford to reduce their service fees for the ordinary and poor people of this country. There is no excuse whatsoever for them not

Finanzamt Augsburg-Stadt
(Augsburg City Tax Office)
Fines and Criminal Department
File: ÜLStr. 131/21/95 – AV 20/6

86180 Augsburg, 02 August 1995
Prinzregentenplatz 1

Official responsible: Mr. Neubauer
Tel: (0821) 506 – 1905 (direct line)
Fax: (0821) 506-2222
Room: 22
Streetcar line: Königsplatz: 1,2,4
Bus: Königsplatz: 21, 23, 24, 26, 28, 29, 32, 33, 36, 44,
51, 52, 54

We have flexible working hours and ask for your
understanding if your contact is not
available outside the core hours
(Mon-Thurs 8:00 - 12:00 and 13:30-18:00,
Friday 8:00 - noon)

Handwritten notation:
Handed over on 3. Feb. 1995
Datestamp: 7 Aug 1995

Office of the Public Prosecutor
Augsburg State Court
Attn: Mr. Welgarid
Am Alten Einlass 1
86150 Augsburg

Tax proceedings
Against Karlheinz Schrelber, Raiffenstrasse 27, 86916 Kaufering
Letter from the Augsburg City Tax Office, Tax Investigation Section dated 2 August 1995

Attachments: 1 Criminal Case File, ÜLStr. 131/21/95
Investigation Report
2 Evidence files
Draft search and seizure orders

I hereby transfer the above-named investigation, pursuant to Section 386, para. 4 A0 to the
Public Prosecutor, reference the letter dated 2 August 1995 from the Tax Investigation Section,
Augsburg City Tax Office.

I would point out that in the case of I.A.L. International Aircraft Leasing Limited, 9420 Vaduz,
Lichtenstein, the Canadian authorities are apparently conducting their investigations in
Switzerland and the Canadian Embassy has already been in contact with Senior Prosecutor Kolb
(ref. the notation in the file dated 24 May 1995, page 1566 of the tax investigation file.

(signed) Gumpendobler

Approved: Langes

Finanzamt Augsburg-Stadt

Bußgeld- und Strafsachenstelle

Urstr. 131/21/95 - AV 20/6

(Bitte bei allen Schreiben und Zahlungen angeben)

Postanschr.: Finanzamt Augsburg-Stadt, Postfach 160046, 86156 Augsburg

Staatsanwaltschaft
bei dem Landgericht Augsburg
z.Hd. Herrn Weigand
Am Alten Einlaß 1

86150 Augsburg

Steuerstrafverfahren

gegen Karlheinz Schreiber, Raiffeisenstr. 27, 86916 Kaufering
Schreiben der Steuerfahndungsstelle bei dem Finanzamt Augsburg-Stadt
vom 02.08.1995

Anlagen: 1 Strafakte, ULStr.Nr. 131/21/95
Ermittlungsakte der Steuerfahndung
2 Beweismittelakten
Durchsuchungs- und Beschlagnahmebeschlüsse im Entwurf

Hiermit gebe ich unter Hinweis auf das Schreiben der Steuerfahndungsstelle bei dem Finanzamt Augsburg-Stadt vom 02.08.1995 o.a. Strafsache gem. § 386 Abs. 4 AO an die Staatsanwaltschaft ab.

Ich weise darauf hin, daß in der Sache I.A.L. International Aircraft Leasing Limited, FL 9420 Vaduz, kanadische Behörden in der Schweiz ermitteln sollen und die kanadische Botschaft mit Herrn OStA Kolb bereits Kontakt aufgenommen hat (Hinweis auf den Aktenvermerk vom 24.05.1995, Bl. 156 d. Ermittlungsakte Steuerfahndung).

Im Auftrag

Gumpendobler

Bestätigt

Vertragsbeauftragte

86150 Augsburg, 02.08.1995

Prinzregentenplatz 2

Bearbeiter: Hr. Neubauer

Fernsprecher: (08 21) 506-1905 (Durchwahl)

Telefax: (08 21) 506-2222

Zimmer Nr. 102

Straßenbahn: Königsplatz: 1, 2, 4

Bus: Königsplatz: 23, 23, 24, 26, 28, 29,
32, 33, 36, 44, 51, 62, 64

Wir haben glückende Arbeitszeit und bitten um Verständnis, falls Sie außerhalb der Kernarbeitszeit (Mo-Do 8.00-12.00 und 13.30-18.00 Uhr, Fr 8.00-12.00 Uhr) Ihren Gesprächspartner nicht erreichen.

*Abgegeben am 3.8.1995
= 7. Aug. 1995*



Tel. 780.423.1888 100, 10187 - 104 Street, Edmonton, Alberta
Fax: 780.423.6934 Edmonton, Alberta
www.hladun.ca T5C0Z6

Dep. No. 15737
Year File 2-77605

July 25, 2006

Department of Justice Canada
211, 10199 - 101 Street
Edmonton, AB T5J 3Y4

Via Fax: 495-6300
(Original retained)

Attn: Christine Ashcroft

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

Please be advised that we have been instructed to examine for discovery Allan Rock, as a former employee of the Defendants, pursuant to Rule 200(1)(c) of the Alberta Rules of Court. Accordingly, please contact the writer's assistant to make the necessary arrangements for this examination.

Yours truly,

HLADUN & COMPANY

Signed in the writer's absence to avoid delay
ROBERT W. HLADUN, Q.C.
KFS/ms

cc: Karlheinz Schreiber - via fax

Canada

Edmonton Office
Prairie Region
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Canada

Bureau d'Edmonton
Région des Prairies
Bâtiment de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300
Internet: cashcrof@justica.gc.ca

Our File: 2-77605
Notre dossier:

Your File:
Votre dossier:

June 5, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

I am assisting Jim Shaw with this file.

I understand that you have asked us to produce our documents.

We have reviewed Mr. Schreiber's Amended Amended Statement of Claim, and the Affidavit of Records. If this action is to proceed, our view is that Mr. Schreiber will need to file a further and better Affidavit of Records.

Below, we speak of the Statement of Claim, but in each case are referring to the Amended Amended Statement of Claim.

Referring to para. 12 of the Statement of Claim, we understand that Mr. Schreiber received some sort of notification of the Swiss authorities' request for banking records from the Swiss Union Bank. Mr. Schreiber should disclose the documents related to the notification in his Affidavit.

As you know, Mr. Schreiber is responsible to produce documents which are or were in his custody and control, which includes documents of companies which he owns or controls, or has owned or controlled. We understand that Mr. Schreiber conducted his business through several companies. Mr. Schreiber will need to produce any relevant and material documentation from these companies. Such documents would include, but not be limited to, records of contracts or understandings in principle between Mr. Schreiber's companies and such companies as MBB, Thyssen Industrie AG, Airbus Industrie, and Bear Head Manufacturing Industries BMI Inc.

This is Exhibit "A" referred to in the Affidavit of Joanne Romans

Sworn before me this 3rd day of July A.D. 2006

Tania Norris
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta
TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009

- 2 -

Documents held by Mr. Schreiber's lawyers or ex-lawyers remain within Mr. Schreiber's possession or control, and therefore Mr. Schreiber should produce non-privileged documents relevant to this matter which are in the possession of Mr. Schreiber's lawyers or ex-lawyers, including Peter Widmer.

Referring to para. 12 of the Statement of Claim, Mr. Schreiber should have banking records which relate to this matter. Such documents would include banking records from Verwaltungs-Und Private Bank in Vaduz, Liechtenstein. Banking records of companies controlled by Mr. Schreiber which relate to the allegations in the Statements of Claim and Defence are also relevant to this matter.

The documents would also include bank documents showing payments from MBB, Thyssen, Airbus Industrie, and Bear Head Manufacturing to IAL or other companies controlled by Mr. Schreiber, and payments from companies controlled by Mr. Schreiber to persons such as Mr. Moores and Mr. Schreiber, or companies such as Consultants International Incorporated.

You have said in discoveries that the ownership of IAL was by bearer certificate. Mr. Schreiber should be able to produce the bearer certificate or advise when it left his possession. There should be other relevant IAL documents. Even if some of them are no longer in Mr. Schreiber's possession or control, they should be listed in the Affidavit.

Referring to para. 14 and 15 of the Statement of Claim, Mr. Schreiber should have a copy of the letter of apology, and his own letter to the Deputy Attorney General and the Commissioner of the RCMP, and any letter he received in response. If he has other correspondence related to his alleged efforts to obtain apologies or revisions to Crown documents, that documentation should be produced.

Referring to para. 20 of the Statement of Claim, we understand that Mr. Schreiber says that he did pay some money to Brian Mulroney. He should produce documentation related to those payments.

Referring to para. 20 of the Statement of Claim Mr. Schreiber states there was no criminal activity as set out in the Letter of Request, or at all. He has denied criminal activity. He has put all of his business dealings into issue. He has also made many public statements, or responded in books and interviews. Mr. Schreiber must inform himself of all of that and disclose all documents relating to the matter which are relevant and material to this lawsuit.

At para. 30 of the Statement of Claim, the Plaintiff alleges that he has lost economic opportunity and income. He must have documentation in relation to that claim, and he will need to produce it.

At para. 19 of the Amended Statement of Defence, we allege that Mr. Schreiber provided Mr. Mulroney with a copy of the German version of the Letter of Request. If Mr. Schreiber has or had a copy of the German version, it should be set out in his Affidavit.

- 3 -

In *Germany v Schreiber*, before Mr. Justice Watt, there is reference to Mr. Schreiber's personal organizer. Documentation from the organizer which is material to this lawsuit must be produced.

Further, your client has been involved in many lawsuits related to this matter. All documentation which he or his counsel has received in these lawsuits is now within his possession or control, and must be produced in this matter. For example, Mr. Schreiber sued CBC, and should have documents produced during that lawsuit for disclosure, as well as documentation of his own related to that lawsuit which is also relevant and material to this lawsuit.

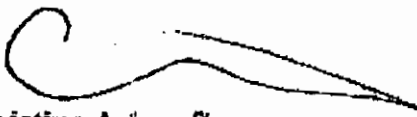
Some time has elapsed since 2003. Your client will likely have new relevant and material documentation in his possession, which should be added to his production.

Of course, we are unable to know exactly what relevant and material documents your client has in his possession or control. Clearly, however, his present Affidavit of Records is deficient.

We know you will review Mr. Schreiber's responsibilities respecting document production with him, to ensure compliance with his legal obligation to locate, gather, and produce all documents material and relevant to this matter. No doubt there are more material and relevant documents beyond what we have requested in this letter.

We look forward to receiving your filed further and better Affidavit of Records.

Yours truly,



Christine Ashcroft
Counsel

Jr



Tel. 780.423.1868

Fax 780.424.0974

www.hladun.com

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June 22, 2006

This is Exhibit "B" referred to in the Affidavit of

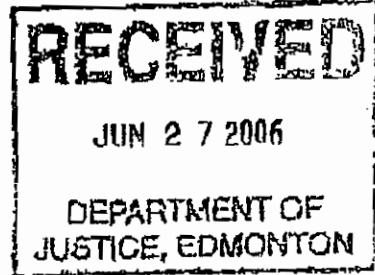
Joanne Romans

Sworn before me this 13th day

of July A.D. 2006

Tania Norris

A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta



Ms. Christine Ashcroft
Department of Justice Canada
#211, 10199 - 101 Street
Edmonton, Alberta T5J 3Y4

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

TANIA NORRIS
Commissioner for Oaths
My Commission Expires
May 30, 2007

Further to your June 5, 2006 letter, this is to re-confirm that June 27, 2006 at 10:00 a.m., is the date upon which we will return to Court of Queen's Bench Chambers relative to our outstanding Notice of Motion.

By way of general response to your June 5, 2006 letter, it's quite clear to the writer, that "a fishing expedition" is being embarked upon in an effort to dissuade Mr. Schreiber from pursuing his legitimate claims as set out within the Amended Amended Statement of Claim, for example:

- a) Swiss banking records, records of contracts or undertakings in principle, are clearly irrelevant to the lawsuit.
- b) Banking records have been recognized by the Supreme Court of Canada as privileged and attract privacy protection section 8 *Charter of Rights*.
- c) Mr. Schreiber's business dealings are clearly irrelevant and not at issue.

On Examination for Discovery, there may well be some latitude, though confined to the allegations raised in the pleadings and not "fishing expeditions".

Yours truly,

HLADUN & COMPANY

Dictated, but not read and signed
in the writer's absence by:

D. Rosy chuk

ROBERT W. HLADUN, Q.C.

RWH/dr

Via fax 495-6300 and mail

Greenspan, White
Barristers

Telephone (416) 366-3961

Telefax (416) 366-7994

Edward L. Greenspan, Q.C., LL.D., D.C.L.*

Todd B. White, B.A., LL.B.

Julianna A. Greenspan, B.A., J.D.**

Vanessa V. Christie, B.A., LL.B.

John J. Navarrete, B.A., LL.B.

David N. Tice, B.A., LL.B.

*Also of the Alberta Bar

**Also of the Illinois Bar

144 King Street East

Toronto, Canada

M5C 1G8

VIA COURIER AND FAX 1-613-990-7255

May 17, 2006

The Honourable Vic Toews
Minister of Justice and Attorney General of Canada
Department of Justice
284 Wellington Street, Room 2274
Ottawa, Ontario

Dear Mr. Minister:

Re: Federal Republic of Germany v. Schreiber

I represent Karlheinz Schreiber, a Canadian citizen, in relation to his extradition to Germany on charges of tax evasion, fraud, breach of trust, and bribery. I am writing to you pursuant to section 43(2) of the *Extradition Act* which permits submissions to be made to you on any ground relevant to the decision with respect to the surrender of Mr. Schreiber even after the expiry of the 30 days in circumstances that the Minister considers relevant. As I am sure you are aware, this process of making further submissions has been approved of and judicially reviewed by the Court of Appeal for Ontario in the case of *Waldman v. Minister of Justice*. I have attached the brief endorsement from the Court of Appeal at tab 8 of the Submission Record.

It is respectfully submitted that as a result of recent developments in the case, specifically comments made publicly by the Chief Prosecutor and by the Judicial Spokesperson for the Court in Augsburg directly about Mr. Schreiber's case, you should refuse to surrender Mr. Schreiber to Germany. The comments are not innocuous and reveal that pre-judgments have been made not only by the Chief Prosecutor but more importantly by the German court before which Mr. Schreiber is to be tried.

Background

The request for the extradition of Mr. Schreiber began in 1999. On May 27, 2004, Mr. Schreiber was committed for extradition on all charges, except one count of fraud. On June 3, 2004, he appealed to the Court of Appeal for Ontario and was granted bail that day.

Between July 15, 2004 and October 20, 2004, Mr. Schreiber made submissions to the Minister of Justice with respect to his surrender decision, including submissions related to a reasonable apprehension of bias on the part of the Minister of Justice due to the fact that the former Justice Minister is named in two legal actions initiated by Mr. Schreiber and submissions related to the reliability of the central prosecution witness, Giorgio Pelossi. I have attached the submissions made on August 12, 2004 and October 20, 2004 at tabs 1 and 2 of the Submission Record.

On October 31, 2004, the Minister ordered Mr. Schreiber's surrender. A Notice of Application for Judicial Review of the Minister's decision was filed on November 29, 2004.

On December 5 and 6th, 2005, the Court of Appeal for Ontario heard the appeal and judicial review. On March 1, 2006, the Court of Appeal for Ontario dismissed both the appeal and the judicial review. I have attached the Reasons for Judgment of the Court of Appeal for Ontario at tab 3 of the Submission Record.

On March 3, 2006 a Notice of Application for Leave to Appeal to the Supreme Court of Canada was filed. I have attached the Notice of Application at tab 4 of the Submission Record. On March 10, 2006, Mr. Schreiber was Ordered released pending the Application for Leave to Appeal to the Supreme Court of Canada.

On April 28, 2006, the Memorandum of Argument for Leave to Appeal to the Supreme Court of Canada was filed. I have attached the Memorandum at tab 5 of the Submission Record.

Media Articles

Following the release of the decision of the Court of Appeal for Ontario, several articles were written about Mr. Schreiber in foreign magazines. Due to the comments made in two of these articles, it is imperative, in my respectful submission, that you reconsider the decision to surrender Mr. Schreiber to Germany.

On March 8, 2006, the following article was available on the *Spiegel Online* website (a German website for Der Spiegel, the most widely read weekly magazine in Germany). The article reported the following comments by the Chief Prosecutor:

Schreiber Arrested in Canada, Released on Bail

In that article, the following comments were made:

...Even though Schreiber's extradition is nowhere near imminent after the recent decision, the investigators are pleased with the Canadian decision. "The court has confirmed that an extradition is justifiable," said public prosecutor Nemetz, "now the higher instance simply has to follow through." Nemetz banks on the Supreme Court handling the case quickly, since this is generally common with extradition cases: "So far, things have been progressing at snail pace. The case could use a little speeding up."

The life awaiting Schreiber in Germany is nowhere near as pleasant as in Canada. According to Nemetz, he would definitely be imprisoned on remand, due to the severity of the charges, and the public prosecutor would "vehemently" protest against releasing him on bail. A decision would not be made quickly in Germany, however. [translated] (underlining mine)

Reinhard Nemetz is the chief prosecutor heading the investigation in the Bavarian town of Augsburg. Mr. Nemetz is the head prosecutor in Augsburg and is responsible for the organization of the prosecutions office and its representation in the public. The comments clearly reflect a prejudgment of the availability of bail for Mr. Schreiber.

I have attached this article from Spiegel Online at tab 6 of the Submissions Record.

On March 9, 2006, the following article was available on the *Deutsche Presse-Agentur* website (DPA is one of the world's leading international news agencies supplying news on a global basis):

Schreiber Requests that Supreme Court of Canada Refuse Extradition

In that article, the following comments were made:

....Judge Karl-Heinz Haeusler, spokesman for the Regional Court of Augsburg, told dpa that after his extradition, Schreiber would have to reckon with the "full force of the law". "He is the trigger of the entire affair and has caused damage to Germany."

...Until the Schreiber case, Germany had been considered a country immune to bribery [he stated] – the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "unspeakable" reality. Schreiber had done Germany a "disservice", said the court spokesman.... [translated] (underlining mine)

Judge Karl-Heinz Haeusler is a judge and the spokesperson for the Regional Court of Augsburg. As the spokesperson, Mr. Haeusler informs the public about important pending cases at the court. He comments on the current developments in certain cases and explains legal aspects of the cases as well as the decisions of the court. Mr. Haeusler speaks on behalf of the Regional Court of Augsburg.

The conclusion that Mr. Schreiber "is the trigger of the entire affair and has caused damage to Germany" can only lead to the conclusion that the court has prejudged Mr. Schreiber's guilt and that he will not have an objective and fair trial in Germany.

Further, it must be recognized that the CDU (Christian Democratic Union) contributions scandal is one of the largest political scandals in German history, in which it was discovered that the German CDU political party had accepted millions of marks in illegal donations from 1982 to 1998 while under the control of Chancellor Helmut Kohl. This scandal brought down Chancellor Kohl, one of the most widely respected politicians in the history of Germany, and left him and his CDU party in disgrace. It is respectfully

submitted that according to the comments of Judge Haeusler, it would appear that Karlheinz Schreiber is being held responsible for this entire scandal. Judge Karl-Heinz Haeusler, a judge and spokesperson for the court who will try Mr. Schreiber, publicly stated that “until the Schreiber case, Germany had been considered a country immune to bribery...the arms dealer’s unconcealed exertion of influence on politicians and managers made the unspeakable reality”, and further that “Schreiber had done Germany a disservice”. These comments made on behalf of the court that will try Mr. Schreiber are extremely alarming. These comments are political statements. What is a judge doing saying this? It is not a legal analysis and it is dangerous.

I have attached this article from the *Deutsche Presse-Agentur* website at tab 7 of the Submission Record.

It is respectfully submitted that these comments amount to an abuse of process and that this is one of the clearest cases where to proceed further with the extradition would violate those fundamental principles of justice which underlie the community’s sense of fair play and decency.

Legal Analysis

Section 7 of the Charter permeates the entire extradition process and is engaged, although for different purposes, at both stages of the proceedings. If a committal order is issued, the Minister must examine the desirability of surrendering the fugitive in light of many considerations, such as Canada’s international obligations under the applicable treaty and principles of comity, but also including the need to respect the fugitive’s constitutional rights.

United States of America v. Cobb (2001), 152 C.C.C. (3d) 270 (S.C.C.)

In *United States of America v. Cobb*, the argument was made that extradition would violate s. 7 of the *Charter* in light of statements made by the American judge and prosecuting attorney with carriage of the matter in the United States.

In *Cobb*, the impugned comments were that, first, while sentencing one of the co-accused, the assigned trial judge made the following statement:

Mr. Kay, I'm sure that you might have some appreciation for the difficulty I have in trying to keep the participants in this matter in the proper level of accountability, the proper range of accountability. It's not really possible to do that, but I am attempting to treat everyone who comes in here, especially those who cooperated, in an evenhanded fashion.

...
[T]he sentence that I'm imposing I think takes into account your cooperation and certainly you're entitled to have that recognized. I want you to believe me that as to those people who don't come in and cooperate and if we get them extradited and they're found guilty, as far as I'm concerned they're going to get the absolute maximum jail sentence that law permits me to give.

Cobb, supra at p. 276

Second, the prosecuting attorney suggested during a television interview that uncooperative fugitives would be subject to homosexual rape in prison. Specifically he said:

MacIntyre: ...For those accused who choose to fight extradition, Gordon Zubrod warns they're only making matters worse for themselves in the long run.

Zubrod: I have told some of these individuals, "Look, you can come down and you can put this behind you by serving your time in prison and making restitution to the victims, or you can wind up serving a great deal longer sentence under much more stringent conditions" and describe those conditions to them.

MacIntyre: How would you describe those conditions?

Zubrod: You're going to be the boyfriend of a very bad man if you wait out your extradition.

MacIntyre: And does that have much of an impact on these people?

Zubrod: Well, out of the 89 people we've indicted so far, approximately 55 of them have said, "We give up".

Cobb, supra at p. 277

The Supreme Court of Canada held that a stay of proceedings was justified and a committal order obtained in the circumstances would clearly not be consistent with the principles of fundamental justice.

United States of America v. Cobb, supra
United States of America v. Tsioubris (2001), 152 C.C.C. (3d) 292 (S.C.C.)

It is respectfully submitted that the comments made in *Cobb* are strikingly similar to the comments made in the case at bar. Indeed, the comments made by the Court in Mr. Schreiber's case are far more disconcerting as they relate directly to a pre-judgment of the case by a judge and spokesperson for the very Court that will try Mr. Schreiber. As the Minister of Justice, you have an obligation to refuse to surrender Mr. Schreiber in these circumstances.

The authority granted to the Minister of Justice to make a surrender order is dictated by sections 40 to 48 of the *Extradition Act*. While it has been recognized that the Minister of Justice has a broad discretion to effect surrender, the jurisprudence has established that the discretion must be exercised in accordance with the *Charter*, specifically in accordance with the principles of fundamental justice as provided by section 7 of the *Charter*. This principle has been clearly established by the Supreme Court of Canada in *United States of America v. Burns*.

United States of America v. Burns (2001), 151 C.C.C. (3d) 97 (SCC)

The courts have given a great deal of deference to the Minister with respect to making a decision on the general question of surrender. However, this deference is not without limits and the Minister must still act in accordance with the *Charter*. While the review of the Minister's decision on *Charter* issues should be on a standard of correctness, there is much less deference accorded to the Minister's decision with respect to constitutional issues.

United States of America v. Whitley (1994), 94 C.C.C. (3d) 99 (Ont. C.A.) aff'd (1996), 104 C.C.C. (3d) 447 (S.C.C.) at 109-110 and 112
Stewart v. Canada (Minister of Justice) (1998), 131 C.C.C. (3d) 423 (BCCA)
United States of America v. Kwok (2001), 152 C.C.C. (3d) 225 (SCC)
United States of America v. Johnson [2002] O.J. No. 4759 (Ont.C.A.)
Pacificador v. Canada (Minister of Justice) (2002), 166 C.C.C. (3d) 321 (Ont. C.A.) at 337

Conclusion

It is respectfully submitted that the comments made in the above quoted media articles amount to conduct by the Requesting State which interferes, or attempts to interfere, with the conduct of the extradition proceedings here in Canada. The Requesting State is a party to judicial proceedings before a Canadian court and is subject to the application of rules and remedies that serve to control the conduct of parties who turn to the courts for assistance. Both pursuant to the Charter and to common law, litigants must be protected from unfair, abusive proceedings.

It is clear that Mr. Schreiber will be the subject of a process in the Requesting State which has been prejudged and this raises serious concerns of fairness and due process. This is an apparent attempt to interfere with Canada's discharge of its obligations. A surrender order requiring Mr. Schreiber to return to face such a biased climate – created by those who play a large, if not decisive role in determining his ultimate fate – would not be consistent with the principles of fundamental justice.

Mr. Schreiber should not be encouraged or intimidated into giving up his legal rights in Canada as the statements in these articles are attempting to do. Given the fact that a reasonable apprehension of bias on the part of the Minister of Justice has already been raised in previous correspondence, I will not delve into this at any length at this juncture. Suffice it to say that given this potential for a reasonable apprehension of bias, it is even more critical that you as the Minister of Justice are not perceived to have played a part in encouraging or intimidating Mr. Schreiber to give up his legal rights in Canada.

It is respectfully submitted that in light of the fact that Germany does not extradite its own nationals, Canada should be loath to extradite its nationals into such a poisoned environment provided by the Court and the Prosecutor.

I am requesting, therefore, that you reconsider the order to surrender Karlheinz Schreiber made on October 31, 2004 in light of this new and critically important information. To surrender Mr. Schreiber in these circumstances would amount to a violation of the principles of fundamental justice.

Yours sincerely,

GREENSPAN, WHITE

Edward L. Greenspan, Q.C.

KARLHEINZ SCHREIBER

The Right Hon. Stephen Joseph Harper P.C., B. A., M. A.
Prime Minister
80 Wellington Street
Ottawa, Ontario
K1A 0A2

June, 16 2006

Subject: The Liberal legacy of scandal

Dear Prime Minister,

The insidious, destructive poison which your government inherited from its predecessors may very well prove to be, in terms of its international repercussions and its impact on Canada's reputation, by far the greatest, most fateful and most damaging scandal in Canadian political history.

The evidence under oath by RCMP Staff Sergeant Fraser Fiegenwald in an Examination for Discovery on March 8, 2006 in a civil action between myself and the Attorney General of Canada and Her Majesty the Queen and at the preliminary hearing in the "Eurocopter" case have finally shed light on the beginning of the fictitious "Airbus Affair" and confirmed the existence of a far more pernicious "Political Justice Scandal".

Staff Sergeant Fiegenwald, the RCMP officer in charge of the investigation, confirmed that the RCMP had no evidence of any criminal behavior involving Prime Minister Mulroney, Frank D. Moores or myself. What he did confirm, in fact, was that the stories came from a convicted Swiss criminal, Giorgio Pelossi, and since 1988 from Stevie Cameron, a journalist, writer and later a confidential RCMP informant and complainant.

As we know, the involvement of the Hon. Allan Rock, then the Minister of Justice, in the "Political Justice Scandal" was not the beginning, but merely one further element in the Liberals consistent strategy of undermining the Mulroney government and thereby seriously damaging the Progressive Conservative Party, with the willing assistance of the Liberal bureaucracy, support from the media, the RCMP and through the Canadian Embassy in Germany the involvement of the district attorney in Augsburg, Germany.

MacKAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697

The players that were responsible for the "Political Justice Scandal" are the individuals who stage-managed it and those who failed to discharge their political responsibilities by remaining silent or tolerating what went on in Canada, Germany, France, Saudi Arabia, Thailand, Costa Rica, Austria, Liechtenstein and Switzerland damaging conservative politicians including suicides and changing the political situation in Europe.

The initiators: Hon. Allan Rock, Stevie Cameron, CBC The fifth estate, Giorgio Pelossi.

Responsible yet silent: The Right. Hon. Jean Chretien, The Right. Hon. Paul Martin, Hon. Anne McLellan, Hon. Martin Cauchon, Hon. Irwin Cottler.

Dereliction of duty:

Solicitors General: Hon. Herb Gray, Hon. Andy Scott. Hon. Lawrence MacAulay, Hon. Wayne Easter, Hon. Anne McLellan.

The abused: The RCMP with Commissioners J.P.R. Murray and Giuliano Zaccardelli, who rejected the initial allegations by Hon. Allan Rock Minister of Justice as unsubstantiated, but apparently yielded subsequently to political pressure or opportunism.

This strategy, which we can say, based on what I now know, is ongoing and the persecution and the cover-up of the "Political Justice Scandal" continue, both here in Canada and in the international arena. The Hon. Elmer MacKay was correct in his letter August 27, 1997 to Commissioner J. P. R. Murray when he named the matter to be a long term "ass-covering and face-saving" operation simultaneously.

On Jan 9, 1997 Allan Rock, Minister of Justice & Attorney General of Canada and Philip Murray, Commissioner of RCMP sent a letter of apology to me and informed me about the settlement agreement with the Right Hon. Brian Mulroney. My answer in a letter Jan 20, 1997 was: "I recognize your apology but this matter will only be properly clarified in a courtroom".

On October 24, 1997 my lawyer filed the Statement of Claim in the Court of Queen's Bench of Alberta in Edmonton.

On March 1, 2001 RCMP Supt. Mathews learned from Jim Shaw, an Edmonton counsel representing the Federal Government of Canada, about the problems with a confidential RCMP Informant. Supt. Mathews tried to fix the problem and coded Stevie Cameron seven years backwards "code 2948" in order to protect the Crown and not to jeopardize the Alberta case with Karlheinz Schreiber.

My lawyer Edward L Greenspan Q. C. stated in an interview with the Globe & Mail 26/02/04: "We are at the front end of what will prove to be an incredible scandal."

Mr. Greenspan said it will eventually emerge that top figures in the Liberal government approved the investigation of Mr. Mulroney, knowing full well it was being launched on information from an anonymous journalist.

There are still unresolved matters in the Eurocopter case, as Ontario Superior Court judge Edward Then has yet to rule on whether he was misled by the RCMP or the Crown when he issued orders in 2001 sealing court documents.

The RCMP abandoned the Airbus investigation in 2003, but the baton was passed to the fraud case involving Eurocopter Canada (MBB Helicopters). Once again, the ultimate target of this case was Brian Mulroney. I then found myself, after a two-year RCMP sting operation, once more in the position of the victim of an unsuccessful attempt to designate me as a hostile witness.

In November 2005, Justice Bélanger dismissed the Eurocopter case for lack of evidence and thereby finally laid the "Airbus Affair" to rest.

On December 30, 2005 the Crown appealed this judgment, thereby resurrecting the "Airbus Affair" and with it, implicitly, the allegations against Brian Mulroney.

The situation leaves my claim for damages against the Attorney General as the only avenue that can lead to disclosure in a courtroom of the truly unbelievable extent of the vendetta waged by the former government against Brian Mulroney, Frank D. Moores, myself and ultimately the Conservative Party and a number of highly respected international companies, including Thyssen (now ThyssenKrupp), MBB (now Eurocopter) and Airbus Industries with EADS and DaimlerChrysler.

In order to avoid my demolishing this vendetta once and for all in a Canadian courtroom, through my lawsuit, the justice system has until now sought to have me extradited to Germany, based on an Extradition Treaty without Reciprocity, downgrading the value of my Canadian Citizenship or to neutralize me by having me put in jail in Canada with the help of undercover agents and misleading statements to the court regarding my bail conditions.

Since 1996, many Members of the House of Commons, including your self, Mr. Gilles Duceppe, Mr. Peter MacKay, Mrs. Pierrette Venne, Mr. Jack Ramsay, Mr. Michel Bellehumeur, Mr. Chuck Strahl, Mr. Kevin Sorenson, and members of the Senate have asked from time to time in vain for an official investigation. I submit time has finally come for Canadian taxpayers to be able to find out what the "Political Justice Scandal" has cost so far and what will be the estimated costs for the ongoing saga and the upcoming lawsuits for damages.

Brian Mulroney, the international Industrial Companies, many conservative politicians and I have borne the brunt of the case for the past twelve years and at this point there is still no closure in sight.

The result of the recent federal election changed the situation and all pending actions of the "Political Justice Scandal" in Canada and other countries are now under the jurisdiction of your government.

Will the Attorney General in your government continue with the delay tactics of the Liberal Attorneys General in my Alberta court action who hope that I lose my extradition case at the Supreme Court of Canada and be extradited to Germany?

This would prevent me from pushing forward the legal case and bury the "Airbus Affair" and the "Political Justice Scandal" at the same time. Would this be in the interest of Canada? I think not.

Will the Minister of Justice & Attorney General like his predecessor ignore the false German statements and political blackmail in my extradition case?

My lawyer Mr. Edward L. Greenspan Q. C. informed the Hon. Vic Toews Minister of Justice & Attorney General about the comments recently made publicly by the Chief Prosecutor and by the Judicial Spokesperson for the Court in Augsburg, Germany.

No cleanup in government can take place in Canada without an intensive parliamentary investigation of what is, in terms of its international implications, the largest scandal in Canadian history. This is entirely consistent with your announced intention to appoint an independent Director of Public Prosecutions, the Federal Accountability Act and Action Plan.

In 1985, I became the Chairman of Thyssen-Bearhead Industries and came to Ottawa on the request of the Canadian Government and the Right Hon. Prime Minister Brian Mulroney to create jobs in the Province of Nova Scotia. For eight years I worked on the project. I had to learn that the Liberal bureaucracy with Paul Tellier and Bob Fowler in Ottawa undermined the policies of the strong majority Government of Brian Mulroney at every opportunity. What I did find? Lies, fraud, attempt of manslaughter, conspiracy, greed, ignorance, arrogance, disappointment, breach of agreements and great sadness for Canada and Canadians. Thyssen, the Canadian soldiers, the people of Nova Scotia and I have been misused and betrayed after Thyssen spent more than \$ 60 million on the project for peacekeeping and environment-protection.

I am sure you will appreciate that under the circumstances I can only turn to you, since all the other government agencies responsible are still involved and as a result are not interested in clarification. I have taken the liberty of attaching a number of documents for your information.

Prime Minister this is your opportunity to bring this insanity to an end and the truth coming out in the greatest political cleanup in Canadian History.

The "Political Justice Scandal" began in the year 1994, is still moving ahead and will not disappear on its own.

Yours sincerely,


Karlheinz Schreiber

Karlheinz Schreiber

86916 Kaufering Raiffeisenstrasse 27 Telefon (08191) 7884 Telefax (08191) 7888

January 20, 1997

Honourable Allan Rock
Minister of Justice &
Attorney General of Canada

- and to -

Phillip Murray
Commissioner, RCMP

Dear Sirs:

This letter is written as an open letter to yourselves and to the Canadian public as a response to your letter of apology sent in care of my lawyer, Mr. Robert W. Hladun, Q.C. on January 9, 1997. A number of things were mentioned in that letter besides the apology and accordingly, it has become necessary for me to respond to that letter. I will address each point as it appears in your letter of January 9, 1997, a copy of which is attached for your convenience. Addressing each point in order as follows:

1. I wish to express my satisfaction with the settlement you have reached with the Right Honourable Brian Mulroney. I can only state that this is a settlement that should have been reached much earlier and an apology which should have been given from the outset.
2. It is no news to me that the Government of Canada sought assistance from Switzerland. I was told that I was not being accused of any crime. However, I was implicated in the circumstances described in the Letter of Request from the moment the Canadian Government demanded access to accounts of mine all over Switzerland, also all of those accounts over which I may have had a proxy. On the direction of the Canadian government, the Swiss authorities caused a search and seizure of all of my banking papers and documents, whatsoever.

3. Whether or not it is reasonable for the Canadian Government to believe that the request for assistance was a highly confidential state-to-state communication remains to be seen. It is utter nonsense to state that the Swiss would understand that this Request for Assistance contained only allegations that were to be verified given the wording of the Request for Assistance. The Request for Assistance reads like a summary of facts and includes such statements as "this investigation is of serious concern to the Government of Canada as it involves criminal activity on the part of the former Prime Minister." In fact, if you look at the entire Letter of Request and the statements that are set out therein as facts, one must question how the Swiss are to understand these as being merely allegations, and "that the persons named were presumed innocent of any wrongdoing." In fact, nowhere in the Request for Assistance is it explicitly stated that the people named therein are presumed innocent and that these are only allegations. Indeed, the Letter of Request reads like a criminal indictment.
4. I can easily imagine that requests for assistance have been sent to Switzerland before which have remained confidential. However, I have the feeling that you did not grasp the difference between a request for assistance or information and a request for search and seizure which is what happened in my case. The average Canadian would have difficulty understanding that search and seizure is to remain confidential when the Letter and its contents are given by the police force in Switzerland to all sorts of bank employees from the board of directors down to the tellers at the counter.
5. The Canadian Government asked the Swiss to search and seize every account all over Switzerland which I owned or over which I had a proxy. The Swiss refused to do so and instead asked for copies of my banking documents. This has had a great impact on my reputation when you consider I have maintained a house in Switzerland and conducted banking there over the past twenty years.

If you ask to search offices, homes or apartments in Switzerland, invariably investigators will show up in four or five cars, they will look everywhere and will put everything of interest in boxes and transport them to their offices. Do you still expect something like this to remain confidential? This is akin to expecting that a request for the arrest and extradition of an individual in a foreign country will remain confidential.

6. Given the revelations regarding Sergeant Fiegenwald in media reports, this last paragraph is somewhat ridiculous. The tone and content of this paragraph only tells me and the Canadian public that the Government of Canada is totally unprofessional in formulating requests for assistance. A search and seizure or arrest can in and of itself never stay confidential. On the other hand, requested countries respect their law which requires them to disclose requests for search and seizure to the suspects. Since there is a dramatic difference between confidentially asking for information and a search and seizure, all civilized

countries are required to provide a search warrant from a proper court. I can provide you copies of Mutual Legal Assistance Treaties of all members of the European Community which show that search warrants are required.

It is readily apparent to me that the officials of the Canadian Government did not honour the *Treaty for Mutual Legal Assistance* entered into between Canada and Switzerland which was signed on October 7, 1993. It requires the Canadian Court to issue a declaration that such a measure would be permissible if the subject matter of the search and seizure were located in Canada prior to it being executed upon by the foreign country. As Justice Wetston ruled on July 4, 1996, the Canadian Government would not have been able to carry out a similar search and seizure on Canadian soil. Further, it is of interest that the *Treaty* was ratified in Canada on November 17, 1995 and the Letter of Request was sent in "just under the wire" on September 29, 1995. The only person competent to issue a search warrant is a judge or someone acting judicially. However, if it is your position that a competent authority is a police force acting on its own, then that reminds me of the nightmare years of my childhood when the Nazi regime set loose the Gestapo on the German public.

7. I also take great pleasure in learning today that it is recognized that I am "presumed innocent" as required by law under the *Charter* but for over the past year you have permitted the Letter of Request to stand where it names me as a criminal and sets out in great detail the criminal indictment as to the crime that I was implicated in. The person with whom I am to have perpetrated the crime is the former Prime Minister, Brian Mulroney. It is interesting that as of January 6, 1997, the Government of Canada says that there is no evidence to say that he was involved in criminal activity and you apologize to me for having reached a conclusion that I was involved in the criminal activity but you insist that there is still an ongoing criminal investigation. This begs the question – What criminal activity?

The Request for Assistance states that I was involved in the crime of bribing the former Prime Minister. You now say that - "No, you are not involved in that. For saying that you were, we apologize. However, we will still investigate." It is unclear to me, and I am sure the Canadian public feels the same, what it is that you are investigating. The whole foundation upon which the Request for Assistance is built has collapsed with the apology to the former Prime Minister.

I would not wish the enormous pain, suffering and embarrassment that you have caused for my friends and family on anyone. You have acted deliberately and recklessly in sending out the Letter of Request without foundation, and today, sixteen months later, you feel the need to apologize.

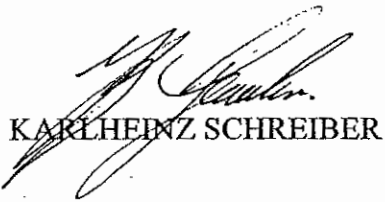
8. With respect to this paragraph, I would merely point out that this was not only the RCMP that had a hand in this letter but your own Department of Justice as well

and accordingly can be accused of reaching the same conclusions that the RCMP did.

9. I recognize your apology but this matter will only be properly clarified in a court room. This is my understanding. I have been a judge for commercial matters for nine years in Munich. Perhaps, I have a different understanding of law and order than you do.

Since the letter you sent me appeared in the media, this letter is provided to the media in order to give the Canadian public my side of the story.

Yours truly,



KARLHEINZ SCHREIBER

KARLHEINZ SCHREIBER

Mr. Kevin Sorenson M.P.
4945 – 50 Street

Camrose. AB
T4V 1P9

Ottawa July 25,2006

Dear Mr.Sorenson

I read with great interest the speech you gave in the House of Commons on October 22, 2001. I attach three pages of your speech to this letter to refresh your memory and I am sure that you still endorse the same principles as you did at that time. I have underlined relevant portions of your speech.

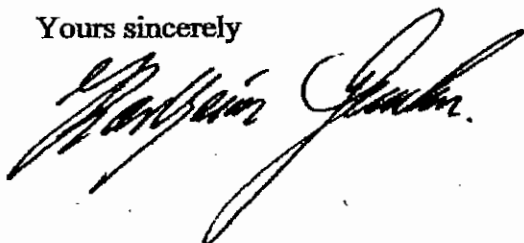
Your assumption that the "Airbus affair" could turn out to be a very big political scandal was correct, as it in my view combines the biggest "political justice scandal" in Canadian history with the most serious international implications.

The vendetta began in the early 1980s and has continued unabated. The main victims are the Canadian people, The Right Hon. Brian Mulroney und myself, Karlheinz Schreiber.

On June 16, 2006 I wrote to the Right Hon. Stephen Harper and sent a number of relevant documents, which I enclose for your information.

I wish you a pleasant stay in Alberta and remain,

Yours sincerely



MackAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697



Conservative Party
of Canada

Crowfoot
Electoral District, Association



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Monday, October 22, 2001, Kevin Sorenson, MP,
Addresses to the House of Commons.



CONTENTS

14:15 Mr. Kevin Sorenson: Fort McMurray?

14:30 Hon. Lawrence Vale: Reply

14:40 Mr. Kevin Sorenson: Timor? (27 minutes)

14:40 Hon. Lawrence Vale: Reply

15:10 Mr. Kevin Sorenson: Bill C-10 and the administration of justice. (10 minutes)

15:10 Hon. Lawrence Vale: Comment

15:15 Mr. Kevin Sorenson: Bill C-10

15:15 Hon. Lawrence Vale: Reply

15:15 Mr. Kevin Sorenson: Bill C-10

15:30 Mr. Abnour Elkington: Complaint

15:30 The Speaker: Comment

15:30 Mr. Kevin Sorenson: Bill C-10

[1415]

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, we learned from immigration documents and the media that three men in Fort McMurray may have been connected with the September 11 attack on the United States. Canadians had to learn from the Sun newspapers that Nabil Al-Marabh, who was freed by the government's Immigration and Refugee Board, may be the chief al-Qaeda operative in North America and living in Canada. We also learned from the media that Mohammed Atta may have been working in Toronto.

(1520)

Mr. Mauril Bélanger: Mr. Speaker, I rise on another point of order. If a member raises a question of relevance, is it appropriate for the member to whom the question is directed to respond with personal allegations and asinine comments as we have just heard?

The Speaker: We are getting into debate here. I think the hon. member will have his opportunity in due course.



Mr. Kevin Sorenson: Mr. Speaker, I would gladly answer his question in the question and comment period. If he wants to take a look at the bill, he can take a look at proposed section 10.1 and he will very clearly find the reference we are drawing attention to.

Getting back to the committee meeting we were referring to, the member for Scarborough—Rouge River believed that in the committee conducted such an inquiry with the police investigation still in process the RCMP's case might be jeopardized, but the members did agree that at some point down the road an inquiry should be done.

Guess what, we are still waiting and, believe it or not, time has not diminished the memories or the magnitude of this scandalous affair. In fact, now the question is not just the scandalous affair. It is the question of a possible cover-up.

As I am accustomed to doing in the House, I would like to quote from an article that appeared in the Edmonton Sun of November 25, 1997. I do so because it is important to demonstrate that the opinions of this side of the House are shared by others. The article states:

There should be a thorough and public fumigating of the events surrounding the \$1.8 billion purchase of European Airbus passenger jets by Air Canada during Mulroney's tenure.

But not solely for the reasons stated by Mulroney in his interview.

The purpose of the inquiry in the former PM's eyes is to get to the bottom of who knew what in Ottawa—with the trail of incriminating evidence hopefully leading right to the prime minister's office.

There certainly is an air of incredibility surrounding the incident which would have Canadians believe that a Lowly RCMP sergeant was flying solo when he requested the damning letter to Swiss banking authorities—the letter wherein Mulroney and other top former PC officials were implicated... We can't blame Mulroney for attempting to clear his name while at the same time holding the feet of his political tormentors to the fire... Sadly, there appears to be an

unwritten rule in federal politics that governments don't go digging into the excesses of the previous regime. If only to prevent receiving the same treatment when they get booted from office.

Ottawa's cosy code appears to have been broken in the Airbus affair. And so it should have been—which is the second reason why a comprehensive probe is a good idea. The allegations in the affair, if proven, would amount to one of the biggest political scandals in Canadian history.

That's why it's absolutely necessary to assure Canadians that they aren't true.

This clearly will not happen if left to the footdragging of the Ottawa Liberals—who now have as much to answer for regarding their own behaviour as they do in seeing the RCMP investigation carried out with commitment and vigor. A thorough, comprehensive and independent inquiry into all aspects of the Airbus affair is an excellent idea. Canadians need to know the truth.

That said, given what passes for government in Ottawa these days, there are only two chances of such an inquiry happening. And slim just left town.

In other words, what the article is saying is that the chances of that happening with this federal Liberal government are next to nothing.

It is absolutely imperative that every member of government, up to and including the Prime Minister, is subject to the laws of the land. The public must be confident that the federal government is not above the law. I thereby call upon the Liberal government to immediately bring in legislation clearly defining the role and independence of the RCMP in law enforcement.

I also call upon the government to properly and effectively respond to the Hughes report and all of its recommendations, not bury the truth as is customary for the government. Repeatedly the government has, when convenient or necessary, held back or shut down inquiries. We do not need to go back to all the different inquiries that it has brought these types of things into and then forgotten about. We know about the blood scandal and the Krever report. We know about the defence minister shutting down the Somalia inquiry. We know about all the other inquiries that have come forward and that the government has put a lid on.

In regard to the bill we again call on the government to make changes and to put some of them in the RCMP Act, not just in the bill.

(1525)

TAB 2 August 4, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 2A Letter dated July 31, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1A, 5F, 5M)

- 2B Letter dated July 25, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1B, 5L)

- 2C Letter dated June 22, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1C)

- 2D Letter dated June 5, 2006 from Christine Ashcroft, Counsel, Department of Justice, Edmonton Regional Office to Robert Hladun, Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada. (DUPLICATE OF 1D, 5E, 5K)

- 2E Affidavit dated June 2, 2006, sworn by Melissa Smith, legal assistant with Hladun and Company, Barristers and Solicitors, Edmonton, re Schreiber v. The Attorney General of Canada (DUPLICATE OF 1E)

- 2F Letter dated March 1, 2006 from Hladun and Company, Barristers and Solicitors, Edmonton, to James Shaw, Department of Justice, Edmonton Regional Office (DUPLICATE OF 1F)

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Folder

Folder ID **575517**
 From* **Mr. Schreiber, Karlheinz**
 Owner* **Prime Minister of Canada (Group)**
 Addressed To **Prime Minister of Canada**
 Classification* **ECU-General mail/SC**
 Keyword **Personal**
 Summary
 Notes **Personal Justice case
 direct to file as per DS overtaken by event**
 Mail Type **Letter**
 Folder Types **(None)**
 Tracking ID* **62210185E**
 Created By **Duthie, Joseph 2006/08/14**
 Modified By **Russell, Shelly 2006/09/13**

Dates

Date Sent* **2006/08/04**
 Date Received* **2006/08/09**
 Date Due **2006/09/20**
 Date Closed **2006/09/13**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duthie, Joseph</u>	2006/08/14	2006/08/14

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Reply-General/ré	<u>Opalick, Alanna</u>	<u>Duthie, Joseph</u>	Closed		2006/08/14	2006/09/20	2006/09/11
	Reply-General/ré	<u>Russell, Shelly</u>	<u>Opalick, Alanna</u>	Closed		2006/09/11	2006/09/20	2006/09/13

Response Notes: Automatically closed by system when folder was closed.

KARLHEINZ SCHREIBER

622 10185
575517

The Right Hon. Stephen Joseph Harper, P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, August 4, 2006

Dear Prime Minister,

I am taking the liberty of sending you copies of

The letter from the Department of Justice to Robert Hladun Q.C., July 31, 2006
regarding discovery of Mr. Allan Rock

The letter from Robert Hladun Q.C. to the Department of Justice, July 25, 2006

The letter from Robert Hladun Q.C. to the Department of Justice, July 22, 2006

The letter from the Department of Justice to Robert Hladun Q.C., June 5, 2006

The affidavit from Melissa Smith, sworn June 2, 2006

The letter from Robert Hladun Q.C. to the Department of Justice, March 1, 2006

for your personal information.

The documents confirm the content of my letter to you from June 16, 2006 and the reason
why I can only return to you.

Yours sincerely,



MacKAY LAKE ESTATES
7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9
Tel: 613-748-7330 Fax: 613-748-9697



Department of Justice
Canada

Edmonton Regional Office
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Ministère de la Justice
Canada

Bureau régional d'Edmonton
Edifice de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: christine.ashcroft@justice.gc.ca

Our File: 2-90141
Notre dossier:

Your File: 45890.1
Votre dossier:

July 31, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

Thank you for your letter requesting discovery of Mr. Allan Rock. We can advise that we object to any examination of Mr. Rock.

At common law, the Crown is not compellable at discovery. It is only through legislation that it may be compelled to discovery. Section 7 of the Regulations passed pursuant to the *Crown Liability and Proceedings Act* states that an officer or servant of the Crown may be designated for examination for discovery. The Court of Appeal has interpreted this section to mean that except for the right to examine a Crown designated officer, there is no machinery for examination for discovery as of right. See *CDIC v Prisco*, (1997) 206 A.R. 283 (C.A.)

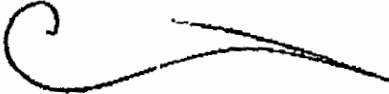
This decision was followed in *Milne and Milne v AG of Canada et al.*

Quite apart from the foregoing, there is case law regarding when a Minister may be examined. There must be special circumstances, and there must be no other person who is equally well-informed.

Canada

In any event, we will object to the examination of any person other than the Crown officer.

Yours truly,



CHRISTINE A. ASHCROFT
Counsel
Civil Litigation and Advisory Services

CAA/jr

Tel.780.423.1888 100, 101st St - 10A St. N. Edmonton, Alberta
Fax.780.424.0934 Edmonton, Alberta
www.hladun.ca T5J 0Z7



15737
2-77605

July 25, 2006

Department of Justice Canada
211, 10199 - 101 Street
Edmonton, AB T5J 3Y4

Via Fax: 495-6300
(Original retained)

Attn: Christine Ashcroft

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

Please be advised that we have been instructed to examine for discovery Allan Rock, as a former employee of the Defendants, pursuant to Rule 200(1)(c) of the Alberta Rules of Court. Accordingly, please contact the writer's assistant to make the necessary arrangements for this examination.

Yours truly,

HLADUN & COMPANY

Signed in the writer's absence to avoid delay
ROBERT W. HLADUN, Q.C.
KPS/ma

cc: Karlheinz Schreiber - via fax



Tel: 780.423.1888 Fax: 780.424.0974 www.hladun.com

15737

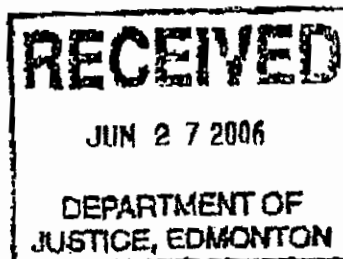
Our file 2-71605

June 22, 2006

This is Exhibit "B" referred to in the Affidavit of

Joanne Romans

Sworn before me this 13th day of July A.D., 2006. Tania Norris, A Notary Public, A Commissioner for Oaths in and for the Province of Alberta



Ms. Christine Ashcroft Department of Justice Canada #211, 10199 - 101 Street Edmonton, Alberta T5J 3Y4

Dear Madam:

Re: Karlheinz Schreiber v. The Attorney General of Canada Q.B. Action #9703 20183

TANIA NORRIS Commissioner for Oaths My Commission Expires May 30, 2007

Further to your June 5, 2006 letter, this is to re-confirm that June 27, 2006 at 10:00 a.m., is the date upon which we will return to Court of Queen's Bench Chambers relative to our outstanding Notice of Motion.

By way of general response to your June 5, 2006 letter, it's quite clear to the writer, that "a fishing expedition" is being embarked upon in an effort to dissuade Mr. Schreiber from pursuing his legitimate claims as set out within the Amended Amended Statement of Claim, for example:

- a) Swiss banking records, records of contracts or undertakings in principle, are clearly irrelevant to the lawsuit.
b) Banking records have been recognized by the Supreme Court of Canada as privileged and attract privacy protection section 8 Charter of Rights.
c) Mr. Schreiber's business dealings are clearly irrelevant and not at issue.

On Examination for Discovery, there may well be some latitude, though confined to the allegations raised in the pleadings and not "fishing expeditions".

Yours truly,

HLADUN & COMPANY Dictated, but not read and signed in the writer's absence by:

Robert W. Hladun, Q.C. RWH/dr Via fax 495-6300 and mail

10-Jul-06

10:08

From: Hladun & Company

+7804240934

T-245 P.008/012 F-212

Canada

Edmonton Office
Prairie Region
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Canada

Bureau d'Edmonton
Région des Prairies
Bâtiment de la Banque de Montréal
211 rue 101 - 10199
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T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: esfhcroff@justice.gc.ca

Our File: 2-77603
Notre dossier:

Your File:
Votre dossier:

June 5, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-8934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

I am assisting Jim Shaw with this file.

I understand that you have asked us to produce our documents.

We have reviewed Mr. Schreiber's Amended Amended Statement of Claim, and the Affidavit of Records. If this action is to proceed, our view is that Mr. Schreiber will need to file a further and better Affidavit of Records.

Below, we speak of the Statement of Claim, but in each case are referring to the Amended Amended Statement of Claim.

Referring to para. 12 of the Statement of Claim, we understand that Mr. Schreiber received some sort of notification of the Swiss authorities' request for banking records from the Swiss Union Bank. Mr. Schreiber should disclose the documents related to the notification in his Affidavit.

As you know, Mr. Schreiber is responsible to produce documents which are or were in his custody and control, which includes documents of companies which he owns or controls, or has owned or controlled. We understand that Mr. Schreiber conducted his business through several companies. Mr. Schreiber will need to produce any relevant and material documentation from these companies. Such documents would include, but not be limited to, records of contracts or understandings in principle between Mr. Schreiber's companies and such companies as MBB, Thyssen Industrie AG, Airbus Industrie, and Bear Head Manufacturing Industries BMI Inc.

This is Exhibit "A" referred to in the
Affidavit of
Joanne Romans
Sworn before me this 13th day
of July A.D. 2006
Tania Norris
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta
TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009

Canada

- 3 -

In *Germany v Schreiber*, before Mr. Justice Watt, there is reference to Mr. Schreiber's personal organizer. Documentation from the organizer which is material to this lawsuit must be produced.

Further, your client has been involved in many lawsuits related to this matter. All documentation which he or his counsel has received in these lawsuits is now within his possession or control, and must be produced in this matter. For example, Mr. Schreiber sued CBC, and should have documents produced during that lawsuit for disclosure, as well as documentation of his own related to that lawsuit which is also relevant and material to this lawsuit.

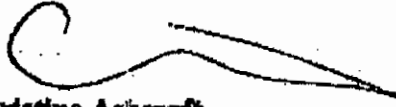
Some time has elapsed since 2003. Your client will likely have new relevant and material documentation in his possession, which should be added to his production.

Of course, we are unable to know exactly what relevant and material documents your client has in his possession or control. Clearly, however, his present Affidavit of Records is deficient.

We know you will review Mr. Schreiber's responsibilities respecting document production with him, to ensure compliance with his legal obligation to locate, gather, and produce all documents material and relevant to this matter. No doubt there are more material and relevant documents beyond what we have requested in this letter.

We look forward to receiving your filed further and better Affidavit of Records.

Yours truly,



Christine Ashcroft
Counsel

jr

Action No. 9703 20183
Sworn this 2nd day of June, 2006
Deponent: Melissa Smith

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF CANADA

Defendants

AFFIDAVIT

I, Melissa Smith, of the City of Edmonton, in the Province of Alberta, MAKE OATH AND SAY THAT:

1. I am a legal assistant with the law firm of Hladun & Company, which represents the Plaintiff in this action and as such have personal knowledge of the matters hereinafter deposed to, except where stated to be based upon information and belief.
2. I am advised by a review of the file that:
 - (a) the Statement of Claim in this action was filed on October 24, 1997;
 - (b) the Amended Statement of Claim was filed on May 25, 1998;
 - (c) an Amended Amended Statement of Claim was filed on May 4, 1999;
 - (d) the Statement of Defence of the Defendants was filed on May 25, 1998;
 - (e) on or about April 27, 2000, the Defendants provided an unfiled and unsworn Affidavit of Records, together with certain producible documents;
 - (f) Examinations for Discovery in this action proceeded on March 29, 2001, notwithstanding the absence of the Defendants' unfiled Affidavit of Records. In

particular, on March 29, 2001, Sergeant Fiegenwald, a former employee or agent of the Defendants, represented by his counsel, Gordon McKenzie of Blahop & McKenzie was examined and numerous undertakings were elicited.

- 3. I am still further advised by a review of the file that on March 1, 2006, Robert W. Hladun, counsel for the Plaintiff, wrote to counsel for the Defendants' counsel, Jim Shaw, reminding him of his continued obligation in this matter to produce relevant and producible records and requesting a sworn and filed Affidavit of Records. Attached hereto and marked as Exhibit "A" to this my Affidavit is a copy of this correspondence.
- 4. I am advised and do verily believe that to the present date, the Defendants have failed to provide a sworn and filed Affidavit of Records.
- 5. I make this Affidavit in support of an application compelling the Defendants to provide their sworn and filed Affidavit of Records and abridging the time for provision of service of same to 21 days, failing which, the Statement of Defence of the Defendants shall be struck.

SWORN before me at the City of Edmonton,)
in the Province of Alberta, this 2nd day)
of June, 2006.)

Susan M. Sauvé)
A Commissioner for Oaths in and for)
the Province of Alberta)


MELISSA SMITH

Susan M. Sauvé
My commission expires
December 8, 2007

15737

2-77605

March 1, 2006

Mr. James N. Shaw
 Department of Justice Canada
 #211, 10199 - 101 Street
 Edmonton, Alberta T5J 3Y4

Dear Sir:

**Re: Karlheinz Schreiber v. The Attorney General of Canada and
 Her Majesty the Queen in Right of Canada
 Court of Queen's Bench Action #9703 20183**

This is to advise that the Examination for Discovery of Fraser Fiegenwald will be held at 10:00 a.m. on March 8, 2006, at the office of Hladun & Company.

In preparing for the continued Examination for Discovery of Mr. Fiegenwald, I have noticed that there are still several undertakings to be delivered and a number of questions still under advisement, for which I need the Crown's position. These matters must be attended to on an urgent basis, giving me an opportunity to properly prepare for the Examination for Discovery on March 8, 2006.

I look forward to your immediate attention to these matters.

Yours truly,

HLADUN & COMPANY

*Dictated, but not read and signed
 in the writer's absence by:*

D. Kosychnik
 for ROBERT W. HLADUN, Q.C.
 RWH/dr

THIS IS EXHIBIT "A" REFERRED TO IN THE
 AFFIDAVIT OF Melissa Smith
 SWORN (OR AFFIRMED) BEFORE ME THIS

2 DAY OF June, 2006

Susan M. Sauvé
 A COMMISSIONER FOR OATHS IN AND
 FOR THE PROVINCE OF ALBERTA

Via fax 495-2964

cc: Gordon McKenzie
 Bishop & McKenzie LLP, Via fax 426-1305

Susan M. Sauvé
 My commission expires
 December 8, 2008

Action No. 9703 20183

Sworn this 2nd day of June, 2006

Deponent: Melissa Smith

**IN THE COURT OF QUEEN'S BENCH
OF ALBERTA**

JUDICIAL DISTRICT OF EDMONTON

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF
CANADA
HER MAJESTY THE QUEEN IN RIGHT
OF CANADA**

Defendants

AFFIDAVIT

ROBERT W. HLADUN, QC

Barrister & Solicitor

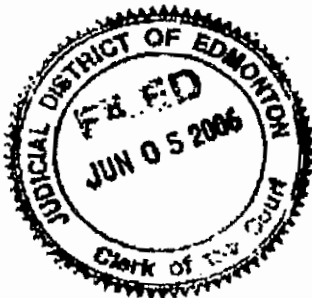
Phone No. 423.1888

File No. 15,737.1

HLADUN & COMPANY

Barristers & Solicitors

100, 10187-104 Street
Edmonton, AB T5J 0Z9



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**TAB 3 August 30, 2006 letter from Karlheinz Schreiber to the Right Honourable
Stephen Harper**

Letter provides enclosure that Mr. Schreiber forgot to send with his letter of August 23, 2006, which ECS transferred to PM Correspondence. The attachments were forwarded to PM Correspondence by ECS. The enclosure is item 2A in the binder of correspondence handled by PM Correspondence.

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **579845**

Folder

Folder ID **579845**
 From* **Mr. Schreiber, Karlheinz**
 Owner* **Prime Minister of Canada (Group)**
 Addressed To **Prime Minister of Canada**
 Classification* **ECU-General mail/SC**
 Keyword **Justice**
 Summary
 Notes **direct to file as per DS overtaken by event**
 Mail Type **Letter**
 Folder Types **(None)**
 Tracking ID* **62490161E**
 Created By **Duthie, Joseph 2006/09/08**
 Modified By **Russell, Shelly 2006/09/13**

Dates

Date Sent* **2006/08/30**
 Date Received* **2006/09/06**
 Date Due **2006/10/18**
 Date Closed **2006/09/13**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	Duthie, Joseph	2006/09/08	2006/09/08

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Reply-General/ré	Russell, Shelly	Duthie, Joseph	Closed		2006/09/08	2006/10/18	2006/09/13

Response Notes: Automatically closed by system when folder was closed.

KARLHEINZ SCHREIBER

579845

62490161

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHON: 613 748 7330
FACSIMILE: 613 748 9697
schreiberbarbel@aol.com

The Right Hon. Stephen Joseph Harper
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa August 30, 2006

Subject: "Political Justice Scandal"

Dear Prime Minister,

As an oversight I forgot to include the attachment to my letter August 23, 2006.
I include it herewith.

Document 1: Standing Committee on Justice and Human Rights December 3, 1997

The motion before the Committee: That the Standing Committee on Justice and Human Rights conduct hearings with witnesses into what was commonly called the "Airbus Scandal," to determine whether a Publicly Commissioned Inquiry should be convened.

Recorded vote: Motion negatived : Nays 8; yeas 7

Today, 8 years and 9 months later, most of the important questions remain unanswered and Canadians still do not know what happened and what terrible vendetta took place on their tax account.

The case proves again how right you were when you announced on November 30, 2005 the creation of a Director of Public Prosecutions and made reference to the Mulroney-Airbus affair as a bad example.

Document 2: Statement by the Hon. Allan Rock and the Hon. Herb Gray Regarding the Case of Brian Mulroney v. The Attorney General of Canada et al – Monday, January 6, 1997.

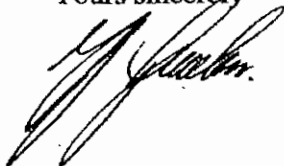
Document 3: Edited Hansard * 1420 * Number 031

Document 4: Oral Question Period Airbus Aircraft 3817, 3818 96-06-1

(Some of the documents are also in the "Political Justice Scandal" Case Books)

I apologize for any inconvenience.

Yours sincerely

A handwritten signature in black ink, appearing to be "J. Mulroney", written in a cursive style.

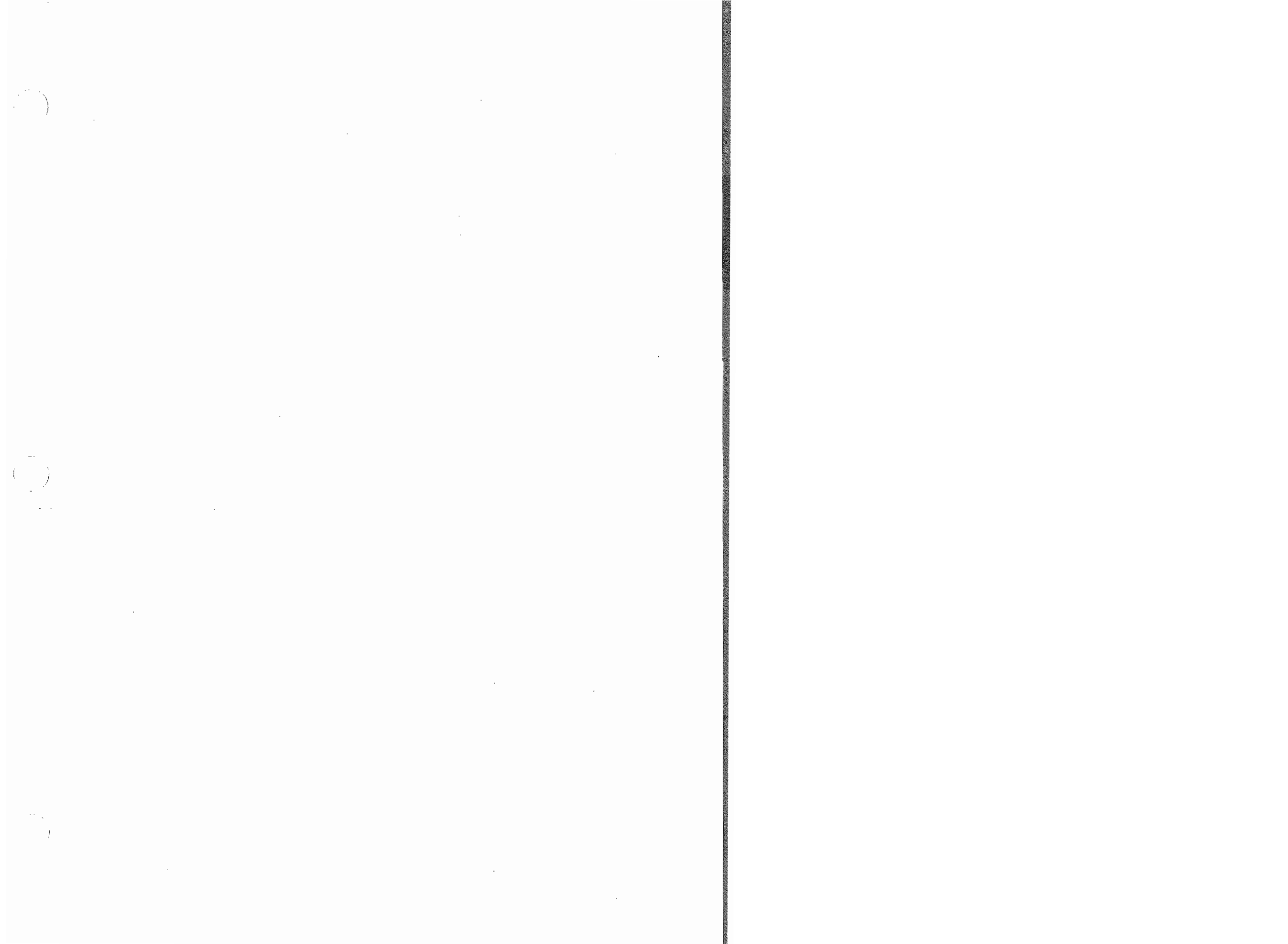
Executive Correspondence Unit
Le service de la correspondance de la haute direction

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
L'article décrit ci-dessous a été reçu avec la lettre suivante :

Tracking number 62490161E Numéro de suivi

Item Type/Type d'article	
<input type="checkbox"/> Book/Livre	<input type="checkbox"/> Pamphlet/Brochure
<input type="checkbox"/> Binder/Cartable	<input type="checkbox"/> Cassette tape/Cassette audio
<input type="checkbox"/> Poster/Affiche	<input type="checkbox"/> Cassette video/Cassette vidéo
<input type="checkbox"/> Petition/Pétition	<input type="checkbox"/> Press Release/Communiqué de presse
<input type="checkbox"/> Newspaper clipping/Article de journal	<input type="checkbox"/> Gift/Cadeau
<input type="checkbox"/> Photo/Photo	<input type="checkbox"/> School/École
<input type="checkbox"/> Magazine/Revue	<input type="checkbox"/> Other/Autre
Item Description/Description de l'article	
Various photocopied documents sent to the PM	



TAB 4 Sept. 26, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 4A Letter dated September 24, 2006 from Karlheinz Schreiber to Gilles Duceppe, Chef du Bloc Québécois
- 4B Letter dated September 25, 2006 from Karlheinz Schreiber to Hon. Stockwell Burt Day, Minister of Public Safety
- 4C "Political Justice Scandal" International Case and the "Airbus" Affair, Case Report, Ottawa, September 27, 2006 (13 pages) (DUPLICATE OF 5W)
- 4D "Political Justice Scandal" International Case, The "Airbus" Affair – Allan Rock & William Corbett (4 pages) (DUPLICATE OF 5X)

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **584702**

Folder

Folder ID **584702**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To **Prime Minister of Canada**

Classification* **ECU-General mail/SC**

Keyword **Personal**

Summary

Notes **personal legal case
direct to file as per SR**

Mail Type **Letter**

Folder Types **(None)**

Tracking ID* **62720228E**

Created By **Duthie, Joseph 2006/10/13**

Modified By **Duthie, Joseph 2006/10/13**

Dates

Date Sent* **2006/09/26**

Date Received* **2006/09/29**

Date Due **2006/11/10**

Date Closed **2006/10/13**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duthie, Joseph</u>	2006/10/13	2006/10/13

Assignments There are no Assignments.

KARLHEINZ SCHREIBER

584 702

627 20228

627 20228

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The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

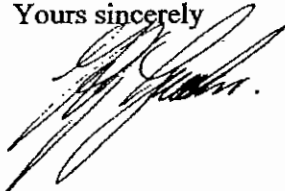
Ottawa, September 26, 2006

Subject: "Political Justice Scandal"

Dear Prime Minister,

I am taking the liberty to sending you copies of my letters September 26, 2006
to the Hon. Stockwell B. Day, P.C., M. P. Minister of Public Safety
and to Mr. Gilles Duceppe M.P., Chef du Bloc Quebecois
for your personal information.

Yours sincerely



KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

THELEPHON: 613 748 7330
FACSIMILE: 613 748 9697
schreiberbarbel@aol.com

Mr. Gilles Duceppe M. P.
Chef du Bloc Quebecois
Chambre des communes
Ottawa, On
K1A 0A6

Ottawa, September 24, 2006

Subject: "Political Justice Scandal"

Dear Mr. Duceppe,

On June 13, 1996 during Question Period regarding **Airbus Aircraft** you asked Allan Rock, then minister of Justice and Attorney General of Canada whether he advised the Prime Minister of the approaches he was planning to make to the RCMP, before he was appointed Minister of Justice and Attorney General.

It might be of interest to you to read the transcript attached after more than 10 years later, keeping in mind that the "Airbus" affair came to an end on September 11, 2006 when the Crown announced that there was going to be no appeal after two judgments have been unsuccessful.

As a matter of fact Allan Rock started a private investigation into Brian Mulroney's affairs before he became the Minister of Justice and Attorney General. He was interested about the source of the mortgage payments on Mulroney's Westmount home (William Kaplan, "Presumed Guilty").

Nobody could ever imagine that Allan Rock initiated the biggest "Political Justice Scandal" in Canadian history.

I take the liberty to provide you with the Case Report concerning the **"Political Justice Scandal"- International Case- and the "Airbus" Affair – Allan Rock & William Corbett** and two Case Books which contain evidence and substantiate the Case Report.

It is hard to believe that the RCMP, with the cooperation of the Department of Justice and Canadian politicians, cooperated in this vendetta and witch hunt.

One could think SUN TZU was the godfather of this international conspiracy.

I am convinced that Canadians from coast to coast will be shocked and scared when the truth about the "Political Justice Scandal" comes to light and Canadians begin to understand that nearly everybody could face a similar situation.

On August 23, 2006 my lawyer Robert Hladun Q.C. in Edmonton obtained an Appointment for Examination for Discovery on October 12, 2006 concerning Mr. Allan Rock in my law suite against the Attorney General of Canada.

The "Political Justice Scandal" might be of special interest to you since quite a few politicians involved come from the Province of Quebec. If you have any further questions don't hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Hladun', written in a cursive style.

Copy to The Right Hon. Stephen J. Harper
Prime Minister

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

THELEPHON: 613 748 7330
FACSIMILE: 613 748 9697
schreiberbarbel@aol.com

The Hon. Stockwell Burt Day
Minister of Public Safety

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, September 25, 2006

Subject: "Political Justice Scandal" and the RCMP

Dear Minister,

After 12 years of political intrigue and an investigative bill that run into many millions of dollars, the final curtain has gone down on the "Airbus and Eurocopter affair".

Brian Mulroney, the international industrial companies, many conservative politicians abroad and my family and I have born the brunt of the case for the past twelve years and at this point there is still no closure in sight.

Dear Minister, I am taking the liberty of sending you a copy of the Case Report on the "Political Justice Scandal" for your information.

On August 23, 2006 my lawyer in Edmonton obtained an Appointment for Examination for Discovery on October 12, 2006 concerning Allan Rock in my law suite against the Attorney General of Canada.

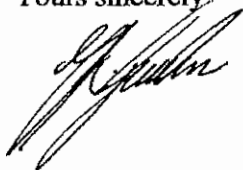
I intend to make a formal complaint to the Commission for Public Complaints Against the RCMP.

RCMP Commissioner Giuliano Zarccardelli met with the convicted Swiss criminal Georgio Pelossi in Calgary who is an informant like Stevie Cameron to the RCMP and a key figure in the political vendetta against Brian Mulroney and me.

RCMP Commissioner Giuliano Zarccardelli increased the number of RCMP officers working on the file when he took office. The Case Report will tell you what they did to us.

If you have any further questions don't hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'G. Zarccardelli', written in a cursive style.

Copy to The Right Hon. Stephen J. Harper
Prime Minister

“Political Justice Scandal” International Case And the “Airbus” Affair

Case Report

Ottawa, September 27, 2006

The case began as the “Airbus” affair. It turned quickly to become the biggest “Political Justice Scandal” in Canadian history with the most serious international implications.

The initiators of the scandal are: The Department of Justice of Canada including The Hon. Allan Rock, then the Minister of Justice and Attorney General of Canada, William Corbett Q.C. Senior General Counsel, Kimberly Prost, then the Director, International Assistance Group. The Hon. Herb Gray, then the Solicitor General of Canada, the RCMP, Stevie Cameron the confidential RCMP informant (RCMP Code A2948) and complainant and the convicted Swiss criminal Giorgio Pelossi.

The vendetta against The Right Hon. Brian Mulroney and the Canadian Conservatives started after Allan Rock met with reporter Mary Janigan on November 2, 1993 and he was having dinner with the Globe and Mail reporter Susan Delacourt on November 18, 1993. He became Minister of Justice and Attorney General on November 4, 1993.

On June 14, 1996, The Right Hon. Stephen Harper, Prime Minister, then M.P (Calgary West, Ref) during Commons Debates:

Mr. Speaker, that kind of hair-splitting could only be done by a lawyer. I am citing an article in the Toronto Sun yesterday where it says that Globe and Mail managing editor Colin MacKenzie said that Rock approached parliamentary journalist Susan Delacourt for help in his behind the scenes probe of Mulroney one or two days after he first heard about allegations from an other journalist. My question is very simple. Going back to the beginning of this affair, why was the Minister of Justice conducting his own private investigation?

When Stevie Cameron’s book *On the Take* hit the best-seller lists in 1994, Liberals in Ottawa took to calling Cameron “Stevie Wonderful”. When Solicitor Herb Gray read it, he made sure that the RCMP was reviewing it carefully, to see if any investigation was warranted.

(An article from Saturday Night, October 1, 1996: *Vicious Circle – Media's Role in the Airbus Scandal Involving Brian Mulroney* is important to read.)

A letter from the Augsburg City Tax Office (Germany) to the office of the Public Prosecutor on August 02, 1995 confirmed that the RCMP through the Canadian Embassy in Germany was, since May 24, 1995, in contact with the Senior Prosecutor Kolb and informed the authorities in Augsburg about their apparent investigation in Switzerland.

On July 24, 1995 the Augsburg tax investigators met with Giorgio Pelossi in Bregenz, Austria, to receive information on I. A. L. business. Because of the risk to be arrested Pelossi did not come to Augsburg.

On August 24, 1995 RCMP Inspector McLean, Liaison Officer Canadian Embassy Bern, Switzerland, writes to Kimberly Prost, Department of Justice, how to draft the Letter of Request to Switzerland to alleviate any problem *vis a vis* RCMP contact with a witness.

On September 6, 1995 G. Pelossi informed the tax investigators in Augsburg that Sergeant Fraser Fiegenwald and Inspector Yves Bouchard are the RCMP officers investigating in Switzerland. On September 11, 1995 the two officers met with the prosecutors in Augsburg and agreed to compare notes. (Read Cameron, *The Last Amigo*, page 260 about the illegal contact with a witness in Switzerland)

Kimberly Prost and the International Assistance Group (IAG) fabricated the Letter of Request to the Competent Legal Authority of Switzerland based on the stories from Giorgio Pelossi, without any real evidence but a lot of lies.

Giorgio Pelossi

On December 12, 1995 RCMP Inspector Gene McLean, acting as Liaison Officer at the Canadian Embassy in Bern, Switzerland informed the authorities in Ottawa that Giorgio Pelossi had a criminal record, being convicted on June 6, 1995 for a false accusation. Pelossi was sentenced on December 24, 1996 to three month detention, suspended for a two year period for embezzlement, specifically for wrongfully investing money for his own profit between 1984 and 1986.

On September 11, 1986 Pelossi was arrested by Swiss Police and detained for six month without charge. He was suspected of swindling money from a bank account belonging to someone laundering drug money for the Mafia. The prosecutor was Carla del Ponte, now Chief UN War Crimes Prosecutor. On January 22, 2000 Pelossi was arrested and detained by the police in Chicago in connection with Italian drug-trafficking charges.

The presiding Judge Maximilian Hofmeister together with 4 other judges and some prosecutors from the Augsburg Regional Court were traveling several times to Zuerich, Switzerland to examine Giorgio Pelossi. Pelossi cannot leave Switzerland because of the Italian arrest warrant against him. Switzerland will not extradite its Nationals

Stevie Cameron (RCMP CODE A 2948)

October 1994 Stevie Cameron, Confidential RCMP Informant code A2948, complainant, journalist and writer published her book: *On the Take: Crime, Corruption and Greed in the Mulroney Years.*

During the Eurocopter preliminary hearing an RCMP investigator described Cameron as a key source of information. Supt. Mathews said that two senior officers contacted her after the 1995 broadcast. They persuaded her to supply potential evidence in return for anonymity and insider information, an arrangement that recently erupted into a major legal and journalistic controversy.

In her speech at the University of Saskatchewan in February 1995 she said with respect to the allegations that Frank Moores had profited on the Airbus sale: "I talked to the Mounties about this last week in Ottawa".

As respected columnist and former NDP Member of Parliament Doug Fisher pointed out, Cameron's Saskatchewan speech created the almost irresistible inference that **"Cameron and the RCMP have both joint interests and a joint association"**.

In 2001 Steve Cameron published with the help of Harvey Cashore (producer at the fifth estate, a CBC TV program) her book: *The Last Amigo: Karlheinz Schreiber and the Anatomy of a Scandal*. The book was an orgy of lies and an exercise in mental masturbation. These books postulate that a solid base for a fraud case exists to anybody who believes Ms. Cameron's assertion that her books tell the truth.

The Crown advises the Court that informer will consent to waive privilege "for the prosecution of Brian Mulroney".

The joint interest of Cameron and the RCMP comes to light. The exchange of information helps the RCMP concerning their ill fated investigation and allows Stevie Cameron to produce income from books, her main interest besides recognition.

The book *The Last Amigo* is **The Confession of Incompetence**

The Credo of Ignorance

The Creed of Envy

MBB AND THYSSEN

Based on the information from Giorgio Pelossi and the Canadian officials, the Augsburg prosecutors were granted warrants to search the offices of MBB, Messerschmitt - Boelkow - Blohm on August 2, 1995 the offices of Thyssen - Industrie on August 14, 1995 and the offices of Bayerische Bitumen Chemie on July 25, 1995.

Bayerische Bitumen Chemie

On October 5, 1995 German police raided the company and the home of Karlheinz Schreiber, in Kaufering, Germany and seized documents. The raid was in connection with an investigation into suspected tax invasion.

The search of the offices of MBB, Bayerische Bitumen Chemie and Thyssen - Industrie disclosed unrelated matters to the accusations, which finally led to the "CDU Donation Scandal" in Germany and involved the governments of France, Saudi Arabia, Thailand, Costa Rica, Mexico, Austria, Switzerland, Liechtenstein, USA and Canada.

The Letter of Request to Switzerland

On September 29, 1995 William Corbett Q.C. Senior General Counsel of the Department of Justice authorized Kimberly Prost, Director International Assistance Group (IAG), Department of Justice Canada to send the Letter of Request for Legal Assistance to Switzerland.

Insp. McLean, RCMP Liaison Officer at the Canadian Embassy, presented the Letter of Request concerning Brian Mulroney, Frank Moores, Garry Ouellet and Karlheinz Schreiber to the appropriate authorities in Switzerland.

On October 26, 1995 Swiss officials seized the bank accounts and safety deposit boxes of Frank Moores and Karlheinz Schreiber.

International Cooperation

On April 30, 1996, Stevie Cameron, confidential RCMP informant, complainant, journalist and writer met with Senior Public Prosecutor Hillinger and Prosecutor Weigand in Augsburg, Germany. During the meeting Stevie Cameron provided documents regarding Canadian Companies of the suspect Mr. Karlheinz Schreiber, a copy of a newspaper article: *Arms and the Woman* and a copy of her book *On the Take*, which all has been placed on the file. Around the same time she met for some days with Giorgio Pelossi, the Swiss convicted criminal.

At the same month, Canadian tax officials were beginning to work together with their German counterparts. Stevie Cameron, the confidential RCMP informant reports in *The Last Amigos* at p. 285: On June 4, 1996 two Revenue Canada officers, Bruce Findlay and Guy Bigonnesse, met in Augsburg with the tax investigators Gumpendobler, Kindler and others to share intelligence. They swapped binders of confidential tax information.

The Legal Battle

On November 20, 1995 the Right Hon. Brian Mulroney filed a \$50 million lawsuit against the Canadian Government and the RCMP.

On January 9, 1997 the Government of Canada, The Hon Allan Rock, then Minister of Justice and Attorney General of Canada and Philip Murray, then Commissioner, of the RCMP have sent a letter of apology to Karlheinz Schreiber and informed him about the settlement agreement of January 5, 1997 with the Right Hon. Brian Mulroney.

Karlheinz Schreiber thought at that time- and thinks that he is proven right today- that it was a mistake to settle the lawsuit. He also believed at that time and feels the same way today that the statement by The Hon. Allan Rock and The Hon. Herb Gray, regarding the case of the *Right Hon. Brian Mulroney v. The Attorney General of Canada* on Monday, January 6, 1997 is a totally unacceptable insult and a historical lie in its dimension.

This political vendetta has cost the Canadian taxpayer millions of dollars so far and will cost much more because the case has not come to an end after 11 years and is still moving ahead, driven by the enormous fear of the individuals, responsible for the biggest "Political Justice Scandal" in Canadian history.

On January 20, 1997 Karlheinz Schreiber sent a letter to the Hon. Allan Rock, then Minister of Justice and Attorney General of Canada and to Phillip Murray, then Commissioner of the RCMP.

In his letter Karlheinz Schreiber explains, why the Minister's letter is pure nonsense and full of lies. The last paragraph no. 9 of his letter: "I recognize your apology but this matter will only be properly clarified in a courtroom. This is my understanding .I have been a judge for Commercial Law for nine years in the Court of Munich."

On January 30, 1997 Schreiber's lawyer Robert Hladun Q C., Edmonton, sent a letter to Hon .Allan Rock and Philip Murray, RCMP. Page 6 of the letter reads:

We have learned that the Swiss government still labours under the impressions created by the original Request, together with all the accusations and indictment therein that now have been shown or proven to be erroneous, false and untrue.

In the event that the Government of Canada fails to recognize the above and officially withdraw / revoke the said Request, it is the intention of Mr. Karlheinz Schreiber to seek the appropriate legal remedy before the appropriate legal forum to resolve all of those issues that have arisen since the issuance of the said Request.

Therefore, we respectfully request an immediate reply not later than seven days from the date of this letter.

Neither Mr. Hladun Q. C. nor Mr. Schreiber received an answer to their letters.

On October 24, 1997 Mr. Schreiber filed a \$35 million lawsuit against the Canadian Government.

Since the Right Hon. Brian Mulroney entered a settlement agreement with the Canadian Government, Mr. Schreiber's lawsuit is the only legal avenue, which would shed light to the unbelievable political vendetta and the biggest "Political Justice Scandal" in Canadian history.

At the same time Mr. Schreiber's lawsuit is the greatest threat to all the responsible politicians and government officials, who were or are still involved in the case. Canadians from coast to coast will be shocked and scared when the truth of the case will come to light and when it will be known what all was done by the Department of Justice to avoid the truth to be seen.

The alternative to the Schreiber lawsuit would have been a publicly commissioned inquiry as unsuccessfully requested by several M.P.'s in the House of Commons.

On December 3, 1997 Mr. Jack Ramsay M. P. (Crowfoot, Ref.) made a motion to the Standing Committee on Justice and Human Rights.

The questions he raised are still unanswered and very interesting to read. The documents in the case book contain also very important statements regarding the Brian Mulroney and Karlheinz Schreiber cases from:

Mr. Stephen Harper M.P. (Calgary West, Ref)
Messr. Gilles Duceppe M.P. (Laurier-Sainte-Marie, B.Q.)
Mr. Peter MacKay M.P. (Pictou-Antigonish-Guysborough, P.C.)
Mr Garry Breitkreuz M.P. (Yorkton-Melville, Ref.)
Messr. Michel Bellehumeur M.P. (Bertier-Montcalm, B.Q.)
Mr. Kevin Sorenson (Crowfoot, Canadian Alliance)

Mr. Breitkreuz stated: "The confidence of Canadians in their institutions and the justice system is at stake."

Today, 8 years and 7 months later Canadians still do not know what happened and what is still ongoing with the case.

Attempt to stop the Lawsuit

To avoid the disclosure of the "Political Justice Scandal" through the Schreiber lawsuit, the Justice Department and the R.C.M.P. have chosen different defence measures for their face-saving action.

1. Delay actions since 1997 regarding the lawsuit proceedings in Edmonton.
2. The MBB fraud case.
3. RCMP undercover operation.
4. The German Extradition Request for Karlheinz Schreiber

All of these activities raise one question: What have they done and try to hide under all circumstances? Why have these people acted at all costs to suppress the truth?

Mr. Schreiber is convinced that his lawyers will make sure that the secrets of the biggest "Political Justice Scandal" in Canadian history will come to light.

The lawyers dealing with this task are:

Mr. Edward L. Greenspan Q.C., LL.D., D.C.L.
The Hon. Jack Major, Q.C., LL.D.
Mr. Robert W. Hladun, Q.C.

1 Delay actions regarding the lawsuit

Since 1997 the Department of Justice has tried to delay the proceedings of the lawsuit by requesting more and more documents from Mr. Schreiber regarding business matters clearly irrelevant and not at issue. The requests are part of permanent "fishing expeditions," related to the Right Hon. Brian Mulroney. It looks like the Department of Justice wants to start a new investigation in a file the RCMP closed in April 17, 2003.

The Department of Justice failed to provide better affidavits of documents and undertakings from discovery examinations and refused to send documents to their own lawyers in Edmonton. The aim is clearly to keep the lawsuit away from the court because there is no chance to win the case, since the RCMP closed the file on the fact that there was no evidence of wrongdoing.

The main reason to keep the case away from a public trial in the courts is the fear of disclosure and personal consequences.

2 The MBB fraud case

The MBB fraud case is the only thing that was left from the accusations in the Letter of Request to Switzerland on September 29, 1995, starting the "Airbus" affair, which is the legal basis for the lawsuit.

The Attorney General of Canada, the International Assistance Group (IAG) of the Canadian Department of Justice and the R.C.M.P., who fabricated the Letter of Request need the insane MBB fraud case to claim that there is an ongoing investigation to avoid any access to information.

For the same reason the Crown appealed the ruling of Mr. Justice Paul Belanger of the Ontario Court of Justice, who has thrown out fraud charges against Eurocopter Canada Ltd. MBB's subsidiary, Messerschmitt Canada Ltd. (MCL, now known as Eurocopter Canada).

On August 9, 2006 the Ontario Superior Court of Justice dismissed the Crown's application. The Crown did not appeal the judgment. The "Airbus" affair came to an end.

On October 2002 two German executives – Kurt Pfleiderer and Heinz Pluckthun – were charged with fraud. Since Germany, like many other civilized countries- contrary to Canada- will never extradite their Nationals, the IAG and the Department of Justice could have requested the German legal authorities to prosecute the German executives with no costs for the Canadian taxpayer, as per the treaty excerpted below:

*TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY
CONCERNING EXTRADITION*

ARTICLE V

Extradition of Nationals

(3) If a request for extradition is refused only on the ground that the person claimed is a national of the requested state, that state shall, if asked to do so by the requesting state, take all possible measures in accordance with its own law to prosecute the person claimed. For this purpose, the files, documents and exhibits relating to the offence shall be transmitted to that state. All expenses incurred in connection with such prosecution shall be born by the requested state. The requesting state shall be informed of the result of the prosecution.

Why did the Canadian Department of Justice, the IAG, the Crown, and the RCMP not ask their friends in Augsburg to prosecute the MBB executives since they worked on the MBB case with them and jointly examined witnesses in Germany?

The Crown should have known that they have no case and that the Germans could never charge the MBB executives.

This is what Karlheinz Schreiber (who was for 9 years a Judge at the Regional Court 1 for commercial cases in Munich, Germany) told the Crown as the Crown's witness in the Court in Ottawa during his testimony. Justice Paul Belanger ruled that Karlheinz Schreiber was not a hostile witness as requested by the Crown, Mr. Bernstein.

The Crown never asked the Germans to prosecute the MBB executives, because they could not take the risk that a German Court would throw out their case immediately. This would badly ruin their case in Canada and constitute proof that since 1994 Canadian taxpayers' money was blown away and invested in a lot of nice international trips for Canadian officials, hunting the phantoms of Giorgio Pelossi's and Stevie Cameron's fairy tales.

What did the Crown do regarding the MBB executives? They issued arrest warrants against the two men so that they cannot leave Germany (if they do not want to end up in a jail). Is this what people around the world expect to find with Canadian principles of fundamental justice? Is this just and fair treatment to a retired man, over 70 years old, who is highly respected on the international level of the world?

Mr. Edward Greenspan, Q.C., LL.D., D.C.L. recommended: "The Canadian Government should have only International Treaties with reciprocity guarantee. The Canadian citizenship should not have a lower value than the one from other countries."

*RECIPROCITY**ARTICLE V: EXTRADITION OF NATIONALS*

(1) Neither of the Contracting Parties shall be bound to extradite its own nationals.

This sentence reads like an agreement on reciprocity but it is misleading. The truth would have been to write "(1): Germany will never extradite its nationals to Canada. Canada may extradite its nationals to Germany."

In reality: Canada will always extradite its nationals to Germany. Canada will never prosecute its nationals in Canada on the request of Germany. Germany will prosecute its nationals on the request of Canada.

What government would enjoy the support of its own Nationals by signing such an agreement? What Opposition in the House of Commons would not provide the strongest protest supported by the national media? Nevertheless, the Treaty was signed by the Liberal Government on October 11, 1977.

The preliminary hearing of the MBB fraud case was another fishing trip of the Crown hoping to find a crime involving Brian Mulroney and find help for their hopeless lawsuit with Karlheinz Schreiber in Edmonton.

3 The RCMP undercover operation

2001: During the secret court proceedings of the MBB Eurocopter case, R.C.M.P. Inspector A. K. Matthews revealed the nature of the undercover operation in an affidavit he swore to support the continuation of a seal on information contained in a search warrant. The warrant was part of a court proceeding involving allegations of commissions paid to Schreiber in the sale of helicopters to the Canadian Coastguard in the mid-1980s.

The undercover sting operation began in November 2000 in cooperation with a foreign agency and ended in September 2002. The agent was introduced through Michel Cogger, a former lawyer of Karlheinz Schreiber. The agent was an elegant man, who tried unsuccessfully to involve Karlheinz Schreiber in several different criminal activities and also establish confidence with him by bringing nice gifts like French champagne, Russian caviar, Italian wine and invitations to luxurious restaurants.

2004: Mr. Justice Edward Then holds a special inquiry to determine if he was misled by the RCMP and the Crown when they had him issue the sealing orders in the Eurocopter case. Justice Then has not yet issued his findings.

The aim was clear: Vahe Minasian, the agent, tried to get information regarding Brian Mulroney and Schreiber's business and at the same time to involve Mr. Schreiber in criminal activities which would put him into prison. All this would help the Crown's sick lawsuit in Edmonton and hopefully stop Karlheinz Schreiber to proceed with his lawsuit.

All these expensive efforts must have a very important reason. Again what have the politicians and government officials done with the "Airbus" affair and why are they so desperate and scared?

If one looks very critically at the facts he would have to agree that this case would be a good start for the Prime Minister to clean up the pile of political mire around Ottawa for a better and politically healthier environment for Canadian citizens

4 The German Extradition Request for Karlheinz Schreiber

The Extradition Request comes from the same source like the "Airbus" affair: Giorgio Pelossi, Stevie Cameron, Allan Rock, other unknown political enemies. The request was prepared in Germany with the support of Canadian government officials (IAG) International Assistance Group of the Department of Justice and the R.C.M.P., in order to find allies and support for their vendetta against the Right Hon. Brian Mulroney and other Conservative supporters like Frank Moores, Gary Ouellet and Karlheinz Schreiber. The same group had send the Letter of Request to Switzerland.

On June 22, 1999 Professor Dr Erich Samson, Mr. Schreiber's lawyer reminded chief prosecutor Mr. Nemetz in Augsburg that the accusation for tax evasion is not an offence for extradition under the treaty between Germany and Canada. The response from Mr. Nemetz was: "We are going to get Mr. Schreiber. The Canadians have a new Extradition Act in place and behind the case is a Minister, who wants Schreiber out of the country as soon as possible."

On August 31, 1999 Mr. Schreiber was arrested in Toronto based on an arrest warrant for tax evasion.

Since the arrest warrant did not satisfy the Canadian authorities, the prosecutor in Augsburg issued another arrest warrant on September 2, 1999 and added accusations of fraud, breach of trust and bribery.

From the 11th to the 15th of September 1999 and from the 4th to the 9th of October 1999 some Canadian lawyers from the IAG were in Augsburg and assisted the German prosecutor to prepare the record of the case for Mr. Schreiber's extradition from Canada. The document shows the date: October 11, 1999. The document was sent to the IAG and an authority to proceed was issued by IAG on behalf of the Minister of Justice of Canada.

The IAG is acting for the German prosecutors and at the same time for the Canadian Minister of Justice on Mr. Schreiber's Extradition case and until today on the pending lawsuit of Mr. Schreiber's against the Attorney General of Canada and the IAG.

Under the new Extradition Act, the IAG represents the greatest example of conflict of interest and abuse of power that one could ever imagine. They believe that they are a law unto themselves.

The circumstances amount to a violation of the principles of fundamental justice.

The German allies of the IAG misused the case immediately for their own political purposes and brought down the Conservative government of Chancellor Helmut Kohl in the 1998 German election. The Social Democrats with Chancellor Gerhard Schroeder set up an Investigative Committee to shed light on the CDU affair and used this vehicle until the next German Election in 2002. They defeated the Conservative CDU/CSU again and forced the German Conservatives with Chancellor Angela Merkel after the 2005 election into a great coalition with the Social Democrats, who hope to win the next election again with the use of the Schreiber extradition case and the support from the Canadian Government.

On June 30, 2005, the last day of the legislative period of the German Bundestag, the government of Chancellor Gerhard Schroeder (SPD) extended the statute of limitations on extradition. The new law, known in the German Parliament as the *Lex Schreiber* (Magazine *Spiegel* on line July 31, 2005) stipulates that the statute of limitations ceases to apply when the accused has fled abroad and extradition proceedings are under way. The prosecutors in Augsburg were afraid that the charges against Mr. Schreiber could soon be dropped because of the statute of limitations and were hoping that President Koehler will sign an amendment to the statute into law.

The law came into force on August 4, 2005 after the Deutsche Bundesrat confirmed the law on July 8, 2005.

It is the first time in German history that a new law was used after only a few days since it was proclaimed in force, to secure the extradition of a single person accused for tax evasion.

The name of the person who received his own law: Karlheinz Schreiber.

On March 9, 2006, the following article was available on the *Deutsche Presse-Agentur* website (DPA is one of the world's leading international news agencies supplying news on a global basis): *Schreiber Requests that the Supreme Court of Canada Refuse Extradition.*

In that article, the following comments were made:

...Judge Karl-Heinz Haeusler, spokesman for the Regional Court of Augsburg, told DPA after his extradition, Schreiber would have to reckon with the "full force of the law". "He is the trigger of the entire affair and has caused damage to Germany."

...Until the Schreiber case, Germany has been considered a country immune to bribery [he stated]-the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "unspeakable reality". Schreiber had done Germany a "disservice", said the court spokesman....

The statement of the judge shows the real reason for the extradition request from Germany. It has nothing to do with criminal activities; it is a pure political statement and nonsense.

The truth is: The German politicians want me to be extradited from Canada to Germany for political reasons and hope to win the next election again with the support of my case.

The truth is: The Canadian politicians and government officials involved in the case want me to be extradited to Germany to avoid the biggest "Political Justice Scandal" in Canadian history with substantial international implications and personal consequences.

The players that were responsible for the "Political Justice Scandal" are the individuals who stage-managed it and those who failed to discharge their political responsibilities by remaining silent or tolerating what went on in Canada and abroad.

The initiators: Hon. Allan Rock, Stevie Cameron, Georgio Pelossi, CBC The Fifth Estate.

Responsible yet silent: The Right Hon. Jean Chretien, The Right Hon. Paul Martin, Hon. Anne McLellan, Hon. Martin Cauchon, Hon. Irwin Cotler.

Dereliction of duty: Solicitors General: Hon. Herb Gray, Hon. Andy Scott, Hon. Lawrence MacAulay, Hon. Wayne Easter, Hon. Anne McLellan.

The Henchmen: R.C.M.P. Commissioners J.P.R.Murray and Giuliano Zaccardelli.

Karlheinz Schreiber

“Political Justice Scandal” International Case

The “Airbus” Affair – Allan Rock & William Corbett

On November 2, 1993 Reporter Mary Janigan met with Allan Rock.

At this time Allan Rock conducted a private investigation into Brian Mulroney’s affairs.

On November 4, 1993 Allan Rock became Minister of Justice until June 10, 1997.

On November 18, 1993 now the Honorable Minister of Justice and Attorney General of Canada dined with journalist Susan Delacourt and asked her whether she had heard anything about offshore accounts and Progressive Conservative wrongdoing. No, she replied, all she knew was that Stevie Cameron was writing a book and may know something. Rock then “mused” about asking the RCMP to look into various allegations, including questions about the source of the mortgage payments on Mulroney’s Westmount home.*

(On June 14, 1996 during ORAL QUESTION PERIOD in the House of Commons Mr. Stephen Harper, Calgary West, Ref. had a question for the Minister of Justice related to the “AIRBUS” affair. My question is very simple: “Going back to the beginning of this affair, why was the Minister conducting his own private investigation?”). This question remains unanswered until today.

On December 2, 1993 Allan Rock sent a letter to Herb Gray, the Solicitor General, who was responsible for the operations of the RCMP. Rock wrote:” I would like to report to you on a matter that has been brought to my attention. On November 2, 1993, Mary Janigan gave me certain information about the contracting practices of the government in office 1984-1993 that, if true, suggests serious wrongdoing and possible criminal offences. Similarly, on November 18, 1993 Susan Delacourt indicated to me that she had information on the same subject. *

With the letter Allan Rock initiated the Vendetta against Brian Mulroney and the biggest “Political Justice Scandal” in Canadian history.

On September 29, 1995 Kimberly Prost, Senior Counsel Director International Assistance Group (IAG) Department of Justice Canada has send the Letter of Request for Assistance from Canada to Switzerland in the matter of Brian Mulroney, Frank Moores, Garry Ouellet and Karlheinz Schreiber.

Fraser Fiegenwald and other officers from the RCMP together with Kimberley Prost and other officials of the IAG drafted the Letter of Request to Switzerland based on the stories from Giorgio Pelossi and Stevie Cameron, knowing that they had no real evidence at all.

(Fraser Fiegenwald confirmed the facts under oath during Examinations for Discovery with respect to the Schreiber lawsuit against the Attorney General of Canada in Edmonton AB on March 8, 2006 and in his testimony during the Preliminary Hearing in the Eurocopter legal proceedings.)

Obviously, it was not an ordinary request involving a former Prime Minister and for that reason Kimberley Prost sought guidance from her immediate supervisor William H. Corbett, Senior General Counsel, (criminal law). Corbett gave the go-ahead to the Letter of Request. He saw no need to consult his superior Daniel Bellemare, the assistant Deputy Attorney General (criminal law), or George Thomson, Deputy Minister of Justice. *

Kimberly Prost confirmed the facts under oath during Examinations for Discovery with respect to the Schreiber lawsuit against the Attorney General of Canada in Toronto on May 9, 2000.

William H. Corbett started with his decision regarding the Letter of Request the biggest "Political Justice Scandal" in Canadian history with the most serious international implications. For himself he earned the full responsibility for the letter which forced the Liberal Government of Canada into a Settlement Agreement with Brian Mulroney and letters of apologies from Allan Rock, Minister of Justice and Attorney General and Philip Murray, Commissioner, RCMP to Frank Moores and Karlheinz Schreiber.

The financial consequences for the Canadian Taxpayers are that millions of dollars have been already spent with no foreseeable ending.

The most important question remains unanswered: How could it happen that an experienced lawyer and Senior General Counsel of the Canadian Department of Justice could allow such an unprofessional letter, damaging to Canada's international reputation, to be sent to Switzerland?

(*William Kaplan: Presumed Guilty)

William Corbett was involved in the proceedings in different courts related to the Letter of Request dated September 29, 1995.

On October 24, 1997 Karlheinz Schreiber filed \$ 35 Million law suit against the Attorney General and the Canadian Government.

William H. Corbett - Affidavit

In the Federal Court of Canada, Trial Division, between Karlheinz Schreiber (Applicant) and the Attorney General of Canada (Respondent)

I, William H. Corbett, Q.C., Barrister and Solicitor, of 284 Wellington Street, in the City of Ottawa, Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

- 1. That I am a member in good standing of the Law Society of Upper Canada.**
- 2. That I have knowledge of these proceedings, and of the earlier proceedings in this Court, in the Federal Court of Appeal, and in the Supreme Court of Canada, relating to a Letter of Request dated September 29, 1995.**
- 3. That I am employed by the Department of Justice, Government of Canada, and presently occupy the position of Senior General Counsel, Criminal Law Branch, at the Departmental Headquarters in Ottawa. I have occupied this position since 1988, and report directly to the Assistant Deputy Attorney General (Criminal Law). I have personal knowledge of the matters herein set out, except where such knowledge is specifically said to be on information and belief, and where so stated I verily believe the information to be true unless the contrary is asserted .**
- 4 That as Senior General Counsel, and Manager within the Criminal Law Branch I have managerial responsibilities for the Mutual Legal Assistance work of the Department of Justice. I have been involved in this work since 1982.**
- 5. That the Departmental file relating to the aforesaid Letter of Request is one over which I have managerial control.**

These are 5 out of 9 paragraphs from the Affidavit sworn before a Notary Public in and for the Province of Ontario, Mr. Lamont on November 5, 1998.

On March 8, 1999 Cross - Examination of William Corbett Q.C. (IAG) was held in Ottawa in relation with legal proceedings in the Federal Court of Canada between Karlheinz Schreiber and the Attorney General of Canada, regarding the Letter of Request to Switzerland.

William H. Corbett Q. C.**Affidavit and Transcript from Cross-Examination**

On March 13, 1997 William H. Corbett stated under oath in an affidavit:
That as Senior General Counsel and Manager within the Criminal Law Branch I have managerial responsibilities for Mutual Legal Assistance work of the Department of Justice. I have been involved in this work since 1982 (affidavit attached).

On March 8, 1999 William H. Corbett stated under oath during cross-examination:

25. *Q: What else does your job entail?*

A: I have a similar supervisory responsibility for the Ottawa-Hull Prosecution's Group, which is responsible for all federal prosecutions in Eastern Ontario, Eastern and Northern Ontario, more particularly, Ottawa-Hull.

The group also has a network of agents throughout Eastern and Northern Ontario.

It is like a Prosecution Group in regional Office, if you are familiar with Edmonton- I have forgotten what there are now, 15 or 16 prosecutors in that unit. That unit is responsible to me as well, through a Director, if you will, or a Group Head.

We also have four other lawyers, plus myself, who deal with Supreme Court of Canada litigation all federal criminal litigation comes through this office on its way to the Supreme Court of Canada. (Transcript of the Cross-Examination attached.)



TAB 5 October 27, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 5A Letter dated October 25, 2006 from Karlheinz Schreiber to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada (13 pages)
- 5B Cover sheet to attachments to above letter.
- 5C Letter dated October 2, 2006 to Robert W. Hladun, Hladun & Company, Barristers and Solicitors from Christine A. Ashcroft, Counsel, Civil Litigation and Advisory Services, Dept of Justice Canada, enclosing Notice of Motion (Allan Rock) and supporting Affidavit
- 5D Letter dated September 7, 2006 to Christine Ashcroft from Robert W. Hladun, enclosing copy of letter dated Aug. 24, 2006 addressed to Sutts Strosberg and Appointment for Examination for Discovery served for Allan Rock.
- 5E Letter dated June 5, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1D, 2D, and 5K)
- 5F Letter dated July 31, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1A, 2 A, and 5M)
- 5G Website pages CBC Watch dated June 3, 2004, entitled: RCMP launched fraud investigation after hearing journalist Stevie Cameron on CBC Radio (printed 01/10/2006)
- 5H Website pages Dept of Justice Newsroom dated January 6, 1997, entitled: Brian Mulroney v. The Attorney General of Canada et al (printed on 28/04/2006)
- 5I Harvie Cashore and Stevie Cameron, *The Last Amigo*, pages 288 and 289.
- 5J Website pages from AMPMQ, entitled: Delisle vs. the Attorney General of Canada: A Decision of Great Importance for all RCMP Members, printed 29/09/2006
- 5K Letter dated June 5, 2006 to Robert W. Hladun from Christine Ashcroft (DUPLICATE OF 1D, 2D, and 5E)
- 5L Letter dated July 25, 2006 to Christine Ashcroft from Robert W. Hladun (DUPLICATE OF 1B AND 2B)
- 5M Letter dated July 31, 2006 from Christine Ashcroft to Robert W. Hladun (DUPLICATE OF 1A, 2 A, and 5F)
- 5N Website pages Interpol entitled: Canada has Extradition Treaties with the Following Countries (3 pages) (printed 13/10/2006)
- 5O Website pages Canada Treaty Information (16 pages) (printed 26/10/2006)
- 5P Website pages Interpol – The Canadian Central Authority (17 pages) (printed 26/10/2006)
- 5Q Website pages Interpol Ottawa (4 pages) (printed 13/10/2006)
- 5R Letter dated May 17, 2006 to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada from Edward L. Greenspan, Greenspan, White Barristers, re: Federal Republic of Germany v. Schreiber (9 pages) (DUPLICATE OF 1J)

- 5S Facsimile Transmission to Edward L. Greenspan from Lisa Anderson, Paralegal, International Assistance Group Federal Prosecution Services (IAGFPS), attaching letter dated July 28, 2006 to Edward Greenspan from Barbara Kothe, Senior Counsel (IAGFPS). Enclosure copy of a memo dated July 28, 2006 on Germany v. Karlheinz Schreiber – Extradition from Canada to Germany – Request for Reconsideration - Summary of the Case and Submissions (6 pages)
- 5T Letter dated August 10, 2006 to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada from Edward L. Greenspan, re: Federal Republic of Germany v. Schreiber
- 5U Letter dated January 20, 1997 to Honourable Allan Rock, Minister of Justice & Attorney General of Canada and to Phillip Murray, Commissioner, RCMP from Karlheinz Schreiber (4 pages) (DUPLICATE OF 1L)
- 5V Website pages Canada Treaty Information (45 pages) (printed 26/10/2006)
- 5W "Political Justice Scandal" International Case and the "Airbus" Affair, Case Report, Ottawa, September 27, 2006 (13 pages) (DUPLICATE OF 4C)
- 5X "Political Justice Scandal" International Case, The "Airbus" Affair – Allan Rock & William Corbett (4 pages) (DUPLICATE OF 4D)

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Folder ID **589563**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To **Prime Minister of Canada**

Classification* **ECU-General mail/SC**

Keyword **Justice**

Summary

Notes **Personal case - Many previous - OBE - filed**

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Tracking ID* **63040262E**

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Modified By **D'Aoust, Pierre 2006/11/15**

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Date Due **2006/12/12**

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Attachments

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KARLHEINZ SCHREIBER

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The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, October 27, 2006

**Subject: "Political Justice Scandal" and the "Airbus" affair
From Allan Rock to Irwin Cotler**

Dear Prime Minister,

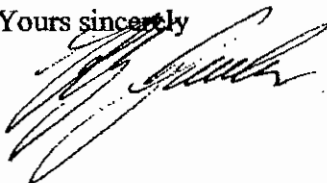
I am taking the liberty to send you a copy of my letter October 25, 2006 to the Hon. Vic Toews, P.C., M.P. Minister of Justice and Attorney General of Canada for your personal information.

Could one of your officials be so kind and check with the Minister whether he received my letter, because I believe that he is shielded by the political enemy.

Dear Prime Minister, I am sorry to bother you. You know the reason why I can only turn to you.

I thank you and wish you success in the interest of all Canadians.

Yours sincerely



KARLHEINZ SCHREIBER

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The Honourable Vic Toews, P.C., M.P.
Minister of Justice and Attorney General of Canada

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, October 25, 2006

**Subject: "Political Justice Scandal" and the "Airbus" Affair
From Allan Rock to Irwin Cotler**

Dear Mr. Minister,

I am taking the liberty to sending you copies of the

"Political Justice Scandal" Canadian Case (Binder),
"Political Justice Scandal" International Case (Binder),
"Political Justice Scandal" International Case and the "Airbus" Affair, Case Report
(attachment tab18),
"Political Justice Scandal" International Case the "Airbus" Affair – Allan Rock &
William Corbett (attachment tab19)
for your personal political information.

On May 17, 2006 and on August 10, 2006 my lawyer Edward Greenspan Q.C.,
LL. D. sent letters and submissions to you concerning the political aspects of my
extradition case, including his submissions to the then Minister of Justice and Attorney
General of Canada, Irwin Cotler together with the Minister's decision for surrender.

Since your decision in my case is of highly important political nature in Canada
and Germany, I feel strongly that I have an obligation and a right to give to you my views
of the story and the scandal. Let me tell you why:

All my life I was and I am a Conservative on an international level.
 The conservative Governments of the Province of Bavaria, Germany with Premier Franz Josef Strauss (Chairman of the CSU) and the conservative Government of the Province of Alberta, Canada with Premier Peter Lougheed made me come to Canada in 1974.

On September 2, 1978 I became a Canadian landed immigrant.
On February 23, 1982 I became a Canadian Citizen.

As requested I brought jobs and substantial amounts of money to Canada.
 I felt very comfortable with my new Canadian conservative friends and was happy to provide support and financial help to them when required and became a member of the Conservative 500.

I don't want to drop names to impress you, but it might be that we share some friends or there are also people you may want to speak to.

The Hon. Dr. Hugh Horner's son, The Hon. Doug Horner, M.L.A.
 The Hon. Ken Kowalski, M.L.A.
 Rowland McFarlaness's widow Jan
 William (Bill) Skoreyko M.P.'s widow Helen and his son Alan Skoreyko
 The Hon. Dr. Horst A. Schmid
 Norman Wagner professor and University president's widow Cathy
 Rod Sykes (Major of Calgary)
 Dr. Eric Waldmann professor
 Robert Hladun, Q.C.
 The Hon. Jack Major, Q.C., LL.D.
 Lee Richardson, M.P.

The Right Hon. Brian Mulroney
 The Hon. Don Mazankowski
 The Hon. Elmer MacKay
 The Hon. Frank Oberle
 The Hon. Charles Mayer
 The Hon. Robert Coates
 The Hon. Frank D. Moores's widow Beth
 The Hon. Bill McKnight
 The Hon. Paul Dick
 The Hon. Sinclair Stevens
 The Hon. John M. Buchanan
 The Hon. Don W. Cameron
 The Hon. Peter MacKay, M. P.

The Hon. Jean Charest
 The Hon. Benoit Bouchard
 The Hon. Marcell Masse
 The Hon. Monique Vezina
 The Hon. Jean Corbeil
 The Hon. Michel Cogger
 Mr. Fred Doucet
 Mr. Gerry Doucet
 Mr. Garry Ouelett's widow Renee

Lieutenant -- General J.E. Vance CMM, CD, RT and Army Major Ian Read
 Major -- General G.M. Reay, Commander MBE, CD's widow Lesley
 Lieutenant- General J. A. Fox, Commander RT

The older we become the more friends we loose.

1997 LEGAL PROCEEDINGS AGAINST THE ATTORNEY GENERAL OF CANADA

Allan Rock, then the Minister of Justice and Attorney General of Canada initiated the "Airbus" affair based on talks with journalists (for all the details see the reports and the Binder Canadian Case).

On August 24, 2006 my Lawyer, Robert Hladun, Q.C. filed an appointment for Examination for Discovery concerning Allan Rock in the Court of Queen's Bench of Alberta in Edmonton.

On October 2, 2006 John H. Sims, Deputy Attorney General of Canada filed a Notice of Motion with the Court in Edmonton that he will bring an application for an order setting aside the Appointment for Examination of Allan Rock, which will start another battle all the way up to the Supreme Court of Canada. This is another chapter of the 9 year-delay tactics of the Liberal Underground Government of Canada -- the Liberal bureaucracy (attachment tab 1).

The aim is still the same: make sure that Canadians will never find out about the secrets of the "Airbus" Mulroney Vendetta and the biggest "Political Justice Scandal" in Canadian history with international political implications.

When the legal battle begun the Attorney General was with a Liberal Government, responsible for the scandal and trying everything to stop the lawsuit.

Since February 6, 2006 the situation has changed and the Attorney General of Canada is a member of the Conservative Government, but the bureaucrats are still the same.

I will send all this material and information to you in order to bring the situation to your attention. I will ask The Right Honourable Stephen Harper M.P., Prime Minister of Canada for help to make sure that it gets to you because you are shielded by those who are the target of my legal proceedings.

CANADIAN GREAT LIARS: ALLAN ROCK, HERB GRAY, STEVIE CAMERON!

CBC Watch, Thursday, June 3, 2004

RCMP launched fraud investigation after hearing journalist Stevie Cameron on CBC Radio. The Cameron interview spurred police on.

Supt. Mathews said that two senior officers contacted her after the 1995 broadcast. They persuaded her to supply potential evidence in return for anonymity and insider information, an arrangement that recently erupted into a major legal and journalistic controversy (attachment tab 2).

The arrangement paid well for Steve Cameron, not for the RCMP, not for the Minister of Justice and Attorney General of Canada, not for the Solicitor General of Canada, not for the Government of Canada, not for several governments abroad, not for Canadian international reputation, not for important international industrial companies and not for Brian Mulroney, Frank Moores, Garry Ouelett and Karlheinz Schreiber.

Stevie Cameron provided stories with the support of Giorgio Pelossi (a convicted Swiss criminal) and helped the Mounties and other Canadian officials to find reasons to travel the world for 11 years on Canadian taxpayer's money. This started the longest RCMP criminal investigation in Canadian history. It cost millions of dollars without any result.

With the insider information from the RCMP Stevie Cameron (a.k.a. "Stevie Wonderful") published her second book *On the Take: Crime, Corruption and Greed in the Mulroney Years* in October 1995 DRAMATIC NEW MATERIAL ADDED and her book *The Last Amigo: Karlheinz Schreiber and the Anatomy of a Scandal* in 2001. (See the Case Report September 27, 2006 page 3.)

The books created public support for the RCMP and the Liberal Government concerning the political vendetta against Brian Mulroney and Karlheinz Schreiber.

On January 6, 1997 in a Statement by Allan Rock and Herb Gray regarding the case with Brian Mulroney and the Settlement Agreement, Herb Gray, the then-Solicitor General of Canada pointed out:

Finally, we learned three days ago that, during the investigation, there may have been a disclosure by a member of the RCMP investigative team to an unauthorized third party outside government, about who was named in the Letter of Request.

While the Privacy Act prevents disclosure of the names of either individual involved, I can tell you that the Commissioner has already initiated a Code of Conduct investigation and he will be available to you following this press conference to discuss the details of this process (attachment tab 3).

Stevie Cameron writes in her book *The Last Amigo* on page 289:

The Privacy Act notwithstanding, within hours of the press conference's conclusion, Rock's senior staff and counsel, as well as public relations specialists hired to give him advice on how to handle the affair, were telling reporters openly that the Mountie in question was Staff Sergeant Fraser Fiegenwald and the "third party" was Stevie Cameron (attachment tab 4).

Mike Niebudek, President, Mounted Police Association of Ontario, reported: *Southam wanted to cover the disciplinary hearing of S/SGT. Fraser Fiegenwald, who was charged with two offenses under the Code of Conduct following the Airbus Affair. Judge Rutherford ruled that the section of the RCMP Act which allowed hearing in private was unconstitutional. Following this ruling, the RCMP decided to negotiate a deal with good old Fraser instead of carrying on with the disciplinary hearing. And I could go on....*

Considering all these legal battles, which cost hundreds of thousands of dollars to Canadian taxpayers, maybe we should send a copy of the Constitutional Act of 1982 to the Commissioner and to the Attorney General of Canada.

*You have to agree that it is inconceivable that the leaders of our country and of a national police force ignore this Act which takes precedence over any other legislation in our land. After all, our main mandate is to maintain the law, as says our motto. **Before insuring that the Canadian people respect the laws of our country, maybe the RCMP should set the example in its own back yard** (attachment tab 5).*

Dear Mr. Minister, do you understand what is going on with this case?

Why was Fraser Fiegenwald fired because he spoke to Stevie Cameron (the confidential RCMP informant Code A 2948) when she was entitled to insider information?

Why did Fraser Fiegenwald get a nice deal after Judge Rutherford's ruling?

Why did Herb Gray, then the Solicitor General of Canada, lie about Fraser Fiegenwald unethically speaking to Stevie Cameron when he ought to know that she was entitled to receive RCMP insider information?

Why did Allan Rock, then the Minister of Justice and Attorney General, who initiated the whole affair send people out to broadcast the untrue story on Fraser Fiegenwald and Stevie Cameron?

Why did all the individuals - from the Department of Justice, the International Assistance Group (IAG) and the RCMP - who are involved in the case, try to stop me with my lawsuit through delay, detention or extradition?

There is an explanation as long as it concerns individuals of the previous Liberal Governments, or the Canadian Underground Government - of the Liberal bureaucracy:

PLAIN FEAR!

Imagine the truth about the biggest "Political Justice Scandal" in Canadian History with all the international implications comes to light in a Canadian court.

Imagine Canadians will learn that the "Airbus" affair was nothing more than a political vendetta against Brian Mulroney and Karlheinz Schreiber is the innocent victim.

The case of **Maher Arar** shows what can happen to an innocent victim of the RCMP and the Canadian Department of Justice.

What would happen if a Judge, like Mr. Justice Dennis O'Connor, conducted an inquiry into the "Airbus" affair and the "Political Justice Scandal"? Both affairs tortured for 11 years the families of Brian Mulroney and Karlheinz Schreiber. They damaged their reputation with confidential RCMP informant Stevie Cameron's books and their skillful manipulation of the media.

On June 5, 2006 Christine Ashcroft, a lawyer of the Department of Justice, acting for the Attorney General of Canada in the lawsuit with Karlheinz Schreiber is asking in her letter for a better Affidavit of records, regarding the business of Mr. Schreiber and payments to Brian Mulroney (attachment tab 6).

On July 31, 2006 Christine Ashcroft writes in her letter: We can advise that we object to any examination of Mr. Rock (attachment tab 7).

Since this situation is not in accordance with the announcement of the Prime Minister to clean up the Government in Ottawa, it seems to be obvious that you have no knowledge about the legal proceedings in Edmonton. I hope this information is of some help to you.

THE LIBERAL GOVERNMENT AND THE EXTRADITION
OF
KARLHEINZ SCHREIBER

In 1985, I became the Chairman of Thyssen – Bearhead Industries and came to Ottawa on the request of the Canadian Government and The Right Hon. Prime Minister Brian Mulroney to create jobs in the Province of Nova Scotia and to bring success to the USA–Canadian Defense Production Sharing Agreement.

For eight years I worked on the project. I learned, through bitter experience, that the Liberal bureaucracy in Ottawa with Paul Tellier, Bob Fowler and the support of Joe Clark undermined the policies of the Government of Brian Mulroney everywhere. What I did find were lies, frauds, conspiracy, greed, ignorance, arrogance, disappointment and great sadness for Canada and Canadians. The failure to use the superior military products developed by Thyssen – Bearhead (especially their armoured personnel carriers) cost the lives of Canadian soldiers and for what. The only gain was to achieve the Liberal Underground Government's goal to frustrate the policies of the legitimately-elected Conservative government of Canada.

Thyssen, the Canadian soldiers, the people of Nova Scotia, Quebec and I have been misused and betrayed after Thyssen spent more than \$60 Million on the project for peacekeeping and environment – protection.

In other words, it was easy for me to make enemies with the second Canadian Government (the Liberal bureaucracy).

If Canadians will ever get to know what really happened they will be shocked from coast to coast. I am still in contact with the witnesses including four Generals of the Canadian Armed Forces and several Ministers of previous Canadian Governments.

Having this situation in mind it is easy to understand why my enemies in the spring of 1995 teamed up with the German prosecutors, Stevie Cameron the RCMP informant and Giorgio Pelossi, the Swiss convicted criminal (see the Case Report).

On April 1, 1998 R. Brettschneider, RCMP Liaison Officer at the Canadian Embassy in Bonn, Germany send a letter to the German authorities and wrote: "Canadian investigators are equally interested in having Schreiber arrested. You will be contacted immediately in the event of any information which would assist you."

Why and on what legal basis did the RCMP want Schreiber arrested? There was never a charge or an arrest warrant issued against Mr. Schreiber (the document is in the International Case binder tab 5).

From the 11th to the 15th of September 1999 and from the 4th to the 9th of October 1999 some lawyers of the Canadian Department of Justice (IAG) were in Augsburg, Germany and assisted the German prosecutors to prepare the record of the case for Mr. Schreiber's extradition from Canada (read the whole story in the Case Report). The cooperation is still working.

My lawsuit against the Liberal Attorney General of Canada is the only legal route besides a public inquiry to bring the "Political Justice Scandal" in a Canadian court to light. This is why my enemies try everything to stop my actions. Their greatest wish is to have me extradited to Germany, hoping that I will disclose matters of interest to them during a trial in court and at the same time bring the lawsuit to an end in Edmonton. (Read all the details in the Case Report, in the report on Allan Rock & William Corbett and in the binder of the Canadian Case and the International Case of the "Political Justice Scandal".)

IRWIN COTLER'S LIBERAL RESCUE ACTION

When The Hon. Irwin Cotler, then the Minister of Justice and Attorney General of Canada, signed the warrants ordering Mr. Schreiber's surrender to the Federal Republic of Germany on October 31, 2004 he wrote to my Lawyer Edward Greenspan Q.C., LL.D

VI. Conclusion

It is my opinion that none of the circumstances which you raise, either individually or cumulatively, lead to a finding that Mr. Schreiber's surrender to Germany would be "shocking or fundamentally unacceptable to our society", or that his circumstances are such that they "constitutionally vitiate an order of surrender". I have also determined that there are no other considerations that would justify ignoring Canada's obligations under the Treaty between Canada and Germany Concerning Extradition.

On page 13 of the same letter Mr. Cotler wrote: My decision on surrender is a political one which involves balancing the interests of the person sought with Canada's international obligation.

With his conclusion and decision he presents the evidence that he is either fully integrated in the cover up of the "Political Justice Scandal" initiated by Allan Rock, Stevie Cameron RCMP informant, Herb Gray and other Liberal companions or he was totally under the control of the IAG and ignorant.

It looks to me that Mr. Cotler ascribed to the same credo, as do all the other people who are involved in the "Airbus" vendetta and the "Political Justice Scandal": maintain at all costs the principle of the "Constant Lie"

There is no Canadian obligation to extradite its Nationals to Germany.

Mr. Cotler knows that Germany will never extradite one of its Nationals to Canada. The German Constitution, Article 16 (2) will not allow the extradition of its Nationals.

ARTICLE V OF THE TREATY : EXTRADITION OF NATIONALS

(1) NEITHER OF THE CONTRACTING PARTIES SHALL BE BOUND TO EXTRADITE ITS OWN NATIONALS.

The truth is: The TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING EXTRADITION applies only to individuals, who are not German Nationals.

Canada has 49 not 50 Bilateral Extradition Treaties (attachment tab 8).
15 of the Treaties entered into force during the last Centuries,
22 countries, with the highest standards of civilization and culture do not extradite their Nationals.
21 countries have reserved the rights to decide on the extradition of their Nationals. Only
7 countries extradite their Nationals. See the Treaties and the publication of the RCMP,
Interpol, the Canadian Central Authority and the IAG (attachment tab 9).

I reviewed every single Extradition Treaty which is on the list and found another huge lie: imagine the government of Canada signed 42 out of 49 Extradition Treaties without reciprocity, which is the most elementary common basis of each Treaty, and the misled members of the Canadian House of Commons ratified the Treaties (Treaty attachments tabs 15 – Germany, 16 – Finland, 17 – Korea as examples).

RCMP Interpol Ottawa published an Interpol History Report (attachment tab10).
On page 3 you will read: Assistance to the Canadian Law Community and Interpol
Member Countries - point 5:

CANADA EXTRADITES ITS NATIONALS

Dear Minister, people from around the world followed the invitation of the Canadian government and came to Canada like myself and helped to grow the country. I saw quite a few of them with tears in their eyes at the day, when they became Canadian Citizens. Don't you think that all of them expected to receive a Canadian Citizenship with quality standards other civilized countries provide for their Nationals?

**I have never seen a Government advertising the extradition of its Nationals.
I wonder what you may think when you read this.**

On May 5, 1995 the Department of Justice announced:
EXTRADITION REFORMS TABLED. The signature of Kimberly Prost (IAG) was on the document.

On June 17, 1999 the Department of Justice announced:
NEW EXTRADITION ACT COMES INTO FORCE. The signature of William Corbett (IAG) was on the document. (See the report attached "Political Justice Scandal" International Case).

The new Extradition Act reduced the jurisdiction of the Extradition Judge and increased substantially the Jurisdiction of the Minister of Justice and Attorney General.

In my case the Extradition Judge had to believe in the statements made by a German prosecutor and ignore the rulings of Liechtenstein Courts, the decisions of Liechtenstein Investigative Judges and prosecutors, the sworn affidavit of a lawyer (a previous Swiss prosecutor), the decision of the Minister of Justice in Switzerland who refused to grant legal assistance related to my case and the only statement from the so called Crown witness Giorgio Pelossi even given under oath in the Court of Augsburg: "None of the Liechtenstein companies mentioned in the accusations was incorporated for the purpose of tax evasion."

Irwin Cotler then the Minister of Justice and Attorney General of Canada had the duty to examine my case and to make a personal decision.

RCMP Interpol I - The Canadian Central Authority publication page 14:

"While the Minister relies upon advice from the IAG, he or she decides each case personally."

The Minister relies upon advice from the IAG, the officials who drafted and sent the Letter of Request to Switzerland, who are responsible for the "Political Justice Scandal," the "Airbus" affair and my lawsuit against the Attorney General of Canada.

The RCMP and the IAG officials conspire with the German prosecutors to cover up the huge problems they have with the threat of disclosure and exposure through my legal proceedings in Edmonton, knowing that they lost the lawsuit at the moment when the RCMP finally closed the files on the Brian Mulroney "Airbus" vendetta.

Let me show to you a perfect example: On Mai 17, 2006 and on August 10, 2006 my Lawyer Edward Greenspan, Q.C. sent letters to you concerning the political prejudgment of the German authorities in my case. There is no law or extradition request or charges for the introduction of political corruption in Germany. The statements of Judge Haeusler brought the truth about the political reasons of my case to light.

On March 9, 2006 the following article was available on the Deutsche Presse – Agentur website (DPA is one of the world's leading international news agencies supplying news on a global basis):

Schreiber Requests that Supreme Court of Canada Refuse Extradition.

In that article the following comments were made:

....Judge Karl Heinz Haeusler, spokesman for the Regional Court of Augsburg, told dpa that after his extradition, Schreiber would have to reckon with the "full force of the law". **"He is the trigger of the entire affair and has caused damage to Germany."**

...Until the Schreiber case, Germany had been considered a country immune to bribery [he stated] – the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "unspeakable" reality. Schreiber had done Germany a "disservice", said the Court spokesman...

(Mr. Greenspan's letters, attachments tabs 11 and 13).

The IAG officials know that the German authorities ruined my extradition case by themselves and therefore it is in their own interest to try to rescue it.

On July 28, 2006 Barbara Kothe, Senior Counsel, International Assistance Group sent a memorandum to you regarding the case, which speaks for it self (attachment 12).

On October 14, 2004 Jacqueline Palumbo, Counsel, International Assistance Group, Barbara Kothe, A/Director, International Assistance Group and William Corbett, Senior General Counsel, Criminal Law Section sent a memorandum to Irwin Cotler, then the Minister of Justice and Attorney General for Canada.

The memorandum was the basic document for the Minister's decision to surrender Mr. Schreiber. The memorandum speaks for itself (see the report "Political Justice Scandal" International Case, The "Airbus" Affair – Allan Rock & William Corbett).

The IAG, the Department of Justice and the office of the Attorney General of Canada seek to delay the legal proceedings for many more years. Their aim is to help the Liberals to cover the Brian Mulroney "Airbus" affair and the biggest "Political Justice Scandal" in Canadian history with great international political implications (see the Case Report and the "Political Justice Scandal" binders attached).

The continuation of the already lost lawsuit will just increase the amount of the already wasted Canadian taxpayer's money under your responsibility, you inherited from Allan Rock and Irwin Cotler.

How will you ever get to know what is going on if you have to rely on the advice of the IAG who are the enemies of the Canadian Conservatives in this case since 1995?

How is the continuation of this case in accord with the Conservative's federal election promise to Canadian voters to clean up government in Ottawa?

I am an expert on the tactics of the Liberal Underground Government and the often-used arguments to prevent the ministers responsible to do the right thing:

Mr. Minister, don't do this, the matter is before the court (and there it will be dragged along for the next five to ten years). Who cares about the citizens involved and the tax payer's money?

Mr. Minister, don't do this, the matter is a RCMP investigation, which we cannot jeopardize. They know what they are doing. They are our friends. Who cares when they travel for ten years to Germany, Liechtenstein, Switzerland, Italy, France, United Kingdom, United States and Mexico enjoying life in nice hotels on the account of Canadian taxpayers' money as long as they hunt Brian Mulroney and Karlheinz Schreiber and keep the Conservatives busy?

Mr. Minister, don't do this, we had already calls from the Ottawa Citizen, the CBC Fifth Estate Harvey Cashore and Stevie Cameron, you better get prepared for question hour today and tomorrow.

Dear Minister, I am certain that you have heard similar stories many times since you began your career in politics.

None of the stories applies to my case, because you have nothing to hide, you can only be interested in the clean up in the "Airbus" affair and the "Political Justice Scandal".

You are the central authority; you have the jurisdiction for the final political decision concerning my extradition.

You are the responsible Attorney General of Canada, representing the government in my legal proceedings against the previous Attorney General of Canada.

Dear Minister, all the decisions on the cases have to be made by you and nobody else. The Canadian Courts play no role concerning the political decisions. Only you have the jurisdictions and the responsibilities related to these cases.

On January 20, 1997 I sent a letter to Allan Rock, then the Minister of Justice and Attorney General of Canada and responded to his Letter of Apology to me.

I wrote:

I recognize your apology but this matter will only be properly clarified in a court room
(attachment tab 14).

Today, nine years and nine months later, I take the liberty to ask you respectfully for your support and help by reviewing my case and let me bring to light to Canadians the biggest "Political Justice Scandal" in Canadian history and to bring to an end the nightmare of this case for my family and me.

The new Extradition Act grants you the jurisdiction and the political mandate to inform the Supreme Court of Canada about your review of my case and ask the Supreme Court of Canada to put the extradition request on hold.

I believe that my request is in accordance with the Prime Minister Stephen Harper's announcement to clean up the Government in Ottawa and the need for a Director of Public Prosecutions when he referred to the Mulroney – Airbus affair.

The history of Canada proves that the Conservative governments were always interim solutions. The Liberals governed Canada most of the time. This is the success of the Liberal bureaucracy, the underground Government of Canada, which brought down the Conservative government of The Right Honourable Brian Mulroney from 211 seats in 1984 to two seats in 1993.

Dear Minister, please stop the support from the Department of Justice and the IAG in favor of the Liberal Underground Government concerning the "Airbus" Vendetta.

There is no Conservative future in Canada without a real clean up!

Yours sincerely,



Karlheinz Schreiber

Copy to The Right Honourable Stephen J. Harper, P.C., M.P.
Prime Minister

Executive Correspondence Unit
Le service de la correspondance de la haute direction

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
L'article décrit ci-dessous a été reçu avec la lettre suivante :

Tracking number 63040262E Numéro de suivi

Item Type/Type d'article	
<input type="checkbox"/> Book/Livre	<input type="checkbox"/> Pamphlet/Brochure
<input type="checkbox"/> Binder/Cartable	<input type="checkbox"/> Cassette tape/Cassette audio
<input type="checkbox"/> Poster/Affiche	<input type="checkbox"/> Cassette video/Cassette vidéo
<input type="checkbox"/> Petition/Pétition	<input type="checkbox"/> Press Release/Communiqué de presse
<input type="checkbox"/> Newspaper clipping/Article de journal	<input type="checkbox"/> Gift/Cadeau
<input type="checkbox"/> Photo/Photo	<input type="checkbox"/> School/École
<input type="checkbox"/> Magazine/Revue	<input type="checkbox"/> Other/Autre
Item Description/Description de l'article	
Political Justice Scandal	

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

The Hon. Vic Toews, P.C., M.P.
Minister of Justice and Attorney General of Canada

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, October 25, 2006

Subject: "Political Justice Scandal"

ATTACHMENTS TO THE LETTER

~~603040262~~

63040262

Original

Department of Justice
Canada

Ministère de la Justice
Canada

Edmonton Regional Office
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Bureau régional d'Edmonton
Edifice de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: christina.ashcroft@justice.gc.ca

Our File: 2-90141
Notre dossier:

Your File: 45890.1
Votre dossier:

October 2, 2006

BY FAX 424-0934

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

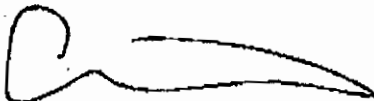
Attention: Robert W. Hladun

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

Please find enclosed for service upon you a Notice of Motion and supporting Affidavit, returnable Thursday, October 5, 2006 at 10:00 a.m. in Masters Chambers.

Yours truly,



CHRISTINE A. ASHCROFT
Counsel
Civil Litigation and Advisory Services

/s/

Enclosure

Action No. 9703 20183

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Defendants

NOTICE OF MOTION

TAKE NOTICE that The Attorney General of Canada (the "Defendant") will make an application before the presiding Master in Chambers, on October 5, 2006 at the Court House, in Edmonton, Alberta, at 10:00 a.m., or so soon thereafter as counsel may be heard, for an Order:

1. setting aside the Appointment for Examination of Allan Rock;
2. Costs of this Application in any event of the cause, payable forthwith;
3. Such further and other relief as seems just to this Honourable Court.

AND FURTHER TAKE NOTICE that in support of this application the Defendant will rely on the following:

- (a) The Appointment for Examination of Allan Rock;
- (b) The affidavit of Joanne Romans, filed.

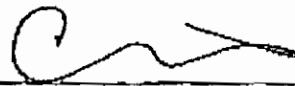
AND FURTHER TAKE NOTICE that the grounds upon which the Defendant relies in support of this application are:

1. The Plaintiff does not have the legal authority to compel Mr. Rock to attend in Alberta for discovery;
2. Further, the federal Crown is not required to submit to discovery, save for its Crown representative.
3. Such further and other grounds as counsel may advise and this Honourable Court will allow.

AND FURTHER TAKE NOTICE that the Defendant relies on the *Crown Liability and Proceedings (Provincial Court) Regulations, s. 7.*

DATED at the City of Edmonton, in the Province of Alberta, this 2 day of October, 2006.

JOHN H. SIMS
Deputy Attorney General of Canada

Per: 
CHRISTINE A. ASHCROFT
Counsel for the Defendants
Department of Justice Canada
211 Bank of Montreal Building
10199 - 101 Street
Edmonton, Alberta T5J 3Y4
Phone: (780) 495-6051
Fax: (780) 495-6300

TO: Clerk of the Court

AND TO: Robert Hladun
Counsel for the Plaintiff

Action No. 9703 20183

**IN THE COURT OF
QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

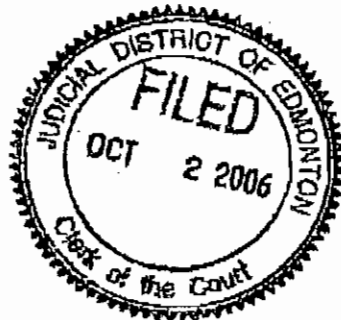
KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL
OF CANADA
HER MAJESTY THE QUEEN IN
RIGHT OF CANADA**

Defendants



NOTICE OF MOTION

Department of Justice Canada
211 Bank of Montreal Building
10199 - 101 Street
Edmonton, Alberta T5J 3Y4

Per: Christine A. Ashcroft

Phone: (780) 495-6051
Fax: (780) 495-6300

**Affidavit of Joanne Romans
Sworn this 2nd day of October, 2006
Action No. 9703 20183**

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

Defendants

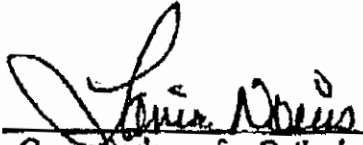
AFFIDAVIT OF JOANNE ROMANS

I, **JOANNE ROMANS**, Legal Assistant, of the City of Edmonton, in the Province of Alberta, SWEAR THAT:

1. I am employed with the Department of Justice Canada, and as such I have personal knowledge of the matters deposed to herein except where stated to be based on information and belief, and where information is so stated I verily believe the same to be true.
2. Attached to this Affidavit as Exhibit "A" is a letter received in our office on September 11, 2006 from counsel for the Plaintiff, with two attachments.


3. I make this Affidavit in support of the Defendants' Notice of Motion to set aside the Appointment for Examination of Allan Rock.

SWORN before me at the City of
Edmonton in the Province of Alberta on
2nd day of October, 2006.



Commissioner for Oaths in and for the
Province of Alberta

TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009



JOANNE ROMANS

Tel. 780.423.1888
Fax. 780.424.0934
www.hladun.com

100, 10187 - 104 Street, inquiries@hjadun.com
Edmonton Alberta
T5J 0Z9



Our File 15737
Your File 2-77605

September 7, 2006

Ms. Christine Ashcroft
Department of Justice Canada
#211, 10199 - 101 Street
Edmonton, Alberta T5J 3Y4

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

Enclosed herewith is a copy of the letter dated August 24, 2006, addressed to Sutts Strassberg LLP and Appointment for Examination for Discovery, which presumably has been served on Mr. Allan Rock to attend the Examination for Discovery.

We are of the opinion that he has relevant and cogent evidence that is discoverable, pursuant to the Alberta Rules of Court.

Yours truly,

HLADUN & COMPANY

ROBERT W. HLADUN, Q.C.
RWH/dr

Enclosures - 3
Via fax 495-6300

This is Exhibit "A" referred to in the Affidavit of
Joanne Romans
Sworn before me this 2nd day
of October, A.D., 2006

A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta
TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009

RECEIVED
SEP 11 2006
DEPARTMENT OF
JUSTICE, EDMONTON

Tel.780.424.1888
Fax.780.424.0934
www.hladun.com

100, 10137 - 104 Street, Inquiries@hladun.com
Edmonton Alberta
T5J 0Z9

**Hladun &
Company**
BARRISTERS & SOLICITORS

15,737.1

Our File

Your File

August 24, 2006

Sutts Strosberg LLP
Barristers and Solicitors
600, 251 Goyeau Street
Windsor, ON N9A 6V4

COPY

Via Registered Mail

Attn: Allan Rock, *Personal & Confidential*

Dear Sir:

Re: *Schreiber v. The Attorney General of Canada et al*

Please find attached for service upon you the following:

1. Appointment for Examination for Discovery in the aforementioned matter; and
2. conduct money in the sum of \$1,200.00.

We trust you find everything in order.

Yours truly,

HLADUN & COMPANY

ROBERT W. HLADUN, Q.C.
RWH/ma

Enclosure

**IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

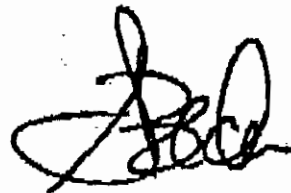
Defendants

APPOINTMENT FOR EXAMINATION FOR DISCOVERY

TAKE NOTICE that I, SHELLEY D. BECKER, a duly appointed Examiner, pursuant to Rule 204(1) of the *Alberta Rules of Court*, DO HEREBY APPOINT Thursday, October 12, 2006 at the hour of ten o'clock in the forenoon at the offices of Hladun & Company, 100, 10187 - 104 Street, Edmonton, Alberta, T5J 0Z9 as the dates, time, and place for the Examination for Discovery of **ALLAN ROCK**.

AND FURTHER TAKE NOTICE that the said **ALLAN ROCK** is hereby required to produce all books, documents and papers relating to the above action at the time of the Examination.

DATED at the City of Edmonton, in the Province of Alberta, this 23rd day of August, 2006.



SHELLEY D. BECKER, EXAMINER
COURT OF QUEEN'S BENCH OF
ALBERTA

TO: ALLAN ROCK

Action No. 9709 20183

TAKE NOTICE that you are hereby required to attend at the time and place within appointed for your Examination and to produce at such Examination all books, writings and documents of every nature and kind whatsoever in your custody or power or in the possession of your solicitors or agents containing any material touching on or relating to the matters in question in the within action.

**IN THE COURT OF QUEEN'S BENCH OF
ALBERTA JUDICIAL DISTRICT OF
EDMONTON**

BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF
CANADA**

Defendants

AND FURTHER TAKE NOTICE that if you refuse or neglect to attend at the time and place appointed for your Examination, or if sworn, refuse to answer any questions properly put to you, or refuse to produce any document which you are bound to produce, you may be guilty of contempt of Court and proceedings may be had against you by attachment and your action may be dismissed.

**APPOINTMENT FOR EXAMINATION FOR
DISCOVERY**

**ROBERT W. HLADUN, QC
Barrister & Solicitor
Phone No. 423.1888**

File No. 15,737.1

HLADUN & COMPANY

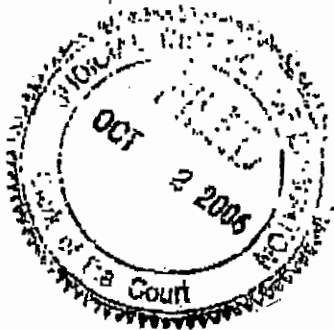
Barristers & Solicitors

**100, 10187-104 Street
Edmonton, AB T5J 0Z9**



**Affidavit of Joanne Romans
Sworn this 2nd day of October, 2006
Action No. 9703 20183**

**IN THE COURT OF
QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF EDMONTON**



BETWEEN:

KARLHEINZ SCHREIBER

Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA
HER MAJESTY THE QUEEN IN RIGHT OF
CANADA**

Defendants

AFFIDAVIT OF JOANNE ROMANS

Department of Justice Canada
211 Bank of Montreal Building
10199 - 101 Street
Edmonton, AB T5J 3Y4

Per: Christine A. Ashcroft

Phone: (780) 495-6051
Fax: (780) 495-6300

Canada

Canada

Edmonton Office
Prairie Region
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
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Bureau d'Edmonton
Région des Prairies
Edifice de la Banque de Montreal
311 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300
Internet: cashcrof@justice.gc.ca
Our File: 2-77605
Notre dossier:
Your File:
Votre dossier:

June 5, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

I am assisting Jim Shaw with this file.

I understand that you have asked us to produce our documents.

We have reviewed Mr. Schreiber's Amended Amended Statement of Claim, and the Affidavit of Records. If this action is to proceed, our view is that Mr. Schreiber will need to file a further and better Affidavit of Records.

Below, we speak of the Statement of Claim, but in each case are referring to the Amended Amended Statement of Claim.

Referring to para. 12 of the Statement of Claim, we understand that Mr. Schreiber received some sort of notification of the Swiss authorities' request for banking records from the Swiss Union Bank. Mr. Schreiber should disclose the documents related to the notification in his Affidavit.

As you know, Mr. Schreiber is responsible to produce documents which are or were in his custody and control, which includes documents of companies which he owns or controls, or has owned or controlled. We understand that Mr. Schreiber conducted his business through several companies. Mr. Schreiber will need to produce any relevant and material documentation from these companies. Such documents would include, but not be limited to, records of contracts or understandings in principle between Mr. Schreiber's companies and such companies as MBB, Thyssen Industrie AG, Airbus Industrie, and Bear Head Manufacturing Industries BMI Inc.

This is Exhibit "A" referred to in the Affidavit of Joanne Romans

Sworn before me this 13th day of July A.D., 2006

Tania Norris
A Notary Public, A Commissioner for Oaths
in and for the Province of Alberta

TANIA NORRIS
Commissioner of Oaths
My Commission Expires
May 30, 2009

Documents held by Mr. Schreiber's lawyers or ex-lawyers remain within Mr. Schreiber's possession or control, and therefore Mr. Schreiber should produce non-privileged documents relevant to this matter which are in the possession of Mr. Schreiber's lawyers or ex-lawyers, including Peter Widmer.

Referring to para. 12 of the Statement of Claim, Mr. Schreiber should have banking records which relate to this matter. Such documents would include banking records from Verwaltungs-Und Private Bank in Vaduz, Liechtenstein. Banking records of companies controlled by Mr. Schreiber which relate to the allegations in the Statements of Claim and Defence are also relevant to this matter.

The documents would also include bank documents showing payments from MBB, Thyssen, Airbus Industrie, and Bear Head Manufacturing to IAL or other companies controlled by Mr. Schreiber, and payments from companies controlled by Mr. Schreiber to persons such as Mr. Moores and Mr. Schreiber, or companies such as Consultants International Incorporated.

You have said in discoveries that the ownership of IAL was by bearer certificate. Mr. Schreiber should be able to produce the bearer certificate or advise when it left his possession. There should be other relevant IAL documents. Even if some of them are no longer in Mr. Schreiber's possession or control, they should be listed in the Affidavit.

Referring to para. 14 and 15 of the Statement of Claim, Mr. Schreiber should have a copy of the letter of apology, and his own letter to the Deputy Attorney General and the Commissioner of the RCMP, and any letter he received in response. If he has other correspondence related to his alleged efforts to obtain apologies or revisions to Crown documents, that documentation should be produced.

Referring to para. 20 of the Statement of Claim, we understand that Mr. Schreiber says that he did pay some money to Brian Mulroney. He should produce documentation related to those payments.

Referring to para. 20 of the Statement of Claim Mr. Schreiber states there was no criminal activity as set out in the Letter of Request, or at all. He has denied criminal activity. He has put all of his business dealings into issue. He has also made many public statements, or responded in books and interviews. Mr. Schreiber must inform himself of all of that and disclose all documents relating to the matter which are relevant and material to this lawsuit.

At para. 30 of the Statement of Claim, the Plaintiff alleges that he has lost economic opportunity and income. He must have documentation in relation to that claim, and he will need to produce it.

At para. 19 of the Amended Statement of Defence, we allege that Mr. Schreiber provided Mr. Mulroney with a copy of the German version of the Letter of Request. If Mr. Schreiber has or had a copy of the German version, it should be set out in his Affidavit.

- 3 -

In *Germany v Schreiber*, before Mr. Justice Watt, there is reference to Mr. Schreiber's personal organizer. Documentation from the organizer which is material to this lawsuit must be produced.

Further, your client has been involved in many lawsuits related to this matter. All documentation which he or his counsel has received in these lawsuits is now within his possession or control, and must be produced in this matter. For example, Mr. Schreiber sued CBC, and should have documents produced during that lawsuit for disclosure, as well as documentation of his own related to that lawsuit which is also relevant and material to this lawsuit.

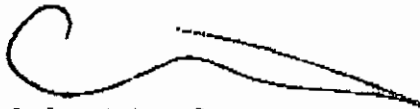
Some time has elapsed since 2003. Your client will likely have new relevant and material documentation in his possession, which should be added to his production.

Of course, we are unable to know exactly what relevant and material documents your client has in his possession or control. Clearly, however, his present Affidavit of Records is deficient.

We know you will review Mr. Schreiber's responsibilities respecting document production with him, to ensure compliance with his legal obligation to locate, gather, and produce all documents material and relevant to this matter. No doubt there are more material and relevant documents beyond what we have requested in this letter.

We look forward to receiving your filed further and better Affidavit of Records.

Yours truly,



Christine Ashcroft
Counsel

jr

Department of Justice
Canada

Ministère de la Justice
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Our File: 2-90141
Notre dossier:

Your File: 45890.1
Votre dossier:

July 31, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

Thank you for your letter requesting discovery of Mr. Allan Rock. We can advise that we object to any examination of Mr. Rock.

At common law, the Crown is not compellable at discovery. It is only through legislation that it may be compelled to discovery. Section 7 of the Regulations passed pursuant to the *Crown Liability and Proceedings Act* states that an officer or servant of the Crown may be designated for examination for discovery. The Court of Appeal has interpreted this section to mean that except for the right to examine a Crown designated officer, there is no machinery for examination for discovery as of right. See *CDIC v Prisco*, (1997) 206 A.R. 283 (C.A.)

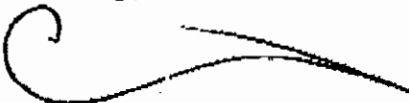
This decision was followed in *Milne and Milne v AG of Canada et al.*

Quite apart from the foregoing, there is case law regarding when a Minister may be examined. There must be special circumstances, and there must be no other person who is equally well-informed.

- 2 -

In any event, we will object to the examination of any person other than the Crown officer.

Yours truly,



CHRISTINE A. ASHCROFT
Counsel
Civil Litigation and Advisory Services

CAA/jr

CBC WATCH

RCMP launched fraud investigation after hearing journalist Stevie Cameron on CBC Radio



Submitted by Guest on Thursday, June 3, 2004 - 07:28

CBC Personalities

Cameron interview spurred police on

By KIRK MAKIN
JUSTICE REPORTER
Thursday, June 3, 2004 - Page A9

The RCMP launched a sprawling fraud investigation into the procurement of government aircraft after police heard journalist Stevie Cameron on a CBC radio program making serious accusations of high-level corruption, a senior Mountie testified yesterday.

"The investigation was commenced when she made allegations on the radio about improprieties at Airbus," said RCMP Superintendent A. K. Mathews, who directed the Airbus/Eurocopter investigation for much of its eight-year duration.

Supt. Mathews said that two senior officers contacted her after the 1995 broadcast. They persuaded her to supply potential evidence in return for anonymity and insider information, an arrangement that recently erupted into a major legal and journalistic controversy.

The RCMP and the Crown announced last winter that they could no longer provide anonymity for Ms. Cameron. They pointed to a series of public statements she made denying she enjoyed protection as a confidential informant (C.I.) and blaming the Mounties for erroneously giving the designation.

These events prompted Mr. Justice Edward Then of Ontario Superior Court to call a unique inquiry to determine whether the justice system has been besmirched by the affair.

Yesterday, Supt. Mathews systematically dismantled Ms. Cameron's account of how and why she came to have the rare designation. He was testifying at a special inquiry into her relationship with the Mounties. Far from being virtually dragooned into the role without her knowledge, he said, Ms. Cameron asserted her right to the status several times in order to prevent harm to her career.

Supt. Mathews also expressed skepticism about Ms. Cameron's stated rationale that she was only trying to protect colleagues who had supplied some of the information she passed on. He said this never came up in private talks.

He also described a day last year at her lawyer's office where the three used an overhead projector to vet numerous references to her in RCMP documents. Ms. Cameron and her lawyer, Peter Jacobsen, repeatedly insisted that any information, handwriting or fax

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- CBC Interview Bias
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- CBC Events Coverage
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numbers that might reveal her identity be blacked out in keeping with promises made, Supt. Mathews said.

Supt. Mathews said he was surprised to later hear Ms. Cameron publicly scoff at the very idea that she had been granted informant status, and stating that any journalist "should never cross that line."

Supt. Mathews said his surprise grew when Ms. Cameron then turned on her lawyer, Mr. Jacobsen, accusing him of incorrectly describing her as an informant in a 2003 letter he wrote to the Crown demanding that several further fragments of identifying information be blacked out in police documents.

Her denunciations of Mr. Jacobsen came during two emotional phone calls last January, Supt. Mathews said. "She said several times that she didn't believe she was a C.I., that she didn't accept what Peter had done, and that he was no longer her lawyer."

Supt. Mathews noted that several weeks later, the Crown received a letter from Ms. Cameron's new lawyer, Clayton Ruby, stating that she had, in fact, authorized Mr. Jacobsen to pursue the issue of anonymity. Supt. Mathews said that during their phone conversations, Ms. Cameron bemoaned the mess she had gotten herself into and pressed him for advice.

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- hey, great site by Anonymous
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Brian Mulroney v. The Attorney General of Canada et al-

Monday, January 6, 1997

Department of Justice

(Statement by The Honourable Allan Rock and The Honourable Herb Gray Regarding the Case of *Brian Mulroney v. The Attorney General of Canada et al* - Monday, January 6, 1997)

MINISTER ROCK

This morning in Montreal, Counsel for the parties in the Airbus Litigation appeared before the presiding trial judge to announce that the action had been settled.

We have now released a full text of the agreement in separate documents.

Today's agreement is, I believe, in the best interests of the Canadian Government, the Canadian Justice System and the Canadian taxpayer.

Starting last night with leaks and 'spin' about this agreement there has been a lot of comment and speculation about what is in it.

Let me start by telling Canadians what is not in the agreement:

-There is no \$50 million damages payment to Mr. Mulroney - as he has been demanding for more than a year in his law suit. In fact, Mr. Mulroney has now dropped any claim to compensation for damages.

-This agreement does not stop the RCMP's ongoing criminal investigation, into Airbus, or give anyone - including Mr. Mulroney - effective immunity from such an investigation.

-In fact, under the Agreement, it is clear that the RCMP will continue its investigation in its entirety and it is now free to carry it through to whatever conclusion is appropriate.

It is important to note that Mr. Mulroney has accepted what the Government has said all along, that the Airbus investigation was begun by the RCMP on its own, that there was no political interference, and that the Department of Justice and the RCMP, in transmitting the Letter of Request, acted within their legitimate responsibilities. Mr. Mulroney has also acknowledged that the procedure used in sending the Letter of Request in this case was the same as that followed in numerous previous Requests for Assistance under the current government and his own administration.

For our part, this settlement agreement does acknowledge that the letter of request sent to Switzerland contains some words that, taken on their own, indicated incorrectly that the RCMP had already concluded that illegal activity had occurred. The reality is that no such conclusion had been reached and, based on the evidence received to date, has still not been reached in the ongoing investigation.

The publication of language in a Letter of Request was completely unprecedented. To this day, it is not known how the newspaper that first reported the matter obtained a copy of a non-governmental summary of the document.

It should be noted that the Government and the RCMP have decided that costs are to be paid to achieve this settlement. No damages will be paid, because under the Settlement Agreement, the issue of liability was not admitted, nor pursued. The amount of the costs will be determined through arbitration. There will be no payment for items such as media management advice. The only costs that will be paid are those that were reasonably incurred in the prosecution of this action.

There is no doubt that the cost of this settlement to Canadian taxpayers will be far less than we would have spent by going on with a lengthy and complex trial.

I know a lot of people will be surprised that this case has been settled. Some will ask why Mr. Mulroney's legal costs are being paid. Let me explain.

First, my own experience as a trial lawyer tells me that there is no such thing as a sure case. There are always risks in going to trial. I have already referred to elements of risk in this case, including some of the language in the letter, and the enormous cost of a lengthy trial.

When public money is involved, we have an obligation to minimize risks. Obviously, we would have preferred not even to pay legal costs. But two events late last week convinced us that it was in the public interest to settle this case even if it meant paying legal costs to the plaintiff.

My colleague, Mr. Gray, will speak to those events and other issues:

MINISTER GRAY

There were three reasons that led the RCMP to recommend a settlement.

The first and paramount reason was to ensure the integrity of the ongoing police investigation.

Throughout the past year, consistent efforts have been made to protect the overall investigation, the identity of police sources, and the evidence itself.

The risk that these objectives might not be achieved and that, directly or indirectly, a serious precedent might be set that would damage well established police investigation policies, led to the conclusion that Mr. Mulroney's legitimate costs should be paid as a means of achieving settlement and eliminating this risk.

Secondly, the ruling of the Federal Court last Friday reinforced the very real possibility that the RCMP could be forced to disclose information obtained

during the course of its police investigation - despite its objections raised under the Canada Evidence Act.

This ruling, and other proceedings, have brought home to the RCMP the very great risk that testimony might be required that would have the effect of jeopardizing the entire investigation.

Finally, we learned three days ago that, during the investigation, there may have been a disclosure by a member of the RCMP investigative team to an unauthorized third party outside government, about who was named in the Letter of Request.

There is no indication that this alleged communication can be linked to the actual publication in the Financial Post of a non-governmental summary of the Letter of Request. I should also stress that this new element is not the cause of Mr. Mulroney's complaint against the government.

While the Privacy Act prevents disclosure of the names of either individual involved, I can tell you that the Commissioner has already initiated a Code of Conduct investigation and he will be available to you following this press conference to discuss the details of this process.

Therefore, these three reasons, the overall need to protect the investigation, the decision last Friday and the apparent disclosure, led to the RCMP decision to support settlement of this case in a manner that includes payment of Mr. Mulroney's costs.

MINISTER ROCK

One final note. For more than a decade, under this and former governments, requests for assistance have been sent by the Department of Justice on behalf of police in Canada to governments around the world. There was a presumption that the written Requests would never become public and that in keeping with the international practice, statements of wrongdoing could be made about people under investigation so that foreign authorities could quickly grasp the essence of the police theory.

We now know that the process must change and have taken steps to minimize the risk of something going wrong.

Within a month of the publication of the Request for Assistance in this case, we began to change the practice. Over the past year, the Deputy Minister has put procedures in place to minimize the risk of repetition to the greatest extent possible. In addition, we have implemented a new procedure to review the system periodically in the future to determine whether any additional changes are required.

Finally, I should point out that the efforts made by the parties to settle this case were greatly assisted by the efforts of the Honourable Alan B. Gold, who served as a facilitator through the process. I know that I speak on behalf of all parties in expressing to the Honourable Mr. Gold our thanks for his help.

And now, we would be pleased to receive any questions you might have.

Last Updated: 2005-10-20

Important Notices

Canadians' attention to the kickback allegations against him.

In the end, the lawsuit did not go forward. On Monday, January 6, 1997, Justice Minister Allan Rock and Solicitor General Herb Gray held a press conference to announce a settlement that would pay Mulroney's expenses. It would also apologize for the wording of several sentences in the letter of request, wording that suggested the Mounties had already concluded Mulroney was a criminal. However, the government had rejected Mulroney's demand for \$50 million in damages; "in fact, Mr. Mulroney has now dropped any claim to compensation for damages," said Rock.

As Rock and Gray made clear, the settlement changed nothing in the Mounties' ability to proceed with the investigation. "This agreement does not stop the RCMP's ongoing criminal investigation into Airbus, or give anyone — including Mr. Mulroney — effective immunity from such an investigation. The RCMP will continue its investigation in its entirety, and it is now free to carry it through to whatever conclusion is appropriate."

Mulroney had accepted the fact, said Rock, that "the Airbus investigation was begun by the RCMP on its own, that there was no political interference, and that the Department of Justice and the RCMP, in transmitting the letter of request, acted within their legitimate responsibilities. Mr. Mulroney has also acknowledged that the procedure used in sending the letter of request in this case was the same as that followed in numerous previous requests for assistance under the current government and his own administration."

Gray elaborated on the reasons for settling the case. One was to ensure what he called "the integrity of the ongoing police investigation" — in other words, to protect sources, evidence, and the overall inquiry. If the RCMP had to reveal its criminal evidence under questioning in Switzerland, as the Federal Court of Appeal in Ottawa had ruled three days earlier, it would endanger the RCMP's case.

Furthermore, Gray said, there may have been a leak in this case: an RCMP officer might have disclosed something to an unauthorized third party about who was named in the letter of request. Gray said the Privacy Act prohibited disclosure of the name of either the officer or the third party.

THEY WON'T GET ME

The Privacy Act notwithstanding, within hours of the press conference's conclusion, Rock's senior staff and counsel, as well as public relations specialists hired to give him advice on how to handle the affair, were telling reporters openly that the Mountie in question was Staff Sergeant Fraser Fiegenwald and the "third party" was Stevie Cameron. Cameron's response was that she had been working on the story for *Macleans*; if Fiegenwald had leaked anything of substance to her, if he had confirmed that Mulroney was a subject of investigation, she would have printed it. That was her job. But right up to the magazine's deadline, she had been unable to verify that Mulroney was the politician targeted in the letter to Switzerland.

In the aftermath of the settlement, the Airbus story faded. In the public mind, Mulroney had been exonerated. Everyone should be considered innocent until proven guilty, and on that level the government's apology had a positive effect. Casual observers could be forgiven for thinking that the investigation was for all intents and purposes at an end, or worse, that if it continued, it was only because the RCMP was bent on a senseless vendetta.

A day after the settlement announcement, Frank Moores's lawyer, Edgar Sexton, a respected Bay Street litigator (and later a judge on the Federal Court of Appeal), spoke to the *Globe and Mail* and made an astonishing declaration: his client never received any Airbus money. "[Moores] did not impede the RCMP investigation in Switzerland, and they got the information on his accounts and they've had it for several months," said Sexton. "Obviously the accounts show nothing and substantiate the position of Mr. Moores that he had nothing to do with obtaining the Airbus contract and that he got no money for it." Although Schreiber's banking records would show that Moores did receive Airbus commissions, his lawyer's comments cemented the consensus that the entire investigation was without foundation.¹

Schreiber and Moores also won apologies from the government. "Some of the language contained in the request for assistance indicates, wrongly, that the RCMP had reached conclusions that you had engaged in criminal activity," said identical letters to the two men. "The government of Canada and the RCMP fully apologize to you." The pair refused to accept the apologies. Sexton responded in a letter

REVUE ACTION	ACCUEIL AMPMQ	COMMENTAIRES	PLUG-INS	◀ table des matières
ACTION MAGAZINE	AMPMQ HOME	FEEDBACK	PLUG-INS	◀ index



Delisle vs. the Attorney General of Canada

A Decision of Great Importance for all RCMP Members



Mike Niebudek

Ottawa (MPAO) On October 7th, I had the opportunity to attend the hearing of our colleague Gaétan Delisle before the Supreme Court of Canada with our Western Region Vice-President, Rip Mills. For years now, Gaétan has fought to have access to collective bargaining, a right which is given to any other Canadian police officer. Gaétan finally had his day in court. By and large, I am satisfied with what transpired during this historic day.

Jim Duggan, attorney for the petitioner, is very gifted and, according to his arguments, knows this case very well. The attorneys for the other parties, among others Julius Gray on behalf of the Canadian Police Association, also brought up some strong arguments and made clear references.

As far as the Government's prosecutor is concerned, he seemed unsure and did not have strong arguments to counter those of his colleagues on the other side of the room.

I would like to mention the perseverance of Gaétan Delisle, president of the Association des membres de la police montée du Québec Inc. (AMPMQ). We owe to him the success of the association movement in the RCMP and I am optimistic about the ruling of the Supreme Court which will be known in a few months.

If we look closely at cases the courts have ruled on in the past few years regarding the rights of members, we have to question the validity of judicial opinions given by RCMP and Government prosecutors. Let me see, there was the Gingras Case, which defined the status of our members and resulted in the payment of the bilingual bonus. Then there was the Delisle Case, which challenged the constitutional validity of Regulation 57 of the RCMP: the Quebec Superior Court ruled in his favour and the Force now has to rewrite the Regulation which is too restrictive.



Gaétan thanking Claude Girardeau (L) et Pierre Vincent (R).

Then there was the Southam News Case, which opposed the national press agency to the

Attorney General of Canada. Southam wanted to cover the disciplinary hearing of S/Sgt. Fraser Fiegenwald, who was charged with two offenses under the Code of Conduct following the Airbus Affair. Judge Rutherford ruled that the section of the RCMP Act which allowed hearings in private was unconstitutional. Following this ruling, the RCMP decided to negotiate a deal with good old Fraser instead of carrying on with the disciplinary hearing. And I could go on...

Considering all these legal battles, which cost hundreds of thousands of dollars to Canadian taxpayers, maybe we should send a copy of the Constitutional Act of 1982 to the Commissioner and to the Attorney General of Canada.

You have to agree that it is inconceivable that the leaders of our country and of a national police force ignore this Act which takes precedence over any other legislation in our land. After all, our main mandate is to maintain the law, as says our motto. Before ensuring that the Canadian people respect the laws of our country, maybe the RCMP should set the example in its own back yard.

by Mike Niebudek, President, Mounted Police Association of Ontario

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Our File: 2-77605
Notre dossier:

Your File:
Votre dossier:

June 5, 2006

BY FAX

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Attention: Robert W. Hladun
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Canada

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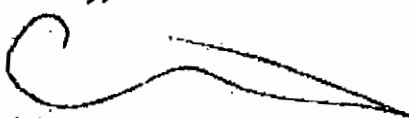
Some time has elapsed since 2003. Your client will likely have new relevant and material documentation in his possession, which should be added to his production.

Of course, we are unable to know exactly what relevant and material documents your client has in his possession or control. Clearly, however, his present Affidavit of Records is deficient.

We know you will review Mr. Schreiber's responsibilities respecting document production with him, to ensure compliance with his legal obligation to locate, gather, and produce all documents material and relevant to this matter. No doubt there are more material and relevant documents beyond what we have requested in this letter.

We look forward to receiving your filed further and better Affidavit of Records.

Yours truly,



Christine Ashcroft
Counsel

Jr

Department of Justice
Canada

Ministère de la Justice
Canada

Edmonton Regional Office
211 Bank of Montreal Bldg
10199 - 101 Street
Edmonton, Alberta
T5J 3Y4

Bureau régional d'Edmonton
Edifice de la Banque de Montréal
211 rue 101 - 10199
Edmonton, Alberta
T5J 3Y4

Telephone: (780) 495-6051
Facsimile: (780) 495-6300

Internet: cristina.ashcroft@justice.gc.ca

Our File: 2-90141
Notre dossier:

Your File: 45890.1
Votre dossier:

July 31, 2006

BY FAX

Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
EDMONTON, Alberta
T5J 0Z9

Attention: Robert W. Hladun
Fax # 424-0934

Dear Sir:

RE: Schreiber v. The Attorney General of Canada

Thank you for your letter requesting discovery of Mr. Allan Rock. We can advise that we object to any examination of Mr. Rock.

At common law, the Crown is not compellable at discovery. It is only through legislation that it may be compelled to discovery. Section 7 of the Regulations passed pursuant to the *Crown Liability and Proceedings Act* states that an officer or servant of the Crown may be designated for examination for discovery. The Court of Appeal has interpreted this section to mean that except for the right to examine a Crown designated officer, there is no machinery for examination for discovery as of right. See *CDIC v Prisco*, (1997) 206 A.R. 283 (C.A.)

This decision was followed in *Milne and Milne v AG of Canada et al.*

Quite apart from the foregoing, there is case law regarding when a Minister may be examined. There must be special circumstances, and there must be no other person who is equally well-informed.

Canada

In any event, we will object to the examination of any person other than the Crown officer.

Yours truly,



CHRISTINE A. ASHCROFT
Counsel
Civil Litigation and Advisory Services

CAA/jr



Tel.780.423.1888

Fax.780.424.0934

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100, 10199 - 101 Street

Edmonton AB T5J 3Y4

TS1072

15737
2-77605

July 25, 2006

Department of Justice Canada
211, 10199 - 101 Street
Edmonton, AB T5J 3Y4

Via Fax: 495-6300
(Original retained)

Attn: Christine Ashcroft

Dear Madam:

Re: *Karlheinz Schreiber v. The Attorney General of Canada*
Q.B. Action #9703 20183

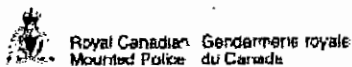
Please be advised that we have been instructed to examine for discovery Allan Rock, as a former employee of the Defendants, pursuant to Rule 200(1)(c) of the Alberta Rules of Court. Accordingly, please contact the writer's assistant to make the necessary arrangements for this examination.

Yours truly,

HLADUN & COMPANY

Signature in the writer's absence to avoid delay
ROBERT W. HLADUN, Q.C.
KPS/ms

cc: Karlheinz Schreiber - via fax



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CANADA HAS EXTRADITION TREATIES WITH THE FOLLOWING COUNTRIES

Country/Date Entered Into Force

1. Albania July 11, 1927
2. Argentina February 9, 1894
3. Austria* ** October 2, 2000
4. Belgium* March 17, 1902
5. Bolivia November 4, 1898
6. Chile August 22, 1898
7. Colombia December 16, 1899
8. Cuba May 22, 1905
9. Czechoslovakia* December 15, 1926
10. Denmark* ** February 13, 1979
11. Ecuador July 2, 1886
12. El Salvador* January 13, 1883
13. Estonia September 18, 1928
14. Finland** February 16, 1985
15. France* ** December 1, 1989
16. Germany* ** September 30, 1979
17. Greece* February 26, 1912
18. Guatemala* December 13, 1886
19. Haiti* February 21, 1876
20. Hong Kong** June 13, 1997 (Pt 1 at p.2711, Sept. 13, 1997)
21. Hungary March 30, 1874
22. Iceland July 7, 1873
23. India February 10, 1987
24. Israel December 19, 1969
25. Italy** June 27, 1985
26. Korea** February 1, 1995 (Vol. 131, No. 11-15 - March 15, 1997)
27. Latvia* September 18, 1928
28. Liberia March 23, 1894
29. Lithuania September 18, 1928
30. Luxembourg March 15, 1881

Countries extraditing their Nationals

See the Treaties most of them are with the UK

- 31 . Mexico* ** October 21, 1990
- 32. Monaco May23, 1892
- 33. Netherlands December 1, 1991
- 34. Nicaragua* August 24, 1906
- 35. Norway* October 17, 1873
- 36. Panama August 26, 1907
- 37. Paraguay July 17, 1911
- 38. Peru May 20, 1907
- 39. Philippines** November 12, 1990
- 40. Portugal* March 19, 1894
- 41 . Romania* May 21, 1894
- 42. San Marino March 19, 1900
- 43. South Africa May 4, 2001
- 44. Spain* ** August 15, 1990 (Vol . 125, No. 11, Part 1 - March 10, 1991)
- 45. Sweden* June 25, 1976
- 46. Switzerland* ** March 19, 1996 (Part 1 - December 7, 1996)
- 47. Thailand November 24, 1911
- ~~48. Tonga November 29, 1879~~ No Treaty
- 49. United States** March 22, 1976
- 50. Uruguay March 20, 1885

*Does not extradite its nationals

** Death penalty provisions

STATES OF ENTITIES DESIGNATED AS EXTRADITION PARTNERS

- 1. Antigua and Barbuda
- 2. Australia
- 3. The Bahamas
- 4. Barbados
- 5. Botswana
- 6. Costa Rica *
- 7. Ghana
- 8. Grenada
- 9. Guyana
- 10. Jamaica *
- 11 . Japan
- 12 . Lesotho
- 13 . Maldives
- 14 . Malta Northern Ireland
- 15. Mauritius
- 16. Namibia
- 17. Nauru
- 18. New Zealand
- 19. Papua New Guinea
- 20. Singapore
- 21. Solomon Islands

22. South Africa
23. St. Kitts and Nevis
24. St. Lucia
25. St. Vincent and the Grenadines
26. Swaziland
27. Trinidad and Tobago
28. Tuvalu
29. United Kingdom of Great Britain and Northern Ireland
30. Vanuatu
31. Zimbabwe

* Does not extradite its nationals

32. The International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994, established by Resolution 955 (1994) of the Security Council of the United Nations

33. The International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Law Committed in the Territory of the Former Yugoslavia since 1991, established by Resolution 827 (1993) of the Security Council of the United Nations

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Content revised: date
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Canada Treaty Information

Treaty Section

Treaty List

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Sites of Interest

105 Treaties found

Treaty between the Government of Canada and the Government of the Italian Republic concerning Extradition

Status: Signed
Party: Italy

Entry into force:

The text of the Treaty will be available when the Treaty enters into force.



Supplementary Treaty to the Treaty between Canada and the Federal Republic of Germany concerning Extradition

Status: In Force
Party: Germany (Federal Republic of)
Entry into force: 2004/10/23



Second Protocol amending the Treaty on Extradition between the Government of Canada and the Government of the United States of America

Status: In Force
Party: United States of America
Entry into force: 2003/04/30



Treaty on Extradition between the Government of Canada and the Government of Sweden

Status: In Force
Party: Sweden
Entry into force: 2001/10/30



Treaty between the Government of Canada and the Government of the Republic of South Africa on Extradition

Status: In Force
Party: South Africa
Entry into force: 2001/05/04



Extradition Treaty between the Government of Canada and the Government of the Hellenic Republic

Status: Signed
Party: Greece

Entry into force:
The text of the Treaty will be available when the Treaty enters into force.

[View Detail](#)

Treaty between the Government of Canada and the Government of the Republic of Austria on Extradition

Status: In Force
Party: Austria
Entry into force: 2000/10/01

[View Detail](#)

[View Treaty](#)

Treaty on Extradition between the Government of Canada and the Government of the Federative Republic of Brazil

Status: Signed
Party: Brazil
Entry into force:

The text of the Treaty will be available when the Treaty enters into force.

[View Detail](#)

Treaty on Extradition between Canada and the Republic of Korea

Status: In Force
Party: Korea (Republic of)
Entry into force: 1995/01/29

[View Detail](#)

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Treaty between Canada and the Swiss Confederation on Extradition

Status: In Force
Party: Switzerland
Entry into force: 1996/03/19

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Agreement between the Government of Canada and the Government of Hong Kong for the Surrender of Fugitive Offenders

Status: In Force
Party: Hong Kong
Entry into force: 1997/06/13

[View Detail](#)

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Treaty of Extradition between the Government of Canada and the Government of the United Mexican States

Status: In Force
Party: Mexico
Entry into force: 1990/10/21

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Treaty on Extradition between Canada and the Republic of the Philippines

Status: In Force
Party: Philippines
Entry into force: 1990/11/12

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Treaty between Canada and the Kingdom of the Netherlands on Extradition

Status: In Force
Party: Netherlands
Entry into force: 1991/12/01

[View Detail](#)[View Treaty](#)

Treaty of Extradition between Canada and Spain

Status: In Force
Party: Spain
Entry into force: 1990/08/15

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Extradition Treaty between the Government of Canada and the Government of the Republic of France

Status: In Force
Party: France
Entry into force: 1989/12/01

[View Detail](#)[View Treaty](#)

Protocol amending the Treaty on Extradition between the Government of Canada and the Government of the United States of America signed at Washington on December 3, 1971, as amended by an Exchange of Notes on June 28 and July 9, 1974

Status: In Force
Party: United States of America
Entry into force: 1991/11/26

[View Detail](#)[View Treaty](#)

Extradition Treaty between the Government of Canada and the Government of India

Status: In Force
Party: India
Entry into force: 1987/02/10

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Exchange of Notes between the Government of Canada and the Government of Finland amending the Extradition Treaty signed June 21, 1978

Status: In Force
Party: Finland
Entry into force: 1985/02/16

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Treaty between Canada and Italy concerning Extradition

Status: In Force
Party: Italy
Entry into force: 1985/06/27

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Exchange of Notes between the Government of Canada and the Government of Sweden constituting an Agreement amending the Extradition Treaty between Canada and Sweden

Status: Terminated
Party: Sweden
Entry into force: 1980/11/25

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Agreement between Canada and France concerning Extradition

Status: Signed
Party: France
Entry into force:

The text of the Treaty will be available when the Treaty enters into force.

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Treaty between Canada and Finland concerning Extradition

Status: In Force
Party: Finland
Entry into force: 1985/02/16

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Treaty between Canada and the Kingdom of Denmark concerning Extradition

Status: In Force
Party: Denmark
Entry into force: 1979/02/13

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Treaty between Canada and the Federal Republic of Germany concerning Extradition

Status: In Force
Party: Germany (Federal Republic of)
Entry into force: 1979/09/30

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Treaty between Canada and Sweden concerning Extradition

Status: Terminated
Party: Sweden
Entry into force: 1976/06/25

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Exchange of Notes (June 28 and July 9, 1974) between the Government of Canada and the Government of the United States of America amending the Treaty on Extradition of December 3, 1971

Status: In Force
Party: United States of America
Entry into force: 1976/03/22

[View Detail](#)

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Treaty on Extradition between the Government of Canada and the Government of the United States of America

Status: In Force
Party: United States of America
Entry into force: 1976/03/22

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Exchange of Notes amending Article 21 of the Extradition Agreement between the Government of Canada and the Government of the State of Israel

Status: In Force
Party: Israel
Entry into force: 1969/12/19

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Extradition Agreement between Canada and the Republic of Austria

Status: Terminated
Party: Austria
Entry into force: 1969/08/30

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Extradition Agreement between the Government of Canada and the Government of the State of Israel

Status: In Force
Party: Israel
Entry into force: 1969/12/19

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Supplementary Extradition Agreement between Canada and Belgium

Status: In Force
Party: Belgium
Entry into force: 1969/01/12

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Supplementary Convention to the Supplementary Convention between Her Majesty and the United States of America for the Mutual Extradition of Fugitive Criminals

Status: Terminated
Party: United States of America
Entry into force: 1952/07/11

[View Detail](#)[View Treaty](#)

Treaty for the Extradition of Criminals concluded between Canada and the United States of America

Status: Signed
Party: United States of America

Entry into force:

The text of the Treaty will be available when the Treaty enters into force.

[View Detail](#)

Notification extending to Canada as from the 20th October, 1928, the Treaty between His Majesty and Albania for the Extradition of Criminals, signed at Tirana the 22nd July, 1926

Status: In Force
Party: Albania
Entry into force: 1928/10/20

[View Detail](#)[View Treaty](#)

Notification extending to Canada as from the 19th September, 1928, the Treaty between His Majesty and Finland for the Extradition of Criminals

Status: Terminated
Party: Finland
Entry into force: 1928/09/19

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Notification extending to Canada as from the 18th September, 1928, the Convention between His Majesty and Estonia for the Extradition of Fugitive Criminals

Status: In Force
Party: Estonia
Entry into force: 1928/09/18

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Notification extending to Canada as from the 18th September, 1928, the Treaty between His Majesty and the Latvian Republic for the Extradition of Fugitive Criminals, signed at Riga the 16th July, 1924

Status: In Force
Party: Latvia
Entry into force: 1928/09/18

[View Detail](#)[View Treaty](#)

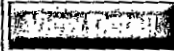
Notification extending to Canada as from the 18th September 1928, the Treaty between His Majesty and Lithuania for the Extradition of Fugitive Criminals

Status: In Force
Party: Lithuania
Entry into force: 1928/09/18

[View Detail](#)[View Treaty](#)

Notification extending to Canada as from the 15th August, 1928, the Treaty between His Majesty and Czechoslovakia, for the Extradition of Criminals signed at London the 11th November, 1924, and amended by Protocol signed at London the 4th June, 1926

Status: In Force
Party: Czechoslovakia
Entry into force: 1928/08/15



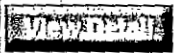
Exchange of Notes (June 28 and July 2, 1928) between His Majesty's Governments in Great Britain, Australia, New Zealand and South Africa and the Belgian Government relating to the extension, as from August 1, 1928, of the existing Extradition Conventions to certain territories under British and Belgian Mandate

Status: In Force
Party: Belgium
Entry into force: 1928/08/01



Supplementary Convention between Canada and the United States of America to provide for extradition on account of crimes or offences committed against the laws for the suppression of the traffic in narcotics

Status: Terminated
Party: United States of America
Entry into force: 1925/07/17



Exchange of Notes between the British and French Governments for the Purpose of extending the Provisions of the Extradition Treaty between Great Britain and France of August 14, 1876 and the Additional Convention of October 17, 1908, to the Mandated Territories of the Cameroons, Togoland and Tanganyika so far as Great Britain is concerned, and to those of the Cameroons and Togoland so far as France is concerned

Status: Terminated
Party: France
Entry into force: 1923/11/13



Convention between the United Kingdom and Belgium extending to the Belgian Congo and certain British Protectorates existing Extradition Conventions between the United Kingdom and Belgium

Status: In Force
Party: Belgium
Entry into force: 1924/02/01



Supplementary Extradition Convention between His Majesty and the United States of America

Status: Terminated
Party: United States of America
Entry into force: 1922/11/03

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Extradition Convention between the Great Britain and the United States of America supplementary to the Extradition Conventions of the 12th July 1889, 13th December 1900 and 12th April 1905

Status: Terminated
Party: United States of America
Entry into force:

[View Detail](#)

Additional Protocol of the Treaty of Extradition between Great Britain and Guatemala

Status: In Force
Party: Guatemala
Entry into force: 1914/05/30

[View Detail](#)

[View Treaty](#)

Treaty between the United Kingdom and Siam respecting the Extradition of Fugitive Criminals

Status: In Force
Party: Thailand
Entry into force: 1911/11/24

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Convention between the United Kingdom and Belgium amending Article 6 of the Extradition Treaty of October 29, 1901

Status: In Force
Party: Belgium
Entry into force: 1911/08/25

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Treaty between the United Kingdom and Greece for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Greece
Entry into force: 1912/02/26

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Agreement between the United Kingdom and France applying to Tunis the Supplementary Extradition Convention of October 17, 1908

Status: Terminated
Party: France
Entry into force:

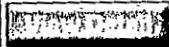
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Convention between the United Kingdom and France modifying Article II of the Extradition Treaty of August 14, 1876

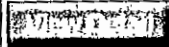
Status: Terminated
Party: France

Entry into force:



Treaty between the United Kingdom and Paraguay for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Paraguay
Entry into force: 1911/07/17



Supplementary Agreement between the United Kingdom and Sweden for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Sweden
Entry into force: 1907/07/02



Convention between the United Kingdom and Belgium amending Article XIV of the Treaty of Extradition October 29, 1901

Status: In Force
Party: Belgium
Entry into force: 1907/07/19



Supplementary Agreement between Great Britain and Norway respecting the mutual Surrender of Fugitive Criminals

Status: In Force
Party: Norway
Entry into force: 1907/02/18



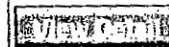
Treaty between the United Kingdom and Panama for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Panama
Entry into force: 1907/08/26



Treaty between Great Britain and Nicaragua for the Mutual Extradition of Fugitive Criminals

Status: In Force
Party: Nicaragua
Entry into force: 1906/05/25



Supplementary Convention between His Majesty and the United States of America for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: United States of America
Entry into force: 1907/02/22

[View Detail](#)

[View Treaty](#)

Treaty between the United Kingdom and Cuba for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Cuba
Entry into force: 1905/05/22

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Supplementary Extradition Convention between Great Britain and Switzerland

Status: Terminated
Party: Switzerland
Entry into force: 1905/03/29

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Treaty between the United Kingdom and Peru for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Peru
Entry into force: 1907/05/20

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Treaty between the United Kingdom and Belgium for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Belgium
Entry into force: 1902/03/17

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Declaration amending Article XI of the Treaty between Great Britain and Austria-Hungary, of December 3, 1873, for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Austria
Entry into force: 1902/10/06

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Declaration amending Article XI of the Treaty between Great Britain and Austria-Hungary, of December 3, 1873, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Hungary
Entry into force: 1902/10/06

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Supplementary Convention between Her Majesty and the United States of America for the Mutual Extradition of Fugitive Criminals (enlarging list of crimes)

Status: Terminated
Party: United States of America
Entry into force: 1901/07/13

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Treaty between the United Kingdom and Servia for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Yugoslavia
Entry into force: 1901/08/13

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Treaty between Great Britain and the Republic of San Marino, for the Mutual Extradition of Fugitive Criminals

Status: In Force
Party: San Marino
Entry into force: 1900/03/19

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Treaty between Great Britain and the Netherlands for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Netherlands
Entry into force: 1899/03/14

[View Detail](#)

Treaty between the United Kingdom and Chile for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Chile
Entry into force: 1898/08/22

[View Detail](#)

[View Treaty](#)

Convention between the United Kingdom and France amending Articles VII and IX of the Extradition Treaty of the 14th August 1876

Status: Terminated
Party: France
Entry into force: 1896/03/06

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[View Treaty](#)

Protocol explanatory of Paragraph 21 of Article II of the Treaty of Extradition between Great Britain and Roumania

Status: In Force
Party: Romania
Entry into force: 1894/03/13

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Treaty between Great Britain and Roumania for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Romania
Entry into force: 1894/05/21

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Treaty between Great Britain and Liberia for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Liberia
Entry into force: 1894/03/23

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Treaty between Great Britain and Portugal for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Portugal
Entry into force: 1894/03/19

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Treaty between Great Britain and Bolivia, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Bolivia
Entry into force: 1898/11/04

[View Detail](#)[View Treaty](#)

Treaty between Great Britain and Monaco for the Extradition of Criminals

Status: In Force
Party: Monaco
Entry into force: 1882/05/23

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Protocol between Great Britain and Uruguay, amending the Treaty of March 26, 1884, for the Mutual Extradition of Fugitive Criminals (Term of Provisional Arrest)

Status: In Force
Party: Uruguay
Entry into force: 1891/12/07

[View Detail](#)[View Treaty](#)

Arrangement between Great Britain and France, extending to Tunis the provisions of the Extradition Treaty between Great Britain and France of August 14, 1876

Status: Terminated
Party: France

Entry into force: 1889/12/31

[View Detail](#)

Supplementary Convention between Her Majesty and the United States of America for the Extradition of Criminals

Status: Terminated
Party: United States of America
Entry into force: 1890/04/04

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Treaty between Great Britain and the Argentine Republic for the Mutual Extradition of Fugitive Criminals

Status: In Force
Party: Argentina
Entry into force: 1894/02/09

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Declaration between Great Britain and Spain, amending the Treaty of the 4th June, 1878, for the Extradition of Fugitive Criminals

Status: Terminated
Party: Spain
Entry into force: 1889/06/10

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Treaty between Great Britain and Colombia for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Colombia
Entry into force: 1899/12/16

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Treaty between Great Britain and Russia, for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Russian Federation
Entry into force:

[View Detail](#)

Treaty between Great Britain and Mexico for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Mexico
Entry into force: 1889/04/19

[View Detail](#)

Treaty between Great Britain and Guatemala, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Guatemala
Entry into force: 1886/12/13

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[View Treaty](#)

Treaty between Great Britain and the Oriental Republic of the Uruguay, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Uruguay
Entry into force: 1885/03/20

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Treaty between Great Britain and Salvador for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: El Salvador
Entry into force: 1883/01/13

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Treaty between Great Britain and Switzerland for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Switzerland
Entry into force:

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Treaty between Great Britain and Luxemburg for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Luxembourg
Entry into force: 1881/03/15

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Treaty between Great Britain and the Republic of the Equator, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Ecuador
Entry into force: 1886/07/02

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Treaty between the United Kingdom and Spain for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Spain
Entry into force: 1878/12/09

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Treaty between the United Kingdom and France for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: France
Entry into force: 1878/05/31

[View Detail](#)

[View Treaty](#)

Treaty between Great Britain and Haiti for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Haiti
Entry into force: 1876/02/21

[View Detail](#)

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Treaty between Great Britain and Honduras, for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Honduras
Entry into force:

[View Detail](#)

Treaty between Great Britain and Austria, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Hungary
Entry into force: 1874/03/30

[View Detail](#)

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Treaty between Great Britain and Austria, for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Austria
Entry into force: 1874/03/30

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Treaty between Great Britain and Sweden and Norway for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Norway
Entry into force: 1873/10/17

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Treaty between Great Britain and Sweden and Norway for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Sweden
Entry into force: 1873/10/17

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Declaration rectifying an error in Article XVIII of the Treaty between Her Majesty and the King of Italy of the 5th February, 1873 for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Italy
Entry into force: 1873/05/07

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Treaty between Great Britain and Denmark, for the Mutual Surrender of Fugitive Criminals

Status: In Force
Party: Iceland
Entry into force: 1873/07/07

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Treaty between Great Britain and Denmark, for the Mutual Surrender of Criminals

Status: Terminated
Party: Denmark
Entry into force: 1873/07/07

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Treaty between Great Britain and Italy for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Italy
Entry into force: 1873/04/11

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Treaty between Great Britain and Brazil, for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Brazil
Entry into force: 1873/08/28

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Treaty between Great Britain and Germany for the Mutual Surrender of Fugitive Criminals

Status: Terminated
Party: Germany
Entry into force: 1872/07/08

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Interpol

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The Minister of Justice is the central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*. The International Assistance Group (IAG), which is part of the Federal Prosecution Service at the Headquarters of the Department of Justice in Ottawa, was established to carry out the functions assigned to the Minister of Justice as central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act* and to provide advice to the Minister on his/her responsibilities under these statutes.

The IAG reviews and coordinates extradition and mutual legal assistance requests made to Canada, as well as those made by Canada to other countries. It deals only with requests for assistance in criminal matters. The IAG also has the additional mandate to develop and advise on policy in the area of bilateral treaties and multilateral conventions concerning extradition and mutual legal assistance.

Under the authority of the Assistant Deputy Attorney General (Criminal Law), the IAG is responsible for the development of operational policy in the area of extradition and mutual legal assistance, in consultation with other branches of the Department of Justice and other interested government departments. As well, the IAG participates in the negotiation of extradition and mutual legal assistance agreements and provides consultative advice, to the requesting state if necessary, with respect to the preparation of requests for assistance and extradition to Canada.

The IAG also has established linkages with the International Criminal Tribunals concerned with the prosecution of persons responsible for violations of international law in Rwanda and the former Yugoslavia, and also with the International Criminal Court. Finally, the IAG also carries out, *inter alia*, the following duties: coordinates and/or supports the provision of Canadian viva voce evidence at foreign trials in other countries, coordinates and provides operational policy advice and support for Canada's participation in international bodies involved in criminal law policy with operational consequences, training

for investigators and prosecutors working in the specialized areas of extradition and mutual legal assistance, both inside and outside Canada and providing operational and legal advice to other sections of the Department of Justice on issues which have some link to the work of the IAG.

On a day-to-day basis, the IAG helps Canadian and foreign authorities to gather evidence for criminal cases or to obtain the extradition of a person sought. Legal counsel within the IAG are knowledgeable in the field of extradition and mutual legal assistance and are familiar with the roles and responsibilities of key personnel in the Department of Justice, the Government of Canada, and other concerned institutions and agencies. When crime crosses national boundaries, the IAG facilitates cooperation with Canada's international counterparts in law enforcement.

The International Assistance Group may be reached at:

The International Assistance Group
Department of Justice
239 Wellington Street
Ottawa, Ontario
K1A 0H8
Telephone: (613) 957-4832
Facsimile: (613) 957-8412
E-mail : Cdncentralauthority@justice.gc.ca

CANADA

II - Legal framework

1. Bilateral and multilateral instruments linking Canada to its partners and Interpol Member Countries in the field of international co-operation.

Appendix A contains a list of Canada's bilateral mutual legal assistance treaties, Canada's bilateral extradition treaties, and a list of the multilateral conventions containing mutual legal assistance and extradition provisions, in force, for Canada.

2. General framework for judicial co-operation

Mutual Legal Assistance

The *Mutual Legal Assistance in Criminal Matters Act* is Canada's domestic legislation for implementing its mutual legal assistance treaties in criminal matters. This Act may only be applied in relation to requests submitted to Canada under a treaty, multilateral convention, administrative arrangement or designation. The Act gives Canadian courts the power to issue compulsory measures in Canada to gather evidence for a criminal investigation or

prosecution in a foreign state or entity or to locate a person who is suspected of having committed an offence on the basis of a request made under a treaty; convention, special arrangement or designation. The legislation permits assistance to be rendered at any stage of a criminal matter, from investigation to appeal.

Extradition

On June 17, 1999 a new *Extradition Act* came into force for Canada. The new Act provides a comprehensive and modern scheme of extradition which is applicable to all requests for extradition made to Canada.

The new *Extradition Act* provides that if certain preconditions are met a person may be extradited for one or more of three purposes:

- For the purpose of prosecution;
- For the purpose of imposing a sentence on the person; or
- For the purpose of enforcing a sentence already imposed on the person.

Canada's assistance under the new Act may be engaged on the basis of:

- An extradition agreement between Canada and the state or entity making the request. A copy of Canada's bilateral extradition treaties is contained in Appendix A;
- A multilateral agreement to which both Canada and the requesting party are signatories and which contains a provision on extradition. A list of the multilateral conventions containing extradition provisions, in force, for Canada is contained in Appendix A;
- A specific arrangement entered into between Canada and the requesting state or entity with respect to a person or persons in a particular case; and
- A general designation of the requesting state or entity as an "extradition partner" under the *Extradition Act* thereby allowing the extradition partner full recourse to the provisions of the *Extradition Act* notwithstanding the absence of an extradition agreement. In addition to a number of members of the Commonwealth, Canada has designated as extradition partners, two non-commonwealth countries, Costa Rica and Japan, as well as the International Criminal Court, and International Criminal Tribunals concerned with the prosecution of persons responsible for violations of international law in Rwanda and in the former Yugoslavia.

3. Specific principles providing a framework for mutual legal assistance and extradition

Mutual Legal Assistance

Dual criminality: As a general rule, dual criminality is not required. In fact, Canada's model mutual legal assistance treaty does not include a dual criminality clause and Canada does not seek to include dual criminality as a requirement in its mutual legal assistance treaties. However, a treaty may create exceptions in specific cases. Where dual criminality is required in a mutual legal assistance treaty, the relevant clauses take a flexible approach to this requirement and deem it to be fulfilled as long as the conduct underlying the offence for which cooperation is sought is a criminal offence under

Canadian law, regardless of whether the offence is categorized in the same manner or denominated by the same terminology in the requesting State.

Translation: Canada requires incoming requests for mutual legal assistance to be provided, in writing, in either French or English.

The Canadian Charter of Rights and Freedoms: The Charter is part of the constitution, which is the supreme law of Canada, and guarantees certain rights and freedoms. Any actions taken by Canadian authorities in relation to a foreign request will be governed by the Charter. The most relevant provisions are the following:

- Section 8: the right of any person to be secure against unreasonable search and seizure;
- Section 11(c): the right of any person charged with a criminal offence not to be compelled to be a witness in proceedings against him or her in respect of that offence; and
- Section 13: the right of any person not to have any incriminating evidence given in a proceeding used against him or her in any other proceeding, except in the case of false testimony.

Sections 11(c) and 13 are of particular note, since in many other legal systems suspected and charged persons can be required to make statements. In Canada, suspected and charged persons cannot be required to give statements unless the requesting state provides the witness with use and derivative use immunity from prosecution.

Confidentiality: In Canada, the existence and nature of requests for assistance are subject to confidentiality. Disclosure may only be made of the request when a court file has been opened in Canada and the file has not been ordered sealed by the court. Further, evidence obtained pursuant to a request for assistance can only be used for the purposes stated in the request for assistance unless Canada consents to its further use.

Political Offence: As a general rule, Canada's mutual legal assistance treaties do not recognize the political offence doctrine as an express ground of refusal to execute a request for assistance. Nonetheless, certain treaties may create exceptions in specific cases.

Extradition

Dual Criminality: Dual criminality is required. However, the *Extradition Act* takes a flexible approach to dual criminality test; it focuses on the alleged or proven acts of the person sought and not on technical classifications within different legal systems. The dual criminality requirement is deemed fulfilled if the conduct underlying the offence for which extradition is sought is a criminal offence under Canadian law, regardless of whether the offence is categorized in the same manner or denominated by the same terminology and the offence is punishable by a maximum term of imprisonment exceeding the minimum

prescribed by the *Extradition Act* or by the relevant agreement. However, in some of Canada's older bilateral extradition agreements maintain the list approach to extradition.

Translation: Canada requires incoming requests for provisional arrest and extradition to be provided, in writing, in either English or French.

Political Offence: Section 46 of the *Extradition Act* outlines the mandatory grounds of refusal of an extradition request unless modified by a bilateral extradition agreement. It provides that the Minister of Justice shall refuse to order surrender of a person sought for extradition if he/she is satisfied that the conduct in respect of which extradition is sought is a political offence or an offence of a political character. Essentially, all serious violent conduct is excluded from the definition of political offence or offence of a political character. Furthermore, conduct which constitutes an offence mentioned in a multilateral extradition agreement for which Canada, as a party, is obliged to extradite the person or submit the matter to its appropriate authority for prosecution does not constitute a political offence or an offence of a political character.

In the case of a bilateral extradition agreement between Canada and the foreign state, only the grounds of refusal as agreed with the foreign state in the bilateral agreement will apply to requests submitted by that state, regardless of the grounds of refusal contained in the *Extradition Act* sections 46 and 47. Most of Canada's bilateral extradition agreements provide a mandatory ground of refusal of extradition based on political offence or offence of a political character.

Death Penalty: Canada does not have the death penalty. Section 44(2) of the *Extradition Act* provides the Minister of Justice with the discretion to deny surrender if he is satisfied that the conduct in respect of which extradition is made is punishable by death under the laws of the extradition partner. However, in 2001, the Supreme Court of Canada held in *United States of America v. Burns* (2001) 151 C.C.C. (3d) 97 (S.C.C.) that the Minister of Justice is constitutionally required to seek assurances that the death penalty will not be imposed in all but exceptional cases. The Supreme Court of Canada did not define « exceptional case ».

Nationals: Canada does extradite its nationals.

III - Procedure

1. Procedure to be followed when Canada is the requesting State

Mutual Legal Assistance

All requests for mutual legal assistance in criminal matters flow through the

IAG. In Canada, the following are considered competent authorities to request mutual legal assistance: the Attorney General of Canada, the attorney general of a province, or any person or authority with responsibility in Canada for the investigation or prosecution of offences.

A request made by a competent Canadian authority will be reviewed and coordinated by the IAG.

Requests may be forwarded by the IAG in one of the following ways: diplomatic channels (in the absence of a treaty), or by the IAG to the central authority of the requested state or entity.

Specific Admissibility Requirements: Under Canadian law, there are very specific requirements in order for business and banking records to be admissible in Canadian court proceedings. The *Canada Evidence Act* permits the introduction, into evidence in a Canadian court proceeding, of business and banking documents or of certified copies of business and banking records created in the normal course of business of a bank or another entity (if originals cannot or cannot practicably be produced) located in a foreign jurisdiction, only under certain conditions. Accordingly, requests by Canada will set out the specific information which is required in order to meet the admissibility requirements of the *Canada Evidence Act*.

Extradition

The IAG acts on behalf of the Minister in seeking the extradition of individuals from foreign states. At the request of the prosecution or correctional authorities in Canada, the IAG will seek the provisional arrest and the extradition of an individual wanted for prosecution, imposition of sentence or enforcement of sentence found outside of Canada. A request for provisional arrest will often be the first step to seeking the extradition to Canada of a person sought. IAG counsel will work with prosecution or correctional authorities to ensure that the request for provisional arrest and extradition meets the applicable extradition treaty, if any.

Interpol may issue «red circulars» to be disseminated to states which are members of Interpol. These circulars name individuals to be arrested for the purpose of extradition. The competent Canadian authority (i.e., the prosecution or correctional service) authorizes the issuing of the red circulars, which are then approved by the IAG before circulation.

2. Procedure followed when Canada is the requested State

Mutual Legal Assistance

A foreign state or entity can request assistance from Canada in the gathering of

evidence for criminal matters, including terrorism cases, through three separate routes: treaty and convention requests, letters rogatory (court issued non-treaty letter of request) and non-treaty requests. The fullest assistance can be provided for treaty or convention requests. More limited assistance is available for letters rogatory and non-treaty requests.

For the most common types of assistance (production orders and search and seizure), a Canadian court must be satisfied before it will issue an order that there are grounds to believe that an offence has been committed and that evidence of the commission of the offence will be found in Canada. The request for assistance should set out sufficient information for the Canadian judge to be satisfied on these two points.

Mutual Legal Assistance Requests - the Process

2.1. Treaty Requests and Requests submitted under Administrative Arrangement or Designation to Canada

Under the *Mutual Legal Assistance in Criminal Matters Act*, Canada may provide the following assistance:

- Seizing evidence by search warrant;
- Obtaining documentary evidence by production order;
- Obtaining evidence through the execution of other warrants;
- Compelling witness testimony, including compelling witnesses to give evidence in foreign proceedings by means of audio or videolink;
- Lending exhibits which have been tendered in Canadian court proceedings;
- Obtaining an order for the examination of a place or site in Canada (including the exhumation and examination of a grave);
- The transfer of a sentenced prisoner (with his or her consent) to testify or assist in an investigation;
- Serving documents;
- The enforcement of orders made by a court of criminal jurisdiction for the restraint, seizure or forfeiture of property situated in Canada; and
- Enforcement of foreign criminal fines (to a limited extent).

The bilateral treaties and conventions specify the information required in a request for assistance. In general terms, a request for assistance to Canada should include:

- A summary of the allegations under investigation or prosecution, including the grounds on which the allegations are based and a clear indication of how the assistance requested is relevant to the alleged offence;
- The text of the offences under investigation or prosecution in the requesting state or entity;
- A description of the evidence sought, including any specific procedures to be applied during the process (e.g. list of questions; form for certification of documents, if required by the requesting state or entity), whether and to what extent the foreign authorities wish to participate in the evidence gathering process;
- Time limits facing the requesting state or entity;
- Any special confidentiality requirements; and
- Any other information that might allow Canadian officials to identify and provide the evidence requested or to render the assistance sought.

The IAG reviews the requests it receives to ensure formal compliance with the relevant treaty, if applicable, the *Mutual Legal Assistance in Criminal Matters Act* and any other relevant Canadian law. The request will be considered to determine if it contains sufficient specific information for its execution and if there are any circumstances which would require that the request be refused or postponed on any basis provided for in the applicable treaty. Requests containing insufficient information are not systematically returned. Rather, the IAG will seek additional information from the requesting state or entity with a view to providing the requested assistance, if possible, under Canadian law.

Where the assistance sought will require a compulsory measure in Canada (for example, search and seizure), the IAG will examine the material provided to determine whether it meets the standards of the relevant Canadian legislation. For most types of orders, the requesting authority must show reasonable grounds to believe that an offence has been committed and that evidence of the commission of the offence will be found in Canada.

In general, the execution of the request is carried out by the competent authority in the relevant province where it is believed that the evidence sought is located. Counsel with the competent authority will apply to the court of competent jurisdiction for the necessary orders.

Requests for mutual legal assistance are executed in accordance with Canadian law. Prior to transmitting the evidence gathered pursuant to an order of the Canadian court, a judicial hearing to consider the execution of the request takes place. The judge makes a determination whether the evidence and information obtained should be sent abroad with or without conditions. At this hearing, parties claiming an interest in the evidence gathered may be permitted by the judge to make representations opposing the sending of the evidence. An appeal lies with leave of the court of appeal from any order or decision of a judge under the *Mutual Legal Assistance in Criminal Matters Act* within 15 days of the order.

Requests submitted pursuant to a treaty or administrative arrangement which do not require compulsory measures will be submitted by the IAG to a relevant police or investigative agency, or in some instances to a government department, to obtain the assistance or information sought.

2.2. Letters Rogatory (Court issued non-treaty letters of request) made to Canada

This mechanism requires two essential conditions: that there be a criminal matter pending before a foreign judge, court or tribunal and that the foreign judicial body wishes to obtain the evidence sought. It is important that this be clearly stated in the letter rogatory. In addition, the request should include information that indicates how the evidence sought is relevant to the foreign proceedings.

No treaty is required for this procedure; it is a discretionary provision. Unlike mutual legal assistance requests, which are often used at the police investigation stage, letters rogatory can only be issued when there is a criminal matter pending before a foreign court.

Section 46 of the *Canada Evidence Act* allows for some compulsory measures to be issued by a Canadian court in response to a request from a foreign state emanating from a judge, court or tribunal of a foreign state (letter rogatory). Witnesses can be compelled to appear and testify before the foreign judicial authority and must produce any relevant documents requested. No other compulsory measures are available.

Letters rogatory received from a foreign state are reviewed by IAG counsel to determine if the assistance requested can be provided on a voluntary basis, without resort to a court order. If so, the request will generally be submitted to Canada's federal police force, the Royal Canadian Mounted Police («the RCMP»), for execution. If the assistance cannot be provided on a voluntary basis, IAG counsel will review the request for compliance with the requirements of section 46 of the *Canada Evidence Act* to determine whether an order may be sought compelling a witness to appear and provide testimony and/or documents.

2.3. Non-Treaty Letters of Request made to Canada

Canada does what it can to help those countries with whom it does not have a treaty relationship. However, assistance is limited to voluntary aspects (e.g. taking voluntary statements from persons or serving documents). No compulsory measures are available where there is no treaty and the request does not come within the requirements of section 46 of the *Canada Evidence Act*.

Non-treaty requests, which are not governed by the provisions of section 46 of the *Canada Evidence Act*, generally because they do not emanate from a court, will be reviewed and submitted to the RCMP to determine whether the assistance sought can be provided on a voluntary basis, without resort to court order.

2.4. Categories of Evidence/Information may frequently be obtained without a Request for Mutual legal Assistance

The following categories of evidence/information may frequently be obtained from Canada without resort to a request for mutual legal assistance and therefore may be available through law enforcement channels :

- Public records, including incorporation records;
- Court records;
- Voluntary interviews of witnesses;
- Copies of criminal records;
- Copies of intercepted communications which have been gathered pursuant

- to a domestic investigation in Canada;
- Assistance in locating a witness or suspect;
- Address check;
- Copies of information in Canadian police files or custody;
- Assistance in conducting police surveillance or other tracking and undercover measures that do not require court authorization;
- Vehicle identification information;
- Firearms identification information;
- Passport number verification;

Accordingly, prior to submitting a formal mutual legal assistance request, you may wish to verify whether the information/evidence sought is available through law enforcement channels.

If a law enforcement contact is needed in Canada, contact can be made via Interpol Ottawa, the National Central Bureau for Canada at (613)990-9595. This Bureau can provide the appropriate contacts for the Royal Canadian Mounted Police, provincial or local law enforcement agencies, as the case may be.

Extradition

2.1. Authorizing Extradition Proceedings

The Minister of Justice is responsible for the implementation of extradition agreements, the administration of the Act and, dealing with requests for extradition or provisional arrest under the Act or applicable agreement. Provisional arrest refers to a request for the apprehension of an individual, generally in circumstances of urgency or a similar ground of public interest, prior to the preparation of the documentary material upon which the formal extradition will be requested. The request for provisional arrest must demonstrate that the individual is ordinarily resident in Canada, is in Canada, or is on the way to Canada.

A provisional arrest request may be made through Interpol.

The Minister has the discretion to approve an application for a provisional arrest warrant if satisfied that:

- The offence in question is subject to certain minimum penalty requirements set out in the Act, or relevant arrangement, if any; and
- The extradition partner will make a formal request for the extradition of the person subsequent to the person's provisional arrest within the time frame set out in the Act or the applicable agreement.

Once a formal extradition request is received, the Minister may if satisfied that 1) in the case of requests for the prosecution of the person certain minimum penalty requirements established by the Act or relevant extradition arrangement have been met, or 2) in the case of a person already convicted and who is sought for the enforcement of a sentence, certain minimum lengths of sentence as defined by the Act or relevant extradition arrangement remain to

be served, issue an authority to proceed. An authority to proceed authorizes an extradition hearing to be held in order to consider whether the person should be committed for extradition.

These responsibilities are, in practice, performed by counsel at the International Assistance Group (the IAG) on behalf of the Minister of Justice.

2.2. Court Proceedings.

Once approved, the IAG forwards the request and all supporting material to the regional office of the Department of Justice in the region where the person sought is believed to be. That regional office will assign legal counsel to take conduct of the case and to initiate and conduct proceedings before a judge to seek an order for the committal for extradition of the person. Regional counsel will also represent the extradition partner throughout any appeal or judicial review hearings.

A person arrested in Canada pursuant to a request for provisional arrest or extradition must be brought before a judge within 24 hours after arrest or if no judge is available during this time, the person must be brought before a judge as soon as possible. The individual is entitled to be considered for bail. In Canada, there is not a presumption against bail in extradition matters.

Generally, the person whose extradition is sought appears at the extradition hearing and participates, with the assistance of legal counsel. In the case of a person sought for the purpose of prosecution, the judge will determine if the evidence provided by the extradition partner is such that the person would be committed for trial in Canada if the offence had occurred in this country. In the case of a person sought for the imposition or enforcement of a sentence, the judge will determine if the person has been convicted with respect to a matter that corresponds to a Canadian offence.

2.3. Evidence at the Extradition Hearing

At the extradition hearing, the *Extradition Act* allows evidence to be presented in a variety of ways:

- In the usual manner applicable to Canadian domestic proceedings such as through the testimony of witnesses;
- In reliance on the provisions for the introduction of evidence set out in an applicable extradition agreement; or
- By means of a «record of the case».

The record of the case is a new and innovative provision which permits the admissibility at the extradition hearing of a document summarizing the evidence available to the extradition partner for use in the prosecution, even if it contains evidence otherwise inadmissible in Canadian domestic proceedings, as long as certain safeguards are respected

The extradition materials submitted to Canada under the *Extradition Act* in support of an extradition request should be submitted in two separate packages - the record of the case and a general statement from a relevant official addressing issues other than the evidence.

The Record of the Case : The record of the case is a new and innovative provision which permits the admissibility at the extradition hearing of a document summarizing the evidence available to the extradition partner. In the case of a person sought for prosecution, the record of the case must be a detailed summary of the actual evidence available to the prosecution in support of each of the alleged offences for which extradition is sought. Included in the summary of the evidence must be a statement of identification which relates to an attached photograph (and if available, fingerprints) of the person sought. This may be in the form of a hearsay statement prepared by an investigating officer, a prosecutor or a magistrate.

The record of the case should not make any reference to the offence(s) charged in the requesting state or any other information required by the applicable treaty. It should only contain a summary of the evidence in the case.

Where the person is sought for prosecution, the record of the case must be certified by a judicial authority or a prosecutor. The authority who provides the certification must be able to attest that the evidence summarized in the record of the case is available for trial and either (i) sufficient under the law of that state to justify prosecution or (ii) was gathered according to the law of that state. The appropriate authority to give the certification, as well as the choice between (i) and (ii) will depend on the nature of the legal system of the requesting state.

In the case of a person wanted for the imposition or enforcement of a sentence, the record of the case needs to contain a copy of the document which records the conviction of the person and a summary of the conduct upon which the conviction in the requesting state is based. An outline of the facts underlying the conviction will suffice; it need not detail evidence. However, it must contain sufficient information to link the person named in the document recording the conviction to the person sought and thus, it should have a statement of identification which relates to an attached photograph and, if available, the fingerprints of the person sought.

In the case of a person sought for the imposition or enforcement of sentence, the record of the case may be certified by a judicial, prosecuting or correctional authority who can attest to the fact that the documents in the record of the case are accurate.

General Legal Statement : A general legal statement, separate and apart from the record of the case, must also be included in the extradition packet submitted. The legal statement can be signed by any appropriate authority in

the requesting state. The most appropriate authority may be the person who certified the record of the case. The general legal statement should include the following :

- identification of the person providing the statement by name and position, with a brief description of that person's expertise with respect to the law of the requesting state ;
- a description of the person's relationship to the case, i.e. in charge of the case, familiar with it ;
- a statement that the extradition of the person sought is requested for prosecution or imposition or enforcement of sentence for the offence(s) of ... contrary to ... (reference should be made to the applicable statute and section number) with reference to and attaching a copy of the arrest warrant and any relevant charging document ;
- a description or a copy of the text of the laws describing the offence(s) and setting out the applicable punishment ;
- reference to any law of prescription which would apply to the offence(s) as well as a declaration as to whether the prosecution is barred or not by prescription in view of that law ; and
- a declaration that the law with respect to the offence(s) was in force at the time of the alleged conduct and continues to be in force at the time of the request for extradition ;
- where the alleged offence(s) is extraterritorial, an explanation of the basis for jurisdiction to prosecute , attaching if possible any statutory provision setting out the same.

If the presiding judge is satisfied with the evidence, he or she orders the person detained pending the decision of the Minister of Justice whether to surrender the person. Otherwise, the person is discharged and released.

2.4. *The Decision to Surrender*

The judicial phase of the extradition process is a determination only that the evidence is sufficient to warrant that the person be extradited. The ultimate decision with respect to whether the person will, in fact, be surrendered to the extradition partner is that of the Minister of Justice. At this phase of the process, the Minister will consider any written representations from the person or the person's counsel with respect to why the person should not be extradited or concerning any conditions to which the surrender should be subject. In reaching a decision on surrender the Minister will be obliged to weigh the submissions of the person against Canada's international obligations with respect to extradition. The Minister in reaching his or her decision must respect the rights of the person sought as guaranteed by the *Canadian Charter of Rights and Freedoms*. The *Extradition Act* obliges the Minister to deny surrender if he or she is satisfied that the surrender would be unjust or oppressive having regard to all the relevant circumstances; or the request for extradition is made for the purpose of prosecuting or punishing the person by reason of their race, religion, nationality, ethnic origin, language, colour, political opinion, sex, sexual orientation, age, mental or physical disability or status or that the person's position may be prejudiced for any of those reasons.

If the person is serving a sentence in Canada, the Minister may order

temporary surrender so that the person can face prosecution or appeal proceedings in the courts of the extradition partner and then be returned to Canada to serve the balance of his or her outstanding sentence here. While the Minister relies upon advice from the IAG, he or she decides each case personally. When the Minister agrees to surrender the person, the IAG helps with arrangements for the actual transfer of the person to authorized agents of the requesting state or entity.

3. Appeals against request for mutual legal assistance or extradition

Mutual Legal Assistance

Pursuant to the *Mutual Legal Assistance in Criminal Matters Act*, an appeal may be filed to the appropriate court of appeal from any order or decision made by a judge or court in Canada under the Act within fifteen days of the order or decision.

Extradition

The person sought for extradition may appeal the decision of the extradition judge to the Court of Appeal in the province where the extradition hearing was held. Further, the person sought may apply to the Court of Appeal for judicial review of the decision of the Minister of Justice. The decision of the Court of Appeal may be further appealed to the Supreme Court of Canada, with leave. The person sought for extradition may be granted bail by the court pending appeal and/or application for judicial review.

APPENDIX A

1. Commitments pursuant to bilateral mutual legal assistance Treaties

In the area of Mutual Legal Assistance Canada has entered into treaties with the countries below:

- Canada/Austria (December 1, 1997)
- Canada/Argentina (December 20, 2001)
- Canada/Australia (March 14, 1990)
- Canada/Bahamas (July 10, 1990)
- Canada/China (July 1, 1995)
- Canada/Czech Republic (November 1, 2000)
- Canada/France (May 1, 1991)
- Canada/ Hellenic Republic (January 28, 2000)
- Canada/Hungary (September 1, 1996)
- Canada/India (October 25, 1995)
- Canada/Israel (March 16, 2000)
- Canada/Italy (December 1, 1995)

Canada/Korea (February 1, 1995)
 Canada/Mexico (October 21, 1990)
 Canada/Netherlands (May 1, 1992)
 Canada/Norway (January 14, 1999)
 Canada/Peru (January 25, 2000)
 Canada/Poland (July 1, 1997)
 Canada/Portugal (May 1, 2000)
 Canada/Romania (June 30, 1999))
 Canada/Russia (December 18, 2000).
 Canada/Spain (March 3, 1995)
 Canada/Switzerland (November 17, 1995)
 Canada/Thailand (October 3, 1994)
 Canada/Ukraine (March 1, 1999)
 Canada/United Kingdom (September 17, 1993)
 Canada/United States (January 24, 1990)
 Canada/Uruguay (March 1, 2002)

2. Canada's Commitment through bilateral extradition Treaties

Country/Entered Into Force

Albania July 11, 1927
 Argentina February 9, 1894
 Austria* ** October 2, 2000
 Belgium* March 17, 1902
 Bolivia November 4, 1898
 Chile August 22, 1898
 Colombia December 16, 1899
 Cuba May 22, 1905
 Czechoslovakia* December 15, 1926
 Denmark* ** February 13, 1979
 Ecuador July 2, 1886
 El Salvador* January 13, 1883
 Estonia September 18, 1928
 Finland** February 16, 1985
 France* ** December 1, 1989
 Germany* ** September 30, 1979
 Greece* February 26, 1912
 Guatemala* December 13, 1886
 Haiti* February 21, 1876
 Hong Kong** June 13, 1997 (Pt 1 at p.2711, Sept. 13, 1997)
 Hungary March 30, 1874
 Iceland July 7, 1873
 India February 10, 1987
 Israel December 19, 1969
 Italy** June 27, 1985

Korea** February 1, 1995 (Vol. 131, No. 11-15 - March 15, 1997)

Latvia* September 18, 1928

Liberia March 23, 1894

Lithuania September 18, 1928

Luxembourg March 15, 1881

Mexico* ** October 21, 1990

Monaco May 23, 1892

Netherlands December 1, 1991

Nicaragua* August 24, 1906

Norway* October 17, 1873

Panama August 26, 1907

Paraguay July 17, 1911

Peru May 20, 1907

Philippines** November 12, 1990

Portugal* March 19, 1894

Romania* May 21, 1894

San Marino March 19, 1900

South Africa May 4, 2001

Spain* ** August 15, 1990 (Vol. 125, No. 11, Part 1-March 10, 1997)

Sweden* October 30, 2001

Switzerland* ** March 19, 1996 (Part 1 - December 7, 1996)

Thailand November 24, 1911

Tonga November 29, 1879

United States** March 22, 1976

Uruguay March 20, 1885

* Does not extradite its nationals


** Death penalty provisions

3. Multilateral Treaties containing mutual legal assistance and extradition provisions, in force for Canada

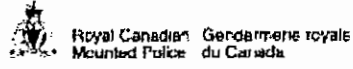
- Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970 (entered into force on 14 October 1971)
- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971 (entered into force on 26 January 1973)
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973 (entered into force on 20 February 1977)
- International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979 (entered into force on 3 June 1983)
- Convention on the Physical Protection of Nuclear Material, adopted at Vienna on 26 October 1979 and opened for signature at Vienna and New York on 3 March 1980 (entered into force on 8 February 1987)
- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 24 February 1988 (entered into force on 6 August 1989)

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988 (entered into force on 1 March 1992)
 - Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf, done at Rome on 10 March 1988 (entered into force on 1 March 1992)
 - Organization of American States Inter-American Convention on Mutual Assistance in Criminal Matters (in force for Canada 3 July 1996)
 - UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (in force for Canada 11 November 1990)
 - Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (in force for Canada 24 July 1987)
 - OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (in force for Canada 14 February 1999)
-

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Safe Communities

RCMP

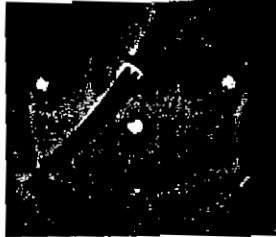
ROYAL CANADIAN MOUNTED POLICE

British Columbia

Interpol Ottawa

SEE also:

- If you are a victim of a crime while abroad - Consular Affairs (Foreign Affairs Canada)
- INTERPOL - <http://www.interpol.int> - International Criminal Police Organisation
- Mutual Legal Assistance: An Investigator's Guide to Seeking Assistance Through the Department of Justice
- Mutual Legal Assistance in Criminal Matters



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History

The basic foundations of the International Criminal Police Organization (ICPO) can be traced to a meeting held in 1914 in Monaco .

There, police officers and legal experts from 24 countries agreed to create an organization to serve as a centralized international criminal records office and to harmonize extradition procedures.


Interpol now has a membership of 184 countries and 11 territories, with a permanent headquarters (General Secretariat) in Lyons , France .

Activities

Interpol's activities are focused on law enforcement action having international ramifications in all sectors of criminal activity.

Examples include:

- crimes against persons (murder, terrorism, serious assault, sexual assault, kidnapping, extortion, hostage-taking, traffic in human beings, prostitution, sexual abuse and offences against children)
- crimes against property (traffic in stolen motor vehicles, theft of identity and



See also: Interpol Branch Fact Sheet (html pdf)

- travel documents, traffic in and
- criminal use of firearms and explosives)
- offences involving cultural property (theft, illicit traffic in works of art, illicit traffic in endangered species)
- economic and financial crime (currency, card and document counterfeiting, forgery, fraud, computer crime, product counterfeiting, transborder movements of waste products, radioactive and nuclear materials), drug trafficking and money laundering.

Structure

- Apart from its headquarters staff in Lyons, France, Interpol operates through the National Central Bureaus (NCBs) in its member countries
- NCBs serve as the focal point for communication abroad. Canada became a member of ICPO in 1949, and the RCMP was delegated the responsibility for administering and operating the National Central Bureau (Interpol Ottawa)
- Interpol Ottawa is located at RCMP National Headquarters and forms part of the International Liaison Program
- all NCBs communicate directly among themselves but keep the General Secretariat informed so it can perform its task of centralizing information, monitoring the over-all picture, developing tactical and strategic intelligence and coordinating investigative action.

Interpol Ottawa

Interpol Ottawa works closely with the Canadian Central Authority and serves as the link between official Canadian and international law enforcement agencies.

It is staffed with public servants, with members of the RCMP, and with seconded officers from the Ontario Provincial Police, Sureté du Québec, the Service de police de la Ville de Montréal and the Halifax Regional Police.

Assistance to the Canadian Enforcement Community:

Interpol Ottawa:

- is the central coordination point for the Canadian law enforcement community in pursuing criminal investigations abroad, establishing rapid contact with foreign police agencies and liaison officers, transmitting requests for information required in investigations to NCBs in other countries and assisting on judicial proceedings. There are different ways of obtaining assistance from other countries including: Police to Police requests; requests under Mutual Legal Assistance Treaties; or requests made to foreign countries under the Extradition Act.
- provides coordination and assistance to Canadian police investigators who travel abroad to further their investigations
- on your request of urgent nature, will send a diffusion to all Interpol 184 member countries
- on your request, if your case has an international dimension, our NCB has the capacity to get Interpol Notices issued which will be distributed to the 184 member countries of the Interpol Organization. Examples of Interpol Notices can be viewed on the Interpol web site at: www.interpol.int
 - RED NOTICE: Seeks arrest of fugitives for whom an arrest warrant has been issued and where extradition will be requested
 - BLUE NOTICE: Seeks information (identity, criminal record) for subjects who have committed criminal offences, and used to trace and locate a subject where extradition may be sought (unidentified

- offenders, witnesses)
- GREEN NOTICE: provides information on career criminals who have committed, or are likely to commit, offenses in several countries (habitual offenders, child molesters, pornographers)
- YELLOW NOTICE: Seeks missing or lost persons (includes parental abductions and missing children)
- BLACK NOTICE: provides details of unidentified dead bodies or deceased people who may have used false identities
- circulates details and descriptions of all types of stolen or seized property, including art and cultural objects
- provides details of unusual modus operandi, including new methods of concealment
- provides information on various organized crime groups and their activities
- provides information on criminal activity with international ramifications, but not involving a specific person or group
- provides money laundering information for use in countering international money laundering.

Assistance to the Canadian Law Community and Interpol Member Countries:

- conducts checks on criminal records, indices, subscribers, passports, immigration, vehicle identification numbers, aircraft identification, firearms identification, and locates next of kin
- assist agencies with the identification of criminals through Interpol's databases of international criminal information containing names, aliases, occupation, place and date of birth, physical description, languages spoken, fingerprints, and photographs
- outlines the exploration of arrest possibilities under Immigration Act vs Extradition Act, concerning a foreign fugitive located in Canada
- based on a foreign warrant of arrest or Interpol Red Notice, unless a foreign fugitive as committed an offence under a Canadian Law or is in violation of the Canadian Immigration Refugee and Protection Act, Canada's laws do not permit the arrest of such individual found in Canada. The foreign country(ies) seeking the arrest of a fugitive must send a request for a Provisional Warrant of Arrest or straight extradition request
- Canada extradites its nationals. See listed countries which have signed treaties or agreements under the Extradition Act and the Mutual Legal Assistance in Criminal Matters, with Canada.

Assistance to the Interpol Member Countries:

- provides up-to-date information on the rules and regulations applicable to member countries preceding requests : Police to Police, under the Mutual Legal Assistance Treaty; or under the Extradition Act
- provides up-to-date information on the rules and regulations applicable to member countries in allowing foreign police investigators to enter Canada for the purpose of assisting the Canadian authorities in a criminal investigation
- ensures police action or operations requested by another country's NCB are carried out in Canada
- requests Police to Police are to be made to our NCB
- requests received from NCBs made under the Mutual Legal Assistance Treaty and Extradition Act, including requests for Provisional Warrant, are forwarded to the Canadian Department of Justice for approval.

Interpol Ottawa also represents the organization and its interests in Canada.

Liaison services:

- arranges for resolutions on policy and working methods adopted by Interpol to be applied at the national level to ensure Canada's participation in international cooperation
- oversees and coordinates Interpol's annual program of activities in Canada
- identifies and coordinates the participation of Canadians to Interpol conferences, symposia and meetings to examine current investigations, methods and techniques, specific types of crime and common problems which are of long term or topical interest to law enforcement and
- circulates publications and information bulletins, international crime statistics and analytical studies on criminal activity to the Canadian law enforcement community.

Content created:
Content revised: 2006-04-05
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VIA COURIER AND FAX 1-613-990-7255

May 17, 2006

The Honourable Vic Toews
Minister of Justice and Attorney General of Canada
Department of Justice
284 Wellington Street, Room 2274
Ottawa, Ontario

Dear Mr. Minister:

Re: Federal Republic of Germany v. Schreiber

I represent Karlheinz Schreiber, a Canadian citizen, in relation to his extradition to Germany on charges of tax evasion, fraud, breach of trust, and bribery. I am writing to you pursuant to section 43(2) of the *Extradition Act* which permits submissions to be made to you on any ground relevant to the decision with respect to the surrender of Mr. Schreiber even after the expiry of the 30 days in circumstances that the Minister considers relevant. As I am sure you are aware, this process of making further submissions has been approved of and judicially reviewed by the Court of Appeal for Ontario in the case of *Waldman v. Minister of Justice*. I have attached the brief endorsement from the Court of Appeal at tab 8 of the Submission Record.

It is respectfully submitted that as a result of recent developments in the case, specifically comments made publicly by the Chief Prosecutor and by the Judicial Spokesperson for the Court in Augsburg directly about Mr. Schreiber's case, you should refuse to surrender Mr. Schreiber to Germany. The comments are not innocuous and reveal that pre-judgments have been made not only by the Chief Prosecutor but more importantly by the German court before which Mr. Schreiber is to be tried.

Background

The request for the extradition of Mr. Schreiber began in 1999. On May 27, 2004, Mr. Schreiber was committed for extradition on all charges, except one count of fraud. On June 3, 2004, he appealed to the Court of Appeal for Ontario and was granted bail that day.

Between July 15, 2004 and October 20, 2004, Mr. Schreiber made submissions to the Minister of Justice with respect to his surrender decision, including submissions related to a reasonable apprehension of bias on the part of the Minister of Justice due to the fact that the former Justice Minister is named in two legal actions initiated by Mr. Schreiber and submissions related to the reliability of the central prosecution witness, Giorgio Pelossi. I have attached the submissions made on August 12, 2004 and October 20, 2004 at tabs 1 and 2 of the Submission Record.

On October 31, 2004, the Minister ordered Mr. Schreiber's surrender. A Notice of Application for Judicial Review of the Minister's decision was filed on November 29, 2004.

On December 5 and 6th, 2005, the Court of Appeal for Ontario heard the appeal and judicial review. On March 1, 2006, the Court of Appeal for Ontario dismissed both the appeal and the judicial review. I have attached the Reasons for Judgment of the Court of Appeal for Ontario at tab 3 of the Submission Record.

On March 3, 2006 a Notice of Application for Leave to Appeal to the Supreme Court of Canada was filed. I have attached the Notice of Application at tab 4 of the Submission Record. On March 10, 2006, Mr. Schreiber was Ordered released pending the Application for Leave to Appeal to the Supreme Court of Canada.

On April 28, 2006, the Memorandum of Argument for Leave to Appeal to the Supreme Court of Canada was filed. I have attached the Memorandum at tab 5 of the Submission Record.

Media Articles

Following the release of the decision of the Court of Appeal for Ontario, several articles were written about Mr. Schreiber in foreign magazines. Due to the comments made in two of these articles, it is imperative, in my respectful submission, that you reconsider the decision to surrender Mr. Schreiber to Germany.

On March 8, 2006, the following article was available on the *Spiegel Online* website (a German website for Der Spiegel, the most widely read weekly magazine in Germany). The article reported the following comments by the Chief Prosecutor:

Schreiber Arrested in Canada, Released on Bail

In that article, the following comments were made:

...Even though Schreiber's extradition is nowhere near imminent after the recent decision, the investigators are pleased with the Canadian decision. "The court has confirmed that an extradition is justifiable," said public prosecutor Nemetz, "now the higher instance simply has to follow through." Nemetz banks on the Supreme Court handling the case quickly, since this is generally common with extradition cases: "So far, things have been progressing at snail pace. The case could use a little speeding up."

The life awaiting Schreiber in Germany is nowhere near as pleasant as in Canada. According to Nemetz, he would definitely be imprisoned on remand, due to the severity of the charges, and the public prosecutor would "vehemently" protest against releasing him on bail. A decision would not be made quickly in Germany, however. [translated] (underlining mine)

Reinhard Nemetz is the chief prosecutor heading the investigation in the Bavarian town of Augsburg. Mr. Nemetz is the head prosecutor in Augsburg and is responsible for the organization of the prosecutions office and its representation in the public. The comments clearly reflect a prejudgment of the availability of bail for Mr. Schreiber.

I have attached this article from Spiegel Online at tab 6 of the Submissions Record.

On March 9, 2006, the following article was available on the *Deutsche Presse-Agentur* website (DPA is one of the world's leading international news agencies supplying news on a global basis):

Schreiber Requests that Supreme Court of Canada Refuse Extradition

In that article, the following comments were made:

....Judge Karl-Heinz Haeusler, spokesman for the Regional Court of Augsburg, told dpa that after his extradition, Schreiber would have to reckon with the "full force of the law". **"He is the trigger of the entire affair and has caused damage to Germany."**

...Until the Schreiber case, Germany had been considered a country immune to bribery [he stated] – the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "unspeakable" reality. Schreiber had done Germany a "disservice", said the court spokesman.... [translated] (underlining mine)

Judge Karl-Heinz Haeusler is a judge and the spokesperson for the Regional Court of Augsburg. As the spokesperson, Mr. Haeusler informs the public about important pending cases at the court. He comments on the current developments in certain cases and explains legal aspects of the cases as well as the decisions of the court. Mr. Haeusler speaks on behalf of the Regional Court of Augsburg.

The conclusion that Mr. Schreiber "**is the trigger of the entire affair and has caused damage to Germany**" can only lead to the conclusion that the court has prejudged Mr. Schreiber's guilt and that he will not have an objective and fair trial in Germany.

Further, it must be recognized that the CDU (Christian Democratic Union) contributions scandal is one of the largest political scandals in German history, in which it was discovered that the German CDU political party had accepted millions of marks in illegal donations from 1982 to 1998 while under the control of Chancellor Helmut Kohl. This scandal brought down Chancellor Kohl, one of the most widely respected politicians in the history of Germany, and left him and his CDU party in disgrace. It is respectfully

submitted that according to the comments of Judge Haeusler, it would appear that Karlheinz Schreiber is being held responsible for this entire scandal. Judge Karl-Heinz Haeusler, a judge and spokesperson for the court who will try Mr. Schreiber, publicly stated that “until the Schreiber case, Germany had been considered a country immune to bribery...the arms dealer’s unconcealed exertion of influence on politicians and managers made the unspeakable reality”, and further that “Schreiber had done Germany a disservice”. These comments made on behalf of the court that will try Mr. Schreiber are extremely alarming. These comments are political statements. What is a judge doing saying this? It is not a legal analysis and it is dangerous.

I have attached this article from the *Deutsche Presse-Agentur* website at tab 7 of the Submission Record.

It is respectfully submitted that these comments amount to an abuse of process and that this is one of the clearest cases where to proceed further with the extradition would violate those fundamental principles of justice which underlie the community’s sense of fair play and decency.

Legal Analysis

Section 7 of the Charter permeates the entire extradition process and is engaged, although for different purposes, at both stages of the proceedings. If a committal order is issued, the Minister must examine the desirability of surrendering the fugitive in light of many considerations, such as Canada’s international obligations under the applicable treaty and principles of comity, but also including the need to respect the fugitive’s constitutional rights.

United States of America v. Cobb (2001), 152 C.C.C. (3d) 270 (S.C.C.)

In *United States of America v. Cobb*, the argument was made that extradition would violate s. 7 of the *Charter* in light of statements made by the American judge and prosecuting attorney with carriage of the matter in the United States.

In *Cobb*, the impugned comments were that, first, while sentencing one of the co-accused, the assigned trial judge made the following statement:

Mr. Kay, I'm sure that you might have some appreciation for the difficulty I have in trying to keep the participants in this matter in the proper level of accountability, the proper range of accountability. It's not really possible to do that, but I am attempting to treat everyone who comes in here, especially those who cooperated, in an evenhanded fashion.

...
[T]he sentence that I'm imposing I think takes into account your cooperation and certainly you're entitled to have that recognized. I want you to believe me that as to those people who don't come in and cooperate and if we get them extradited and they're found guilty, as far as I'm concerned they're going to get the absolute maximum jail sentence that law permits me to give.

Cobb, supra at p. 276

Second, the prosecuting attorney suggested during a television interview that uncooperative fugitives would be subject to homosexual rape in prison. Specifically he said:

MacIntyre: ...For those accused who choose to fight extradition, Gordon Zubrod warns they're only making matters worse for themselves in the long run.

Zubrod: I have told some of these individuals, "Look, you can come down and you can put this behind you by serving your time in prison and making restitution to the victims, or you can wind up serving a great deal longer sentence under much more stringent conditions" and describe those conditions to them.

MacIntyre: How would you describe those conditions?

Zubrod: You're going to be the boyfriend of a very bad man if you wait out your extradition.

MacIntyre: And does that have much of an impact on these people?

Zubrod: Well, out of the 89 people we've indicted so far, approximately 55 of them have said, "We give up".

Cobb, supra at p. 277

The Supreme Court of Canada held that a stay of proceedings was justified and a committal order obtained in the circumstances would clearly not be consistent with the principles of fundamental justice.

United States of America v. Cobb, supra
United States of America v. Tsioubris (2001), 152 C.C.C. (3d) 292 (S.C.C.)

It is respectfully submitted that the comments made in *Cobb* are strikingly similar to the comments made in the case at bar. Indeed, the comments made by the Court in Mr. Schreiber's case are far more disconcerting as they relate directly to a pre-judgment of the case by a judge and spokesperson for the very Court that will try Mr. Schreiber. As the Minister of Justice, you have an obligation to refuse to surrender Mr. Schreiber in these circumstances.

The authority granted to the Minister of Justice to make a surrender order is dictated by sections 40 to 48 of the *Extradition Act*. While it has been recognized that the Minister of Justice has a broad discretion to effect surrender, the jurisprudence has established that the discretion must be exercised in accordance with the *Charter*, specifically in accordance with the principles of fundamental justice as provided by section 7 of the *Charter*. This principle has been clearly established by the Supreme Court of Canada in *United States of America v. Burns*.

United States of America v. Burns (2001), 151 C.C.C. (3d) 97 (SCC)

The courts have given a great deal of deference to the Minister with respect to making a decision on the general question of surrender. However, this deference is not without limits and the Minister must still act in accordance with the *Charter*. While the review of the Minister's decision on *Charter* issues should be on a standard of correctness, there is much less deference accorded to the Minister's decision with respect to constitutional issues.

United States of America v. Whitley (1994), 94 C.C.C. (3d) 99 (Ont. C.A.) aff'd (1996), 104 C.C.C. (3d) 447 (S.C.C.) at 109-110 and 112
Stewart v. Canada (Minister of Justice) (1998), 131 C.C.C. (3d) 423 (BCCA)
United States of America v. Kwok (2001), 152 C.C.C. (3d) 225 (SCC)
United States of America v. Johnson [2002] O.J. No. 4759 (Ont. C.A.)
Pacificador v. Canada (Minister of Justice) (2002), 166 C.C.C. (3d) 321 (Ont. C.A.) at 337

Conclusion

It is respectfully submitted that the comments made in the above quoted media articles amount to conduct by the Requesting State which interferes, or attempts to interfere, with the conduct of the extradition proceedings here in Canada. The Requesting State is a party to judicial proceedings before a Canadian court and is subject to the application of rules and remedies that serve to control the conduct of parties who turn to the courts for assistance. Both pursuant to the Charter and to common law, litigants must be protected from unfair, abusive proceedings.

It is clear that Mr. Schreiber will be the subject of a process in the Requesting State which has been prejudged and this raises serious concerns of fairness and due process. This is an apparent attempt to interfere with Canada's discharge of its obligations. A surrender order requiring Mr. Schreiber to return to face such a biased climate – created by those who play a large, if not decisive role in determining his ultimate fate – would not be consistent with the principles of fundamental justice.

Mr. Schreiber should not be encouraged or intimidated into giving up his legal rights in Canada as the statements in these articles are attempting to do. Given the fact that a reasonable apprehension of bias on the part of the Minister of Justice has already been raised in previous correspondence, I will not delve into this at any length at this juncture. Suffice it to say that given this potential for a reasonable apprehension of bias, it is even more critical that you as the Minister of Justice are not perceived to have played a part in encouraging or intimidating Mr. Schreiber to give up his legal rights in Canada.

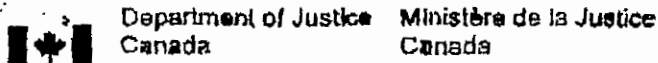
It is respectfully submitted that in light of the fact that Germany does not extradite its own nationals, Canada should be loath to extradite its nationals into such a poisoned environment provided by the Court and the Prosecutor.

I am requesting, therefore, that you reconsider the order to surrender Karlheinz Schreiber made on October 31, 2004 in light of this new and critically important information. To surrender Mr. Schreiber in these circumstances would amount to a violation of the principles of fundamental justice.

Yours sincerely,

GREENSPAN, WHITE

Edward L. Greenspan, Q.C.



FACSIMILE TRANSMISSION TRANSMISSION PAR TÉLÉCOPIEUR

SEND TO / ENVOYER À		FROM / DE	
Name / Nom: Edward L. Greenspan Q.C. Counsel		Name / Nom: Lisa Anderson Paralegal	
Address / Adresse: Greenspan, White Barristers 144 King Street East Toronto, Ontario M5C 1G8		International Assistance Group Federal Prosecution Service 284 Wellington Street, EMB-2281 Ottawa, Ontario K1A 0H8	
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Comments / Commentaires:

R.G. v. Karlheinz SCHREIBER - Request for reconsideration

Please refer to attached letter of today's date.

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Department of Justice
Canada

Ministère de la Justice
Canada

International Assistance Group
Federal Prosecution Service
284 Wellington Street, EMB-2287
Ottawa, Ontario
K1A 0H8

Telephone: 613-957-4769
Facsimile: 613-957-8412

July 28, 2006

BY FACSIMILE

Edward Greenspan, Q.C.
Greenspan, White
Barristers
144 King Street East
Toronto, Ontario
M5C 1G8

Dear Mr. Greenspan:

Re: Karlheinz SCHREIBER- Extradition request from the Federal Republic of Germany

Enclosed herewith, please find a copy of the Summary of the Case and Submissions dated July 28, 2006, which has been prepared for the Minister of Justice's consideration with respect to Mr. Schreiber's request for reconsideration of Minister Cotler's decision on surrender.

Please be assured that the Minister of Justice will be provided with the entirety of your submissions for his consideration in making his decision on reconsideration of the Order of Surrender.

Yours truly,

Barbara Kothe, Senior Counsel
International Assistance Group
Federal Prosecution Service

Att.

BK/la



Department of Justice / Ministère de la Justice
Canada / Canada

Room 2287, 284 Wellington Street
Ottawa, Ontario

MEMORANDUM / NOTE DE SERVICE

Security Classification - Classification de sécurité
File Number - Numéro du dossier
Date July 28, 2006
Telephone / FAX - Téléphone / Télécopieur 613-957-4769 / 613-957-8412

TO / DEST: Minister

FROM / ORIG: Barbara Kothe, Senior Counsel, International Assistance Group
(via Janet Henchey, General Counsel and Associate Director, International Assistance Group)

SUBJECT / OBJET: GERMANY V. KARLHEINZ SCHREIBER - EXTRADITION FROM CANADA TO GERMANY - REQUEST FOR RECONSIDERATION - SUMMARY OF THE CASE AND SUBMISSIONS

Comments/Remarques

I. PURPOSE OF THIS MEMORANDUM

On October 31, 2004, your predecessor, the Honourable Irwin Cotler, ordered Mr. Schreiber's surrender to Germany.

This memorandum attaches submissions recently received from Mr. Edward L. Greenspan, Q.C., counsel for Mr. Schreiber, and provides you with additional information relevant to your decision on this request for reconsideration.

II. ADDITIONAL SUBMISSIONS

By letter dated May 17, 2006, Mr. Greenspan sent submissions to you asking that you reconsider your predecessor's surrender order. These submissions are attached to this memorandum.¹

In sum, Mr. Greenspan submits that your predecessor's surrender order should be rescinded on the basis that Mr. Schreiber will be subject to a process in Germany in which judges and prosecutors have prejudged his case raising serious concerns about fairness and due process.

¹ Appendix A: Submissions from Mr. Greenspan dated May 17, 2006.

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In particular, he draws your attention to newspaper articles attributing statements about Mr. Schreiber's case to Reinhard Nemetz, Chief Senior Prosecutor of the Augsburg Prosecution Office and Judge Karl-Heinz Haessler, a presiding judge at the Augsburg Regional Court.

III. ADDITIONAL INFORMATION

In light of Mr. Greenspan's submissions, additional information was obtained from German authorities relevant to this request for reconsideration.

German authorities have advised the following:

Mr. Schreiber is presumed innocent until proven guilty. The presumption of innocence is incorporated into the German Constitution (Article 20 of the Basic (Constitutional Law).

The indictment against Mr. Schreiber is pending before the 10th Criminal Division of the Augsburg Regional Court. The judge presiding over the 10th Criminal Division is Klaus Scheizig and he is supported by two professional judges (Stephan Knoepfle and Martin Barnickel).

If Mr. Schreiber is surrendered to the Federal Republic of Germany, he must be taken into custody pending his trial because there is an outstanding warrant for his arrest.

However, he will be taken before the court without undue delay and in any event no later than the end of the day following the day of his return to Germany. The court will decide the issue of bail pending his trial.

Both the Office of the Public Prosecutor and Mr. Schreiber will have the right to be present and to file motions at the bail hearing and any subsequent hearings to review the warrant of arrest. The Public Prosecutor's Office may file a motion for Mr. Schreiber's continued detention, for the suspension of the warrant of arrest on conditions, or to seek to have the warrant of arrest cancelled. Mr. Schreiber and his defence counsel will have the right to file motions to strike the warrant by presenting exonerating facts and filing motions for the taking of evidence.

Mr. Reinhard Nemetz

Mr. Reinhard Nemetz is the Chief Senior Prosecutor of the Augsburg Prosecution Office. As such, he is both a public prosecutor and the head of the Augsburg Prosecution Office. He, personally, will have no involvement in Mr. Schreiber's case.

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Two other prosecutors from the Augsburg Public Prosecution Office, namely, Mr. Natale, public prosecutor/group leader and Ms. Bader, public prosecutor are responsible for the prosecution of Mr. Schreiber.

Mr. Nemetz provides information to the press on behalf of the Augsburg Public Prosecution Office regarding the proceedings against Mr. Schreiber. He has been frequently interviewed by the press about the Schreiber case. Those interviews were mostly telephone interviews.

Mr. Nemetz has advised that he cannot specifically recall an interview with Spiegel Online and in particular with Mr. Gebauer, the author of the article "Schreiber arrested in Canada, released on bail" dated March 8, 2006. However, he cannot exclude the possibility that he gave such an interview. Mr. Nemetz cannot say whether he expressed the opinion "Extradition is meant to be expeditious. This case has proceeded at a snail's pace." as quoted in the March 8, 2006 Spiegel Online article but he does not deny that in his view the case is moving very slowly.

Mr. Nemetz would have explained to the press that if Mr. Schreiber is surrendered to Germany, he would have to be taken into custody upon his arrival in Germany because there is an outstanding warrant for his arrest. He would then be taken, without delay, before a judge, who would decide whether: (1) to continue Mr. Schreiber's detention, (2) to suspend the execution of the warrant on conditions or (3) cancel the warrant.

With respect to Mr. Nemetz's comments regarding bail ("According to Nemetz, he would definitely be imprisoned on remand, due to the severity of the charges, and the public prosecutor would "vehemently" protest against releasing him on bail.), these comments reflect the position that the prosecution is expected to take on bail.

Judge Karl-Heinz Haeusler

Mr. Karl-Heinz Haeusler is a presiding judge at the Augsburg Regional Court. He presides over the 3rd Criminal Division and is the press officer for the Augsburg Regional Court's Criminal Division. To the extent that the Augsburg Regional Court provides information to the press regarding the proceedings against Mr. Schreiber, he is the spokesperson for the Court. In the event that Mr. Schreiber is extradited to Germany, Judge Haeusler will not be the judge assigned to the case.

According to Judge Haeusler, the article in the Deutsche Presse Agentur gives an abridged account of his interview. Judge Haeusler's comments were all made on the assumption that Mr. Schreiber is convicted following a trial. In

- 4 -

Judge Huegler's view, this must have been so obvious to the interviewer, an experienced court journalist that he failed to mention it in his report.

The statement that Mr. Schreiber "*is the trigger of the entire affair and has caused damage to Germany. ... Until the Schreiber case, Germany had been considered a country immune to bribery [he stated] - the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "inspeakable" reality. Schreiber had done Germany a "disservice" was made on the assumption that the allegations against him are true and he is convicted after a trial.*

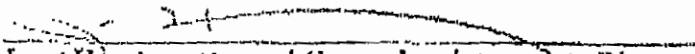
Similarly, the statement that Mr. Schreiber will have to reckon with the "*full force of the law*" was meant to convey that if convicted, he will not be treated any differently than any other offender in spite of his prominent position in the community.

Prepared by:



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International Assistance Group

Reviewed by:



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VIA COURIER AND FAX 1-613-990-7255

August 10, 2006

The Honourable Vic Toews
Minister of Justice and Attorney General of Canada
Department of Justice
284 Wellington Street, Room 2274
Ottawa, Ontario

Dear Mr. Minister:

Re: Federal Republic of Germany v. Schreiber

As you know, I represent Karlheinz Schreiber, a Canadian citizen, in relation to his extradition to Germany on charges of tax evasion, fraud, breach of trust, and bribery.

I recently received a copy of the Memorandum referred to you and prepared by the International Assistance Group dated July 28, 2006. In this Memorandum, it is indicated that in light of our submissions dated May 17, 2006, additional information was obtained from the German authorities.

These recent comments made by the German authorities solidify our fear that Mr. Schreiber will be the subject of a process in the Requesting State which has been prejudged to a point where he can no longer receive a fair hearing. It is respectfully submitted that you, as the Minister of Justice, must not participate in this tainted and biased process by permitting Mr. Schreiber to be surrendered in light of what has now been brought to your attention.

With respect to the comments of Reinhard Nemetz, the Chief Senior Prosecutor of the Augsburg Prosecution Office, the Memorandum states as follows:

With respect to Mr. Nemetz's comments regarding bail (According to Nemetz, he would definitely be imprisoned on remand, due to the severity of the charges, and the public prosecutor would "vehemently" protest against releasing him on bail), these comments reflect the position that the prosecution is expected to take on bail.

It is now most certainly undeniable that the Prosecution Office has already determined that Mr. Schreiber should not be granted bail. This decision has clearly been made without any consideration of whether Mr. Schreiber is a suitable candidate for bail. The Prosecution Office has already made critical decisions about the case without having all of the facts. Given that Mr. Schreiber is still in Canada, how can the Prosecution Office determine whether Mr. Schreiber's personal circumstances in Germany would permit him to be released on bail?

With respect to the comments of Judge Karl-Heinz Haeusler, the Memorandum states as follows:

According to Judge Haeusler, the article in the Deutsche Presse Agentur gives an abridged account of his interview. Judge Haeusler's comments were all made on the assumption that Mr. Schreiber is convicted following a trial. In Judge Haeusler's view, this must have been so obvious to the interviewer, an experienced journalist that he failed to mention it in his report.

The statement that Mr. Schreiber "is the trigger of the entire affair and has caused damage to Germany...Until the Schreiber case, Germany had been considered a country immune to bribery [he stated] - the arms dealer's 'unconcealed exertion of influence' on politicians and managers made the "unspeakable" reality. Schreiber had done Germany a 'disservice'" was made on the assumption that the allegations against him are true and he is convicted after a trial.

Similarly, the statement that Mr. Schreiber will have to reckon with the "full force of the law" was meant to convey that if convicted, he will not be treated any differently that any other offender in spite of his prominent position in the community. [underlining mine]

It is unconscionable that a judge who is the press officer and spokesperson for the Augsburg Regional Court's Criminal Division has made such comments. The fact that Judge Haeusler will not be the judge assigned to Mr. Schreiber's case is of no moment. He is the

spokesperson for the Court who will try Mr. Schreiber, therefore, he speaks on behalf of all of the judiciary when he makes these statements. It is unimaginable that a judge in this country would make such comments. If any judge in Canada made such comments, it would most certainly shock the conscience of Canadians, and it is respectfully submitted that this situation is no different.

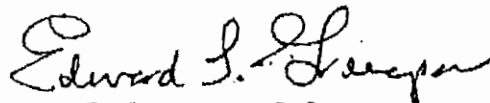
The further comments made by Judge Haensler in this Memorandum demonstrate an even more poisoned environment in Germany. The Court in Augsburg has clearly already tried and convicted Mr. Schreiber before he has even arrived in Germany. How can this possibly be seen as fair? How can Mr. Schreiber possibly receive a fair trial, free from abuse, a trial that provides proper due process, when the very Court who will be trying him has already decided the case and is willing to say so publicly?

The information and comments contained in this Memorandum from the International Assistance Group are further examples of the prejudgment of Mr. Schreiber's case which has occurred and continues to occur in Germany. It is respectfully submitted that these comments amount to further conduct by the Requesting State which interferes, or attempts to interfere, with the conduct of the extradition proceedings here in Canada.

As stated in my previous correspondence, dated May 17, 2006, a surrender order requiring Mr. Schreiber to return to face such a biased climate would not be consistent with the principles of fundamental justice. I am once again urging you to reconsider the order to surrender Karlheinz Schreiber, made on October 31, 2004 by Justice Minister Irwin Cotler in light of this new and critically important information. To surrender Mr. Schreiber in these circumstances would amount to a violation of the principles of fundamental justice.

Yours sincerely,

GREENSPAN, WHITE



Edward L. Greenspan, Q.C.

Karlheinz Schreiber

86916 Kaufering Raiffeisenstrasse 27 Telefon (08191) 7884 Telefax (08191) 7888

January 20, 1997

Honourable Allan Rock
Minister of Justice &
Attorney General of Canada

- and to -

Phillip Murray
Commissioner, RCMP

Dear Sirs:

This letter is written as an open letter to yourselves and to the Canadian public as a response to your letter of apology sent in care of my lawyer, Mr. Robert W. Hladun, Q.C. on January 9, 1997. A number of things were mentioned in that letter besides the apology and accordingly, it has become necessary for me to respond to that letter. I will address each point as it appears in your letter of January 9, 1997, a copy of which is attached for your convenience. Addressing each point in order as follows:

1. I wish to express my satisfaction with the settlement you have reached with the Right Honourable Brian Mulroney. I can only state that this is a settlement that should have been reached much earlier and an apology which should have been given from the outset.
2. It is no news to me that the Government of Canada sought assistance from Switzerland. I was told that I was not being accused of any crime. However, I was implicated in the circumstances described in the Letter of Request from the moment the Canadian Government demanded access to accounts of mine all over Switzerland, also all of those accounts over which I may have had a proxy. On the direction of the Canadian government, the Swiss authorities caused a search and seizure of all of my banking papers and documents, whatsoever.

3. Whether or not it is reasonable for the Canadian Government to believe that the request for assistance was a highly confidential state-to-state communication remains to be seen. It is utter nonsense to state that the Swiss would understand that this Request for Assistance contained only allegations that were to be verified given the wording of the Request for Assistance. The Request for Assistance reads like a summary of facts and includes such statements as "this investigation is of serious concern to the Government of Canada as it involves criminal activity on the part of the former Prime Minister." In fact, if you look at the entire Letter of Request and the statements that are set out therein as facts, one must question how the Swiss are to understand these as being merely allegations, and "that the persons named were presumed innocent of any wrongdoing." In fact, nowhere in the Request for Assistance is it explicitly stated that the people named therein are presumed innocent and that these are only allegations. Indeed, the Letter of Request reads like a criminal indictment.
4. I can easily imagine that requests for assistance have been sent to Switzerland before which have remained confidential. However, I have the feeling that you did not grasp the difference between a request for assistance or information and a request for search and seizure which is what happened in my case. The average Canadian would have difficulty understanding that search and seizure is to remain confidential when the Letter and its contents are given by the police force in Switzerland to all sorts of bank employees from the board of directors down to the tellers at the counter.
5. The Canadian Government asked the Swiss to search and seize every account all over Switzerland which I owned or over which I had a proxy. The Swiss refused to do so and instead asked for copies of my banking documents. This has had a great impact on my reputation when you consider I have maintained a house in Switzerland and conducted banking there over the past twenty years.

If you ask to search offices, homes or apartments in Switzerland, invariably investigators will show up in four or five cars, they will look everywhere and will put everything of interest in boxes and transport them to their offices. Do you still expect something like this to remain confidential? This is akin to expecting that a request for the arrest and extradition of an individual in a foreign country will remain confidential.

6. Given the revelations regarding Sergeant Fiegenwald in media reports, this last paragraph is somewhat ridiculous. The tone and content of this paragraph only tells me and the Canadian public that the Government of Canada is totally unprofessional in formulating requests for assistance. A search and seizure or arrest can in and of itself never stay confidential. On the other hand, requested countries respect their law which requires them to disclose requests for search and seizure to the suspects. Since there is a dramatic difference between confidentially asking for information and a search and seizure, all civilized

countries are required to provide a search warrant from a proper court. I can provide you copies of Mutual Legal Assistance Treaties of all members of the European Community which show that search warrants are required.

It is readily apparent to me that the officials of the Canadian Government did not honour the *Treaty for Mutual Legal Assistance* entered into between Canada and Switzerland which was signed on October 7, 1993. It requires the Canadian Court to issue a declaration that such a measure would be permissible if the subject matter of the search and seizure were located in Canada prior to it being executed upon by the foreign country. As Justice Wetston ruled on July 4, 1996, the Canadian Government would not have been able to carry out a similar search and seizure on Canadian soil. Further, it is of interest that the *Treaty* was ratified in Canada on November 17, 1995 and the Letter of Request was sent in "just under the wire" on September 29, 1995. The only person competent to issue a search warrant is a judge or someone acting judicially. However, if it is your position that a competent authority is a police force acting on its own, then that reminds me of the nightmare years of my childhood when the Nazi regime set loose the Gestapo on the German public.

7. I also take great pleasure in learning today that it is recognized that I am "presumed innocent" as required by law under the *Charter* but for over the past year you have permitted the Letter of Request to stand where it names me as a criminal and sets out in great detail the criminal indictment as to the crime that I was implicated in. The person with whom I am to have perpetrated the crime is the former Prime Minister, Brian Mulroney. It is interesting that as of January 6, 1997, the Government of Canada says that there is no evidence to say that he was involved in criminal activity and you apologize to me for having reached a conclusion that I was involved in the criminal activity but you insist that there is still an ongoing criminal investigation. This begs the question – What criminal activity?

The Request for Assistance states that I was involved in the crime of bribing the former Prime Minister. You now say that - "No, you are not involved in that. For saying that you were, we apologize. However, we will still investigate." It is unclear to me, and I am sure the Canadian public feels the same, what it is that you are investigating. The whole foundation upon which the Request for Assistance is built has collapsed with the apology to the former Prime Minister.

I would not wish the enormous pain, suffering and embarrassment that you have caused for my friends and family on anyone. You have acted deliberately and recklessly in sending out the Letter of Request without foundation, and today, sixteen months later, you feel the need to apologize.

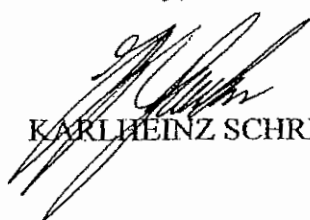
8. With respect to this paragraph, I would merely point out that this was not only the RCMP that had a hand in this letter but your own Department of Justice as well

and accordingly can be accused of reaching the same conclusions that the RCMP did.

9. I recognize your apology but this matter will only be properly clarified in a court room. This is my understanding. I have been a judge for commercial matters for nine years in Munich. Perhaps, I have a different understanding of law and order than you do.

Since the letter you sent me appeared in the media, this letter is provided to the media in order to give the Canadian public my side of the story.

Yours truly,



KARLHEINZ SCHREIBER



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Canada Treaty Information

Treaty Section

Treaty List

- All
- Bilateral
- Multilateral

Sites of Interest

2 Treaties found

Supplementary Treaty to the Treaty between Canada and the Federal Republic of Germany concerning Extradition

Status: In Force

Party: Germany (Federal Republic of)

Entry into force: 2004/10/23

[View Treaty](#) [View Treaty](#)

Treaty between Canada and the Federal Republic of Germany concerning Extradition

Status: In Force

Party: Germany (Federal Republic of)

Entry into force: 1979/09/30

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Last Updated:
10/26/2006

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E101275 - CTS 1979 No. 18

TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING EXTRADITION

CANADA AND THE FEDERAL REPUBLIC OF GERMANY,

DESIRING to regulate by mutual agreement their relations in the field of extradition,

HAVE agreed as follows:

ARTICLE I

Undertaking to Extradite

(1) The Contracting Parties undertake, subject to the provisions and conditions prescribed in this treaty, to extradite to each other any person found within the territory of the requested state who is subject to prosecution by a competent authority of the requesting state for, or convicted by such an authority of an offence committed within the territory of the requesting state and who is claimed by that authority for the purpose of prosecution or for the purpose of carrying out a sentence.

(2) Where the requesting state asserts jurisdiction in respect of an offence committed outside its territory the requested state shall grant extradition where in a similar case it would have jurisdiction.

ARTICLE II

Extraditable Offences

(1) Extradition shall be granted only in respect of any act or omission that constitutes an offence set out in the Schedule, provided that such act or omission is a criminal offence punishable under the law of both Contracting Parties.

- (2) Extradition shall only be granted in respect of an offence for the purpose of
- (a) prosecution, where the offence is punishable under the law of both Contracting Parties by deprivation of liberty for a maximum period exceeding one year; or
 - (b) carrying out a sentence, where deprivation of liberty of at least six months remains to be served or, if more than one sentence is to be carried out, where deprivation of liberty of at least six months in the aggregate remains to be served.
- (3) Subject to paragraph (2) extradition shall also be granted in respect of any attempt to commit, conspiracy to commit or participation in an offence.
- (4) Where extradition is granted in respect of any offence, paragraph (2) shall not apply to any other offence for which extradition is requested at the same time.
- (5) The fact that an offence is described differently by the law of the Contracting Parties shall be irrelevant if the act or omission can be subsumed within the substance of any offence set out in the Schedule.

ARTICLE III

Political Offences

- (1) Extradition may be refused if
- (a) the offence in respect of which it is requested is considered by the requested state to be a political offence;
- or
- (b) the requested state considers that the request for extradition has been made for the purpose of prosecuting or punishing a person on account of his race, religion, nationality or political opinion or that his position would be prejudiced for any of those reasons.
- (2) For the purpose of this treaty, a murder, kidnapping or other wilful assault on the life or physical integrity of a person in relation to whom the Contracting Parties have or the requesting state has a duty according to international law to give special protection shall be deemed not to be a political offence.

ARTICLE IV

Military Offences

Extradition shall not be granted if the offence in respect of which it is requested is considered by the requested state to be a purely military offence.

ARTICLE V

Extradition of Nationals

- (1) Neither of the Contracting Parties shall be bound to extradite its own nationals.
- (2) The requested state shall suspend any proceedings for the naturalization of the person claimed until a decision on the request for extradition has been reached and, if extradition is granted, until his surrender.
- (3) If a request for extradition is refused only on the ground that the person claimed is a national of the requested state, that state shall, if asked to do so by the requesting state, take all possible measures in accordance with its own law to prosecute the person claimed. For this purpose, the files, documents and exhibits relating to the offence shall be transmitted to that state. All expenses incurred in connection with such prosecution shall be borne by the requested state. The requesting state shall be informed of the result of the prosecution.

ARTICLE VI

Ne Bis In Idem

- (1) Extradition shall not be granted if
 - (a) the person claimed, has already been tried and acquitted or convicted by the competent authorities of the requested state for the offence in respect of which his extradition is requested; or
 - (b) criminal proceedings initiated against the person claimed for the offence in respect of which extradition is requested have been discontinued finally by the competent authorities of the requested state, the person claimed having complied with the conditions imposed on him.
- (2) Extradition may be refused, if the person claimed has already been tried and acquitted or convicted by the competent authorities of a third state for the offence in respect of which his extradition is requested.

ARTICLE VII

Lapse of Time

Extradition shall be granted notwithstanding that prosecution for the offence or carrying out of the sentence would be barred by lapse of time according to the law of the requested state.

ARTICLE VIII

Prosecution In The Requested State

- (1) Extradition may be refused if the person claimed is under examination or trial in the requested state for the offence in respect of which his extradition is requested.
- (2) Subject to Article VI (1)(b) a decision by the competent authorities of the requested state not to initiate or to stop proceedings against the person claimed in respect of an offence shall not be a reason to refuse extradition in respect of the

same offence.

ARTICLE IX

Amnesty

An amnesty enacted by the requested state shall not affect the obligation to extradite if the offence for which extradition is requested was not committed within the jurisdiction of the requested state.

ARTICLE X

Complaint and Authorization

If a complaint by or on behalf of the person injured by an offence or an authorization to prosecute is required by the law of the requested state, the absence of such a complaint or authorization shall not affect the obligation to extradite.

ARTICLE XI

Capital Punishment

Extradition may be refused where the offence for which extradition is requested is punishable by death under the law of the requesting state and the law of the requested state does not permit such a punishment for that offence, unless the requesting state gives such assurances as the requested state considers sufficient that the death penalty shall not be imposed or, if imposed, shall not be executed.

ARTICLE XII

Conviction by Reason of Contumacy

Where the person claimed has been convicted of an offence by reason of contumacy, extradition may be refused unless the requesting state gives such assurances as the requested state considers sufficient that the person claimed will be entitled to have the conviction on which the request for extradition is based reviewed by a court in points of fact and law.

ARTICLE XIII

Channel of Communication

A request for extradition and any subsequent correspondence shall be communicated through the diplomatic channel.

ARTICLE XIV

Extradition Documents

- (1) The request for extradition shall be in writing and shall be accompanied by
 - (a) all available information concerning the description, identity and nationality of the person claimed;
 - (b) a description of the offence in respect of which extradition is requested including the date and place of its commission unless this information appears in the warrant of arrest or in the sentence; and
 - (c) the text of all provisions of the law of the requesting state applicable to the offence.
- (2) A request for extradition for the purpose of prosecution relating to a person charged with an offence or convicted by reason of contumacy shall, in addition to the documents required by paragraph (1), be accompanied by
 - (a) a warrant of arrest issued by a judge of the requesting state; and
 - (b) such evidence as, according to the law of the requested state, would justify the arrest and committal for trial of the person claimed if the offence had been committed in the requested state.
- (3) A request for extradition for the purpose of carrying out a sentence shall, in addition to the documents required by paragraph (1), be accompanied by a copy of the judgment and by confirmation that it has final and binding effect and
 - (a) if the judgment covers only the conviction, a warrant of arrest issued by a judge of the requesting state; or
 - (b) if the judgment covers both conviction and sentence, confirmation that the sentence may be carried out and a statement showing how much of the sentence has not been served.
- (4) A statement on oath or affirmation, a deposition or any other statement which satisfies the requirements of the law of the requesting state shall be admissible as evidence in extradition proceedings in the requested state.

ARTICLE XV

Form of Evidence

The documents required under Article XIV or copies thereof shall be admitted in evidence in extradition proceedings in the requested state if signed by a competent judge or officer and sealed with the seal of the Federal Minister of Justice of the requesting state. Any such document that purports to be so signed and sealed shall be deemed to be duly certified and authenticated by the person or authority competent to do so.

ARTICLE XVI

Insufficient Evidence

If extradition is not granted because of insufficient evidence, the person claimed may be discharged from custody by the requested state, without prejudice to the right of the requesting state to submit a further request for extradition in respect of the same offence together with additional evidence.

ARTICLE XVII

Provisional Arrest

- (1) The Competent authorities of the requesting state may request the provisional arrest of the person claimed either through the diplomatic channel or the facilities of the International Criminal Police Organization (Interpol). Where a request for provisional arrest of the person claimed is made through the facilities of the International Criminal Police Organization (Interpol), the requested state shall be informed through the diplomatic channel.
- (2) The request for provisional arrest shall include
 - (a) a statement that it is intended to request extradition;
 - (b) all available information concerning the description, identity and nationality of the person claimed;
 - (c) a description of the facts surrounding the offence;
 - (d) a statement that there exists in the requesting state a warrant for the arrest of, or a sentence against, the person claimed; and
 - (e) any available information that will assist in apprehending the person claimed.
- (3) The requested state shall inform the requesting state when the person claimed has been apprehended.
- (4) The requesting state shall have forty-five days from the date of the apprehension of the person claimed to make the request for extradition.
- (5) If the request for extradition has not been received within the said period of forty-five days or such further time as a judge of the requested state may direct, the person claimed may be discharged from custody.
- (6) The discharge of the person claimed under paragraph (5) shall not prevent extradition proceedings again being initiated if the request for extradition is received after such discharge.

ARTICLE XVIII

Requests by Several States

Where the requesting state and one or more other states request the extradition of the same person, the requested state shall, subject to its obligations under agreements with the other states, give priority to the request of the state that first

requested extradition. Such priority shall, however, be given only in exceptional cases to a state when the person claimed is a national of that state and its laws do not allow the extradition of its nationals.

ARTICLE XIX

Surrender of The Person Claimed

- (1) The requested state shall inform the requesting state as soon as possible of its decision with regard to the request for extradition. The requested state shall give the reason for any complete or partial rejection of the request.
- (2) If extradition is granted the requested state shall cause the person claimed to be surrendered to the persons who are authorized by the requesting state to receive him at the time and place agreed between the Contracting Parties.
- (3) If the person claimed has been made available in accordance with paragraph (2) but has not been conveyed out of the territory of the requested state within thirty days, he may be discharged from custody. In that case the requested state may thereafter refuse to extradite the person claimed for the same offence.
- (4) The requested state shall inform the requesting state of the period of time during which the person claimed was in custody for the purpose of extradition and of the date of his apprehension.

ARTICLE XX

Postponed Surrender

The requested state may postpone the surrender of the person claimed in order to prosecute him for another offence or in order that he may serve a sentence and shall so inform the requesting state.

ARTICLE XXI

Surrender of Articles

- (1) If extradition is granted, all articles including property of any kind and money found in the possession of the person claimed that may be required as evidence or that have been acquired as a result of the offence or obtained as consideration for such articles shall, to the extent permitted by the law of the requested state and subject to its rights and those of third parties, which shall be duly respected, be surrendered by the requested state. The surrender of such articles shall take place even without any special request and, if possible, at the same time that the person claimed is surrendered.
- (2) The requested state may refuse the surrender of such articles unless it receives a satisfactory assurance from the requesting state that they will be returned as soon as possible.
- (3) Where the requested state surrenders such articles without requiring their return it shall not assert any customs lien or other right in rem under the provisions of its customs or tax laws unless the levy is owed by the victim of the offence.

ARTICLE XXII

Rule of Specialty

(1) A person who has been extradited under this treaty shall not be prosecuted, punished or detained with a view to carrying out a sentence for any offence committed prior to his surrender other than that for which he was extradited, nor shall he for any other reason be restricted in his personal freedom except where

(a) the state which surrendered him consents; or

(b) having had the opportunity lawfully to leave the state to which he was surrendered, he has not done so within thirty days of his final discharge from custody or, having left, he has returned to that state. A discharge under an order of parole or probation which does not restrict the freedom of movement of the person extradited shall be deemed equivalent to a final discharge.

(2) A request for consent shall be submitted through the diplomatic channel and shall be accompanied by a warrant of arrest, a description of the offence in respect of which consent is requested including the date and place of its commission and a record established by a judge or competent officer of any statement made by the person in respect of the request for consent. If under the law of the requesting state the issuance of a warrant of arrest for the offence in respect of which the request is made is impossible, the request for consent shall be accompanied instead by a statement by a judge or competent authority of the charge upon which the requesting state intends to try the person.

(3) The state to which a person has been extradited may, however, take any legal measures necessary under its law in order to interrupt any lapse of time or to record a statement under paragraph (2).

(4) Instead of the offence for which he was extradited, the person extradited may be prosecuted or sentenced for a different offence, provided that it is based on the same facts as were set out in the request for extradition and supporting documents and that it is an offence referred to in Article II.

ARTICLE XXIII

Result of Criminal Proceedings

The requesting state shall upon request inform the requested state of the result of the criminal proceedings against the person extradited and shall send a copy of the final and binding decision to that state.

ARTICLE XXIV

Re-Extradition

(1) The Contracting Party to which a person has been extradited under this treaty shall not re-extradite him to a third state without the consent of the Contracting Party that extradited him. The request for consent to re-extradition shall be accompanied by originals or true copies of the extradition documents of the third state.

- (2) Such consent is not required under the conditions set out in Article XXII, paragraph (1)(b).

ARTICLE XXV

Transit

Transit of a person who is being extradited from a third state through the territory of one Contracting Party to the other Contracting Party shall, subject to the law of the Contracting Party through the territory of which the person is to be transported, be granted on request provided that the offence concerned would be an extraditable offence under this treaty. The Contracting Party requesting transit shall provide any documents required by the other Contracting Party.

ARTICLE XXVI

Translation

Any documents submitted in accordance with this treaty shall be accompanied by a translation certified in accordance with the law of the requesting state. Any such translation shall be admissible as evidence in extradition proceedings in the requested state.

ARTICLE XXVII

Expenses

- (1) Expenses incurred in the territory of the requested state shall be borne by that state. However, the requesting state shall bear the expenses incurred in respect of conveying the person claimed to the requesting state from the place where he is committed for extradition by the competent judicial authority in the requested state and any expenses incurred in respect of transit.
- (2) The requested state shall provide for the legal representation of the requesting state in any extradition proceedings.

ARTICLE XXVIII

Applicable Law

Except where this treaty otherwise provides, proceedings with regard to provisional arrest, extradition and transit shall be governed solely by the law of the requested state.

ARTICLE XXIX

Definitions

For the purpose of this treaty

- (a) "sentence" means any order of a criminal court whereby deprivation of liberty or any detention involving deprivation of liberty in addition to or instead of a penalty is imposed on a person;
- (b) "offence" means any act or omission referred to in paragraphs (1) or (3) of Article II.

ARTICLE XXX

Territorial Application

- (1) A reference in this treaty to the territory of a Contracting Party is a reference to all territory, waters and airspace under its jurisdiction.
- (2) The territory of a Contracting Party shall be deemed to include
 - (a) any vessel registered in its territory if such vessel is on the high seas at the time an offence is committed; and
 - (b) any aircraft against or on board which an offence is committed if that Contracting Party has jurisdiction over such offence.
- (3) An offence committed partly within the territory of a Contracting Party shall be deemed to have been committed entirely within its territory.

ARTICLE XXXI

Berlin Clause

This treaty shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of Canada within three months of the date of entry into force of this treaty.

ARTICLE XXXII

- (1) This treaty shall be ratified; the instruments of ratification shall be exchanged in Bonn as soon as possible.
- (2) This treaty shall enter into force one month after the exchange of the instruments of ratification.
- (3) This treaty may be denounced in writing by either Contracting Party at any time and it shall terminate one year after the date of such denunciation.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed the Treaty.

DONE in two copies at Ottawa this 11th day of July 1977, in the English, French and German languages, each version being equally authentic.

Don Jamieson

FOR CANADA

Max Von Podewils-Dumiz

FOR THE FEDERAL REPUBLIC OF GERMANY

SCHEDULE

1. Murder.
2. Manslaughter.
3. Wounding, maiming or assault causing bodily harm whether or not loss of life results.
4. Illegal abortion.
5. Kidnapping for any purpose; abduction, false imprisonment.
6. Rape, indecent assault; incest; bigamy.
7. Unlawful sexual acts with or upon children under the age specified by the law of the Contracting Parties.
8. Procuring.
9. Wilful non-support or abandonment of a child or other dependent person where, as a result of such non-support or abandonment, the life or health of that child or other dependent person is or is likely to be endangered.
10. Robbery; theft; housebreaking; burglary; embezzlement; extortion.
11. Wilful damage to property.
12. Offences against the laws relating to fraud and criminal breach of trust; fraudulent conversion; obtaining property, money or securities by fraud or false pretences.
13. Offences against the laws relating to forgery, including uttering what is forged.
14. Receiving or possessing any property, including money and securities, knowing the same to have been unlawfully obtained.

15. Offences relating to counterfeiting.
16. Offences against the laws relating to perjury, including subornation of perjury; making a false affidavit, statutory declaration or oral statement under oath or on affirmation; false statements, either written or oral, whether or not under oath, made to a judicial authority or to a government agency or office.
17. Arson.
18. Obstruction of judicial proceedings or proceedings before governmental bodies or interference with an investigation of a violation of a criminal statute, by influencing, bribing, impeding, threatening or injuring by any means any officer of the court, juror, witness, or duly authorized criminal investigator.
19. Prison break; assisting or permitting the escape of a person from custody.
20. Offences against the laws relating to bribery.
21. Offences against the laws relating to civil disorders and riots.
22. Offences against the laws relating to gambling.
23. Any act or omission with intent or that is likely to
 - (a) endanger the safety of an aircraft in flight or of any person on board such aircraft; or
 - (b) destroy or render any aircraft incapable of flight.
24. Any unlawful seizure or exercise of control of an aircraft in flight by force or violence or by threat of force or violence or by any other form of intimidation.
25. Any unlawful act or omission intended or that is likely to endanger the safety of any person travelling or being upon a railway or in any vessel or other means of transportation.
26. Piracy; mutiny or any mutinous act committed on board a vessel against the authority of the captain or commander of such vessel.
27. Offences against the laws relating to bankruptcy.
28. Offences against the laws relating to dangerous drugs and substances including drugs listed in Schedules I, II and III of the Single Convention on Narcotic Drugs of March 30, 1961 and substances listed in Schedules I, II and III to the Convention on Psychotropic Substances of February 21, 1971, as any such Schedule may be amended at any time.
29. Offences against the laws relating to firearms and other weapons, ammunition, explosives, incendiary devices or nuclear materials.
30. Offences against the laws relating to the sale or purchase of securities or commodities.
31. Any other offence for which extradition may be granted under the laws of the Contracting Parties.



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E104859

SUPPLEMENTARY TREATY TO THE TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY CONCERNING EXTRADITION

CANADA AND THE FEDERAL REPUBLIC OF GERMANY,

DESIRING to make more effective the Treaty of July 11th, 1977 between Canada and the Federal Republic of Germany concerning Extradition (hereinafter referred to as "the Extradition Treaty");

REAFFIRMING their respect for each other's legal systems and judicial institutions,

HAVE AGREED as follows:

ARTICLE 1

Article I of the Extradition Treaty is amended to read as follows:

"ARTICLE I

UNDERTAKING TO EXTRADITE

(1) The Contracting Parties undertake, subject to the provisions and conditions prescribed in this treaty, to extradite to each other any person found within the territory of the requested state who is wanted in the requesting state for the purpose of prosecution or of imposing or carrying out a sentence.

(2) If the offence for which extradition is requested has been committed outside the territory of the requesting state, extradition shall be granted if the person whose extradition is requested is a national of the requesting state or if in similar circumstances the requested state would have jurisdiction. In other cases the requested state may, in its discretion, grant extradition."

ARTICLE 2

(1) Article II, paragraph (1) of the Extradition Treaty is amended to read as follows:

"(1) Extradition shall be granted only in respect of any conduct that constitutes an offence punishable under the law of both Contracting Parties."

(2) Article II, paragraph (3) of the Extradition Treaty is deleted.

(3) Article II, paragraph (4) of the Extradition Treaty becomes Article II, paragraph (3).

(4) Article II, paragraph (5) of the Extradition Treaty becomes Article II, paragraph (4) and is amended to read as follows:

"(4) In determining what is an extraditable offence, the fact that an offence is described differently by the law of the Contracting Parties shall be irrelevant."

(5) The Schedule to the Extradition Treaty is hereby deleted.

ARTICLE 3

Article III, paragraph (2) of the Extradition Treaty is amended to read as follows:

"(2) For the purpose of this treaty the following offences shall be deemed not to be offences within the meaning of paragraph (1) subparagraph (a):

(a) an offence for which both Contracting Parties have the obligation pursuant to a multilateral international agreement to extradite the person sought or to submit the case to their competent authorities for decision as to prosecution;

(b) murder, manslaughter, maliciously wounding, or inflicting grievous bodily harm;

(c) kidnapping, abduction, or any form of unlawful detention, including taking a hostage;

(d) placing or using an explosive, incendiary or destructive device capable of endangering life, or of causing grievous bodily harm, or of causing substantial property damage."

ARTICLE 4

Article VI paragraph (2) of the Extradition Treaty is amended to read as follows:

"(2) Extradition may be refused if final judgment has been rendered in a third state in respect of the offence for which the person's extradition is requested and,

- (a) the judgment resulted in the person's acquittal; or
- (b) the term of imprisonment or other deprivation of liberty to which the person was sentenced has been completely enforced or has been the subject of a pardon or an amnesty."

ARTICLE 5

Article XIII of the Extradition Treaty is amended to read as follows:

"ARTICLE XIII

CHANNELS OF COMMUNICATION

Requests for extradition and any subsequent correspondence shall be communicated between the departments of justice of the Contracting Parties; however, use of the diplomatic channel is not excluded."

ARTICLE 6

Article XIV of the Extradition Treaty is amended to read as follows:

"ARTICLE XIV

EXTRADITION DOCUMENTS

- (1) All requests for extradition shall be in writing and supported by:
 - (a) information concerning the identity and, if available, nationality, probable location of the person sought, a physical description, photograph and fingerprints;
 - (b) a description of the offence in respect of which extradition is requested including the date and place of its commission unless this information appears in the warrant of arrest or in the sentence;
 - (c) the text of all provisions of the law of the requesting state applicable to the offence; and
 - (d) a statement of the jurisdiction of the requesting state over the offence if it was committed outside its territory.
- (2) A request for extradition that relates to a person wanted for the purpose of prosecution or convicted in absentia shall be supported by:
 - (a) a copy of the order of arrest; and
 - (b) in the event that the law of the requested state so requires, evidence that would justify committal for trial if the conduct had been committed in the requested state. For this purpose, a summary setting out the facts of the case and the corresponding elements of evidence, including evidence of identity of the offender, whether or not the evidence was gathered or obtained in the requesting state, shall be admitted in evidence as proof of the facts contained therein, whether or not this

evidence would otherwise be admissible under the law of the requested state, provided that the summary is signed by a judicial authority or a prosecutor who certifies that the evidence described in the summary was obtained in accordance with the law of the requesting state and is available. The requesting state may include as part of the summary of the facts any statements, reports, reproductions or other useful documentation.

(3) A request for extradition that relates to a person who has been convicted shall be supported by:

- (a) a copy or a record of the judgment and a confirmation that it is enforceable; and
- (b) if the judgment covers only the conviction, a copy of the order of arrest; or
- (c) if the judgment covers both conviction and sentence, a statement showing how much of the sentence has not been served.

(4) All documents and copies thereof submitted in support of a request for extradition and appearing to have been certified, issued or signed by a judicial authority or a public official of the requesting state shall be admitted as evidence in extradition proceedings in the requested state without having to be taken under oath or affirmation and without proof of the signature or of the official character of the person appearing to have signed them."

ARTICLE 7

Article XV of the Extradition Treaty is amended to read as follows:

"ARTICLE XV

FORM OF SUPPORTING DOCUMENTS

No authentication or further certification of documents submitted in support of the request for extradition shall be required."

ARTICLE 8

The text of Article XVI of the Extradition Treaty is renumbered to become Article XVI, paragraph (2), and the following text is inserted as Article XVI, paragraph (1):

" (1) If the information provided by the requesting state is insufficient for the requested state to make a decision under this treaty, the requested state shall ask for the necessary additional information and may set a time limit for the submission of that information."

ARTICLE 9

Article XVII, paragraph (1) of the Extradition Treaty is amended to read as follows:

" (1) In case of urgency, the competent authorities of the requesting

state may request the provisional arrest of the person sought, either through a channel established by Article XIII or through the facilities of the International Criminal Police Organization (Interpol)."

Article XVII, paragraphs (4) and (5) of the Extradition Treaty are amended to read as follows:

"(4) The requesting state shall have sixty days from the date of the apprehension of the person claimed to make the request for extradition.

(5) If the request for extradition has not been received within the said period of sixty days or such further time as a judge of the requested state may direct, the person claimed may be discharged from custody."

ARTICLE 10

After Article XVII of the Extradition Treaty the following Article XVII bis is included:

"ARTICLE XVII BIS

SIMPLIFIED EXTRADITION

The requested state may grant extradition of a person sought pursuant to the provisions of this treaty, notwithstanding that the requirements of Article XIV have not been complied with, provided that the person sought consents."

ARTICLE 11

Article XX of the Extradition Treaty is amended to read as follows:

"ARTICLE XX

POSTPONED OR TEMPORARY SURRENDER

(1) When the person sought is being proceeded against or is serving a sentence in the requested state for an offence other than that for which extradition is requested, the requested state may finally surrender the person sought or postpone surrender until the conclusion of the proceedings or the service of the whole or any part of the sentence imposed. The requested state shall inform the requesting state of any postponement.

(2) To the extent permitted by its law, where a person has been found extraditable, the requested state may temporarily surrender the person sought for the purpose of prosecution to the requesting state in accordance with conditions to be determined between the Contracting Parties. A person who is returned to the requested state following a temporary surrender may be finally surrendered to serve any sentence imposed, in accordance with the provisions of this treaty."

ARTICLE 12

In Article XXII, paragraph (2) of the Extradition Treaty the words "shall be submitted through the diplomatic channel and" are deleted.

ARTICLE 13

In Article XXVI of the Extradition Treaty the words "certified in accordance with the law of the requesting state" are replaced by "into an official language of the requested state".

ARTICLE 14

Article XXIX of the Extradition Treaty is amended to read as follows:

"ARTICLE XXIX

DEFINITION

For the purpose of this treaty "sentence" means any order of a criminal court whereby deprivation of liberty or any detention involving deprivation of liberty in addition to or instead of a penalty is imposed on a person."

ARTICLE 15

The following Article XXIX bis is included after Article XXIX of the Extradition Treaty:

"ARTICLE XXIX BIS

PERSONAL DATA

(1) Personal data, hereinafter referred to as data, shall be understood to be particulars on the personal and factual situation of an identified or identifiable natural person.

(2) Data transmitted on the basis of this Treaty shall be used for the purposes for which the data were transmitted and on the conditions determined by the transmitting Party in the individual case. In addition, such data may be used for the following purposes:

- (a) for the prevention and prosecution of offences in respect of which data may be transmitted pursuant to the Treaty of May 13, 2002, between Canada and the Federal Republic of Germany on Mutual Assistance in Criminal Matters;
- (b) for non-criminal court proceedings and administrative proceedings which are related to the use for which the data were originally requested or related to the use outlined in sub-paragraph (a); and
- (c) to ward off substantial dangers to public security.

Use of the data for other purposes requires the prior consent of the Party transmitting the data concerned.

(3) Subject to the domestic legal provisions of each Party, the following provisions shall apply to the transmission and use of data:

(a) Upon request, the Party which has received the data shall identify the data received, inform the transmitting Party of the use made of the data and the results achieved therefrom;

(b) The Parties shall carefully handle data transmitted under this Treaty and pay particular attention to the accuracy and completeness of such data. Only data that relate to the request shall be transmitted. If it appears that incorrect data have been transmitted or that data that should not have been transmitted were transmitted, the Party that has received the data shall be notified without delay. The Party that has received the data shall rectify or correct any errors or return the data;

(c) The Parties shall keep records in appropriate form concerning the transmission and receipt of data;

(d) The Parties shall afford protection of the data transmitted against unauthorized access, unauthorized alteration and unauthorized publication."

ARTICLE 16

RETROSPECTIVITY

This Supplementary Treaty shall apply in all cases where the request for extradition is made after its entry into force regardless of whether the offence was committed before or after that date.

ARTICLE 17

Article XXXI of the Extradition Treaty is deleted.

ARTICLE 18

FINAL CLAUSES

(1) This Supplementary Treaty shall form an integral part of the Extradition Treaty.

(2) This Supplementary Treaty shall be subject to ratification and the instruments of ratification shall be exchanged as soon as possible. It shall enter into force one month after the exchange of instruments of ratification. It shall be subject to termination in the same manner as the Extradition Treaty.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto, have signed this Supplementary Treaty.

DONE in two copies at Mont-Tremblant, this 13th day of May 2002, in the English, French and German languages, each version being equally authentic.

Martin Cauchon

FOR CANADA

Georg Wilhelm Birgelen

Eckhart Pick

FOR THE FEDERAL REPUBLIC OF GERMANY

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Status: In Force
Party: Finland
Entry into force: 1985/02/16

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Treaty between Canada and Finland concerning Extradition

Status: In Force
Party: Finland
Entry into force: 1985/02/16

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Notification extending to Canada as from the 19th September, 1928, the Treaty between His Majesty and Finland for the Extradition of Criminals

Status: Terminated
Party: Finland
Entry into force: 1928/09/19

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E101265 - CTS 1985 No. 15

TREATY BETWEEN THE GOVERNMENT OF CANADA AND THE
GOVERNMENT OF FINLAND CONCERNING EXTRADITION.

CANADA AND FINLAND,

DESIRING to regulate by mutual agreement their relations in the field of extradition and for this purpose to conclude a new Extradition Treaty,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

1. Each Contracting Party agrees to extradite to the other Contracting Party, subject to the provisions of this treaty, any person found within its territory who is charged by a competent authority of the other Contracting Party with, or who has been convicted by such an authority of, an offence mentioned in Article 2 of this treaty committed within the jurisdiction of the Contracting Party requesting extradition.

2. Where the requesting state asserts jurisdiction in respect of an offence committed outside its territory the requested state shall grant extradition only where it would assert jurisdiction on a similar basis.

ARTICLE 2

1. Extradition shall be granted only in respect of any act of omission that constitutes an offence set out in the Schedule, provided that such act or omission is a criminal offence punishable under the law of both Contracting Parties.

2. Extradition shall also be granted in respect of any attempt to commit or participation in any offence set out in the Schedule.

3. Extradition shall also be granted in respect of conspiracy to commit an

offence under the law of Canada, if such conspiracy constitutes the offence of aiding, abetting, preparation or conspiracy under the law of Finland.

4. For the purposes of this treaty the term "offence" means any act or omission referred to in paragraphs 1., 2. or 3.

5. Extradition shall be granted only if the offence is punishable under the law of both Contracting Parties by imprisonment for a period exceeding one year or by a more severe penalty or, where the person claimed has been convicted of such an offence, deprivation of liberty of at least four months' duration remains to be served.

6. Where the request for extradition relates to more than one offence, not all of which fulfill the requirements of paragraph 5., the requested state may, if it grants extradition in respect of at least one offence which fulfills those requirements, also grant extradition in respect of the others.

ARTICLE 3

1. Neither of the Contracting Parties shall be bound to extradite its own nationals.

2. The competent authority of the requested state shall be advised of a request for extradition, where the person claimed is or may be seeking naturalization in the requested state.

3. If extradition is not granted pursuant to this Article, the requested state, if asked to do so by the requesting state, shall submit the case to its competent authorities for the purpose of prosecution. For this purpose, any files, documents and exhibits required for the prosecution shall be transmitted to the requested state and all expenses incurred in connection with proceedings taken under this paragraph shall be borne by the requested state. The requesting state shall be informed of the results of the prosecution.

ARTICLE 4

1. Extradition may be refused if:

(a) the offence in respect of which extradition is requested is considered by the requested state to be an offence of a political character; or

(b) the requested state considers that the request for extradition has been made for the purpose of prosecuting or punishing the person claimed because of his race, religion, nationality or political opinion.

2. The following offences shall be deemed not to be offences of a political character:

(a) a murder or other serious assault, except in the course of open hostilities, on the person or liberty of an individual to whom a Contracting Party has a duty according to international law to give special protection; or

(b) the unlawful seizure of an aircraft engaged in commercial services carrying passengers.

ARTICLE 5

1. Extradition may be refused where:
 - (a) the person claimed has already been tried and acquitted of, or convicted and punished for, the offence in respect of which extradition is requested;
 - (b) the person claimed is under examination or trial in the requested state for the offence in respect of which extradition is requested;
 - (c) the offence in respect of which extradition is requested is considered by the requested state to constitute a breach of military law alone;
 - (d) prosecution or punishment of the person claimed would be barred by lapse of time according to the law of the requesting or requested state;
 - (e) the offence in respect of which extradition is requested is punishable by death under the law of the requesting state if the law of the requested state does not provide such a punishment for that offence, unless the requesting state gives such assurances as the requested state considers sufficient that the death penalty shall not be imposed or, if imposed, shall not be executed.
2. Extradition may be refused on any other ground which is specified by the law of the requested state.
3. If the charge for an offence in respect of which extradition is requested has been waived in Finland, extradition may be granted for that offence only if the conditions for reversal of waiver under Finnish law are fulfilled.

ARTICLE 6

A request for extradition shall be communicated through the diplomatic channel.

ARTICLE 7

1. A request for extradition shall be in writing and shall be accompanied by:
 - (a) all available information concerning the description, identity, nationality and residence of the person claimed;
 - (b) a description of the offence in respect of which extradition is requested, including the date and place of its commission, unless this information appears in the warrant of arrest or certificate of conviction; and
 - (c) the text of all provisions of the law of the requesting state applicable to the offence.
2. A request for extradition which relates to a person charged with an offence or convicted by reason of contumacy shall, in addition to the documents required by paragraph 1., be accompanied by:

- (a) a warrant of arrest issued by a judge of the requesting state; and
 - (b) such evidence as, according to the law of the requested state, would justify the arrest and committal for trial of the person claimed, if the offence had been committed in the requested state.
3. A request for extradition which relates to a convicted person shall, in addition to the documents required by paragraph 1., be accompanied by
 - (a) a certificate of the conviction of the person claimed, including any sentence imposed, issued by a competent authority of the requesting state; and
 - (b) a statement that there is no legal impediment to imposition or execution of sentence and that shows how much of the sentence imposed remains to be served.
4. The submission of any other evidence or information considered necessary for the extradition proceedings may be required by the requested state.

ARTICLE 8

Any document required by Article 7 and any statement on oath or affirmation taken in or on behalf of the requesting state shall be admitted in evidence in extradition proceedings in the requested state if it is certified to be the original or true copy by being signed by a judge or officer of the requesting state and is authenticated by being sealed with the seal of the Minister or Ministry of Justice of the requesting state. Any document that purports to be so signed and sealed shall be deemed to be duly certified and authenticated by the person competent to do so.

ARTICLE 9

If extradition is not granted because of insufficient evidence, the person claimed may be discharged from custody by the requested state, without prejudice to the right of the requesting state to submit a further request for extradition, together with additional evidence, in respect of the same offence.

ARTICLE 10

1. Pending submission of the request for extradition, the competent authorities of the requesting state may request the provisional arrest of the person claimed through either the diplomatic channel or the facilities of the International Criminal Police Organization (INTERPOL). Where a request for the provisional arrest of the person claimed is made through the facilities of INTERPOL, it shall be confirmed through the diplomatic channel as soon as possible if the person claimed is located in the requested state.
2. The request for provisional arrest shall include:
 - (a) all available information concerning the description, identity, nationality and residence of the person claimed;
 - (b) a statement that it is intended to request extradition;

- (c) a description of the circumstances surrounding the commission of the offence;
- (d) a copy of the warrant of arrest or certificate of conviction of the person claimed, including any sentence imposed, or a statement that such a warrant or certificate has been issued in the requesting state; and
- (e) any other information necessary to justify the issue of a warrant of arrest in the requested state.

3. The requested state shall inform the requesting state when the person claimed has been arrested.
4. The requesting state shall submit the request for extradition within 30 days after the date on which the requested state gives notice of the arrest of the person claimed.
5. If the request for extradition has not been received within the period of 30 days or such further time as a judge of the requested state may direct, the person claimed may be discharged from custody.
6. Discharge of the person claimed under paragraph (5) shall not prevent the initiation of subsequent extradition proceedings if the request for extradition is received after such discharge.

ARTICLE 11

Where requests for extradition of the same person are received from one of the Contracting Parties and one or more other states, the requested state shall have the discretion to determine to which state the person is to be extradited.

ARTICLE 12

1. The requested state shall notify the requesting state as soon as possible of its decision with regard to the request for extradition and, if extradition is granted, shall make the person claimed available to the persons who are authorized by the requesting state to receive him at the time and place agreed between the Contracting Parties.
2. Where the person claimed has been made available in accordance with paragraph (1) but has not been conveyed out of the territory of the requested state within 30 days after the requesting state has received notice that extradition has been granted for such further time as the competent authorities of the requested state may direct, he may be discharged from custody and the requested state may thereafter refuse to extradite him for the same offence.
3. The requested state shall inform the requesting state of the period of time during which the person claimed was in custody for the purpose of extradition.

ARTICLE 13

The requested state may postpone the extradition proceedings or the surrender of the person claimed in order to prosecute him or in order that he may serve a

sentence in respect of an offence other than that for which extradition has been requested, and shall so inform the requesting state.

ARTICLE 14

1. If extradition is granted, the requested state shall, so far as its law permits and subject to the rights of third parties, surrender all property, including money, found in the possession of the person claimed that may be required as evidence or that has been acquired as a result of the offence. Such property shall, so far as possible, be surrendered without any specific request and at the same time as the surrender of the person claimed.

2. The requested state may refuse to surrender any property unless it receives satisfactory assurances from the requesting state that the property will be returned as soon as possible.

ARTICLE 15

1. A person extradited under this treaty shall not be tried, punished or detained in the requesting state in respect of any offence committed prior to his surrender other than that for which extradition was granted, except where:

(a) the requested state consents thereto; or

(b) having had the opportunity lawfully to leave the requesting state, he has not done so within 45 days or, having left, he has voluntarily returned to that state.

2. Instead of the offence for which he was extradited, the person extradited may be tried or punished for a different offence, provided that it is based on the same facts as were set out in the request for extradition and supporting documents and that it is an extraditable offence under this treaty.

ARTICLE 16

The Contracting Party to which a person has been extradited under this treaty shall not re-extradite him to a third state without the consent of the Contracting Party that extradited him, except in the circumstances referred to in Article 15(1) (b). The request for consent to re-extradition shall be accompanied by originals or true copies of the extradition documents of the third state.

ARTICLE 17

Transit of a person who is being extradited from a third state through the territory of one Contracting Party to the other Contracting Party shall be granted on request, subject to the law of the Contracting Party through the territory of which the person is to be transported and provided that transit of a person may be refused on any ground on which the extradition of that person might be refused under this treaty. The Contracting Party requesting transit shall provide any documents required by the other Contracting Party.

ARTICLE 18

Any documents submitted in accordance with this treaty shall be accompanied by a translation certified in accordance with the law of the requesting state. Any such translation shall be admissible as evidence in extradition proceedings in the requested state.

ARTICLE 19

1. Expenses incurred in the territory of the requested state in connection with extradition shall be borne by that state, but the requesting state shall bear the expenses incurred in respect of conveying the person extradited to the requesting state from the place where he is in custody in the requested state and any expenses incurred in respect of transit.
2. The requested state shall make all necessary arrangements for the legal representation of the requesting state in any extradition proceedings.

ARTICLE 20

Proceedings with regard to provisional arrest, extradition and transit shall be governed solely by the law of the requested state.

ARTICLE 21

1. For the purposes of this treaty, a reference to the territory of a Contracting Party means all territory, waters and airspace under its jurisdiction.
2. If an offence has been committed:
 - (a) on the high seas on board a vessel registered in the territory of the requesting state; or
 - (b) against or on board an aircraft or in respect of an air navigation facility and the requesting state asserts jurisdiction over the offence,

extradition shall be granted to the same extent as if the offence had been committed within the territory of the requesting state.

3. An offence committed partly within the territory of a Contracting Party shall be deemed to have been committed entirely within its territory.

ARTICLE 22

1. This treaty shall be ratified and the instruments of ratification shall be exchanged at Ottawa as soon as possible.

2. This treaty shall enter into force 30 days after the date of the exchange of instruments of ratification.

3. On its entry into force, this treaty shall, as between Canada and Finland, terminate and replace the Treaty between the United Kingdom and Finland for the Extradition of Criminals, signed at London on May 30, 1924.

4. This treaty shall apply to any offence governed by this treaty committed before or after this treaty enters into force, provided that extradition shall not be granted for an offence committed before this treaty enters into force which was not punishable under the laws of both Contracting Parties at the time of its commission.

5. This treaty may be terminated by either Contracting Party giving notice of termination to the other Contracting Party at any time and the termination shall be effective one year after the date of receipt of such notice.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments have signed the Treaty.

DONE in two copies at Helsinki this 21st day of June in the year 1978 in the Finnish, English and French languages, each version being equally authentic.

Paul Malone

FOR THE GOVERNMENT OF CANADA

Matti Tuovinen

FOR THE GOVERNMENT OF FINLAND

SCHEDULE OF OFFENCES

1. Offences against the laws relating to homicide, including murder, manslaughter, infanticide and causing death by criminal negligence.
2. Offences against the laws relating to wounding, maiming or causing grievous bodily harm.
3. Illegal abortion.
4. Kidnapping, abduction, false imprisonment.
5. Rape, indecent assault, incest, bigamy.
6. Unlawful sexual acts with or upon a child under the age specified by the law of the Contracting Parties.

7. Procuring.
8. Wilful non-support or abandonment of a child or other dependent person where, as a result of such non-support or abandonment, the life or health of that child or other dependent person is or is likely to be endangered.
9. Robbery, theft, housebreaking, burglary, embezzlement, extortion.
10. Wilful damage to property.
11. Offences against the laws relating to fraud and criminal breach of trust; fraudulent conversion, obtaining property, money or securities by fraud or false pretences.
12. Offences against the laws relating to forgery, including uttering what is forged.
13. Offences against the laws relating to the unlawful receipt or possession of property, including money and securities.
14. Offences relating to counterfeiting.
15. Offences against the laws relating to perjury, including subornation of perjury, making a false affidavit, statutory declaration or oral statement under oath or on affirmation.
16. Arson.
17. Obstruction of judicial proceedings or proceedings before governmental bodies or interference with an investigation of a violation of a criminal statute, by influencing, bribing, impeding, threatening or injuring by any means any officer of the court, juror, witness, or duly authorized criminal investigator.
18. Assisting or permitting the escape of a person from custody.
19. Offences against the laws relating to bribery.
20. Offences against the laws relating to civil disorders and riots.
21. Offences against the laws relating to usury.
22. Any act or omission with intent or that is likely to
 - (a) endanger the safety of an aircraft in flight or any person on board such aircraft; or
 - (b) destroy or render any aircraft incapable of flight.
23. Any unlawful seizure or exercise of control of an aircraft in flight by force or violence or by threat of force or violence or by any other form of intimidation.
24. Any unlawful act or omission intended or that is likely to endanger the safety of any person in a railway train or in any vessel or other means of transportation.
25. Piracy, mutiny or any mutinous act committed on board a vessel against the authority of the captain or commander of such vessel.

26. Offences against the laws relating to bankruptcy.
27. Offences against the laws relating to dangerous drugs and substances, including drugs listed in Schedules I, II and III of the Single Convention on Narcotic Drugs of March 30, 1961 and substances listed in Schedules I, II and III of the Convention on Psychotropic Substances of February 21, 1971, as any such Schedule may be amended at any time.
28. Offences against the laws relating to firearms and other weapons, ammunition, explosives, incendiary devices or nuclear materials.
29. Offences against the laws relating to the sale or purchase of securities or commodities.
30. Any other offence for which extradition may be granted under the law of the Contracting Parties.

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Sites of Interest

3 Treaties found

Exchange of Notes between the Government of Canada and the Government of Finland amending the Extradition Treaty signed June 21, 1978

Status: In Force
Party: Finland
Entry into force: 1985/02/16

[View Detail](#)

[View Treaty](#)

Treaty between Canada and Finland concerning Extradition

Status: In Force
Party: Finland
Entry into force: 1985/02/16

[View Detail](#)

[View Treaty](#)

Notification extending to Canada as from the 19th September, 1928, the Treaty between His Majesty and Finland for the Extradition of Criminals

Status: Terminated
Party: Finland
Entry into force: 1928/09/19

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1 Treaty found	
Treaty on Extradition between Canada and the Republic of Korea	
Status:	In Force
Party:	Korea (Republic of)
Entry into force:	1995/01/29
View Detail	View Treaty

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[Print friendly version](#)

E101342 - CTS 1995 No. 22

TREATY ON EXTRADITION BETWEEN CANADA AND THE REPUBLIC OF KOREA

CANADA AND THE REPUBLIC OF KOREA,

DESIRING to make more effective their cooperation in the prevention and suppression of crime by concluding a Treaty on Extradition;

AFFIRMING their respect for each other's legal systems and judicial institutions;

HAVE AGREED as follows:

ARTICLE 1

Obligation to Extradite

Each Contracting Party agrees to extradite to the other, in accordance with the provisions of this Treaty, any person who is wanted for prosecution or the imposition or enforcement of a sentence in the Requesting Party for an extraditable offence.

ARTICLE 2

Extraditable Offences

1. For the purposes of this Treaty, extradition shall be granted for conduct which constitutes an offence under the laws of both Contracting Parties that is punishable by deprivation of liberty for a period of at least one year or by a more severe penalty.

2. Where the request for extradition relates to a person sentenced to deprivation of liberty by a court of the Requesting Party for any extraditable offence, extradition shall be granted only if a period of at least four months of the sentence remains to be served.

3. For the purpose of this Article, in determining whether conduct is an offence against the law of the Requested Party:

(a) it shall not matter whether the laws of the Contracting Parties place the conduct constituting the offence within the same category of offence or denominate the offence by the same terminology;

(b) the totality of the conduct alleged against the person whose extradition is sought shall be taken into account and it shall not matter whether, under the laws of the Contracting Parties, the constituent elements of the offence differ.

4. An offence of a fiscal character, including an offence against a law relating to taxation, customs duties, foreign exchange control or any other revenue matter, is an extraditable offence. Provided that the conduct for which extradition is sought is an offence in the Requested Party, extradition may not be refused on the ground that the law of the Requested Party does not impose the same kind of tax or duty or does not contain a tax, duty, customs, or exchange regulation of the same kind as the law of the Requesting Party.

5. Where the offence has been committed outside the territory of the Requesting Party extradition shall be granted where the law of the Requested Party provides for the punishment of an offence committed outside its territory in similar circumstances. Where the law of the Requested Party does not so provide, the Requested Party may, in its discretion, grant extradition.

6. Extradition may be granted pursuant to the provisions of this Treaty in respect of an offence provided that:

(a) it was an offence in the Requesting Party at the time of the conduct constituting the offence; and

(b) the conduct alleged would, if it had taken place in the territory of the Requested Party at the time of the making of the request for extradition, have constituted an offence against the law in force in the territory of the Requested Party.

7. If the request for extradition relates to a sentence of both imprisonment and a pecuniary sanction, the Requested Party may grant extradition for the enforcement of both the imprisonment and the pecuniary sanction.

8. If the request for extradition relates to a number of offences, each of which is punishable under the laws of both Parties, but some of which do not meet the other requirements of paragraphs 1 and 2, the Requested Party may grant extradition for such offences provided that the person is to be extradited for at least one extraditable offence.

ARTICLE 3

Mandatory Refusal of Extradition

Extradition shall not be granted under this Treaty in any of the following circumstances:

1. When the offence for which extradition is requested is considered by the Requested Party to be a political offence. For the purpose of this paragraph, political offence shall not include:

- (a) the taking or attempted taking of the life of a Head of State, a Head of Government, or a member of his or her family;
- (b) an offence for which each Contracting Party has the obligation pursuant to a multilateral international agreement to extradite the person sought or to submit the case to its competent authorities for the purpose of prosecution;
- (c) murder, manslaughter or other culpable homicide, malicious wounding or inflicting grievous bodily harm;
- (d) an offence involving kidnapping, abducting, or any form of unlawful detention, including taking a hostage;
- (e) an offence involving the use of automatic firearms, or the placing or use of explosives, incendiaries or destructive devices or substances capable of endangering life or of causing grievous bodily harm; and
- (f) an attempt or conspiracy to commit, or counselling the commission of any of the foregoing offences, or aiding or abetting a person who commits or attempts to commit such offences.

2. When there are substantial grounds for believing that a request for extradition has been made for the purpose of prosecuting or punishing a person on account of that person's belonging to a race, religion, nationality or holding certain political beliefs or that person's position may be prejudiced for any of those reasons;

3. When final judgment has been passed in the territory of the Requested Party upon the person sought in respect of the offence for which the person's extradition is sought;

4. When the prosecution or the punishment for the offence for which extradition is requested would be barred by prescription under the law of the Requested Party.

ARTICLE 4

Discretionary Refusal of Extradition

Extradition may be refused under this Treaty in any of the following circumstances:

1. If the offence for which extradition is requested is subject to the jurisdiction of the Requested Party and that Party will prosecute that offence. In such a case, before refusing, the Requested Party, after consulting with the Requesting Party, shall decide whether to extradite the person or submit the case to its competent authorities for the purpose of prosecution. In making its decision, the Requested Party shall consider all relevant factors, including but not limited to:

- the time and place of commission of each offence or place of intended commission;
- the place where injury occurred or was intended to occur;
- the respective interests of the Contracting Parties;
- the nationality of the person and victim;

- the habitual place of residence of the person; and
- the availability and location of the evidence;

2. When the person sought is being prosecuted by the Requested Party for the offence for which extradition is requested or if the competent authorities of the Requested Party have decided, in accordance with the law of that Party, not to prosecute or to terminate the prosecution that has been instituted;

3. When the offence carries the death penalty under the law of the Requesting Party, unless that Party undertakes that the death penalty will not be sought, or if a sentence of death is imposed it will not be carried out;

4. When, in exceptional cases, the Requested Party while also taking into account the seriousness of the offence and the interests of the Requesting Party deems that, because of the personal circumstances of the person sought, the extradition would be incompatible with humanitarian considerations;

5. When the person sought has been finally acquitted or convicted in a third State for the same offence for which extradition is requested and, if convicted, the sentence imposed has been fully enforced or is no longer enforceable;

6. When the person sought was a young offender within the meaning of the law of the Requested Party at the time of the offence and the law that will apply to that person in the Requesting Party is not consistent with the fundamental principles of the law of the Requested Party dealing with young offenders.

ARTICLE 5

Extradition of Nationals

1. Extradition may be refused where the person whose extradition is requested is a national of the Requested Party.

2. Where a party refuses extradition pursuant to paragraph 1 of this Article, it shall submit the case to its competent authorities in order that proceedings for the prosecution of the person in respect of all or any of the offences for which extradition has been sought may be taken. That Party shall inform the Requesting Party of any action taken and the outcome of any prosecution. Nationality shall be determined at the time of the commission of the offence for which extradition is requested.

ARTICLE 6

Channels of Communication

Requests for extradition and any subsequent correspondence shall be communicated through the diplomatic channel.

ARTICLE 7

The Request and Supporting Documents

1. All requests for extradition shall be in writing and supported by:
 - (a) information concerning the identity, and if available, nationality, probable location of the person sought, a physical description, photograph and fingerprints;
 - (b) a summary of the facts of the case, including the time and location of the offence;
 - (c) the texts of the laws describing the essential elements and the designation of the offence for which extradition is requested, the punishment for the offence, and any period of prescription relating to the prosecution or the execution of the punishment for the offence; and
 - (d) a statement of the jurisdiction of the Requesting Party over the offence if it was committed outside its territory.

2. A request for extradition which relates to a person accused of an offence or convicted in absentia shall be supported by:
 - (a) a copy of the order of arrest; and
 - (b) in the event that the law of the Requested Party so requires, evidence that would justify committal for extradition.
 - i) For the purpose of Paragraph 2(b), a summary of the facts of the case setting out the evidence, including evidence of the identity of the offender shall be admitted in evidence as proof of the facts contained therein provided that a prosecutor certifies that the evidence described in the summary was obtained in accordance with the law of the Requesting Party.
 - (ii) The summary of facts may include any statements, reports, reproductions or other useful documentation.
 - (iii) The summary of facts may contain evidence gathered in the Requesting Party or elsewhere and shall be admitted in evidence whether or not such evidence would otherwise be admissible under the law of the Requested Party.

3. A request for extradition which relates to a person who has been convicted shall be supported by:
 - (a) copy of the judgment of conviction or, if the person has been convicted but not yet sentenced, a statement by a judicial authority to that effect;
 - (b) a copy or a statement of the charge upon which the person has been convicted;
 - (c) a copy of the order of arrest or a statement that the person is subject to detention on the basis of the judgement of conviction; and
 - (d) if the sentence has been pronounced, a statement of the sentence or the remainder to be served.

4. All documents and copies thereof submitted in support of a request for extradition and appearing to have been certified, issued or signed by a judicial authority, a prosecutor or other public official of the Requesting Party shall be admitted as evidence in extradition proceedings in the Requested Party without

having to be taken under oath or affirmation and without proof of the signature or of the official character of the person appearing to have signed them.

5. Any translation of documents submitted in support of a request for extradition provided by the Requesting Party shall be admitted for all purposes in extradition proceedings.

ARTICLE 8

Authentication of Supporting Documents

No authentication or further certification of documents submitted in support of the request for extradition shall be required.

ARTICLE 9

Language

All documents submitted in accordance with this Treaty shall be in or translated into an official language of the Requested Party, to be specified by the Requested Party in each case.

ARTICLE 10

Additional Information

If the Requested Party considers that the information furnished in support of a request for extradition is not sufficient in accordance with this Treaty to enable extradition to be granted, that Party may request that additional information be furnished within such time as it specifies.

ARTICLE 11

Simplified Extradition

Extradition of a person may be granted pursuant to the provisions of this Treaty notwithstanding that the requirements of Article 7 have not been complied with provided that the person sought consents to being extradited.

ARTICLE 12

Provisional Arrest

1. In case of urgency, a Contracting Party may apply through the facilities of the International Criminal Police Organization (INTERPOL) or by any other means for the provisional arrest of the person sought. The application may be transmitted by post, by telegraph or by any means affording a record in writing.

2. The application for provisional arrest shall include:
 - (a) information concerning the identity, and if available, nationality, probable location of the person sought, and a physical description;
 - (b) a statement that extradition will be requested;
 - (c) the name, date and place of the offence and a brief description of the facts of the case;
 - (d) a statement indicating that an order of arrest exists or a conviction was pronounced with the date, place and issuing authority; and
 - (e) a statement indicating the maximum deprivation of liberty that may be imposed or that was imposed and, where applicable, that remains to be served.
3. On receipt of an application for provisional arrest the Requested Party shall, subject to its law and being satisfied that the requirements of paragraphs 1 and 2 are met, take the necessary steps to secure the arrest of the person sought and the Requesting Party shall be promptly notified of the result of its request.
4. Provisional arrest shall be terminated if, within a period of sixty days after the apprehension of the person sought, the formal request for extradition and the supporting documents have not been received.
5. The release of a person pursuant to paragraph 4 of this Article shall not prevent the institution or continuation of extradition proceedings if the request and the supporting documents are received subsequently.

ARTICLE 13

Conflicting Requests

1. Where requests are received from two or more States for the extradition of the same person either for the same offence or for different offences, the Requested Party shall determine to which of those States the person is to be extradited and shall notify those States of its decision.
2. In determining to which State a person is to be extradited, the Requested Party shall have regard to all the relevant circumstances, and, in particular, to:
 - (a) if the requests relate to different offences, the relative seriousness of those offences;
 - (b) the time and place of commission of each offence;
 - (c) the respective dates of the requests;
 - (d) the nationality of the person sought; and
 - (e) the ordinary place of residence of the person.

ARTICLE 14

Surrender

1. The Requested Party shall, as soon as a decision on the request for extradition has been made, communicate that decision to the Requesting Party through the diplomatic channel. Reasons shall be given for any complete or partial refusal of a request for extradition.
2. Where possible under its law, the Requested Party shall surrender the person sought to the appropriate authorities of the Requesting Party at a location in the territory of the Requested Party acceptable to both Parties.
3. The Requesting Party shall remove the person from the territory of the Requested Party within such reasonable period as the Requested Party specifies and, if the person is not removed within that period, the Requested Party may set that person at liberty and may refuse extradition for the same offence.
4. If circumstances beyond its control prevent a Contracting Party from surrendering or removing the person to be extradited, it shall notify the other Contracting Party. The two Contracting Parties shall mutually decide upon a new date of surrender or removal, and the provisions of paragraph 3 of this Article shall apply.

ARTICLE 15

Postponed or Temporary Surrender

1. When the person sought is being proceeded against or is serving a sentence in the Requested Party for an offence other than that for which extradition is requested, the Requested Party may surrender the person sought or postpone surrender until the conclusion of the proceedings or the service of the whole or any part of the sentence imposed. The Requested Party shall inform the Requesting Party of any postponement.
2. To the extent permitted by its law, where a person has been found extraditable, the Requested Party may temporarily surrender the person sought for the purposes of prosecution to the Requesting Party in accordance with conditions to be determined between the Contracting Parties. A person who is returned to the Requested Party following a temporary surrender may be finally surrendered to serve any sentence imposed, in accordance with the provisions of this Treaty.

ARTICLE 16

Surrender of Property

1. To the extent permitted under the law of the Requested Party and subject to the rights of third parties, which shall be duly respected, all property found in the territory of the Requested Party that has been acquired as a result of the offence or may be required as evidence shall, if the Requesting Party so requests, be surrendered if extradition is granted or the person consents to extradition.
2. Subject to paragraph 1 of this Article, the above-mentioned property shall, if the Requesting Party so requests, be surrendered to the Requesting Party even if the extradition cannot be carried out owing to the death or escape of the person sought.
3. Where the law of the Requested Party or the rights of third parties so

require, any articles so surrendered shall be returned to the Requested Party free of charge if that Party so requests.

ARTICLE 17

Rule of Specialty

1. Subject to paragraph 4 of this Article, a person extradited under this Treaty shall not be detained or prosecuted, nor be subject to any other restriction of personal liberty in the Requesting Party for any offence committed before the surrender other than:

- (a) an offence for which extradition was granted; or
- (b) any other extraditable offence if the Requested Party consents.

2. A request for the consent of the Requested Party under this Article shall, upon the request of the Requested Party, be accompanied by the documents mentioned in Article 7 as well as a record of any statement made by the extradited person in respect of the offence concerned.

3. If the charge for which the person was extradited is subsequently changed, that person may be prosecuted or sentenced provided the offence under its new description is:

- (a) based on substantially the same facts contained in the extradition request and its supporting documents; and
- (b) punishable by the same maximum penalty as, or a lesser maximum penalty than, the offence for which that person was extradited.

4. Paragraph 1 of this Article does not apply if the person extradited has had an opportunity to leave the Requesting Party and has not done so within forty-five (45) days of final discharge in respect of the offence for which that person was extradited or if the person has voluntarily returned to the Requesting Party after having left it.

ARTICLE 18

Re-extradition to a Third State

1. Where a person has been surrendered to the Requesting Party that Party shall not extradite the person to any third State for an offence committed before that person's surrender unless:

- (a) the Requested Party consents to that extradition; or
- (b) the person has had an opportunity to leave the Requesting Party and has not done so within forty-five (45) days of final discharge in respect of the offence for which that person was surrendered by the Requested Party or if the person has voluntarily returned to the Requesting Party after having left it.

2. The Requested Party may request the production of the documents submitted by the third State in relation to any consent pursuant to sub-paragraph 1

(a) of this Article.

ARTICLE 19

Transit

To the extent permitted by its law, transit through the territory of one the Contracting Parties shall be granted on a request in writing made through diplomatic channels by the other Contracting Party. The Requested Party may request the information referred to in paragraph 2 of Article 12.

ARTICLE 20

Expenses

1. The Requested Party shall make all necessary arrangements for and meet the cost of any proceedings arising out of a request for extradition including a prosecution as a result of a refusal to grant extradition on the basis of nationality.
2. The Requested Party shall bear the expenses incurred in its territory in the arrest of the person whose extradition is sought, and in the maintenance in custody of the person until surrender to the Requesting Party.
3. The Requesting Party shall bear the expense incurred in conveying the person extradited from the territory of the Requested Party.

ARTICLE 21

Conduct of Proceedings

1. In the case of a request for extradition presented by the Republic of Korea, the Attorney General of Canada shall conduct the extradition proceedings.
2. In the case of a request for extradition presented by Canadian authorities, the extradition proceedings shall be conducted in accordance with the law of the Republic of Korea.

ARTICLE 22

Entry into Force and Termination

1. This Treaty shall enter into force thirty days after the date on which the Contracting Parties have notified each other in writing that their respective requirements for the entry into force of this Treaty have been complied with.
2. This Treaty shall also apply to any offence specified in Article 2 committed before this Treaty enters into force.
3. Either Contracting Party may terminate this Treaty at any time by giving six

months' written notice to the other Contracting Party.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Treaty.

DONE at Ottawa on the 15th day of April, 1994, in duplicate, in English, French and Korean, all texts being equally authentic.


FOR CANADA

Allan Rock

FOR THE REPUBLIC OF KOREA

Kim Doo-Hee

Last Updated:
10/26/2006

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“Political Justice Scandal” International Case And the “Airbus” Affair

Case Report

Ottawa, September 27, 2006

The case began as the “Airbus” affair. It turned quickly to become the biggest “Political Justice Scandal” in Canadian history with the most serious international implications.

The initiators of the scandal are: The Department of Justice of Canada including The Hon. Allan Rock, then the Minister of Justice and Attorney General of Canada, William Corbett Q.C. Senior General Counsel, Kimberly Prost, then the Director, International Assistance Group. The Hon. Herb Gray, then the Solicitor General of Canada, the RCMP, Stevie Cameron the confidential RCMP informant (RCMP Code A2948) and complainant and the convicted Swiss criminal Giorgio Pelossi.

The vendetta against The Right Hon. Brian Mulroney and the Canadian Conservatives started after Allan Rock met with reporter Mary Janigan on November 2, 1993 and he was having dinner with the Globe and Mail reporter Susan Delacourt on November 18, 1993. He became Minister of Justice and Attorney General on November 4, 1993.

On June 14, 1996, The Right Hon. Stephen Harper, Prime Minister, then M.P (Calgary West, Ref) during Commons Debates:

Mr. Speaker, that kind of hair-splitting could only be done by a lawyer. I am citing an article in the Toronto Sun yesterday where it says that Globe and Mail managing editor Colin MacKenzie said that Rock approached parliamentary journalist Susan Delacourt for help in his behind the scenes probe of Mulroney one or two days after he first heard about allegations from an other journalist. My question is very simple. Going back to the beginning of this affair, why was the Minister of Justice conducting his own private investigation?

When Stevie Cameron’s book *On the Take* hit the best-seller lists in 1994, Liberals in Ottawa took to calling Cameron “Stevie Wonderful”. When Solicitor Herb Gray read it, he made sure that the RCMP was reviewing it carefully, to see if any investigation was warranted.

(An article from Saturday Night, October 1, 1996: *Vicious Circle – Media's Role in the Airbus Scandal Involving Brian Mulroney* is important to read.)

A letter from the Augsburg City Tax Office (Germany) to the office of the Public Prosecutor on August 02, 1995 confirmed that the RCMP through the Canadian Embassy in Germany was, since May 24, 1995, in contact with the Senior Prosecutor Kolb and informed the authorities in Augsburg about their apparent investigation in Switzerland.

On July 24, 1995 the Augsburg tax investigators met with Giorgio Pelossi in Bregenz, Austria, to receive information on I. A. L. business. Because of the risk to be arrested Pelossi did not come to Augsburg.

On August 24, 1995 RCMP Inspector McLean, Liaison Officer Canadian Embassy Bern, Switzerland, writes to Kimberly Prost, Department of Justice, how to draft the Letter of Request to Switzerland to alleviate any problem *vis a vis* RCMP contact with a witness.

On September 6, 1995 G. Pelossi informed the tax investigators in Augsburg that Sergeant Fraser Fiegenwald and Inspector Yves Bouchard are the RCMP officers investigating in Switzerland. On September 11, 1995 the two officers met with the prosecutors in Augsburg and agreed to compare notes. (Read Cameron, *The Last Amigo*, page 260 about the illegal contact with a witness in Switzerland)

Kimberly Prost and the International Assistance Group (IAG) fabricated the Letter of Request to the Competent Legal Authority of Switzerland based on the stories from Giorgio Pelossi, without any real evidence but a lot of lies.

Giorgio Pelossi

On December 12, 1995 RCMP Inspector Gene McLean, acting as Liaison Officer at the Canadian Embassy in Bern, Switzerland informed the authorities in Ottawa that Giorgio Pelossi had a criminal record, being convicted on June 6, 1995 for a false accusation. Pelossi was sentenced on December 24, 1996 to three month detention, suspended for a two year period for embezzlement, specifically for wrongfully investing money for his own profit between 1984 and 1986.

On September 11, 1986 Pelossi was arrested by Swiss Police and detained for six month without charge. He was suspected of swindling money from a bank account belonging to someone laundering drug money for the Mafia. The prosecutor was Carla del Ponte, now Chief UN War Crimes Prosecutor. On January 22, 2000 Pelossi was arrested and detained by the police in Chicago in connection with Italian drug-trafficking charges.

The presiding Judge Maximilian Hofmeister together with 4 other judges and some prosecutors from the Augsburg Regional Court were traveling several times to Zuerich, Switzerland to examine Giorgio Pelossi. Pelossi cannot leave Switzerland because of the Italian arrest warrant against him. Switzerland will not extradite its Nationals

Stevie Cameron (RCMP CODE A 2948)

October 1994 Stevie Cameron, Confidential RCMP Informant code A2948, complainant, journalist and writer published her book: *On the Take: Crime, Corruption and Greed in the Mulroney Years*.

During the Eurocopter preliminary hearing an RCMP investigator described Cameron as a key source of information. Supt. Mathews said that two senior officers contacted her after the 1995 broadcast. They persuaded her to supply potential evidence in return for anonymity and insider information, an arrangement that recently erupted into a major legal and journalistic controversy.

In her speech at the University of Saskatchewan in February 1995 she said with respect to the allegations that Frank Moores had profited on the Airbus sale: "I talked to the Mounties about this last week in Ottawa".

As respected columnist and former NDP Member of Parliament Doug Fisher pointed out, Cameron's Saskatchewan speech created the almost irresistible inference that "Cameron and the RCMP have both joint interests and a joint association".

In 2001 Steve Cameron published with the help of Harvey Cashore (producer at the fifth estate, a CBC TV program) her book: *The Last Amigo: Karlheinz Schreiber and the Anatomy of a Scandal*. The book was an orgy of lies and an exercise in mental masturbation. These books postulate that a solid base for a fraud case exists to anybody who believes Ms. Cameron's assertion that her books tell the truth.

The Crown advises the Court that informer will consent to waive privilege "for the prosecution of Brian Mulroney".

The joint interest of Cameron and the RCMP comes to light. The exchange of information helps the RCMP concerning their ill fated investigation and allows Stevie Cameron to produce income from books, her main interest besides recognition.

The book *The Last Amigo* is The Confession of Incompetence

The Credo of Ignorance

The Creed of Envy

MBB AND THYSSEN

Based on the information from Giorgio Pelossi and the Canadian officials, the Augsburg prosecutors were granted warrants to search the offices of MBB, Messerschmitt – Boelkow – Blohm on August 2, 1995 the offices of Thyssen – Industrie on August 14, 1995 and the offices of Bayerische Bitumen Chemie on July 25, 1995.

Bayerische Bitumen Chemie

On October 5, 1995 German police raided the company and the home of Karlheinz Schreiber, in Kaufering, Germany and seized documents. The raid was in connection with an investigation into suspected tax invasion.

The search of the offices of MBB, Bayerische Bitumen Chemie and Thyssen - Industrie disclosed unrelated matters to the accusations, which finally led to the "CDU Donation Scandal" in Germany and involved the governments of France, Saudi Arabia, Thailand, Costa Rica, Mexico, Austria, Switzerland, Liechtenstein, USA and Canada.

The Letter of Request to Switzerland

On September 29, 1995 William Corbett Q.C. Senior General Counsel of the Department of Justice authorized Kimberly Prost, Director International Assistance Group (IAG), Department of Justice Canada to send the Letter of Request for Legal Assistance to Switzerland.

Insp. McLean, RCMP Liaison Officer at the Canadian Embassy, presented the Letter of Request concerning Brian Mulroney, Frank Moores, Garry Ouellet and Karlheinz Schreiber to the appropriate authorities in Switzerland.

On October 26, 1995 Swiss officials seized the bank accounts and safety deposit boxes of Frank Moores and Karlheinz Schreiber.

International Cooperation

On April 30, 1996, Stevie Cameron, confidential RCMP informant, complainant, journalist and writer met with Senior Public Prosecutor Hillinger and Prosecutor Weigand in Augsburg, Germany. During the meeting Stevie Cameron provided documents regarding Canadian Companies of the suspect Mr. Karlheinz Schreiber, a copy of a newspaper article: *Arms and the Woman* and a copy of her book *On the Take*, which all has been placed on the file. Around the same time she met for some days with Giorgio Pelossi, the Swiss convicted criminal.

At the same month, Canadian tax officials were beginning to work together with their German counterparts. Stevie Cameron, the confidential RCMP informant reports in *The Last Amigos* at p. 285: On June 4, 1996 two Revenue Canada officers, Bruce Findlay and Guy Bigonnesse, met in Augsburg with the tax investigators Gumpendobler, Kindler and others to share intelligence. They swapped binders of confidential tax information.

The Legal Battle

On November 20, 1995 the Right Hon. Brian Mulroney filed a \$50 million lawsuit against the Canadian Government and the RCMP.

On January 9, 1997 the Government of Canada, The Hon Allan Rock, then Minister of Justice and Attorney General of Canada and Philip Murray, then Commissioner, of the RCMP have sent a letter of apology to Karlheinz Schreiber and informed him about the settlement agreement of January 5, 1997 with the Right Hon. Brian Mulroney.

Karlheinz Schreiber thought at that time- and thinks that he is proven right today- that it was a mistake to settle the lawsuit. He also believed at that time and feels the same way today that the statement by The Hon. Allan Rock and The Hon. Herb Gray, regarding the case of the *Right Hon. Brian Mulroney v. The Attorney General of Canada* on Monday, January 6, 1997 is a totally unacceptable insult and a historical lie in its dimension.

This political vendetta has cost the Canadian taxpayer millions of dollars so far and will cost much more because the case has not come to an end after 11 years and is still moving ahead, driven by the enormous fear of the individuals, responsible for the biggest "Political Justice Scandal" in Canadian history.

On January 20, 1997 Karlheinz Schreiber sent a letter to the Hon. Allan Rock, then Minister of Justice and Attorney General of Canada and to Phillip Murray, then Commissioner of the RCMP.

In his letter Karlheinz Schreiber explains, why the Minister's letter is pure nonsense and full of lies. The last paragraph no. 9 of his letter: "I recognize your apology but this matter will only be properly clarified in a courtroom. This is my understanding .I have been a judge for Commercial Law for nine years in the Court of Munich."

On January 30, 1997 Schreiber's lawyer Robert Hladun Q C., Edmonton, sent a letter to Hon .Allan Rock and Philip Murray, RCMP. Page 6 of the letter reads:

We have learned that the Swiss government still labours under the impressions created by the original Request, together with all the accusations and indictment therein that now have been shown or proven to be erroneous, false and untrue.

In the event that the Government of Canada fails to recognize the above and officially withdraw / revoke the said Request, it is the intention of Mr. Karlheinz Schreiber to seek the appropriate legal remedy before the appropriate legal forum to resolve all of those issues that have arisen since the issuance of the said Request.

Therefore, we respectfully request an immediate reply not later than seven days from the date of this letter.

Neither Mr. Hladun Q. C. nor Mr. Schreiber received an answer to their letters.

On October 24, 1997 Mr. Schreiber filed a \$35 million lawsuit against the Canadian Government.

Since the Right Hon. Brian Mulroney entered a settlement agreement with the Canadian Government, Mr. Schreiber's lawsuit is the only legal avenue, which would shed light to the unbelievable political vendetta and the biggest "Political Justice Scandal" in Canadian history.

At the same time Mr. Schreiber's lawsuit is the greatest threat to all the responsible politicians and government officials, who were or are still involved in the case. Canadians from coast to coast will be shocked and scared when the truth of the case will come to light and when it will be known what all was done by the Department of Justice to avoid the truth to be seen.

The alternative to the Schreiber lawsuit would have been a publicly commissioned inquiry as unsuccessfully requested by several M.P.'s in the House of Commons.

On December 3, 1997 Mr. Jack Ramsay M. P. (Crowfoot, Ref.) made a motion to the Standing Committee on Justice and Human Rights.

The questions he raised are still unanswered and very interesting to read. The documents in the case book contain also very important statements regarding the Brian Mulroneu and Karlheinz Schreiber cases from:

Mr. Stephen Harper M.P. (Calgary West, Ref)
Messr. Gilles Duceppe M.P. (Laurier-Sainte-Marie, B.Q.)
Mr. Peter MacKay M.P. (Pictou-Antigonish-Guysborough, P.C.)
Mr Garry Breitkreuz M.P. (Yorkton-Melville, Ref.)
Messr. Michel Bellehumeur M.P. (Bertier-Montcalm, B.Q.)
Mr. Kevin Sorenson (Crowfoot, Canadian Alliance)

Mr. Breitkreuz stated: "The confidence of Canadians in their institutions and the justice system is at stake."

Today, 8 years and 7 months later Canadians still do not know what happened and what is still ongoing with the case.

Attempt to stop the Lawsuit

To avoid the disclosure of the "Political Justice Scandal" through the Schreiber lawsuit, the Justice Department and the R.C.M.P. have chosen different defence measures for their face-saving action.

1. Delay actions since 1997 regarding the lawsuit proceedings in Edmonton.
2. The MBB fraud case.
3. RCMP undercover operation.
4. The German Extradition Request for Karlheinz Schreiber

All of these activities raise one question: What have they done and try to hide under all circumstances? Why have these people acted at all costs to suppress the truth?

Mr. Schreiber is convinced that his lawyers will make sure that the secrets of the biggest "Political Justice Scandal" in Canadian history will come to light.

The lawyers dealing with this task are:

Mr. Edward L. Greenspan Q.C., LL.D., D.C.L.
The Hon. Jack Major, Q.C., LL.D.
Mr. Robert W. Hladun, Q.C.

1 Delay actions regarding the lawsuit

Since 1997 the Department of Justice has tried to delay the proceedings of the lawsuit by requesting more and more documents from Mr. Schreiber regarding business matters clearly irrelevant and not at issue. The requests are part of permanent "fishing expeditions," related to the Right Hon. Brian Mulroney. It looks like the Department of Justice wants to start a new investigation in a file the RCMP closed in April 17, 2003.

The Department of Justice failed to provide better affidavits of documents and undertakings from discovery examinations and refused to send documents to their own lawyers in Edmonton. The aim is clearly to keep the lawsuit away from the court because there is no chance to win the case, since the RCMP closed the file on the fact that there was no evidence of wrongdoing.

The main reason to keep the case away from a public trial in the courts is the fear of disclosure and personal consequences.

2 The MBB fraud case

The MBB fraud case is the only thing that was left from the accusations in the Letter of Request to Switzerland on September 29, 1995, starting the "Airbus" affair, which is the legal basis for the lawsuit.

The Attorney General of Canada, the International Assistance Group (IAG) of the Canadian Department of Justice and the R.C.M.P., who fabricated the Letter of Request need the insane MBB fraud case to claim that there is an ongoing investigation to avoid any access to information.

For the same reason the Crown appealed the ruling of Mr. Justice Paul Belanger of the Ontario Court of Justice, who has thrown out fraud charges against Eurocopter Canada Ltd. MBB's subsidiary, Messerschmitt Canada Ltd. (MCL, now known as Eurocopter Canada).

On August 9, 2006 the Ontario Superior Court of Justice dismissed the Crown's application. The Crown did not appeal the judgment. The "Airbus" affair came to an end.

On October 2002 two German executives – Kurt Pfeleiderer and Heinz Pluckthun – were charged with fraud. Since Germany, like many other civilized countries- contrary to Canada- will never extradite their Nationals, the IAG and the Department of Justice could have requested the German legal authorities to prosecute the German executives with no costs for the Canadian taxpayer, as per the treaty excerpted below:

*TREATY BETWEEN CANADA AND THE FEDERAL REPUBLIC OF GERMANY
CONCERNING EXTRADITION*

ARTICLE V

Extradition of Nationals

(3) If a request for extradition is refused only on the ground that the person claimed is a national of the requested state, that state shall, if asked to do so by the requesting state, take all possible measures in accordance with its own law to prosecute the person claimed. For this purpose, the files, documents and exhibits relating to the offence shall be transmitted to that state. All expenses incurred in connection with such prosecution shall be born by the requested state. The requesting state shall be informed of the result of the prosecution.

Why did the Canadian Department of Justice, the IAG, the Crown, and the RCMP not ask their friends in Augsburg to prosecute the MBB executives since they worked on the MBB case with them and jointly examined witnesses in Germany?

The Crown should have known that they have no case and that the Germans could never charge the MBB executives.

This is what Karlheinz Schreiber (who was for 9 years a Judge at the Regional Court 1 for commercial cases in Munich, Germany) told the Crown as the Crown's witness in the Court in Ottawa during his testimony. Justice Paul Belanger ruled that Karlheinz Schreiber was not a hostile witness as requested by the Crown, Mr. Bernstein.

The Crown never asked the Germans to prosecute the MBB executives, because they could not take the risk that a German Court would throw out their case immediately. This would badly ruin their case in Canada and constitute proof that since 1994 Canadian taxpayers' money was blown away and invested in a lot of nice international trips for Canadian officials, hunting the phantoms of Giorgio Pelossi's and Stevie Cameron's fairy tales.

What did the Crown do regarding the MBB executives? They issued arrest warrants against the two men so that they cannot leave Germany (if they do not want to end up in a jail). Is this what people around the world expect to find with Canadian principles of fundamental justice? Is this just and fair treatment to a retired man, over 70 years old, who is highly respected on the international level of the world?

Mr. Edward Greenspan, Q.C., LL.D., D.C.L. recommended: "The Canadian Government should have only International Treaties with reciprocity guarantee. The Canadian citizenship should not have a lower value than the one from other countries."

*RECIPROCITY**ARTICLE V: EXTRADITION OF NATIONALS*

(1) Neither of the Contracting Parties shall be bound to extradite its own nationals.

This sentence reads like an agreement on reciprocity but it is misleading. The truth would have been to write "(1): Germany will never extradite its nationals to Canada. Canada may extradite its nationals to Germany."

In reality: Canada will always extradite its nationals to Germany. Canada will never prosecute its nationals in Canada on the request of Germany. Germany will prosecute its nationals on the request of Canada.

What government would enjoy the support of its own Nationals by signing such an agreement? What Opposition in the House of Commons would not provide the strongest protest supported by the national media? Nevertheless, the Treaty was signed by the Liberal Government on October 11, 1977.

The preliminary hearing of the MBB fraud case was another fishing trip of the Crown hoping to find a crime involving Brian Mulroney and find help for their hopeless lawsuit with Karlheinz Schreiber in Edmonton.

3 The RCMP undercover operation

2001: During the secret court proceedings of the MBB Eurocopter case, R.C.M.P. Inspector A. K. Matthews revealed the nature of the undercover operation in an affidavit he swore to support the continuation of a seal on information contained in a search warrant. The warrant was part of a court proceeding involving allegations of commissions paid to Schreiber in the sale of helicopters to the Canadian Coastguard in the mid-1980s.

The undercover sting operation began in November 2000 in cooperation with a foreign agency and ended in September 2002. The agent was introduced through Michel Cogger, a former lawyer of Karlheinz Schreiber. The agent was an elegant man, who tried unsuccessfully to involve Karlheinz Schreiber in several different criminal activities and also establish confidence with him by bringing nice gifts like French champagne, Russian caviar, Italian wine and invitations to luxurious restaurants.

2004: Mr. Justice Edward Then holds a special inquiry to determine if he was misled by the RCMP and the Crown when they had him issue the sealing orders in the Eurocopter case. Justice Then has not yet issued his findings.

The aim was clear: Vahe Minasian, the agent, tried to get information regarding Brian Mulroney and Schreiber's business and at the same time to involve Mr. Schreiber in criminal activities which would put him into prison. All this would help the Crown's sick lawsuit in Edmonton and hopefully stop Karlheinz Schreiber to proceed with his lawsuit.

All these expensive efforts must have a very important reason. Again what have the politicians and government officials done with the "Airbus" affair and why are they so desperate and scared?

If one looks very critically at the facts he would have to agree that this case would be a good start for the Prime Minister to clean up the pile of political mire around Ottawa for a better and politically healthier environment for Canadian citizens

4 The German Extradition Request for Karlheinz Schreiber

The Extradition Request comes from the same source like the "Airbus" affair: Giorgio Pelossi, Stevie Cameron, Allan Rock, other unknown political enemies. The request was prepared in Germany with the support of Canadian government officials (IAG) International Assistance Group of the Department of Justice and the R.C.M.P., in order to find allies and support for their vendetta against the Right Hon. Brian Mulroney and other Conservative supporters like Frank Moores, Gary Ouellet and Karlheinz Schreiber. The same group had send the Letter of Request to Switzerland.

On June 22, 1999 Professor Dr Erich Samson, Mr. Schreiber's lawyer reminded chief prosecutor Mr. Nemetz in Augsburg that the accusation for tax evasion is not an offence for extradition under the treaty between Germany and Canada. The response from Mr. Nemetz was: "We are going to get Mr. Schreiber. The Canadians have a new Extradition Act in place and behind the case is a Minister, who wants Schreiber out of the country as soon as possible."

On August 31, 1999 Mr. Schreiber was arrested in Toronto based on an arrest warrant for tax evasion.

Since the arrest warrant did not satisfy the Canadian authorities, the prosecutor in Augsburg issued another arrest warrant on September 2, 1999 and added accusations of fraud, breach of trust and bribery.

From the 11th to the 15th of September 1999 and from the 4th to the 9th of October 1999 some Canadian lawyers from the IAG were in Augsburg and assisted the German prosecutor to prepare the record of the case for Mr. Schreiber's extradition from Canada. The document shows the date: October 11, 1999. The document was sent to the IAG and an authority to proceed was issued by IAG on behalf of the Minister of Justice of Canada.

The IAG is acting for the German prosecutors and at the same time for the Canadian Minister of Justice on Mr. Schreiber's Extradition case and until today on the pending lawsuit of Mr. Schreiber's against the Attorney General of Canada and the IAG.

Under the new Extradition Act, the IAG represents the greatest example of conflict of interest and abuse of power that one could ever imagine. They believe that they are a law unto themselves.

The circumstances amount to a violation of the principles of fundamental justice.

The German allies of the IAG misused the case immediately for their own political purposes and brought down the Conservative government of Chancellor Helmut Kohl in the 1998 German election. The Social Democrats with Chancellor Gerhard Schroeder set up an Investigative Committee to shed light on the CDU affair and used this vehicle until the next German Election in 2002. They defeated the Conservative CDU/CSU again and forced the German Conservatives with Chancellor Angela Merkel after the 2005 election into a great coalition with the Social Democrats, who hope to win the next election again with the use of the Schreiber extradition case and the support from the Canadian Government.

On June 30, 2005, the last day of the legislative period of the German Bundestag, the government of Chancellor Gerhard Schroeder (SPD) extended the statute of limitations on extradition. The new law, known in the German Parliament as the *Lex Schreiber* (Magazine *Spiegel* on line July 31, 2005) stipulates that the statute of limitations ceases to apply when the accused has fled abroad and extradition proceedings are under way. The prosecutors in Augsburg were afraid that the charges against Mr. Schreiber could soon be dropped because of the statute of limitations and were hoping that President Koehler will sign an amendment to the statute into law.

The law came into force on August 4, 2005 after the Deutsche Bundesrat confirmed the law on July 8, 2005.

It is the first time in German history that a new law was used after only a few days since it was proclaimed in force, to secure the extradition of a single person accused for tax evasion.

The name of the person who received his own law: Karlheinz Schreiber.

On March 9, 2006, the following article was available on the *Deutsche Presse-Agentur* website (DPA is one of the world's leading international news agencies supplying news on a global basis): *Schreiber Requests that the Supreme Court of Canada Refuse Extradition.*

In that article, the following comments were made:

...Judge Karl-Heinz Haeusler, spokesman for the Regional Court of Augsburg, told DPA after his extradition, Schreiber would have to reckon with the "full force of the law". "He is the trigger of the entire affair and has caused damage to Germany."

...Until the Schreiber case, Germany has been considered a country immune to bribery [he stated]-the arms dealer's "unconcealed exertion of influence" on politicians and managers made the "unspeakable reality". Schreiber had done Germany a "disservice", said the court spokesman....

The statement of the judge shows the real reason for the extradition request from Germany. It has nothing to do with criminal activities; it is a pure political statement and nonsense.

The truth is: The German politicians want me to be extradited from Canada to Germany for political reasons and hope to win the next election again with the support of my case.

The truth is: The Canadian politicians and government officials involved in the case want me to be extradited to Germany to avoid the biggest "Political Justice Scandal" in Canadian history with substantial international implications and personal consequences.

The players that were responsible for the "Political Justice Scandal" are the individuals who stage-managed it and those who failed to discharge their political responsibilities by remaining silent or tolerating what went on in Canada and abroad.

The initiators: Hon. Allan Rock, Stevie Cameron, Georgio Pelossi, CBC The Fifth Estate.

Responsible yet silent: The Right Hon. Jean Chretien, The Right Hon. Paul Martin, Hon. Anne McLellan, Hon. Martin Cauchon, Hon. Irwin Cotler.

Dereliction of duty: Solicitors General: Hon. Herb Gray, Hon. Andy Scott, Hon. Lawrence MacAulay, Hon. Wayne Easter, Hon. Anne McLellan.

The Henchmen: R.C.M.P. Commissioners J.P.R. Murray and Giuliano Zaccardelli.

Karlheinz Schreiber

“Political Justice Scandal” International Case

The “Airbus” Affair – Allan Rock & William Corbett

On November 2, 1993 Reporter Mary Janigan met with Allan Rock.

At this time Allan Rock conducted a private investigation into Brian Mulroney’s affairs.

On November 4, 1993 Allan Rock became Minister of Justice until June 10, 1997.

On November 18, 1993 now the Honorable Minister of Justice and Attorney General of Canada dined with journalist Susan Delacourt and asked her whether she had heard anything about offshore accounts and Progressive Conservative wrongdoing. No, she replied, all she knew was that Stevie Cameron was writing a book and may know something. Rock then “mused” about asking the RCMP to look into various allegations, including questions about the source of the mortgage payments on Mulroney’s Westmount home.*

(On June 14, 1996 during ORAL QUESTION PERIOD in the House of Commons Mr. Stephen Harper, Calgary West, Ref. had a question for the Minister of Justice related to the “AIRBUS” affair. My question is very simple: “Going back to the beginning of this affair, why was the Minister conducting his own private investigation?”). This question remains unanswered until today.

On December 2, 1993 Allan Rock sent a letter to Herb Gray, the Solicitor General, who was responsible for the operations of the RCMP. Rock wrote:” I would like to report to you on a matter that has been brought to my attention. On November 2, 1993, Mary Janigan gave me certain information about the contracting practices of the government in office 1984-1993 that, if true, suggests serious wrongdoing and possible criminal offences. Similarly, on November 18, 1993 Susan Delacourt indicated to me that she had information on the same subject. *

With the letter Allan Rock initiated the Vendetta against Brian Mulroney and the biggest “Political Justice Scandal” in Canadian history.

On September 29, 1995 Kimberly Prost, Senior Counsel Director International Assistance Group (IAG) Department of Justice Canada has send the Letter of Request for Assistance from Canada to Switzerland in the matter of Brian Mulroney, Frank Moores, Garry Ouellet and Karlheinz Schreiber.

Fraser Fiegenwald and other officers from the RCMP together with Kimberley Prost and other officials of the IAG drafted the Letter of Request to Switzerland based on the stories from Giorgio Pelossi and Stevie Cameron, knowing that they had no real evidence at all.

(Fraser Fiegenwald confirmed the facts under oath during Examinations for Discovery with respect to the Schreiber lawsuit against the Attorney General of Canada in Edmonton AB on March 8, 2006 and in his testimony during the Preliminary Hearing in the Eurocopter legal proceedings.)

Obviously, it was not an ordinary request involving a former Prime Minister and for that reason Kimberley Prost sought guidance from her immediate supervisor William H. Corbett, Senior General Counsel, (criminal law). Corbett gave the go-ahead to the Letter of Request. He saw no need to consult his superior Daniel Bellemare, the assistant Deputy Attorney General (criminal law), or George Thomson, Deputy Minister of Justice. *

Kimberly Prost confirmed the facts under oath during Examinations for Discovery with respect to the Schreiber lawsuit against the Attorney General of Canada in Toronto on May 9, 2000.

William H. Corbett started with his decision regarding the Letter of Request the biggest "Political Justice Scandal" in Canadian history with the most serious international implications. For himself he earned the full responsibility for the letter which forced the Liberal Government of Canada into a Settlement Agreement with Brian Mulroney and letters of apologies from Allan Rock, Minister of Justice and Attorney General and Philip Murray, Commissioner, RCMP to Frank Moores and Karlheinz Schreiber.

The financial consequences for the Canadian Taxpayers are that millions of dollars have been already spent with no foreseeable ending.

The most important question remains unanswered: How could it happen that an experienced lawyer and Senior General Counsel of the Canadian Department of Justice could allow such an unprofessional letter, damaging to Canada's international reputation, to be sent to Switzerland?

(*William Kaplan: Presumed Guilty)

William Corbett was involved in the proceedings in different courts related to the Letter of Request dated September 29, 1995.

On October 24, 1997 Karlheinz Schreiber filed \$ 35 Million law suit against the Attorney General and the Canadian Government.

William H. Corbett - Affidavit

In the Federal Court of Canada, Trial Division, between Karlheinz Schreiber (Applicant) and the Attorney General of Canada (Respondent)

I, William H. Corbett, Q.C., Barrister and Solicitor, of 284 Wellington Street, in the City of Ottawa, Province of Ontario, MAKE OATH AND SAY AS FOLLOWS:

1. That I am a member in good standing of the Law Society of Upper Canada.
2. That I have knowledge of these proceedings, and of the earlier proceedings in this Court, in the Federal Court of Appeal, and in the Supreme Court of Canada, relating to a Letter of Request dated September 29, 1995.
3. That I am employed by the Department of Justice, Government of Canada, and presently occupy the position of Senior General Counsel, Criminal Law Branch, at the Departmental Headquarters in Ottawa. I have occupied this position since 1988, and report directly to the Assistant Deputy Attorney General (Criminal Law). I have personal knowledge of the matters herein set out, except where such knowledge is specifically said to be on information and belief, and where so stated I verily believe the information to be true unless the contrary is asserted.
4. That as Senior General Counsel, and Manager within the Criminal Law Branch I have managerial responsibilities for the Mutual Legal Assistance work of the Department of Justice. I have been involved in this work since 1982.
5. That the Departmental file relating to the aforesaid Letter of Request is one over which I have managerial control.

These are 5 out of 9 paragraphs from the Affidavit sworn before a Notary Public in and for the Province of Ontario, Mr. Lamont on November 5, 1998.

On March 8, 1999 Cross - Examination of William Corbett Q.C. (IAG) was held in Ottawa in relation with legal proceedings in the Federal Court of Canada between Karlheinz Schreiber and the Attorney General of Canada, regarding the Letter of Request to Switzerland.

William H. Corbett Q. C.

Affidavit and Transcript from Cross-Examination

On March 13, 1997 William H. Corbett stated under oath in an affidavit:
That as Senior General Counsel and Manager within the Criminal Law Branch I have managerial responsibilities for Mutual Legal Assistance work of the Department of Justice. I have been involved in this work since 1982 (affidavit attached).

On March 8, 1999 William H. Corbett stated under oath during cross-examination:

25. *Q: What else does your job entail?*

A: I have a similar supervisory responsibility for the Ottawa-Hull Prosecution's Group, which is responsible for all federal prosecutions in Eastern Ontario, Eastern and Northern Ontario, more particularly, Ottawa-Hull.

The group also has a network of agents throughout Eastern and Northern Ontario.

It is like a Prosecution Group in regional Office, if you are familiar with Edmonton- I have forgotten what there are now, 15 or 16 prosecutors in that unit. That unit is responsible to me as well, through a Director, if you will, or a Group Head.

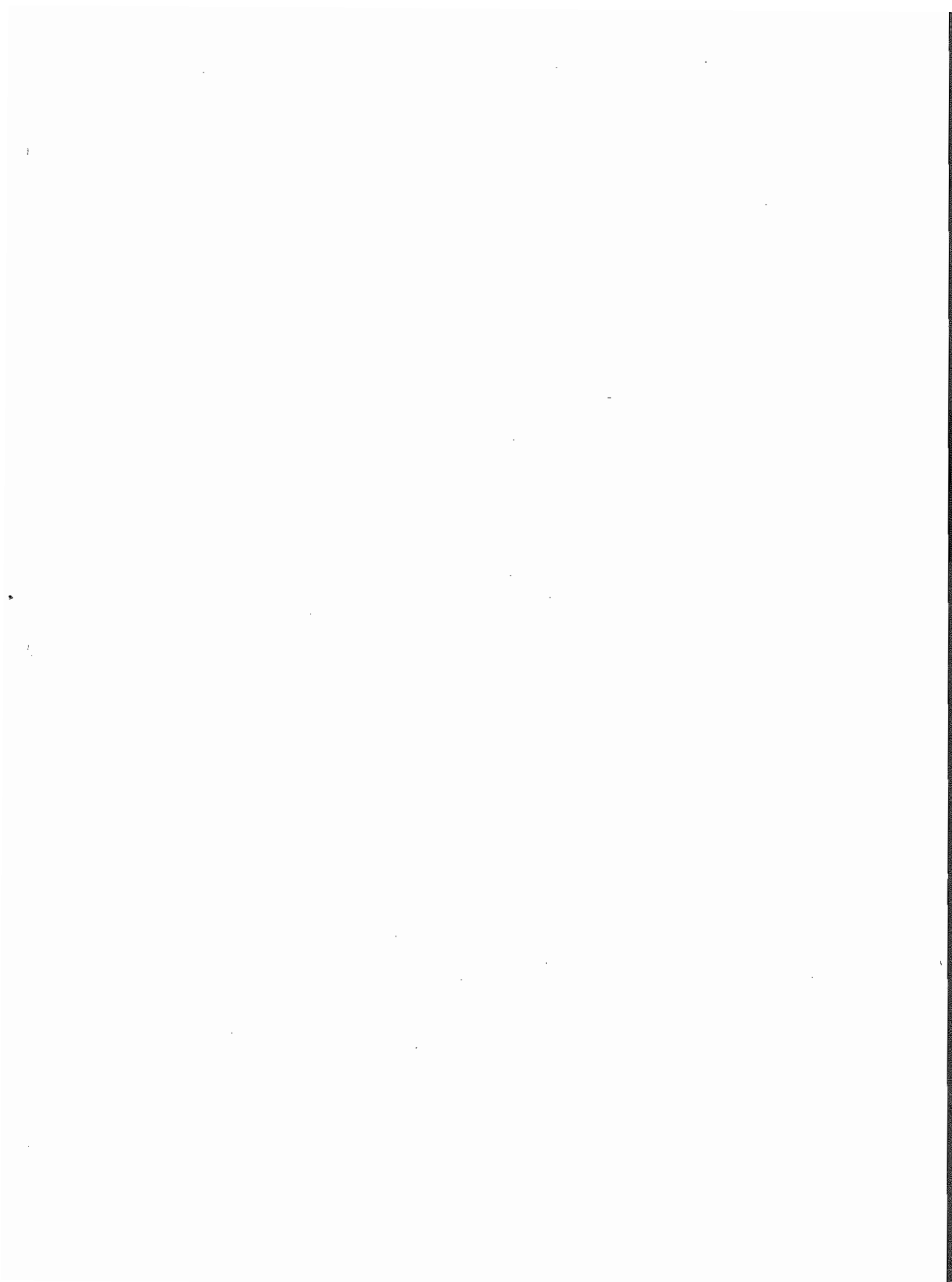
We also have four other lawyers, plus myself, who deal with Supreme Court of Canada litigation all federal criminal litigation comes through this office on its way to the Supreme Court of Canada. (Transcript of the Cross-Examination attached.)

On October 14, 2004 a Memorandum was sent to Irwin Cotler, then Minister of Justice and Attorney General of Canada, providing background information on the extradition case involving Mr. Karlheinz Schreiber. The Memorandum was signed by Jacqueline Palumbo, Counsel International Assistance Group (IAG) and William H. Corbett Q.C. Senior General Counsel, Criminal Law Section (Page 1 and 65 attached)

As a matter of fact I was confronted with Allan Rock then Attorney General, Herb Gray then Solicitor General, Philip Murray then Commissioner RCMP, Mrs. Stevie Cameron, RCMP Confidential Informant and complainant, Mrs. Kimberley Prost then Director of the International Assistance Group (IAG).

Always and everywhere I faced the confrontation with Mr. William Corbett Q.C., Senior General Counsel, Criminal Law Branch, at Departmental Headquarters in Ottawa and the International Assistance Group (IAG).

- 1. With the Letter of Request in Switzerland**
- 2. With the Letter of Request in Canada**
- 3. At the Court of Queen's Bench of Alberta in Edmonton**
- 4. At the Federal Court of Canada**
- 5. At the Supreme Court of Canada in Ottawa**
- 6. At the Superior Court of Ontario in Toronto (Representing Germany)**
- 7. At the Court of Appeal for Ontario in Toronto (Representing Germany)**
- 8. At the Ontario Court of Justice in Ottawa**
- 9. With the Minister of Justice of Canada in Ottawa (Representing Germany)**
- 10. With the Prosecutors in Augsburg (Representing Canada and Germany)**



TAB 6 November 30, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

Enclosures:

- 6A Faxed letter dated November 16, 2006 from Jacqueline Palumbo, Counsel, International Assistance Group, Federal Prosecution Service, Department of Justice, to Karlheinz Schreiber (including fax cover sheet), enclosing copy of memorandum dated November 16, 2006 from Palumbo to Minister of Justice on the subject of Germany v. Karlheinz Schreiber, Extradition from Canada to Germany

- 6B Faxed letter dated November 14, 2006 from Jacqueline Palumbo to Karlheinz Schreiber, including copy of fax cover sheet.

- 6C Letter dated November 20, 2006 from Karlheinz Schreiber to Hon. Stockwell Burt Day, Minister of Public Safety, enclosing letter of November 15, 2006 from Lorraine Blommaert, Commission for Public Complaints Against the Royal Canadian Mounted Police

- 6D Letter dated November 28, 2006 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **594143**

Folder

Folder ID **594143**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To **Prime Minister of Canada**

Classification* **ECU-Priority Mail/SCH**

Keyword **Justice**

Summary

Notes **No reply required. January 2, 2007. L. MacMillan
Personal legal case**

Mail Type **Letter**

Folder Types **(None)**

Tracking ID* **63390349E**

Created By **Bleik, Ahmad 2006/12/08**

Modified By **MacMillan, Lisa 2007/01/02**

Dates

Date Sent* **2006/11/30**

Date Received* **2006/12/07**

Date Due **2006/12/28**


Date Closed **2007/01/02**


Attachments

Details	Download	Description	Type	Classification	Owner	Created Modified
		Letter	Image Viewer	ECU-Priority Mail/SCH	<u>Bleik, Ahmad</u>	2006/12/08 2006/12/08
		Clerk's T-Form	Image Viewer	ECU-Priority Mail/SCH	<u>Legault, Lynn</u>	2006/12/11 2006/12/11
		No reply required	Image Viewer	ECU-Priority Mail/SCH	<u>Vachon, Chantale</u>	2006/12/20 2007/01/02


Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Clo:
	FYI	<u>Stepanian, Bleik, Salple</u>	<u>Ahmad</u>	Closed	10	2006/12/08	2006/12/08	2006/
	Copy to Issues Management	<u>MPU (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/12/08	2006/12/11	2006/
	Original to CLR	<u>MPU (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/12/08	2006/12/11	2006/
	Copy to PMC	<u>MPU (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/12/08	2006/12/11	2006/
	Copy to COS	<u>MPU (Group)</u>	<u>Bleik, Ahmad</u>	Closed	10	2006/12/08	2006/12/11	2006/
	Action as	<u>CLR</u>	<u>Bleik,</u>					


 appropriate (Group) Ahmad Closed 10 2006/12/08 2006/12/14 2006/12/14

 Reply- Counsel to
Priority/réponse the Clerk Legault,
(OCC) Lynn Closed 15 2006/12/11 2006/12/19 2006/12/19
(Group)


Response Notes: sent to P.Shuttle on Dec. 12/06. / No reply required as per P.Shuttle (re office on Dec. 20/06)

 Approval CLR Legault,
(Group) Lynn Closed 60 2006/12/11 2006/12/19 2006/12/19


Response Notes: close as per LM 2006-12-21

 For Signature Clerk's Legault,
Office Lynn Closed 61 2006/12/11 2006/12/19 2006/12/19


Response Notes: Automatically closed by system when folder was closed.

 For Signature PM Hill Legault,
(Group) Lynn Closed 70 2006/12/11 2006/12/19 2006/12/19


Response Notes: Automatically closed by system when folder was closed.

 Distribution for CLR Legault,
Info (Group) Lynn Closed 80 2006/12/11 2006/12/19 2006/12/19

Response Notes: Automatically closed by system when folder was closed.

 For Mail Out Counsel to
the Clerk Legault,
(OCC) Lynn Closed 90 2006/12/11 2006/12/19 2006/12/19
(Group)

Response Notes: Automatically closed by system when folder was closed.

 Scan and Close ECS Legault,
(Group) Lynn Closed 90 2006/12/11 2006/12/19 2007/01/19

Response Notes: Automatically closed by system when folder was closed.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:50:04 AM -

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CL-PMC, cos, 100

Deadline Date:
 Date limite:

PRIME MINISTER'S CORRESPONDENCE TRANSMITTAL FORM
FORMULE D'ACHEMINEMENT DE LA CORRESPONDANCE DU PREMIER MINISTRE

Name of Correspondent/Nom du correspondant: **KARLHEINZ SCHREIBER**

Subject/Objet: _____

Accession Number/Numéro de référence: **63390349E** CIMS Folder/Dossier de CIMS: **594143**

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_____		Appointments/Nominations	<input type="checkbox"/>	
_____		Press Office/Bureau de presse	<input type="checkbox"/>	
PCO/BCP-ECU/SCHD	<input type="checkbox"/>	Chief of Staff/Directeur de cabinet	<input type="checkbox"/>	
_____		Constituency/Circonscription	<input type="checkbox"/>	
_____		Scheduling/Agenda	<input type="checkbox"/>	
		Issue Management/Gestion des enjeux	<input type="checkbox"/>	

Action/Mesures à prendre: Action as appropriate/Mesures à prendre Advice/Avis

Note/Remarque: _____

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_____	<input type="checkbox"/>	Personal & Political /Personnelle et politique (PMC)	<input type="checkbox"/>	ECU/SCHD	<input type="checkbox"/>
_____	<input type="checkbox"/>	Appointments/Nominations	<input type="checkbox"/>	DCU/SCM	<input type="checkbox"/>
_____	<input type="checkbox"/>	Press Office/Bureau de presse	<input type="checkbox"/>	_____	<input type="checkbox"/>
_____	<input type="checkbox"/>	Chief of Staff/Directeur de cabinet (COS)	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
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		Scheduling/Agenda	<input type="checkbox"/>		
		Issues Management/Gestion des enjeux	<input checked="" type="checkbox"/>		

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Other action taken or proposed/Autre mesure prise ou proposée Comments/Commentaires: _____

Date: _____ Signature: _____

Asst. Secretary / Director/ Secrétaire adjoint / Directeur

CIMS Distribution List/Liste de diffusion: * CC-PMC, cos, im
 CIMS Assignment/Tâche: _____
 CIMS Assignment/Tâche: _____

Deadline Date: Dec. 19/06
 Date limite: _____

PRIME MINISTER'S CORRESPONDENCE TRANSMITTAL FORM
FORMULE D'ACHEMINEMENT DE LA CORRESPONDANCE DU PREMIER MINISTRE

Name of Correspondent/Nom du correspondant: **KARLHEINZ SCHREIBER**

Subject/Objet: _____

Accession Number/Numéro de référence: **63390349E** CIMS Folder/Dossier de CIMS: **594143**

Route to/Acheminer à:

PCO/BCP - CLR Secretariat/Secrétariat <u>CC</u> <input checked="" type="checkbox"/>	PMO/CPM Personal & Political /Personnelle et politique (PMC) <input type="checkbox"/> Appointments/Nominations <input type="checkbox"/> Press Office/Bureau de presse <input type="checkbox"/> Chief of Staff/Directeur de cabinet <input type="checkbox"/> Constituency/Circonscription <input type="checkbox"/> Scheduling/Agenda <input type="checkbox"/> Issue Management/Gestion des enjeux <input type="checkbox"/>	Other/Autre: _____ _____ _____
PCO/BCP-ECU/SCHD <input type="checkbox"/>		

Action/Mesures à prendre: Action as appropriate/Mesures à prendre Advice/Avis

Note/Remarque: _____

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PCO/BCP-CLR <u>CC</u> <input type="checkbox"/> <u>Blondin</u> <input type="checkbox"/> <u>Key</u> <input type="checkbox"/> <u>McLennan</u> <input type="checkbox"/> <u>Cly Fils</u> <input type="checkbox"/>	PMO/CPM Personal & Political /Personnelle et politique (PMC) <input checked="" type="checkbox"/> Appointments/Nominations <input type="checkbox"/> Press Office/Bureau de presse <input type="checkbox"/> Chief of Staff/Directeur de cabinet (COS) <input checked="" type="checkbox"/> Constituency/Circonscription <input checked="" type="checkbox"/> Scheduling/Agenda <input type="checkbox"/> Issues Management/Gestion des enjeux <input checked="" type="checkbox"/>	Other/Autre: ECU/SCHD <input type="checkbox"/> DCU/SCM <input type="checkbox"/> _____ _____
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Date: _____ Signature: _____

Asst. Secretary / Director/ Secrétaire adjoint / Directeur

2006 Dec 11 AM 1:15

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PRIME MINISTER'S CORRESPONDENCE TRANSMITTAL FORM
FORMULE D'ACHEMINEMENT DE LA CORRESPONDANCE DU PREMIER MINISTRE

Name of Correspondent/Nom du correspondant: KARLHEINZ SCHREIBER
 Subject/Objet: _____
 Accession Number/Numéro de référence: 63390349E CIMS Folder/Dossier de CIMS: 594143

Route to/Acheminer à:

PCO/BCP - CLR Secretariat/Secrétariat	<input checked="" type="checkbox"/>	PMO/CPM Personal & Political /Personnelle et politique (PMC)	<input type="checkbox"/>	Other/Autre:	<input type="checkbox"/>
<u>OCC</u> *		Appointments/Nominations	<input type="checkbox"/>	_____	<input type="checkbox"/>
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PCO/BCP-ECU/SCHD		Chief of Staff/Directeur de cabinet	<input type="checkbox"/>	_____	<input type="checkbox"/>
		Constituency/Circonscription	<input type="checkbox"/>		
	<input type="checkbox"/>	Scheduling/Agenda	<input type="checkbox"/>		
		Issue Management/Gestion des enjeux	<input type="checkbox"/>		

Action/Mesures à prendre: Action as appropriate/Mesures à prendre Advice/Avis

Note/Remarque: _____

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<u>Chiu</u>	<input type="checkbox"/>	Personal & Political /Personnelle et politique (PMC)	<input type="checkbox"/>	ECU/SCHD	<input type="checkbox"/>
<u>Chandrasekhar</u>	<input type="checkbox"/>	Appointments/Nominations	<input type="checkbox"/>	DCU/SEM	<input type="checkbox"/>
<u>Liu</u>	<input type="checkbox"/>	Press Office/Bureau de presse	<input type="checkbox"/>	_____	<input type="checkbox"/>
<u>Malik</u>	<input type="checkbox"/>	Chief of Staff/Directeur de cabinet (COS)	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
<u>Chiu Fels</u>	<input type="checkbox"/>	Constituency/Circonscription	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>
		Scheduling/Agenda	<input type="checkbox"/>	_____	<input type="checkbox"/>
		Issues Management/Gestion des enjeux	<input checked="" type="checkbox"/>	_____	<input type="checkbox"/>

0615/30
ok to clear
to clear
1/11/07
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 (page 2)

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Other action taken or proposed/Autre mesure prise ou proposée Comments/Commentaires: _____

letter is simply copy of material submitted to Minister of Justice. Matter still pending to the Minister

Date: Dec 20, 2006 Signature: [Signature]

Asst. Secretary / Director/ Secrétaire adjoint / Directeur

2006 DEC 11 AM 11:12

KARLHEINZ SCHREIBER

63 13 13 19

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

Personal / For His Eyes Only

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa November 30, 2006

Subject: "Political Justice Scandal"


Dear Prime Minister,

I am taking the liberty to send you the copies of two facsimile November 14th and 16th from the IAG for your personal information.

The documents speak for themselves and may give you some evidence concerning the IAG and the "Political Justice Scandal". I am referring to my letter October 27, 2006 I have sent to you.

The attached copy of my letter to the Hon. Stockwell Day is also for your personal information.

Yours sincerely


Karlheinz Schreiber



Department of Justice / Ministère de la Justice
Canada / Canada

FACSIMILE TRANSMISSION

SEND TO		FROM	
Name: Karlheinz Schreiber		Name: Julie Fitton for Jacqueline Palumbo Counsel	
Address: 7 Bittern Court Rockliffe Park Ottawa, Ontario K1L 8K9		International Assistance Group Federal Prosecution Service East Memorial Building, Room 2291 284 Wellington Street Ottawa, Ontario K1A 0H8	
Fax #: 613-748-9697	Tel. #:	Fax #: 613-957-8412	Tel. #: 613-957-3489
Comments: RE: <u>FEDERAL REPUBLIC OF GERMANY V. KARLHEINZ SCHREIBER</u> Please refer to attached correspondence. Thank you.			
SECURITY INSTRUCTIONS Unclassified documents only VIA clear transmission. Protected information permitted within Justice secure FAX network.			
Protected documents? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Transmission			
Pages (+1): 5	Date: November 16, 2006		Time 3:18 PM

Department of Justice
CanadaMinistère de la Justice
CanadaInternational Assistance Group
Federal Prosecution Service
284 Wellington Street, EMB-2291
Ottawa, Ontario
K1A 0T8Telephone: 613-957-3489
Facsimile: 613-957-8412

November 16, 2006

BY FACSIMILE: 613-748-9697Karlheinz Schreiber
7 Bittern Court
Rockliffe Park
Ottawa, ON K1L 8K9

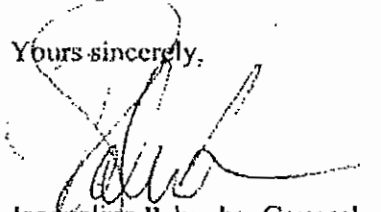
Dear Mr. Schreiber:

Re: Karlheinz SCHREIBER
- Extradition request from the Federal Republic of Germany
- Second Supplemental Summary of Case and Submissions on Reconsideration

I am attaching a copy of the second supplemental summary prepared for the Minister in relation to your request for reconsideration of the previous Justice Minister's decision on the issue of surrender. This summary contains an outline of your submissions contained in your letter dated October 25, 2006 and your three binders of attachments.

Please note that your submissions and attachments, in their entirety, will be put before the Minister of Justice for his consideration, together with the attached summary.

Yours sincerely,


Jacqueline Palumbo, Counsel
International Assistance Group
Federal Prosecution Service

c.c. Edward Greenspan, Q.C., Greenspan, White (fax: 416-366-7994)



Department of Justice / Ministère de la Justice
Canada / Canada

Room 2287, 284 Wellington Street
Ottawa, Ontario

MEMORANDUM / NOTE DE SERVICE

Security classification - Côte de sécurité
File number - Numéro de dossier
Date November 16, 2006
Telephone / FAX - Téléphone / Télécopieur 613-957-3489 / 613-957-8412

TO / DEST: Minister

FROM / ORIG: Jacqueline Palumbo, Counsel, International Assistance Group
(via Janet Henchey, General Counsel and Associate Director, International Assistance Group)

SUBJECT / OBJET: **GERMANY v. Karlheinz SCHREIBER**
- Extradition from Canada to Germany
- Second Supplemental Summary of Case and Submissions on Reconsideration

Comments/Remarques

I. PURPOSE OF THIS MEMORANDUM

This memorandum provides you with a summary of additional submissions sent directly to you by Mr. Karlheinz Schreiber in support of his petition that you reconsider your predecessor's decision to surrender him to Germany. His further submissions are contained in a letter dated October 25, 2006, together with three binders of attachments. All of these materials are appended in their entirety to this memorandum.¹

Please note that by letter dated November 15, 2006, counsel for Mr. Schreiber advised the International Assistance Group that Mr. Schreiber's additional submissions do not form part of the request for reconsideration submitted on Mr. Schreiber's behalf by his counsel on May 17 and August 10, 2006.²

II. SUMMARY OF SUBMISSIONS

In his letter to you dated October 25, 2006, Mr. Schreiber writes:

¹ Appendix A: Submissions from Mr. K. Schreiber dated October 25, 2006, including three binders of attachments.

² Appendix B: Letter dated November 15, 2006 from Mr. Edward Greenspan to Jacqueline Palumbo, International Assistance Group.

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- 2 -

Since your decision in my case is of a highly important political nature in Canada and Germany, I feel strongly that I have an obligation and a right to give to you my views of the story and the scandal.

He submits that he has been the victim of "the biggest 'Political Justice Scandal' in Canadian history with international political implications". He blames the former Liberal governments and the so-called "Liberal bureaucracy" (which he also describes as "the Liberal Underground Government of Canada") for this "scandal" and, further, he submits that one of the ways in which they have perpetuated this scandal is by delaying and thwarting Mr. Schreiber's outstanding lawsuit against the former Attorney General of Canada, Mr. Allan Rock, in the Alberta Queen's Bench. In this regard, he writes:

My lawsuit against the Liberal Attorney General of Canada is the only legal route besides a public inquiry to bring the "Political Justice Scandal" in a Canadian court to light. This is why my enemies try everything to stop my actions. Their greatest wish is to have me extradited to Germany, hoping that I will disclose matters of interest to them during a trial in court and at the same time bring the lawsuit to an end in Edmonton.

Mr. Schreiber underscores the following actions, amongst others, as supporting his allegation of a "political vendetta" carried out against himself and Brian Mulroney by the former Liberal governments and the so-called "Liberal Underground Government of Canada":

1. During the "Airbus affair", two "senior officers" persuaded author Stevie Cameron to give evidence of alleged fraud against Mr. Schreiber in return for "anonymity and insider information" which she then used in her books attacking Mr. Schreiber. He states that these books "created public support for the RCMP and the Liberal government concerning the political vendetta...";
2. Millions of taxpayer dollars have been spent in support of an RCMP investigation against Mr. Schreiber that has resulted in no charges;
3. Persons named in the confidential Letter of Request to Switzerland were allegedly disclosed by an RCMP officer to Stevie Cameron who published this insider information in her books. The RCMP officer was later the subject of an RCMP disciplinary hearing;
4. The RCMP struck a deal with the RCMP officer who allegedly disclosed the confidential information to Ms. Cameron and this transaction occurred after the Superior Court of Justice ruled that the RCMP's disciplinary hearings

- 3 -

were unconstitutional insofar as they were held in private. In this regard, Mr. Schreiber is suggesting that the RCMP entered into the said arrangement in order to avoid a public hearing of the matter;

5. Then Solicitor General Herb Gray and then Minister of Justice Allan Rock made alleged misrepresentations to the public regarding the unauthorized disclosure of the names of persons who were the subjects of Canada's Letter of Request to Switzerland;
6. In April 1998, the RCMP advised the German authorities that Canada was also interested in arresting Mr. Schreiber but they had no legal grounds on which to charge him;
7. In September and October of 1999, officials with the International Assistance Group attended in Germany to assist the German prosecutors in preparing their Record of the Case in support of their extradition request.

In particular, Mr. Schreiber targets the Department of Justice as a whole, the International Assistance Group and the RCMP as allegedly taking steps to thwart his lawsuit "through delay, detention or extradition", ultimately to conceal from the public the harm that has been caused to Mr. Mulroney, Mr. Schreiber and their respective families. He also states that he has witnessed first-hand the "Liberal Underground Government's" attempts to "frustrate the policies of the legitimately-elected Conservative [Mulroney] government of Canada" when he was the Chairman of Thyssen-Bearhead Industries in 1985. In relation to this submission, he states the following:

Thyssen, the Canadian soldiers, the people of Nova Scotia, Quebec and I have been misused and betrayed after Thyssen spent more than \$60 Million on the project for peacekeeping and environment protection.

Mr. Schreiber goes on to describe himself as "a Conservative on an international level" who has made a significant contribution to this country by bringing jobs and considerable funds into Canada. He takes the position that a Conservative Minister of Justice is more likely to review his case from an impartial point of view, but he is concerned that, you will be "shielded" from the information he is attempting to put before you in this matter by those persons who are the subjects of his lawsuit.

He also believes that the current Conservative government is unaware of his civil action in Alberta since officials of the Department of Justice have recently sought the production of records concerning his business and any payments he may have made to Mr. Mulroney. Moreover, they are seeking an order to set aside the examination of Allan Rock in this matter. Mr. Schreiber views these

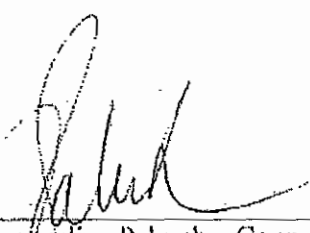
- 4 -

actions as inconsistent with Prime Minister Harper's position that he would "clean up the Government in Ottawa". He also wonders "*how you will ever get to know what is going on if you have to rely on the advice of the IAG who are the enemies of the Canadian Conservatives in this case since 1995.*"

Mr. Schreiber goes on to criticize your predecessor's decision to surrender him to Germany and suggests that your predecessor was either implicated in concealing the so-called "Political Justice Scandal" or "was totally under the control of the IAG and ignorant" when he ordered Mr. Schreiber's surrender. Moreover, he condemns Canada's practice regarding the extradition of its nationals, particularly in cases where there is no reciprocity. In this regard, he argues that your predecessor was aware that Germany would "never extradite one of its Nationals to Canada" but, nevertheless, proceeded to order his surrender. Regarding the negotiation of extradition treaties which do not involve reciprocity, Mr. Schreiber takes the view that the Canadian government misled the Canadian House of Commons when these treaties were ratified since, based on his review of Canada's treaties, reciprocity is "the most elementary common basis of each Treaty".

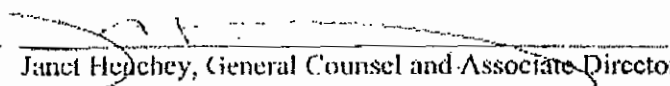
Finally, Mr. Schreiber appeals to you to "clean up....the 'Airbus' affair and the 'Political Justice Scandal'" by personally exercising your jurisdiction on the issue of his surrender to Germany. He asks that you reconsider his case with a view to exposing "*the biggest 'Political Justice Scandal' in Canadian history and to bring to an end the nightmare of this case for my family and me.*"

Prepared by:



Jacqueline Palumbo, Counsel
International Assistance Group

Reviewed by:



Janet Hedchey, General Counsel and Associate Director
International Assistance Group



Department of Justice / Ministère de la Justice
Canada / Canada

FACSIMILE TRANSMISSION TRANSMISSION PAR TÉLÉCOPIEUR

SEND TO / ENVOYER À		FROM / DE	
Name / Nom: Karlheinz Schreiber		Name / Nom: Jean-Michael Gabrario, Legal Assistant for Jacqueline Palumbo	
Address / Adresse: 7 Bittern Court Rockliffe Park Ottawa, Ontario K1L 8K9		Address / Adresse: Justice Canada International Assistance Group 284 Wellington Street Suite 2288 Ottawa, Ontario K1A 0H8	
Fax # / No du télécopieur: 613-748-9697	Tel. No. / No du Tél:	Fax # / No du télécopieur: 613-957-8412	Tel. No. / No du Tél: 613-946-0314
Comments / Commentaires: Re: Karlheinz Schreiber - Extradition request from the Federal Republic of Germany - Request for Reconsideration of Minister's Surrender Decision			
SECURITY INSTRUCTIONS / INSTRUCTIONS SÉCURITÉ			
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Protected documents? Documents protégés?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> Oui	<input type="checkbox"/> No <input type="checkbox"/> Non
Transmission			
Pages (Including cover sheet) 2	Date: 14/11/2006	Time: 1:45 PM	



Department of Justice
Canada

Ministère de la Justice
Canada

International Assistance Group
Federal Prosecution Service
284 Wellington Street, EMB-2291
Ottawa, Ontario
K1A 0H8

Telephone: 613-957-3489
Facsimile: 613-957-8412

November 14, 2006

BY FACSIMILE: 613-748-9697

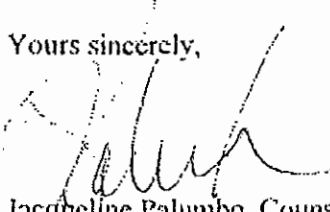
Karlheinz Schreiber
7 Bittern Court
Rockliffe Park
Ottawa, ON K1L 8K9

Dear Mr. Schreiber:

Re: Karlheinz SCHREIBER
- Extradition request from the Federal Republic of Germany
- Request for Reconsideration of Minister's Surrender Decision

I am writing to acknowledge receipt of your further submissions to the Minister of Justice in the above matter. Your letter dated October 25, 2006 was received by the Minister's Office on November 1, 2006 and your attachments were received by the Minister's Office on October 30, 2006.

Yours sincerely,



Jacqueline Palumbo, Counsel
International Assistance Group
Federal Prosecution Service

c.c. Edward Greenspan, Q.C., Greenspan, White (fax: 416-366-7994)

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHON 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

The Hon. Stockwell Burt Day P.C., M.P.
Minister of Public Safety

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, November 30, 2006

Subject: "Political Justice Scandal" and the RCMP

Dear Minister,

I am referring to my letter September 25, 2006 I have sent to you.

The attached letter from the Commission for Public Complaints Against the RCMP, November 15, 2006 is for your personal information.

Yours sincerely



Karlheinz Schreiber

Copy to The Right Hon. Stephen Harper
Prime Minister

Commission for Public Complaints Against the
Royal Canadian Mounted Police

7337 137 Street, Suite 102
Surrey, British Columbia V3W 1A4
Tel.: (604) 501-4080 / Fax: (604) 501-4095
Toll-Free: 1-800-665-6878

Commission des plaintes du public contre la
Gendarmerie royale du Canada

7337 rue 137, pièce 102
Surrey, Colombie-Britannique V3W 1A4
Tél.: (604) 501-4080 / Télécopieur : (604) 501-4095
Sans Frais : 1-800-665-6878

November 15, 2006

File No. PC-2006-1847

Mr. Karlheinz Schreiber
7 Bittern Court, Rockcliffe Park
Ottawa, ON K1L 8K9

Dear Mr. Schreiber:

In accordance with the *RCMP Act*, your complaint was forwarded today to the Commissioner of the RCMP for appropriate action. A copy of the complaint is enclosed for your information.

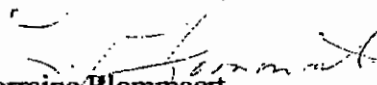
The Commissioner is required to provide written acknowledgment of your complaint within 45 days of receiving it. He is also required to provide you with a status report every 30 days thereafter. When the Commissioner has dealt with the complaint, you will be informed of the outcome.

Should you be dissatisfied with the RCMP's response to your complaint, you may contact this office to request a review by this Commission.

The Commission for Public Complaints Against the RCMP is an agency independent of the RCMP whose role is to receive and review complaints from the public about the conduct of members of the RCMP while on duty.

I am sending you a pamphlet on the Commission that you may find useful. Please read it and the attached copy of your complaint, and contact me at (604) 501-4080 or at our toll free number, 1-800-665-6878, if you have any questions.

Yours truly,


Lorraine Blommaert
Enquiries and Complaints Analyst

LB:GS
Enclosures

Canada



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Protected A

Professional Standards Unit
Coventry Square Bldg, Room 5-D14
295, Coventry Rd.
Ottawa, Ontario K1A 0R2

Mr. Karlheinz Schreiber
7 Bittern Ct, Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Your File - Votre référence

Our File - Notre référence

HQVII061401293

Date

November 28, 2006

Object **Public Complaint Against Commissioner Murray, Commissioner Zaccardelli,**
Sujet **Supt. Mathews, Insp. McLean, Insp. Brettschneider and S/Sgt. Feigenwald.**

Mr. Schreiber,

The present is to acknowledge receipt of your complaint dated November 14, 2006, lodged against the above-mentioned RCMP officers. Please noted that Commissioner Murray, Insp. McLean and S/Sgt Feigenwald have retired from the Royal Canadian Mounted Police and are not subject to an investigation pursuant to the RCMP Act.

A member of the RCMP will be appointed to investigate this matter and will be in touch with you shortly. You will be notified of the status of the investigation into your complaint within forty-five days from the date we received it and on a monthly basis thereafter, until we are in a position to advise you of the results of our findings.

Yours truly,

S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

Canada

RCMP GRC 2823 (2002-11) WPT

Page 1 of/de 1

**TAB 7 December 13, 2006 letter from Karlheinz Schreiber to the Right Honourable
Stephen Harper**

Enclosures:

- 7A Letter dated December 7, 2006, from Jacqueline Palumbo, Counsel, International Assistance Group, Federal Prosecution Service, Department of Justice, to Karlheinz Schreiber

- 7B Letter dated November 15, 2006, from Hladun and Company, Barristers and Solicitors, Edmonton, to the Honourable Vic Toews, Minister of Justice and Attorney General of Canada

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **596345**

Folder

Folder ID **596345**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To **Prime Minister of Canada**

Classification* **ECU-General mail/SC**

Keyword **Justice**

Summary

Notes **Personal Legal case, DTF - see previous**

Mail Type **Letter**

Folder Types **(None)**

Tracking ID* **63520216E**

Created By **Marques, Eric 2006/12/22**

Modified By **Marques, Eric 2006/12/22**

Dates

Date Sent* **2006/12/13**

Date Received* **2006/12/18**

Date Due **2007/01/29**

Date Closed **2006/12/22**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		Letter	Image Viewer	ECU-General mail/SC	<u>Marques, Eric</u>	2006/12/22	2006/12/22

Assignments There are no Assignments.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:50:18 AM -

635 20216
63520216
596345-EM
FILE

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

PERSONAL / FOR HIS EYES ONLY

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa December 13, 2006

Subject: "Political Justice Scandal"
Karlheinz Schreiber v. The Attorney General of Canada et al
Q.B. Action # 9703 20183

Dear Prime Minister,

I am taking the liberty to send you a copy of the letter my lawyer Robert Hladun Q.C. Edmonton, Alberta has sent to The Hon. Vic Toews P.C. M.P. on November 15, 2006, concerning my legal action .

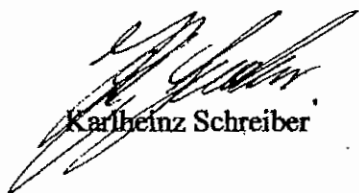
I am attaching a copy of the December 7, 2006 letter my lawyer Robert Hladun Q.C. received from Jacqueline Palumbo, Counsel International Assistance Group Prosecution Service of the Department of Justice of Canada.

The letters speak for themselves and may give you some more evidence concerning the IAG and the "Political Justice Scandal" demonstrating at the same time how the Minister is shielded.

I am referring to my letters October 27 and November 23, 2006 I have sent to you.

Dear Prime Minister, I strongly believe that only an independent inquiry can achieve a proper clean up and return fundamental Justice to the RCMP and the Department of Justice.

Yours sincerely



Karlheinz Schreiber



Department of Justice
Canada

Ministère de la Justice
Canada

International Assistance Group
Federal Prosecution Service
284 Wellington Street, EMB-2291
Ottawa, Ontario
K1A 0H8

Telephone: 613-957-3489
Facsimile: 613-957-8412

December 7, 2006

BY FACSIMILE: 780-424-0934

Robert W. Hladun, Q.C.
Hladun & Company
Barristers and Solicitors
100, 10187 - 104 Street
Edmonton, Alberta
T5J 0Z9

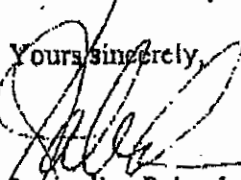
Dear Mr. Hladun:

**Re: *Karlheinz SCHREIBER* - German Request for Extradition
- Petition to Minister of Justice to Refuse to Execute Surrender Order**

We are in receipt of your correspondence, dated November 15, 2006, addressed to the Minister of Justice concerning the above matter. Although you state that your letter "is not intended nor should it be construed to be further submissions" with respect to the Minister's duties under the *Extradition Act*, you proceed to ask the Minister to "retract the Ministerial Order to extradite Mr. Schreiber to Germany" on various grounds. Therefore, it would appear that you are, indeed, making submissions to the Minister concerning his discretionary authority to surrender a person sought under the extradition process.

As you may know, Mr. Schreiber has been, and continues to be, represented by Mr. Edward Greenspan in relation to the Canadian extradition proceedings, including with respect to the issue of Mr. Schreiber's surrender to Germany. Therefore, we would advise you to consult directly with Mr. Greenspan regarding the concerns raised in your letter.

Yours sincerely,


Jacqueline Palumbo, Counsel
International Assistance Group
Federal Prosecution Service



Tel.780.423.1888
Fax.780.424.0934
www.hladun.com

100, 10187 - 104 Street, Inquiries@hladun.com
Edmonton Alberta
T5J 0Z9

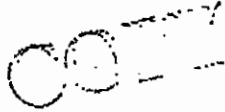
15,737.1

Our File

Your File

November 15, 2006

The Honourable Mr. Vic Toews
Minister of Justice and
Attorney General of Canada
Suite 306, Justice Building
House of Commons
Ottawa, ON K1A 0A6



Via fax: (613) 995-1049
(Original sent registered mail)

Dear Sir:

Re: Karlheinz Schreiber v. The Attorney General of Canada et al
Q.B. Action #9703 20183

I act on behalf of Karlheinz Schreiber in relation to a lawsuit he commenced against the Attorney General of Canada on October 24, 1997. I am writing to you in connection with this lawsuit. This letter is not intended nor should it be construed to be further submissions in relation to your responsibility under the *Extradition Act*. The lawsuit arose as a result of a Letter of Request ("Request") of September 29, 1995 prepared by counsel from your International Assistance Group ("IAG") and sent to the Swiss authorities. The Request became a cause celebre because of its allegations of wrongdoing by politicians and by Mr. Schreiber.

Mr. Schreiber's lawsuit is serious and has been pursued as assiduously as possible, bearing in mind the extradition proceedings commenced against Mr. Schreiber in August, 1999. Examinations for Discovery of some Crown witnesses have been held and will be concluded in the next few months. The Crown's Affidavit of Records was provided on October 20, 2006 and is being reviewed for the purposes of the lawsuit. It is anticipated that Mr. Schreiber will be examined once the examinations of the Crown witnesses are concluded.

On April 22, 2003, the RCMP announced their "investigation" relating to the Request for Assistance and allegations of wrongdoings could not be substantiated, save for a charge of fraud against MBB Helicopters Canada (Eurocopter Canada). The Court found insufficient evidence to commit Eurocopter to stand trial and discharged Eurocopter at the preliminary inquiry. Over the years, Mr. Schreiber, a Canadian citizen and successful businessman, has been subject to egregious treatment and the subject of a RCMP investigation conducted in bad faith, designed to entrap Mr. Schreiber, and bring him into disrepute. The culmination of the RCMP actions have led Mr. Schreiber to make a complaint to the Commission for Public Complaints against the RCMP, a copy of the complaint is enclosed for your review.

I am writing to you to retract the Ministerial Order to extradite Mr. Schreiber to Germany and I do this on the basis that Mr. Schreiber, a citizen of Canada has the right and legitimate expectation to remain in Canada in order to prosecute his case. It is highly unlikely that he will be able to do so

*The Honourable Mr. Vic Toews
Minister of Justice and Attorney General of Canada
November 16, 2006
Page 2*

were he to be surrendered to Germany in light of the comments made by Karl-heinz Haeusler, Judge of the Augsburg Regional Court and by Reinhard Nemetz, the Chief Senior Prosecutor of the Augsburg Prosecution Office. Mr. Schreiber's inability to prosecute his case would be a travesty of justice when regard is had to the overall political background of the Airbus investigation.

The Minister must also retract the Ministerial Order on the basis that there is a reasonable apprehension of bias in relation to the conduct of the IAG and its ongoing involvement in the Schreiber case since 1995 and, in the result, the actions of the IAG and the Minister in not having retained independent counsel to defend Mr. Schreiber's lawsuit, such as to bring the administration of justice into disrepute. Any reasonable person, understanding all of the facts of the case, could come to no other conclusion but that the actions of the IAG and the Department created an apprehension of bias.

Please review this matter in the context of the actions of the IAG, the fact that Mr. Schreiber commenced his lawsuit in October, 1997, the fact that the RCMP investigation was tainted and scurrilous, and the fact that Mr. Schreiber is entitled to have his day in Court. Please advise whether you will retract or withdraw the Ministerial Order for Mr. Schreiber's extradition, pending completion of his lawsuit in the Court of Queen's Bench of Alberta.

Yours truly,

HLADUN & COMPANY

*Dictated by or read and
Signed in the writer's absence to avoid delay*
ROBERT W. HLADUN, Q.C.
RWH/ms

Enclosure

**TAB 8 January 16, 2007 letter from Karlheinz Schreiber to the Right Honourable
Stephen Harper**

Enclosures:

- 8A Letter dated December 14, 2006 from the Honourable Vic Toews, Minister of Justice and Attorney General of Canada to Edward Greenspan, Greenspan, White Barristers, Toronto (6 pages, plus fax cover sheet)

- 8B Two pages from Conservative Party of Canada web site

- 8C Two pages from AOL News web site

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **599313**

Folder

Folder ID **599313**
 From* **Mr. Schreiber, Karlheinz**
 Owner* **Prime Minister of Canada (Group)**
 Addressed To **Prime Minister of Canada**
 Classification* **ECU-General mail/SC**
 Keyword **Justice**
 Summary
 Notes
 Mail Type **Letter**
 Folder Types **(None)**
 Tracking ID* **70190126E**
 Created By **Duré, Paul 2007/01/19**
 Modified By **Pinette, Yves 2007/01/24**

Dates

Date Sent* **2007/01/16**
 Date Received* **2007/01/19**
 Date Due **2007/03/02**
 Date Closed **2007/01/24**

Attachments

Details	Download	Description	Type	Classification	Owner	Created Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duré, Paul</u>	2007/01/19 2007/01/19
		CIMS+ Draft	WordPerfect (Draft) (For CIMS+ Users Only)	ECU Eyes Only	<u>Prime Minister of Canada (Group)</u>	2007/01/22 2007/01/22
		CIMS+ Final	WordPerfect (Final) (For CIMS+ Users Only)	ECU-General mail/SC	<u>Prime Minister of Canada (Group)</u>	2007/01/22 2007/01/22

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Close
	Reply-General/ré	<u>Russell, Shelly</u>	<u>Duré, Paul</u>	Closed		2007/01/19	2007/03/02	2007/01
	Print/imprimer	<u>MPU (Group)</u>	<u>Russell, Shelly</u>	Closed	20	2007/01/22	2007/03/02	2007/01
	Sign/signature	<u>Russell,</u>	<u>Russell,</u>	Closed	30	2007/01/22	2007/03/02	2007/01



Shelly Shelly



Mail and Close MPU Russell, Closed 40 2007/01/22 **2007/03/02** 2007/01
 (Group) Shelly

Response Notes: Automatically closed by system when folder was closed.



Action as Nicholson,
appropriate P.C., Russell, Closed 99 2007/01/22 **2007/03/02** 2007/01
 M.P., Shelly
 Robert

Response Notes: Automatically closed by system when folder was closed.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:50:33 AM -

January 22, 2007

Mr. Karlheinz Schreiber
MacKay Lake Estates
7 Bittern Court
Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Dear Mr. Schreiber:

On behalf of the Prime Minister I would like to acknowledge receipt of your correspondence of January 16.

COPY / COPIE
I have forwarded a copy of your letter and enclosures to the Honourable Robert Nicholson, Minister of Justice and Attorney General of Canada, for his information.

Yours sincerely,

S. Russell
Executive Correspondence Officer

KARLHEINZ SCHREIBER

70190126
70190126

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

THELEPHON: 613 748 7330
FACSIMILE: 613 748 9697
schreiberbarbel@aol.com

Ottawa, January 16, 2007

Personal, for his eyes only

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister
House of Commons
Ottawa, Ontario
K1A 0A6

Subject: "Political Justice Scandal"

Dear Prime Minister,

On October 27, 2006 I took the liberty to sent you a copy of my letter October 25, 2006 to the Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada for your personal information.

On November 30, 2006 I took the liberty to send you the copies of two facsimiles dated November 14th and 15th from the IAG of the Department of Justice for your personal information.

Today I take the liberty to send you the copy of the facsimile of December 14, 2006 from the IAG of the Department of Justice together with a letter, December 1, 2006 from The Hon. Vic Toews which was sent to my lawyer, Edward Greenspan Q.C., LL.D., D.C.L.

The letter of The Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada opens the door to the next dimension of the biggest "Political Justice Scandal" in Canadian history!

Dear Prime Minister, assume you would hear this story:

A Liberal Minister of Justice and Attorney General teamed up with a journalist, a confidential police-informant and complainant, the Solicitor General, the Police Commissioner, officials of the Department of Justice, officers of the police force and a police informant with a criminal record from an other country, to start a conspiracy and political vendetta including allegations of bribe and fraud against a former Conservative Prime Minister and his friends.

The conspiracy and vendetta started 12 years ago and is still moving ahead.

It cost millions of taxpayers' money and continues to do so.

No charges were ever laid

The lawsuit of the former Conservative Prime Minister was settled, but the vendetta continued for ten years.

One other victim of the vendetta filed ten years ago an ongoing lawsuit against the Liberal Minister of Justice and the Attorney General.

The Department of Justice tries to thwart the lawsuit through delay, extradition without treaty obligations and detention with the involvement of the police and an undercover agent hired from a foreign country, ultimately conceal from the public the truth about the vendetta, the abuse of power and the "Political Justice Scandal"

The Liberal Minister of Justice and Attorney General who initiated the vendetta refuses to appear for examinations for discovery because he is not the responsible Minister today.

The Liberal Minister and Attorney General responsible for the lawsuit and the extradition case lies about his obligations under an extradition treaty and writes in a letter October 31, 2004: "I was not the Minister of Justice at the time the impugned actions were taken and therefore, I have no bias against Mr....."

After 12 years in opposition, the Conservative Party formed a new government. The Conservative Minister of Justice and Attorney General is supporting his Liberal predecessors' scandal-hiding activities, denies the existence of the "Political Justice Scandal" and backs his lies!

Dear Prime Minister, would you have ever believed that this story is a real Canadian story and the Conservative Minister of Justice and Attorney General was a member of your government?

It seems to be a matter of fact that there is no need for a government clean-up in Ottawa because the Liberal Government did the necessary clean-up when they put in place the Gomery inquiry and the Maher Arar inquiry.

It looks like the situation has changed since 30 November 2005 when you announced that a Conservative Government would appoint an Independent Director of Public Prosecutions and you referred especially to the Mulroney - Airbus affair (documents attached).

I believe when you read my letter to The Hon. Vic Toews and his reply to my lawyer Edward Greenspan, Q.C. you will come to the same conclusions I came:

The Hon. Vic Toews Did not read my letter and the attachments
 just signed the letter, written by the IAG
 did not see my letter and his signature is a rubber stamp
 had a reason to ignore or deny my allegations and facts
 had a reason to support the Liberals
 was not interested to clean up his department
 was not interested to inform Canadians about the scandal
 was told that the Conservative Government is not interested to
 call an inquiry for their one reasons.
 writes in his letter on page 5 paragraph 6:

“In addition, Mr. Schreiber is at liberty to use any other public venue available to convey any information which he deems to be of interest to the public.”

Is he recommending the CBC's Fifth Estate or the political opposition?

Dear Prime Minister, I ask you in the interest of the Canadian taxpayer to grant me the courtesy to read my letter to The Hon. Vic Toews and his reply to Mr. Edward Greenspan and the attachments. Please let me know whether you share the Minister's views. I told you since June 2006 that I strongly believe that this case will not disappear by itself. Only an independent inquiry can achieve a proper clean up and return fundamental Justice to the Department of Justice and the RCMP to make sure that the same will not happen again in the future.

Yours sincerely



Karlheinz Schreiber

Copy to The Right. Hon. Brian Mulroney



FACSIMILE TRANSMISSION TRANSMISSION PAR TÉLÉCOPIEUR



Name / Nom: Edward L. Greenspan Q.C.
Counsel

Name / Nom: Lisa Anderson
Paralegal

Address / Adresse: Greenspan, White
Barristers
144 King Street East
Toronto, Ontario
M5C 1G8

International Assistance Group
Federal Prosecution Service
284 Wellington Street, EMB-2281
Ottawa, Ontario
K1A 0H8



Tel. No. / No du Tél:
416-366-3981

Fax # / No du télécopieur:
613-957-8412

Tel. No. / No du Tél:
613-941-4157

Comments / Commentaires:

F.R.G. v. Karlheinz SCHREIBER -- Request for reconsideration

Please find herewith the Minister's reasons on reconsideration dated December 14, 2006. Please confirm receipt by calling me at the above noted number or, preferably, by e-mail at landerso@justice.gc.ca. Please note that the original will follow via priority post.



Unclassified documents only VIA clear transmission.
Protected information permitted within Justice secure
FAX network.

Documents non cotés à transmettre sans
protection.
Renseignements protégés par le réseau des
télécopieurs protégés de la Justice.

Protected documents?
Documents protégés?

Yes
Oui

No
Non



Pages:
6

Date:
December 14, 2006

Time
5:51 PM

Minister of Justice
and Attorney General of Canada



Ministre de la Justice
et procureur général du Canada

The Honourable / L'honorable Vic Toews, P.C., Q.C., M.P./c.p., o.r., député
Ottawa, Canada K1A 0H8

DEC 1 + 2006

Mr. Edward Greenspan, Q.C.
Greenspan, White
Barristers
144 King Street East
Toronto ON M5C 1G8

Dear Mr. Greenspan:

I am writing in response to the submissions you addressed to me on May 17, 2006, and August 10, 2006, on behalf of your client, Mr. Karlheinz Schreiber. I am also responding to submissions made directly to me by Mr. Schreiber in a personal letter dated October 25, 2006, including three binders of appendices.

You have asked me to reconsider the surrender decision of my predecessor, the Honourable Irwin Cotler, and rescind the order surrendering Mr. Schreiber to Germany. Mr. Schreiber is also directly petitioning me to reconsider the decision to surrender him to Germany, although I note your correspondence dated November 15, 2006, in which you indicate that Mr. Schreiber's independent submissions do not form part of the reconsideration request that you have presented on his behalf.

You have brought to my attention media reports that quote statements made by Mr. Nemetz, the Chief Prosecutor of the Augsburg Prosecution Office, and Judge Karl-Heinz Haeusler, the judicial spokesperson for the Augsburg Regional Court. You submit that their comments amount to conduct by German authorities that interferes or attempts to interfere with the extradition process in Canada, as was the case in *United States of America v. Cobb* (2001), 152 C.C.C. (3d) 270 (S.C.C.), and that demonstrates that the case against Mr. Schreiber has been prejudged in Germany. Indeed, you submit that the comments made by Judge Haeusler are far more disconcerting, as they relate directly to a prejudgment of the case by a judge and spokesperson for the very Court which will try Mr. Schreiber.

In Mr. Schreiber's additional submissions, he states his belief that my officials, together with members of the former Liberal governments, are engaged in ongoing attempts to ensure his removal in order to halt his ongoing lawsuit in the Alberta Queen's Bench against the former Attorney General of Canada, the Honourable Allan Rock. He claims that the authorities in question are anxious to see him gone in order to prevent him from

Canada

revealing, through his civil action, scandalous information about the former Liberal governments in their treatment of him, of former Prime Minister Brian Mulroney, and of the Canadian public as a whole in the "Airbus" matter.

Mr. Schreiber further accuses my officials of misconduct in allegedly suppressing relevant information about his extradition case from my predecessor and me. He believes that there are certain bureaucratic officials who have Liberal affiliations and, thus, it is in their interest to shield me and, ultimately, the public from information that would expose alleged wrongdoing by members of the former Liberal governments. He asserts that a "Political Justice Scandal" without precedence in Canadian history has been propagated against him, and he urges me not to rely on the advice of counsel in my Department, which he believes to be politically motivated.

He further takes the position, based on his commitment to the Conservative ideology and his Conservative ties, that a Conservative Justice Minister is more likely to be sympathetic to his case.

I have considered your submissions, the additional submissions made to me independently by Mr. Schreiber, as well as my predecessor's surrender decision. For the reasons set out below, I am satisfied that the surrender order of my predecessor, the Honourable Irwin Cotler, should be maintained.

The submissions before me raise claims of abuse of process allegedly committed by both the German and Canadian officials. I have the authority to consider claims of breach of the *Canadian Charter of Rights and Freedoms* (the Charter) and, thus, allegations of abuse of process are relevant to my reconsideration of this case. However, to find an abuse of process, there must be evidence of bad faith or improper motive on the part of the Canadian and/or foreign authorities. As stated by the Supreme Court of Canada [*Cobb, supra*], such a finding will be "extremely rare" and must only be made in the "clearest of cases."

With these principles in mind, I will first address your submissions regarding the actions of the German authorities.

The first article you have provided is from the online version of *Der Spiegel* of March 8, 2006. It contains an interview with Mr. Nemetz, in which he comments on the Ontario Court of Appeal's decision dated March 1, 2006, which upheld the surrender of Mr. Schreiber to Germany. Mr. Nemetz's comments indicate that he was aware that an application for leave to appeal had been filed with the Supreme Court of Canada. He spoke about the length of time the extradition proceedings had taken in Canada and what Mr. Schreiber faced upon return to Germany. In particular, you point out that Mr. Nemetz stated that Mr. Schreiber

would definitely be imprisoned on remand, due to the severity of the charges, and the public prosecutor would "vehemently" protest against releasing him on bail.

You submit that this clearly reflects a prejudgment of the availability of bail pending trial for Mr. Schreiber.

The second article you have submitted appeared on the Deutsche Presse-Agentur Web site on March 9, 2006. It included statements made about Mr. Schreiber by Judge Haeusler, the judicial spokesperson for the Court. You submit that the statement by Judge Haeusler that Mr. Schreiber is "the trigger of the entire affair" (the Christian Democratic Union, or CDU; contributions scandal), demonstrates that the Court has prejudged Mr. Schreiber's guilt and that he will not have a fair trial in Germany. Furthermore, you submit that it would appear that Mr. Schreiber is being held responsible for the entire CDU contributions scandal, the largest political scandal in German history.

In light of your submissions, my officials contacted German authorities. They advised that:

- Judge Karl-Heinz Haeusler is the judicial spokesperson for the Augsburg Regional Court's Criminal Division;
- Neither Judge Haeusler nor Mr. Nemetz will have any involvement in Mr. Schreiber's case;
- Mr. Nemetz's comments reflect the position that the prosecution is expected to take on bail, rather than being a predetermination of the outcome of issue of bail pending trial; and
- If surrendered to the Federal Republic of Germany, Mr. Schreiber must be taken into custody. He will be taken before the court without delay for a bail hearing and the court will decide the issue of bail pending his trial.

In *Cobb*, the assigned trial judge in the United States stated, while sentencing a co-accused, that if the fugitives, who were Canadian citizens fighting extradition from Canada, did not cooperate and come to the United States voluntarily, he would impose the absolute maximum jail sentence that the law permitted. Furthermore, the prosecutor assigned to the case appeared on "The Fifth Estate," a Canadian television program, and threatened that those fugitives who contested their extradition would serve longer sentences under much more stringent conditions, and would "be the boyfriend of a very bad man," an apparent reference to the possibility of homosexual rape in prison.

In my view, the circumstances of Mr. Schreiber's case are not comparable. It is difficult to construe what was said by Mr. Nemetz and Judge Haeusler as threats directed towards intimidating Mr. Schreiber into giving up his right to lawfully resist extradition. The extradition proceedings against Mr. Schreiber have been ongoing for over seven years. In my view, there is nothing in either man's comments to suggest that Mr. Schreiber would find himself in a more favourable position if he returned voluntarily to Germany, or be treated more harshly for not doing so.

Moreover, unlike *Cobb*, where the impugned comments were made by the prosecutor and judge assigned to the defendant's case, Mr. Nemetz is not the prosecutor assigned to Mr. Schreiber's matter, and Judge Haeusler is not the assigned trial judge.

In so far as the decision in *Cobb* dealt with the fairness of the extradition hearing, rather than the fairness of the trial in the foreign jurisdiction, it provides little guidance in determining whether there is any merit to the concerns raised on Mr. Schreiber's behalf.

I must be satisfied that the surrender of Mr. Schreiber would not be unjust or oppressive, having regard to all the relevant circumstances. I take for granted that an impartial tribunal is essential for a fair trial, and that surrender to a tribunal which is not impartial would violate the principles of fundamental justice and be contrary to section 7 of the Charter.

In my view, there is no basis to believe that Mr. Schreiber will not receive a fair trial before an impartial tribunal in Germany. As stated above, neither Mr. Nemetz nor Judge Haeusler will participate in Mr. Schreiber's case. The indictment against Mr. Schreiber is pending before the 10th Criminal Division of the Augsburg Regional Court, over which Judge Klaus Scheizig presides, along with two professional judges (Mr. Stephan Knoepfle and Mr. Martin Barnickel) and, according to German law, Mr. Schreiber is presumed innocent until proven guilty and has the right to a fair trial. If surrendered, he must be taken into custody. However, he will be brought before the Court, which will determine the issue of bail pending his trial.

In the Canadian criminal justice system, the scope for public comment by participants in ongoing cases is limited for fear of prejudicing an accused's right to full answer and defence, and it is therefore unlikely that a Canadian judge would speak publicly about a case before the court.

Canada's approach to minimizing pretrial publicity and commentary by participants in the process in ongoing criminal matters has not, however, impeded extradition to other countries, such as the United States, where there is a much greater tolerance for public

statements by participants during the course of criminal proceedings. The right to a fair trial before an impartial tribunal is no less of a concern in the United States. Indeed, it is a fundamental right under the U.S. constitution. It is simply differently achieved in the U.S. system (*The Queen v. Bain*, [1992] 1 S.C.R. 91). It follows that the fact that other countries' criminal justice systems do not operate on the same model as our own does not mean that they are fundamentally unfair (*Republic of Philippines v. Pacificador*, [1993] 14 O.R. (3d) 321 (Ont. C.A.); *Canada v. Schmidt*, [1987] 1 S.C.R. 500).

While there is no exact equivalent in Canada to the post of judicial spokesperson, it is obvious that it is a feature of the German system of justice. Accordingly, in the German system, it must be that there is no necessary conflict between a judicial spokesperson commenting on a prosecution and the state's ability to guarantee a fair trial.

In my view, even if it could be concluded that Judge Haeusler's comments could potentially give rise to prejudice for Mr. Schreiber, this is a matter where the German courts should be trusted to deal with the issue and fashion a remedy, if necessary.

I now turn to Mr. Schreiber's separate submissions alleging misconduct on the part of the Canadian authorities, particularly members of the former Liberal governments and the officials who advised them. Having reviewed Mr. Schreiber's claims of bad faith on this front, I find them to be unfounded and based on speculation.

First, there is no basis to his assertion that the extradition case against him is part of a broader scheme by Department of Justice Canada and other Canadian government officials to guarantee the failure of his lawsuit. His surrender to Germany would not, of necessity, lead to a termination of his civil action against the former Attorney General of Canada. Mr. Schreiber has legal representation in that matter and his presence in Canada is not a prerequisite to its continuation.

Similarly, there is no merit to his contention that members of the former Liberal governments and the government officials who advised them are using the extradition process to silence him from disclosing, through his lawsuit, important information about the so-called "Airbus affair." As I already indicated, the outstanding civil case in Alberta may proceed with or without his presence in Canada. In addition, Mr. Schreiber is at liberty to use any other public venue available to convey any information which he deems to be of interest to the public.

Finally, Mr. Schreiber has provided absolutely no evidence to support his serious charge that my officials, including members of the International Assistance Group, may have concealed information about his extradition case from my predecessor and/or me in order to advance politically-motivated interests. It is the practice of my Department to put before the presiding Justice Minister all of the original submissions

made by a person sought for extradition in his or her petition against surrender. It is clear from former Minister Cotler's letter to you dated October 31, 2004, in which he orders Mr. Schreiber's surrender, that he had personally received all of the numerous submissions which you made on Mr. Schreiber's behalf. Likewise, I have before me your submissions on Mr. Schreiber's petition for reconsideration and his independent submissions to assist me in personally considering whether there is a legitimate basis on which to interfere with my predecessor's decision.

Therefore, Mr. Schreiber's denunciation of the officials advising me or my predecessor on the question of surrender is entirely unsubstantiated.

For the above reasons, I do not find that the extradition matter against Mr. Schreiber has been pursued for any improper objective. The extradition request was based on evidence in support of the German charges, and a Canadian court has determined that a committal order was warranted on the force of that evidence. The committal order was reviewed by the Ontario Court of Appeal and upheld.

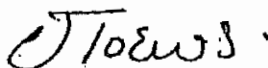
It is also of note, in reviewing Mr. Schreiber's claims of bad faith, that during the course of the extradition proceedings in this case, which commenced with his provisional arrest in August of 1999, he has had every opportunity to pursue his legal rights as a person sought for extradition in Canada. His efforts to oppose his extradition to Germany have been given full consideration at both the judicial and ministerial phases of the extradition process. Indeed, he continues to pursue these avenues, and he is free to do so, through this petition for reconsideration, as well as his outstanding application in the Supreme Court of Canada to appeal his committal for extradition and my predecessor's decision to surrender him to Germany.

In summary, I do not find that the integrity of the extradition process has in any way been eroded in this case. As such, this is not one of those "extremely rare" cases in which a refusal to surrender would be justified.

In all the circumstances, I am satisfied that Mr. Schreiber's surrender would not be unjust or oppressive or contrary to section 7 of the Charter. Accordingly, I am not prepared to alter the decision on surrender.

I thank you for providing me with your submissions.

Yours sincerely,



Vic Toews



Director of Public Prosecutions

[Click here for PDF version](#)

THE ISSUE

The Liberal Party's 12 years in power have been 12 years of consecutive scandal. Despite Paul Martin's promises to clean up Ottawa, nothing has changed. Worse, the Liberals have made no attempt to ensure that those responsible for these scandals pay the price – and they still pretend they are victims in the sponsorship scandal!¹

Judge Gomery concluded that the Liberal Party "as an institution cannot escape responsibility for the misconduct of its officers and representatives."² Unfortunately, the current system of lap-dog oversight means Liberals get to hold themselves accountable. They negotiated with themselves to calculate how much taxpayers' money the Liberal Party would repay.³ They cut a deal letting Paul Coffin repay only \$1 million even though he stole \$1.6 million by fraud.⁴

Additional examples of the need for prosecutorial independence:

- **François Beaudoin, former president of the Business Development Bank of Canada, was subjected to a vendetta after refusing the prime minister's request to give a loan to a personal friend. The vendetta included complaints to the RCMP that Justice André Denis of the Québec Superior Court later called "completely vexatious and without foundation."** After the Crown Attorney concluded that there was no reason to charge Beaudoin, the government-owned Bank, headed by a political appointee, refused to accept the outcome and hired a lawyer to try (unsuccessfully) to influence the prosecutor to change the decision.⁵
- **The Mulroney-Albus affair: Officials in the federal Department of Justice advised the RCMP during its investigation and it was the Justice Department that signed and sent the letter asking the Swiss authorities to cooperate. The Department's letter wrongly indicated that the RCMP had reached conclusions about criminal activity and then-Attorney General Allan Rock subsequently apologized in writing. To avoid any possibility of interference, this is precisely the sort of issue that should have been handled by an Independent Director of Public Prosecutions.**



Stand Up for Accountability

Let's clean up government

Canadians have been let down by 12 years of Liberal scandal. We need a change in government to restore accountability and end the culture of entitlement. Canadians must be able to trust our government and know that our tax dollars are well spent.

A Conservative government will provide the leadership to stand up for honesty and integrity in government. Our first piece of legislation will be a *Federal Accountability Act*, a sweeping reform plan to clean up government.

The Conservative Party will stand up for:

- Ending the influence of big money in politics by banning corporate and union political donations, and limiting individual donations to \$1000.
- Tough new lobbying rules and an end to the revolving door that allows former ministers, political aides, and top bureaucrats to turn around and lobby the government.
- Giving more power and teeth to independent watchdogs such as the Auditor General and Ethics Commissioner, protecting whistleblowers from reprisal, and strengthening access to information laws to give citizens the right to know.
- Appointing an independent Director of Public Prosecutions to protect criminal prosecution from political interference.

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TOP 11

Top 11 Political Leaks and Scandals

Scandals and leaks are all part of what makes a government or a politician sink or swim. Well-timed, intentional leaks can help sway an election, while unexpected revelations can ruin a career. Take a look at some of the best-known affairs on record.

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Yes
 No

Vote

Get Organized



Eight Risk Free Issues of Time




(1 of 11)

1972- Watergate: 'Deep Throat' may well be the most famous political leaker of all time. Last year he revealed himself to be Mark Felt, the associate director of the FBI at the time of the Watergate scandal. Until then, Felt's identity had been the best kept secret in the United States, protected by the Washington Post journalists who were informed by Deep Throat and who broke the story of President Richard Nixon's illicit actions. The journalists, Bob Woodward and Leonard Bernstein, as well as Deep Throat were immortalized in the film 'All the President's Men.' (Getty Image)

05-03-06 18:31 EDT

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Top 11 Political Leaks and Scandals

Scandals and leaks are all part of what makes a government or a politician sink or swim. Well-timed, intentional leaks can help sway an election, while unexpected revelations can ruin a career. Take a look at some of the best-known affairs on record.

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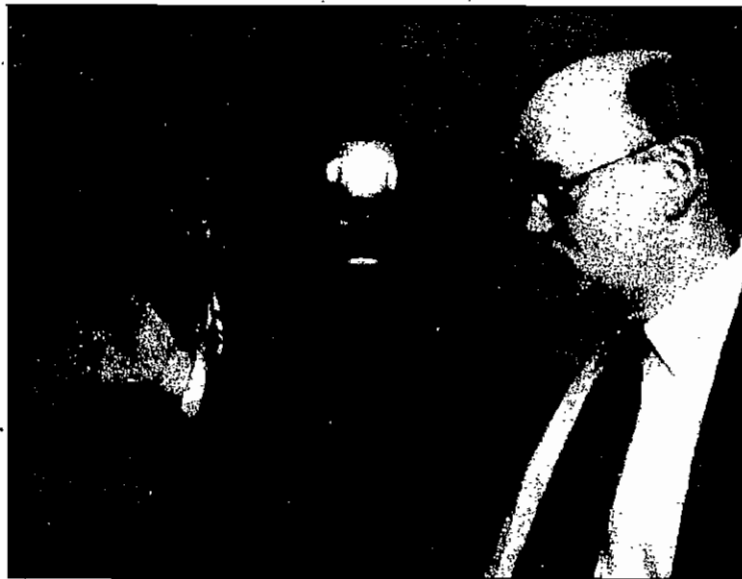
Yes
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Vote

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Eight Risk Free Issues of Time



(8 of 11)

1995- Sponsorship scandal: Though the federal sponsorship scandal only really came into the public awareness in the early years of the new millenium, sponsorship leaker, Allan Cutler blew his whistle way back in 1995. The former bureaucrat is credited with bringing the shady advertising deals made under Jean Chretien out of the back rooms and into the limelight, he even lost his job in the process. We've since seen several names dragged through the mud for during the Gomery Inquiry and the scandal arguably played a significant role in putting a Liberal government out of power. (CP Image)

05-03-06 18:31 EDT

**TAB 9 January 24, 2007 letter from Karlheinz Schreiber to the Right Honourable
Stephen Harper**

Enclosures:

- 9A Letter dated January 23, 2007 from Karlheinz Schreiber to the Honourable Robert Douglas Nicholson, Minister of Justice and Attorney General of Canada
- 9B Letter dated January 24, 2007 from Karlheinz Schreiber to the Honourable Stockwell Burt Day, Minister of Public Safety (2 copies)
- 9C Letter dated November 28, 2006 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber (duplicate of letter enclosed with November 30, 2006 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper)
- 9D Letter dated January 10, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber
- 9E Letter dated January 16, 2007 from S/Sgt Michael Robineau, Professional Standards Unit, Royal Canadian Mounted Police, Ottawa to Karlheinz Schreiber
- 9F Complaint, appears to be a memo prepared on a complaint by Karlheinz Schreiber on November 14, 2006 to the Commission for Public Complaints Against the Royal Canadian Mounted Police (?)
- 9G Complaint, appears to be a memo prepared on correspondence sent by Karlheinz Schreiber on December 7, 2006 to the Commission for Public Complaints Against the Royal Canadian Mounted Police (?)
- 9H Copy of 3 pages from www.enterstageright.com

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Folder

Folder ID **601147**
 From* **Mr. Schreiber, Karlheinz**
 Owner* **Prime Minister of Canada (Group)**
 Addressed To **Prime Minister of Canada**
 Classification* **ECU-General mail/SC**
 Keyword **Justice**
 Summary
 Notes **several previous letters direct to file sent pm copies of letters to ministers**
 Mail Type **Letter**
 Folder Types **(None)**
 Tracking ID* **70290250E**
 Created By **Duthie, Joseph 2007/02/02**
 Modified By **Russell, Shelly 2007/02/05**

Dates

Date Sent* **2007/01/24**
 Date Received* **2007/01/29**
 Date Due **2007/03/12**
 Date Closed **2007/02/05**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duthie, Joseph</u>	2007/02/02	2007/02/02

Assignments

Details	Action	Assigned To	Assigned By	Status	Work Sequence	Date Assigned	Date Due	Closed
	Reply-General/ré	<u>Russell, Shelly</u>	<u>Duthie, Joseph</u>	Closed		2007/02/02	2007/03/12	2007/02/05

Response Notes: Automatically closed by system when folder was closed.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:50:45 AM -

KARLHEINZ SCHREIBER

601147

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7 BITTERN COURT, ROCKCLIFFE PARK
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schreiberbarbel@aol.com

PERSONAL / FOR HIS EYES ONLY

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister
House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, January 24, 2007

Subject: "Political Justice Scandal" and the RCMP

Dear Prime Minister,

Today I take the liberty to send you copies of my letter January 23, 2007 to The Hon. Robert D. Nicholson, Minister of Justice and Attorney General and my letter January 24, 2006 to The Hon. Stockwell B. Day, Minister of Public Safety for your Information.

The news from today proves again who controls the department of Justice and confirms my concerns. **The inescapable conclusion is that your political enemies are undermining your government's intention to clean up how the nation is governed.**

I don't think that you are interested in my advice but I can tell you that I have spent at least 45 years of my life with international Conservative Politics and tried to support Conservative causes where-ever support was needed. This is the main reason of my troubles, since no good deed goes unpunished.

I was a close witness to the painful decline of the Conservative Government of Brian Mulroney and I am a pretty good observer with an impressive memory.

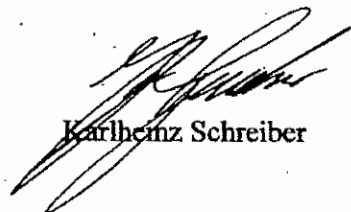
I learnt that the formula: **"Wash me but don't make me wet"** will not work!

Dear Prime Minister, in my opinion you need the strong and permanent support from Canadian voters to ensure your success through their confidence.

Only an independent public inquiry, concerning the "Political Justice Scandal" and the "Airbus" affair, can achieve the clean up in Ottawa which you have promised to your voters.

I wish you health and fortune.

Yours sincerely



Karlheinz Schreiber

KARLHEINZ SCHREIBER

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OTTAWA, CANADA K1L 8K9

TELEPHON 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

Personal / For his eyes only

The Honourable Robert Douglas Nicholson P.C. Q.C.
Minister of Justice and Attorney General of Canada
2895 St. Paul Avenue, Unit 11
Niagara Falls, Ontario
L2J 2L3

Ottawa, January 23, 2007

Subject: "Political Justice Scandal" and the "Airbus" Affair

Dear Mr. Minister,

Please accept my congratulations on your appointment as the Minister of Justice and Attorney General of Canada. I wish you success and fortune with your new, important duties.

Since you were in the House of Commons from 1984 – 1993 you witnessed the dramatic situation of the Conservative Party's seats going down from 216 seats in 1984 to two seats in 1993 and you became aware of the reasons responsible for this development. I experienced the tragedy from the outside, but very close, as you may know.

Maybe it is fate that you became the present Minister of Justice and Attorney General of Canada. The future will tell whether you will write a chapter in Canadian history.

Today I am taking the liberty of sending you copies of my letter of October 25, 2006 with attachments to The Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada, the letter dated December 1, 2006 of The Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada, to my Lawyer Edward Greenspan Q.C., LL. D., D.C.L. as well as the facsimile dated November 14, 2006 and November 16, 2006 from the IAG of the Department of Justice for your personal information.

The documents are self explanatory. I truly believe that you can share my concerns that the IAG of the Department of Justice is shielding the Minister.

For this reason I am sending the letter to your office at Niagara Falls. I do very much believe that it is of political importance for you to know about the case.

In my opinion the letter December 1, 2006 of The Hon. Vic Toews, then the Minister of Justice and Attorney General of Canada to my lawyer Edward Greenspan Q.C., LL.D., D.C.L. opens the door to the next dimension of the biggest "Political Justice Scandal" in Canadian history.

Dear Minister, I am convinced that you will agree with me if you read this story on the front page of a national newspaper:

A Liberal Minister of Justice and Attorney General of Canada teamed up with a journalist, a confidential RCMP – informant and complainant, the Solicitor General of Canada, the RCMP Commissioner, officials of the Department of Justice of Canada, officers of the RCMP and a police informant with a criminal record from Switzerland, to start a conspiracy and political vendetta including allegations of bribery and fraud against a former Conservative Prime Minister of Canada and his friends.

The conspiracy and vendetta started 12 years ago and is still moving ahead.

It costs millions of taxpayers' money and continues to do so.

No charges were ever laid.

The lawsuit of the former Conservative Prime Minister of Canada was settled, but the vendetta continues.

Ten years ago, one other victim of the vendetta filed a lawsuit against the Liberal Minister of Justice and the Attorney General of Canada, and that lawsuit is still ongoing.

The Department of Justice of Canada tries to thwart the lawsuit through delay, extradition and detention without treaty obligations (with the involvement of the RCMP and an undercover agent hired from a foreign country), ultimately attempting to conceal from the public the truth about the vendetta, the abuse of power and the "Political Justice Scandal".

The Liberal Minister of Justice and Attorney General of Canada who initiated the vendetta refuses to appear for examinations for discovery because he is not the responsible Minister today.

The Liberal Minister of Justice and Attorney General of Canada, responsible for the lawsuit and the extradition case, lies about his obligations under an extradition treaty and writes in a letter October 31, 2004: "I was not the Minister of Justice at the time the impugned actions were taken and therefore, I have no bias against Mr.....".

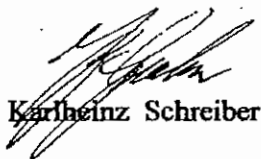
After 12 years in opposition, the Conservative Party formed a new government. The Conservative Minister of Justice and Attorney General of Canada is supporting his Liberal predecessors' scandal-hiding activities, denies the existence of the "Political Justice Scandal" and backs his lies!

Dear Minister, this case will not disappear by itself. You have the responsibility and the authority now to deal with a difficult situation. Your officials, dealing with the case so far, have been the political enemies, who initiated the vendetta and are still pursuing The Hon. Brian Mulroney and me [see the attachments of the letter to The Hon. Vic Toews October 25, 2006 taps 18 and 19].

In my opinion only an independent inquiry can achieve a proper clean-up and return fundamental Justice to the Department of Justice and the RCMP to make sure that the same will not happen again in the future.

I am looking forward to hear from you.

Yours sincerely



Karlheinz Schreiber

Copy to The Right Hon. Stephen J. Harper, P.C., M.P.
Prime Minister

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

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Personal / for his eyes only

The Hon. Stockwell Burt Day P.C. M.P.
Minister of Public Safety

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, January 24, 2007

Subject: "Political Justice Scandal" and the RCMP

Dear Minister,


I am taking the liberty to send you copies of letters November 28, 2006, January 10, 2007 and January 16, 2007 which I received from the RCMP concerning my Public Complaints against some RCMP officers for your information.

I am also attaching complaint – Schedules A, B, C, D, E of November 14, 2006 File No PC- 2006-1847 and of December 27, 2006 File No PC- 2006 – 1973.

Five officers have retired from the Royal Canadian Mounted Police and are not subject to an investigation pursuant to the RCMP Act.

In order to arrange for a proper clean up of the "Political Justice Scandal" with the involvement of the RCMP, I strongly recommend an "Inquiry" to bring the truth to light to the Canadian public.

Yours sincerely


Karlheinz Schreiber

Copy to The Right Hon. Stephen Harper P.C. M.P. Prime Minister

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

Personal / for his eyes only

The Hon. Stockwell Burt Day P.C. M.P.
Minister of Public Safety

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, January 24, 2007

Subject: "Political Justice Scandal" and the RCMP

Dear Minister,

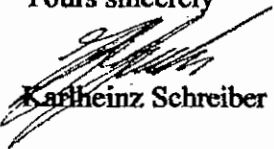
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Yours sincerely


Karlheinz Schreiber

Copy to The Right Hon. Stephen Harper P.C. M.P. Prime Minister



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Protected A

Professional Standards Unit
Coventry Square Bldg, Room 5-D14
295, Coventry Rd.
Ottawa, Ontario K1A 0R2

Mr. Karlheinz Schreiber
7 Bittern Ct, Rockliffe Park
Ottawa, Ontario
K1L 8K9

Your File - Votre référence

Our File - Notre référence

HQV11061401293

Date

November 28, 2006

Object **Public Complaint Against Commissioner Murray, Commissioner Zaccardelli,**
Sujet **Supt. Mathews, Insp. McLean, Insp. Brettschneider and S/Sgt. Feigenwald.**

Mr. Schreiber,

The present is to acknowledge receipt of your complaint dated November 14, 2006, lodged against the above-mentioned RCMP officers. Please noted that Commissioner Murray, Insp. McLean and S/Sgt Feigenwald have retired from the Royal Canadian Mounted Police and are not subject to an investigation pursuant to the RCMP Act.

A member of the RCMP will be appointed to investigate this matter and will be in touch with you shortly. You will be notified of the status of the investigation into your complaint within forty-five days from the date we received it and on a monthly basis thereafter, until we are in a position to advise you of the results of our findings.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

Canada

RCMP GRC 2823 (2002-11) WPT

Page 1 of/de 1



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Protected A

Professional Standards Unit
Coventry Square Bldg, Room 5-D14
295, Coventry Rd.
Ottawa, Ontario K1A 0R2

Mr. Karlheinz Schreiber
7 Bittern Ct, Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Your File - Votre référence

Our File - Notre référence

HQVII0734937

Date

January 10, 2007

Object **Public Complaint Against Supt. Allen Mathews and Insp. John Dickson**
Sujet

Mr. Schreiber,

The present is to acknowledge receipt of your complaint on January 03, 2007, lodged against the above-mentioned RCMP officers. Please note that Insp. John Dickson has retired from the Royal Canadian Mounted Police and is not subject to an investigation pursuant to the RCMP Act.

A member of the RCMP will be appointed to investigate this matter and will be in touch with you shortly. You will be notified of the status of the investigation into your complaint within forty-five days from the date we received it and on a monthly basis thereafter, until we are in a position to advise you of the results of our findings.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Supt. Allan Mathews

Canada

RCMP GRC 2823 (2002-11) WPT

Page 1 of/de 1



Royal Canadian
Mounted Police

Gendarmerie royale
du Canada

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Protected A

Professional Standards Unit
Coventry Square Bldg, Room 5-D14
295, Coventry Rd.
Ottawa, Ontario K1A 0R2

Mr. Karlheinz Schreiber
7 Bittern Ct, Rockcliffe Park
Ottawa, Ontario
K1L 8K9

Your File - Votre référence

Our File - Notre référence

HQV11061401293

Date

January 16, 2007

Object
Sujet **Public Complaint Against Commissioner Zaccardelli, Supt. Mathews, and
Insp. Brettschneider.**

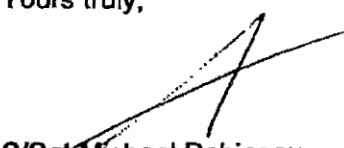
Mr. Schreiber,

This is further to our correspondence of November 28, 2006.

I presently wish to inform you that since our last correspondence, Sgt. Paul Ingram has been reviewing the file in relation to your complaint. The investigator would like to meet with you at your earliest convenience to discuss the complaint process and to seek some clarification with regards to the specifics of your complaint. Sergeant Ingram can be contacted at (613)993-8284 in order to schedule an appointment.

You will be receiving further correspondence within the next thirty days to inform you of the status of this file in accordance with the *Royal Canadian Mounted Police Act*.

Yours truly,


S/Sgt Michael Robineau
NCO i/c Professional Standards Unit

cc Commissioner Zaccardelli
Supt. Allan Mathews
Insp. Rainer Brettschneider

Canada

RCMP GRC 2823 (2002-11) WPT

Page 1 of/de 1

PROTECTED

COMPLAINT

File No. PC-2006-1847

SUBJECT: Mr. Karlheinz Schreiber
7 Bittern Ct, Rockcliffe Park
Ottawa Ontario, K1L 8K9
Telephone No: (416) 924-3489

On November 14, 2006, Mr. Karlheinz Schreiber complained to the Commission in the attached 46-page document which states in part, in the order they occur that:

"SCHEDULE " E "

*COMMISSIONER PHILLIP MURRAY
And
COMMISSIONER G. ZACCARDELLI*

The Airbus investigation was a political vendetta against the former Prime Minister Brian Mulroney triggered by politicians, principle Allan Rock, and executed by the R.C.M.P.

I have received in 1997 a written apology and in 2005 a letter from Commissioner Zaccardelli that there was no evidence of any wrongdoing (the MBB case was thrown out at the Preliminary stage for lack of evidence...I was not charged, only a witness).

Throughout the R.C.M.P. lost sight of being in partial objective investigators but rather took a hand in breaching foreign laws; oaths of secrecy; collaborating with informants and the media to cause information to be published to the public; and ultimately spending and wasting many millions of dollars of the tax payers dollars.

SCHEDUAL " A "

*Inspector C.E MCLEAN
Liaison Officer Berne, Switzerland*

I enclose letter August 24, 1995 from Inspector McLean to Sgt. Fraser Fiegenwald Division "A" Ottawa which discloses that he conspired with Sgt. Fiegenwald and others to cover up the breaking of Swiss foreign law.

My privacy rights were affected by the R.C.M.P. actions outside of Canada. The duty to act in accordance with the law and to act objectively were breached by Inspector McLean.

The Sept. 1995 Letter of Assistance to Swiss Authorities was drafted and signed by the Department of Justice, Legal Assistance Group with the assistance and input of Inspector McLean in circumstances that breached his OATH of SECRECY and his legal authority as an sworn R.C.M.P. to act in Canada.

SCHEDUAL " B "

*R. BRETTSCHEIDER
R.C.M.P. Liaison Officer Bonn, Germany*

I refer to a MARCH 27, 1996 memorandum to Interpol and the German authorities

- *His reference that Canadian authorities would like to interview me is misleading and false information as no one asked me for an interview.*
- *He gives false and misleading information in saying Canadian investigators are interested in having me arrested when in fact to this date I have never been charged nor arrested for any crimes in Canada.*
- *I further complain that the R.C.M.P. are breaking the law when I ask the question for what purpose are they following my whereabouts in Switzerland and officially concerned and investigate call-forward feature on my telephone calls in Liechtenstein? I am not aware of any wiretap orders or other court orders permitting R.C.M.P. to investigate on foreign soil.*

SCHEDULE " C "

**INSPECTOR MATHEWS
R.C.M.P. DIVISION "A"**

I complain about his conduct in arranging and hiring a spy by the name of Vahe Minasian to set me up to perpetrate a crime in Canada while I was on extradition bail release. The circumstances of this became public during the trial in Her Majesty the Queen v. MBB Helicopter file # 12280.

This sad set of facts was carried out by the R.C.M.P. to cause me to break the law; they aided and abetted to cause a crime in Canada; counseling and conspiring with "the spy" and others to break Canadian law; and to ultimately cause my extradition bail to be breached and revoked.

I do not have a criminal record and was never charged in Canada.

In October 24, 1997 amended 1999 I sued the Federal Government in Karlheinz Schreiber v. AG of Canada Queens Bench Alberta # 9703 - 20183. Inspector Mathews coded Stevie Cameron as an informant to rescue or cover up facts that assisted the Federal Crown in the case against them. The conduct and actions of Inspector Mathews and Stevie Cameron have interfered with and obstructed the course and administration of justice.

It has become apparent through public disclosure that Inspector Mathews and others in the R.C.M.P. have provided insider information to Stevie Cameron for use in her books and the profitable sale of these books to the public; in return Stevie Cameron was made an coded informant without her knowledge to cover up the facts of her relationship with the R.C.M.P.

In all of this Inspector Mathews has breached his oath of secrecy and his duty to act impartially in carrying out his duties.

SCHEDUAL " D "

SGT. FRASER FIEGENWALD
R.C.M.P. OTTAWA

I refer to a note to file from a German tax investigator Kuehnel regarding information from Mr. Pelossi and page 260 from Stevie Cameron's book "The last amigo". The documents confirm that Sgt. Fiegenwald went to Switzerland and carried out an investigation against foreign law.

In breaching the oath of secrecy by discussing the investigation of Brian Mulroney in the Airbus affair causing the Government of Canada to settle a law suit by paying more than 2 million dollars to Brian Mulroney.

Sgt. Fiegenwald carried out the investigation in the Airbus affair knowing there is no evidence.

Sgt. Fiegenwald and other R.C.M.P. officers traveled the world on Canadian tax payers expense for 11 years."

This complaint was received by Lorraine Blommaert, an Enquiries and Complaints Analyst for the Commission for Public Complaints Against the RCMP. The information contained in this complaint was provided to and received by the Commission pursuant to paragraph 45.35(1)(a) of the *RCMP Act*. This complaint is forwarded to the RCMP as the notification required to be given to the Commissioner pursuant to subsection 45.35(3) of the Act.

ATTACHMENT: 46 PAGES

PROTECTED

COMPLAINT

File No. PC-2006-1973

SUBJECT: Mr. Karlheinz Schreiber
7 Bittern Court
Ottawa ON K1L 8K9
Telephone No: (613) 748-7330

On December 7, 2006, the Commission received the attached correspondence from Mr. Karlheinz Schreiber which states in part that:

"Attempt to revoke my extradition bail

On May 4, 2000 RCMP Inspector S.J.B. Dickson "A" Division Commercial Crime Section Ottawa, Ont. Sent a letter to my lawyer Edward Greenspan Q.C., L.L.D. Attached to the letter was an article of a German Newspaper FreiZeit march 2, 2000 concerning Mr. Schreiber: ...

...RCMP Inspector S.J.B. Dickson and Thomas Beveridge from the Department of Justice were misleading the Court and were part of a conspiracy with the aim to revoke my bail and to bring me to prison at the same time tainting me as a dangerous criminal. Part of the Court transcript attached) ...

2

On February 23, 2003 RCMP Supt. A.K. Mathews [A Division] swore a supplemental Affidavit in support of an application for an order for the continued sealing of search warrant information. ...

...It was an absolute abuse of power when he tried to convince the Court that I am a dangerous criminal (Affidavit attached)"

This complaint was received by Lorraine Blommaert, an Enquiries and Complaints Analyst for the Commission for Public Complaints Against the RCMP. The information contained in this complaint was provided to and received by the Commission pursuant to paragraph 45.35(1)(a) of the *RCMP Act*. This complaint is forwarded to the RCMP as the notification required to be given to the Commissioner pursuant to subsection 45.35(3) of the Act.

ATTACHMENT: 44 pages

Karlheinz Schreiber



MacKay Lake Estates
7 Bittern Court
Rockcliffe Park
Ottawa, ON
K1L 8K9

ESR spotlight on Canadian politics

Recent articles on Canadian politics that have run in Enter Stage Right

Lessons from the past: Brian Mulroney and the failure of Canadian conservatism in the 1980s: In the first of a series, Mark Wegierski traces the failure of Canadian conservatism today to former prime minister Brian Mulroney, a conservative in name only

Canadian media bias: A sketch from the 1980s to today (Part Two): Mark Wegierski continues his look at the liberal bias which has Canada's media unable to truly allow intellectual diversity in its reporting

Canadian media bias: A sketch from the 1980s to today (Part One): American conservatives aren't the only ones that have to deal with media bias. In Canada, writes Mark Wegierski, the Fifth Estate works against the movement as well

Canadian conservatism at the dawn of 2007: Where is the infrastructure?: New Year, same problem. Mark Wegierski reports that Canada still lacks an ecosystem for conservatives and that the movement can't thrive until one exists

There is a diversity of people in Canada -- but what unites them?: Canadian intellectuals and politicians have succeeded in their goal of diversifying the formerly British/French nation but Mark Wegierski wonders what ties the new country together

Shades of fading blue: Canadian conservatives' quest for a "National Review North" publication has mostly failed: In the United States the *National Review* helped spark the modern conservative movement. Up north, writes Mark Wegierski, Canadian conservatives are still waiting for a national, enduring conservative magazine

Private drive?: Daniel M. Ryan recently went on a road trip -- one that included a visit to the hometown of *ESR* -- and was reminded by an old Mike Harris promise of privatized roads in the province of Ontario

A return to the national question in Canada and Quebec: As predictable as snow in November "the question" as returned in Canadian politics, namely Quebec sovereignty and whether Canada is really a coherent nation, writes Mark Wegierski

The debate is not yet over: Gun control seems a permanent reality in Canada but Clive Edwards argues that a court fight being led by Bruce Montague may

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seen the
banner,
now get
the gear**

change the landscape considerably

Income trust changes more light than heat: A storm of controversy was unleashed when Canada's conservative government announced the taxation of income trusts. John Williamson says a close look at the changes reveals that they aren't quite as bad as most people think

'Til debt do us part? - With a plan Ottawa's debt can be eliminated: Adam Taylor praises Canada's federal government for its surpluses and debt repayment but he believes that it could work even faster

Will the Accountability Act be hijacked by the unaccountable?: Adam Taylor and John Williamson argue that if Senate Liberals refuse to pass the Conservative government's Federal Accountability Act, Stephen Harper should take his case directly to the Canadian people

Lost: The exit strategy of *The Jack Layton Show*: It's not only America's Democrats that aren't serious about the War on Terror. Jackson Murphy examines recent statements made by Canada's top socialist, Jack Layton

Corporate welfare rears its ugly head -- Again!: Canada's Conservative Party was elected partly as a backlash to the 'politics as-usual' approach of the Liberal Party but John Williamson says it didn't take long for things to go back to the old ways

The beginning of the end: If Canada's Conservative government lives up to its election promises, says Steven Martinovich, the Canada Wheat Board will eventually be little more than history

Rogue male: North Korea's test of its Taepodong-2 missile last week may have been a failure but it nonetheless should signal to Canadians that they too face a threat from the communist regime, argues Steven Martinovich

Investigate the gun registry: Canada's national gun registry has been plagued by cost overruns and fraud and John Williamson says Canadians deserve to know why

An alternate Canada: The high and the low: In a thought experiment, Daniel Ryan pens some hypothetical newspaper reports from the near future describing a Canada that may yet still evolve

Conservative military spending promises may be too little, too late: Canada's Conservative Party is promising to pump billions into the nation's military. While Steve Martinovich welcomes the money, he thinks it might be too late

The wall comes (slowly) tumbling down: Steve Martinovich doesn't usually offer praise to Quebec politicians but an announcement last week on health care gave him reason to do so

Conservatives win only a slim minority government in Canada: The recent victory by the Conservative Party in Canada likely won't mean much for the future of conservatism in Canada, argues Mark Wegierski

The end of Canadian conservatism?: Is conservatism in Canada on its last legs? Mark Wegierski believes that all the signs are pointing to its eventual death

Paul Martin ignores reality (again): Canadian Prime Minister Paul Martin's recent pledge to ban handguns shows will do nothing to combat the rising tide of violence on Canadian streets, argues Christopher di Armani

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**TAB 10 March 29, 2007 letter from Karlheinz Schreiber to the Right Honourable
Stephen Harper**

Enclosures:

- 10A Letter dated January 29, 2007 Karlheinz Schreiber to the Right Honourable Brian Mulroney (5 pages)
- 10B Copy of November 17, 1997 article by Robert Fife, Toronto Sun
- 10C Copy of 3 pages from RCMP web site (www.rcmp-grc.gc.ca)

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **609768**

Folder

Folder ID **609768**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To **Prime Minister of Canada**

Classification* **ECU-General mail/SC**

Keyword **Justice**

Summary

Notes **Airbus scandal - many previous - filed**

Mail Type **Letter**

Folder Types **(None)**

Tracking ID* **70920207E**

Created By **D'Aoust, Pierre 2007/04/05**

Modified By **D'Aoust, Pierre 2007/04/05**

Dates

Date Sent* **2007/03/29**

Date Received* **2007/04/02**

Date Due **2007/05/14**

Date Closed **2007/04/05**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		Letter	Image Viewer	ECU-General mail/SC	<u>D'Aoust, Pierre</u>	2007/04/05	2007/04/05

Assignments There are no Assignments.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:50:54 AM -

KARLHEINZ SCHREIBER

70920207

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
TELEFAX 613 748 9697
schreiberbarbel@aol.com

Personal / For His Eyes Only

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, March 29, 2007

**Subject: "Political Justice Scandal" & "The Airbus Affair"
RCMP & IAG Conspiracy and Coverup
Public Inquiry**

Dear Prime Minister,

Today I take the liberty to send you a copy of my letter January 29, 2007 to The Right Hon. Brian Mulroney, P.C., L. L. D. for your personal and private information.

Concerning a Public Inquiry I am referring to all the letters I have sent to you since June 16, 2006 especially to my letters January 16, 2007 and January 24, 2007. I also attaché a copy of an article of the Toronto Sun November 17, 1997: "Former Prime Minister Brian Mulroney is calling for a Royal Commission into a possible coverup of the Airbus scandal."

**AIRBUS INQUIRY URGED; MULRONEY SUSPECTS HIGH-LEVEL
COVERUP IN SCANDAL**

Since the 6th of February 2006 Canada has a Conservative Government and Brian Mulroney's request for a Public Inquiry disappeared.

Concerning Extradition I attaché 3 pages of a RCMP publication.
Interpol 1- The Canadian Central Authority
2.2 Court Proceedings
2.4 The Decision to Surrender

The document explains the duties of the officials involved and shows the political power of the Minister of Justice.

The situation appears like your Conservative Government is using previous Liberal Government tactics.

Delay the Schreiber lawsuit against the Attorney General of Canada, try to involve him in criminal activities and put him in a jail or extradite him to Germany. Shut him up.

Conceal the biggest "Political Justice Scandal" in the history of Canada.

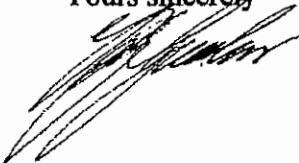
Assure that the Canadian Public will never get to know what really happened concerning the "Airbus" affair, when a Liberal Minister of Justice and the IAG of the Department of Justice teamed up with the RCMP in an illegal international conspiracy to hunt a previous Conservative Prime Minister and his friends.

How would this work with the Accountability of the Conservative Government and the election promise: Let's clean up government. Canadians have been let down by 12 years of Liberal scandal?

Dear Prime Minister, I always thought that events like this belong to the political behavior in countries with totalitarian Governments and have been the reason for many people to escape to Canada.

Could it be that there is serious concern within the Conservative Government regarding the possible findings of a Public Inquiry which caused you to become part of the conspiracy and the concealing of the biggest "Political Justice Scandal" in the history of Canada?

Yours sincerely

A handwritten signature in black ink, appearing to be a stylized name, possibly "J. Schreiber".

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

TELEPHONE 613 748 7330
FACSIMILE 613 748 9697
schreiberbarbel@aol.com

The Right Hon. Brian Mulroney, P.C., LL.D.
47 Forden Crescent

Westmount, Quebec
H3Y 2Y5

Ottawa, January 29, 2007

Dear Brian,

I refer to my letter January 19, 2006 concerning the decision of The Hon. Vic Toews, P.C. M.P. then the Minister of Justice and Attorney General of Canada to support his predecessor The Hon. Irwin Cotler by denying the "Airbus" vendetta against you and your friends and the existence of the "Political Justice Scandal".

This case is much worth and much more dangerous than the Maher Arar case.

Imagine, a Liberal Minister of Justice initiates a political vendetta against a retired Conservative Prime Minister, his friends and the Conservative Party with the involvement of the officials of the Department of Justice, the RCMP, confidential informants and complainants, undercover agents from foreign agencies, journalists and foreign informants with criminal records.

Officials from the Department of Justice and the RCMP participate in an international political conspiracy, traveling during 12 years on taxpayer's money all over the world even violating the sovereignty of foreign countries. No confirmation concerning their allegations of fraud and bribe was found.

A victim of the vendetta files a lawsuit against the Minister of Justice and the Attorney General of Canada.

The vendetta caused an extradition case against the victim. The officials from the Department of Justice and the RCMP are trying to conceal the vendetta and the abuse of power and committed crimes through extradition or detention.

I always thought that events like this belong to the political behavior in countries with totalitarian Governments.

Since February 2006 Canada has a Conservative Government. The victim informed the Prime Minister, the Minister of Justice, the Minister of Foreign Affairs, the Minister of Public Safety and others, including you, about the ongoing vendetta.

On December 1, 2006 the Conservative Minister of Justice confirmed his predecessor's decision to extradite the victim to Germany required through Extradition – Treaty obligations. Every Minister involved and you know that this is a huge lie.

THE CANADIAN - GERMAN EXTRADITION TREATY

ARTICLE V: EXTRADITION OF NATIONALS

(1) NEITHER OF THE CONTRACTING PARTIES SHALL BE BOUND TO EXTRADITE ITS OWN NATIONALS .

Germany will never extradite one of its Nationals to Canada. The German Constitution, Article 16 (2) will not allow the extradition of its Nationals.

Dear Brian, can you please tell me why the Conservative Minister of Justice wants the Canadian National Karlheinz Schreiber, the victim, out of the country and help to conceal the biggest "Political Justice Scandal" in Canadian history contrary to the normal political interest of the Conservative Government.

I do not believe that the Hon.Vic Toews, then the Minister of Justice and Attorney General of Canada, made this decision on his own. What is the political interest of the Conservative Government and the Prime Minister in this case and what are the benefits? Is there a serious concern about the possible result of an inquiry?

Unfortunately, you did not respond to my letter as requested and it appears to me that you have no desire to bring any support to my request for a public inquiry which could bring the insanity to an end.

All my personal problems began with Stevie Camerons book "ON THE TAKE" and Allan Rock's political witch-hunt with the RCMP against you.

Since 1996 I am fighting to bring the truth to light through my lawsuit against the Attorney General of Canada. I never received any support from you despite the fact that I provided support at your request since the late 70s.

From 1985 until 1993 I had confidence in you and your statements concerning the Thyssen Bear Head project. You always told me to hang on and that the Thyssen project would go ahead as promised when the company was asked to come to Canada and provide jobs to the people in Nova Scotia.

During the year 2001 I could read in Stevie Cameron's book "The last Amigo" on page 260 that Norman Spector told RCMP officers : Prime Minister Brian Mulroney killed the Thyssen project in 1990 or 1991. Paul Tellier and Bob Fowler were looking after the business interests of General Motors London Ontario.

This was some time after Thyssen Bear Head Industries signed agreements concerning the projects with the Federal Government and the Provincial Government of Nova Scotia and Thyssen had paid substantial amounts of Dollars to GCI Frank Moores related to the achievements.

You never told Elmer Mackay or me that you killed the project and I went on working on it to fulfill your promises to bring jobs to the people in Nova Scotia.

During the summer of 1993 when you were looking for financial help, I was there again. When we met on June 23, 1993 at Harrington Lake, you told me that you believe that Kim Campbell will win the next election. You also told me that you would work in your office in Montreal and that the Bear Head project should be moved to the Province of Quebec, where you could be of great help to me. We agreed to work together and I arranged for some funds for you.

Kim Campbell did not win the election, but we met from time to time.

At the beginning of November 1995 I informed you about the letter of request from the Canadian Department of Justice (the IAG) to the Swiss Department of Justice.

Some days later your wife Mila was extremely concerned about you and told me that you are considering committing suicide. I was shocked and spoke to you for quite a while and you may recall that I told Mila to buy a little lead pipe to cure the disease.

I did not understand what your problem was since the Airbus story was a hoax as I told Bob Fife from the Sun. When I look back and consider what all you have done in the meantime I have the suspicion that there must be something else of great concern to you.

When we met in Zuerich, Switzerland on February 2, 1998 at the Hotel Savoy, I left with the impression that you were in good shape.

On October 17, 1999 you asked for an affidavit or assurance from me which confirms that you never received any kind of compensation from me.

At the beginning of October 1999 to my great surprise I learnt that your spokesman Luc Lavoie told Harvey Cashore: "*Karlheinz Schreiber is the biggest fucking liar the world has ever seen. That is what we believe!*"

Believing the story, I got from you through a friend, I filed a lawsuit against the CBC which I had to drop when I got to know the truth and listening to the tapes. The fee: \$ 50.000.

During the Christmas Holydays 1999 I visited Fred Doucet at his home and told him that he should tell you that I would not commit perjury if I would have to testify and that I cannot understand why you don't simply tell the truth. A few days later, when I met with Fred again, he asked me to sign certain agreements concerning our business relationship. I refused to do so.

On January 24, 2000 Mila sent a letter to Baerbel and wrote: "the truth is certainly the best weapon!" She was right. If you would have taken her advice, you might have avoided a lot of trouble for you.

Until now you have to recognize that the Vendetta is not going away by itself.

During the summer of 2006, you again asked for a certain letter from me to be able to support my case, which I have sent to you on July 20, 2006 for your meeting on July 30, 2006.

When I look at the news during the last week and the activities from last year within the Department of Justice, concerning your settlement with the Government, I have a certain idea why your meeting was very important.

To assure that we have the same understanding about my case:

The Decision to Surrender

The judicial phase of the extradition process is a determination only that the evidence is sufficient to warrant that the person be extradited. The ultimate decision with respect to whether the person will, in fact, be surrendered to the extradition partner is that of the Minister of Justice.

When you look at my extradition case you have to agree with me that Baerbel's and my life is in the hands of the Minister of Justice and the Prime Minister or the IAG, who can arbitrarily decide since they have no obligation to extradite me to Germany.

Since the Minister of Justice decided on my surrender he must have a special reason to do so. What is the reason, becomes the most interesting question.

Dear Brian, I would like to ask you what the reason might be in your opinion, besides this I think it is in your and my best interests that you show up and help me now and bring this insanity to an end. If I am forced to leave Canada this will not end the matter.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Brian", written in black ink.

AIRBUS INQUIRY URGED; MULRONEY SUSPECTS HIGH-LEVEL COVERUP IN SCANDAL

Journal: The Toronto Sun
November 17, 1997 pg 7
Authors: Robert Fife; Ottawa Bureau
Publication Date: 971117
Word Count: 467
Accession Number: TSU9711170123

Fulltext:

Former prime minister Brian Mulroney is calling for a royal commission into a possible coverup of the Airbus scandal.

Mulroney suspects there is a high-level coverup because no one in government or in the RCMP has taken responsibility for the fiasco, which has cost taxpayers more than \$3 million.

He alleges that Prime Minister Jean Chretien and some other senior officials were not innocent bystanders in the kickback investigation of him.

"The only way this can be dealt with is a royal commission inquiry into this entire matter," Mulroney told The Sun in an exclusive interview.

"You can give it a limited mandate to examine the conduct of the ministers and the key personnel and my own... so that the Canadian people will know all of the facts."

Mulroney suspects the government hoped to use the Airbus probe to destroy his reputation and divert attention from the Liberals' botched handling of the Quebec referendum.

Federal officials said Chretien, en route from Hanoi to Ottawa last night, would not respond to Mulroney's allegations until today.

Chretien has denied knowledge of the Airbus probe before it became public in November 1995. RCMP Commissioner Philip Murray and federal ministers Allan Rock and Herb Gray insist they were not directly involved.

But Mulroney said he doesn't believe RCMP Staff Sgt. Fraser Fiegenwald and a mid-level justice department lawyer were solely responsible for the false accusations against him.

"When a former prime minister's name is dragged through the mud... and nobody is responsible - not a minister, not a deputy minister, not a commissioner, nobody is responsible... this is the greatest insult to the Canadian people," he said.

"If there has been a coverup, I think it has to be dealt with very severely."

AIRBUS INQUIRY URGED; MULRONEY SUSPECTS HIGH-LEVEL COVERUP IN SCANDAL

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Mulroney suspects the government hoped to use the Airbus probe to destroy his reputation and divert attention from the Liberals' botched handling of the Quebec referendum.

Mulroney said he's also suspicious of a secret deal that allowed Fiegenwald to retire with a full pension and a job with an RCMP-connected security firm.

"I think that is very worrisome and a royal commission is the appropriate instrument to get to the bottom of this," he said.

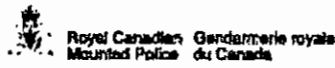
Mulroney warned he may file another lawsuit against the government if it doesn't withdraw a Sept. 29, 1995 letter it sent to Swiss authorities that accused him of accepting \$5 million in kickbacks on the sale of Airbus jets to Air Canada.

\$2M FOR LEGAL COSTS

"My lawyers have written to the commissioner of the RCMP and the appropriate ministers," Mulroney said. "We want that letter withdrawn..."

Now if we don't get that withdrawn, we will take appropriate action in the near future."

In January, the government was forced to apologize to Mulroney and pay him \$2 million in legal expenses after he launched a \$50-million libel suit to clear his name.



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The Minister of Justice is the central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*. The International Assistance Group (IAG), which is part of the Federal Prosecution Service at the Headquarters of the Department of Justice in Ottawa, was established to carry out the functions assigned to the Minister of Justice as central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act* and to provide advice to the Minister on his/her responsibilities under these statutes.

The IAG reviews and coordinates extradition and mutual legal assistance requests made to Canada, as well as those made by Canada to other countries. It deals only with requests for assistance in criminal matters. The IAG also has the additional mandate to develop and advise on policy in the area of bilateral treaties and multilateral conventions concerning extradition and mutual legal assistance.

Under the authority of the Assistant Deputy Attorney General (Criminal Law), the IAG is responsible for the development of operational policy in the area of extradition and mutual legal assistance, in consultation with other branches of the Department of Justice and other interested government departments. As well, the IAG participates in the negotiation of extradition and mutual legal assistance agreements and provides consultative advice, to the requesting state if necessary, with respect to the preparation of requests for assistance and extradition to Canada.

The IAG also has established linkages with the International Criminal Tribunals concerned with the prosecution of persons responsible for violations of international law in Rwanda and the former Yugoslavia, and also with the International Criminal Court. Finally, the IAG also carries out, *inter alia*, the following duties: coordinates and/or supports the provision of Canadian *viva voce* evidence at foreign trials in other countries, coordinates and provides operational policy advice and support for Canada's participation in international bodies involved in criminal law policy with operational consequences, training

be served, issue an authority to proceed. An authority to proceed authorizes an extradition hearing to be held in order to consider whether the person should be committed for extradition.

These responsibilities are, in practice, performed by counsel at the International Assistance Group (the IAG) on behalf of the Minister of Justice.

2.2. Court Proceedings.

Once approved, the IAG forwards the request and all supporting material to the regional office of the Department of Justice in the region where the person sought is believed to be. That regional office will assign legal counsel to take conduct of the case and to initiate and conduct proceedings before a judge to seek an order for the committal for extradition of the person. Regional counsel will also represent the extradition partner throughout any appeal or judicial review hearings.

A person arrested in Canada pursuant to a request for provisional arrest or extradition must be brought before a judge within 24 hours after arrest or if no judge is available during this time, the person must be brought before a judge as soon as possible. The individual is entitled to be considered for bail. In Canada, there is not a presumption against bail in extradition matters.

Generally, the person whose extradition is sought appears at the extradition hearing and participates, with the assistance of legal counsel. In the case of a person sought for the purpose of prosecution, the judge will determine if the evidence provided by the extradition partner is such that the person would be committed for trial in Canada if the offence had occurred in this country. In the case of a person sought for the imposition or enforcement of a sentence, the judge will determine if the person has been convicted with respect to a matter that corresponds to a Canadian offence.

2.3. Evidence at the Extradition Hearing

At the extradition hearing, the *Extradition Act* allows evidence to be presented in a variety of ways:

- In the usual manner applicable to Canadian domestic proceedings such as through the testimony of witnesses;
- In reliance on the provisions for the introduction of evidence set out in an applicable extradition agreement; or
- By means of a «record of the case».

The record of the case is a new and innovative provision which permits the admissibility at the extradition hearing of a document summarizing the evidence available to the extradition partner for use in the prosecution, even if it contains evidence otherwise inadmissible in Canadian domestic proceedings, as long as certain safeguards are respected

the requesting state. The most appropriate authority may be the person who certified the record of the case. The general legal statement should include the following :

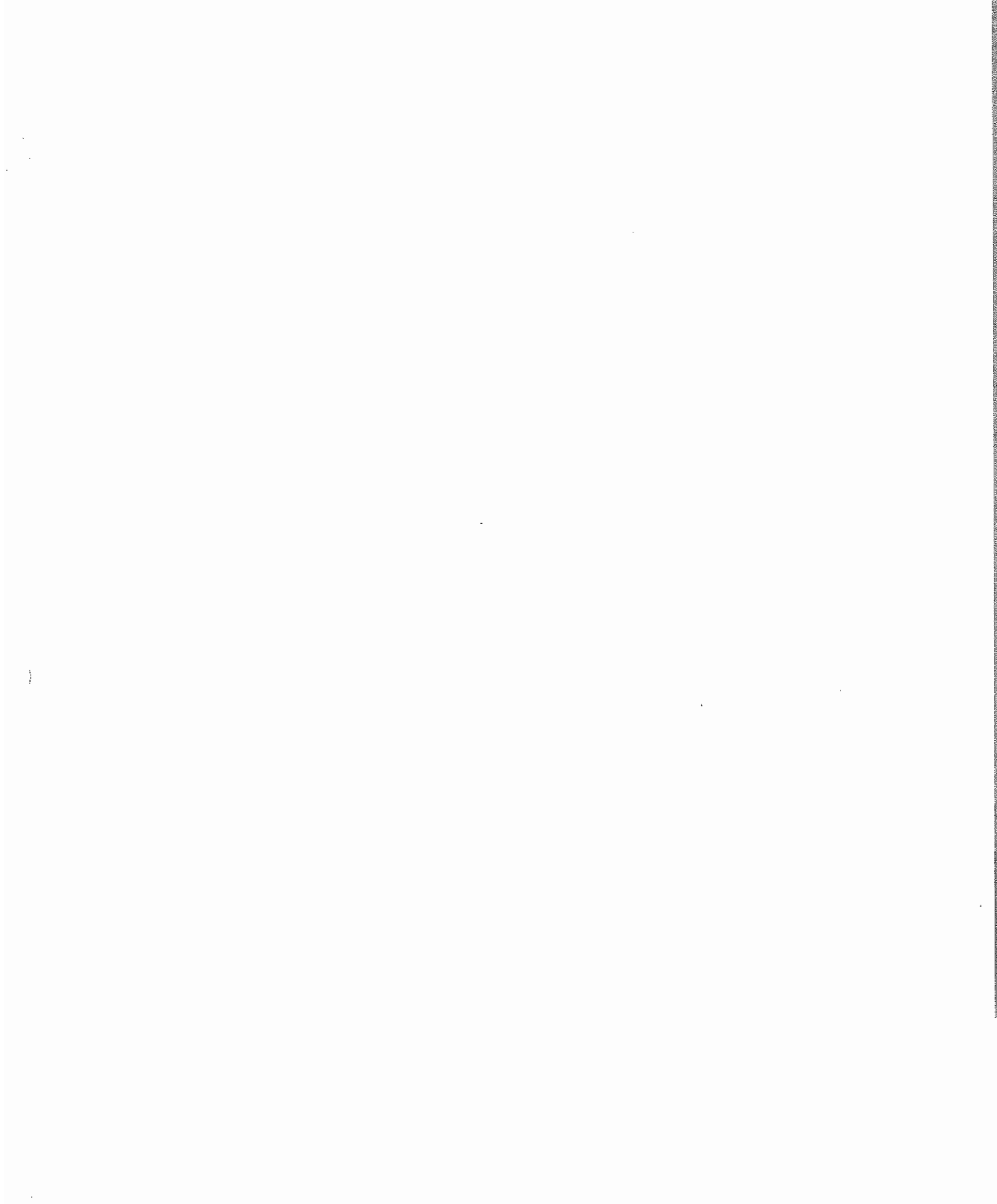
- identification of the person providing the statement by name and position, with a brief description of that person's expertise with respect to the law of the requesting state ;
- a description of the person's relationship to the case, i.e. in charge of the case, familiar with it ;
- a statement that the extradition of the person sought is requested for prosecution or imposition or enforcement of sentence for the offence(s) of ... contrary to ... (reference should be made to the applicable statute and section number) with reference to and attaching a copy of the arrest warrant and any relevant charging document ;
- a description or a copy of the text of the laws describing the offence(s) and setting out the applicable punishment ;
- reference to any law of prescription which would apply to the offence(s) as well as a declaration as to whether the prosecution is barred or not by prescription in view of that law ; and
- a declaration that the law with respect to the offence(s) was in force at the time of the alleged conduct and continues to be in force at the time of the request for extradition ;
- where the alleged offence(s) is extraterritorial, an explanation of the basis for jurisdiction to prosecute , attaching if possible any statutory provision setting out the same.

If the presiding judge is satisfied with the evidence, he or she orders the person detained pending the decision of the Minister of Justice whether to surrender the person. Otherwise, the person is discharged and released.

2.4. *The Decision to Surrender*

The judicial phase of the extradition process is a determination only that the evidence is sufficient to warrant that the person be extradited. The ultimate decision with respect to whether the person will, in fact, be surrendered to the extradition partner is that of the Minister of Justice. At this phase of the process, the Minister will consider any written representations from the person or the person's counsel with respect to why the person should not be extradited or concerning any conditions to which the surrender should be subject. In reaching a decision on surrender the Minister will be obliged to weigh the submissions of the person against Canada's international obligations with respect to extradition. The Minister in reaching his or her decision must respect the rights of the person sought as guaranteed by the *Canadian Charter of Rights and Freedoms*. The *Extradition Act* obliges the Minister to deny surrender if he or she is satisfied that the surrender would be unjust or oppressive having regard to all the relevant circumstances; or the request for extradition is made for the purpose of prosecuting or punishing the person by reason of their race, religion, nationality, ethnic origin, language, colour, political opinion, sex, sexual orientation, age, mental or physical disability or status or that the person's position may be prejudiced for any of those reasons.

If the person is serving a sentence in Canada, the Minister may order



TAB 11. April 8, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

(N.B.: the April 8 and April 10, 2007 letters were received as a single mailing by PCO ECS and were entered as a single record in the database. Their treatment was identical.)

Enclosure:

- 11A Letter dated April 3, 2007 from Robert W. Hladun, QC, Hladun and Company, Barristers and Solicitors, Edmonton, to the Honourable Robert Douglas Nicholson, Minister of Justice and Attorney General of Canada

attachments

710 20178

KARLHEINZ SCHREIBER

7 BITTERN COURT, ROCKCLIFFE PARK
OTTAWA, CANADA K1L 8K9

THELEPHON: 613 748 7330
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schreiberbarbel@aol.com

Personal, for his eyes only

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister

House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, April 8, 2007

Subject: "Political Justice Scandal"
Letter to the Minister of Justice and Attorney General

Dear Prime Minister,

I take the liberty to send you a copy of a letter April 3, 2007 from my Lawyer Robert W. Hladun Q.C. to The Honourable Robert Douglas Nicholson P.C. Q.C. Minister of Justice and Attorney General of Canada for your personal information.

In my opinion the contend of the letter is an excellent reason for the Minister to return the principles of Fundamental Justice to the Department of Justice and to correct the arrows of his predecessors and officials of the (IAG) International Legal Assistance Group.

Please note: **"The judicial phase of the extradition process is a determination only that the evidence is sufficient to warrant that the person be extradited. The ultimate decision with respect to whether the person will, in fact, be surrendered to the extradition partner is that of the Minister of Justice."**

(See my letter I sent to you March 29, 2007 and the attached copy of a letter to The Right Hon. Brian Mulroney with attachments.)

Under the current circumstances the Minister is independent of the political directions of Germany and in fact has no legal obligations to extradite a Canadian Citizen.

However the Ministers in the past have believed that they do have a legal obligation and that position is legally, morally and ethically wrong .

If the Minister has any doubts, concerning my case and the "Political Vendetta", he must call for an independent judicial inquiry. An independent inquiry would disclose to the Canadian public what is going on in his Department.

Dear Prime Minister, I refer to the sincere efforts by the Prime Minister to clean-up or at least clear up the obvious problems in the Solicitor Generals and the Attorney Generals Departments.

I respectfully request to hold you to your promise to clean-up Ottawa.

Yours sincerely



Karlheinz Schreiber



Tel. 780.423.1888 100, 10187 - 104 Street, inquiries@hladun.com
Fax. 780.424.0934 Edmonton Alberta
www.hladun.com T5J 0Z9

Our File 15737.1

Your File

April 3, 2007

Via Fax: (613)992-7910

The Honourable Robert Douglas Nicholson
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, ON K1A 0H8

Dear Sir:

Re: Karlheinz Schreiber and the Government of Canada

I represent Karlheinz Schreiber with respect to an action he commenced in the Alberta Court of Queens Bench in October, 1997 as a result of the Letter of Request that was sent to Switzerland in September of 1995. Mr. Schreiber has been the subject of extradition proceedings since the fall of 1999 and Edward Greenspan, Q.C. has represented his interests in that regard. On May 4, 2007, the Ontario Court of Appeal will hear an appeal relating to the surrender decision made by the Honourable Vic Towes on the 6th of December, 2006.

I recently received and reviewed a number of Crown documents in relation to the Alberta lawsuit. I have also reviewed certain newspaper articles and correspondence relating to the position the Swiss Minister of Justice has taken about the banking documents they seized then forwarded to Germany, and in which they have advised the Augsburg Prosecutors they cannot use as the documents were obtained on the basis of improper and misleading information provided by the German authorities. Incidentally, this same evidence is being relied on by the German authorities and proffered to the Canadian authorities as a basis for the extradition of Mr. Schreiber.

There is no question but that Mr. Schreiber's proceedings have taken a significant period of time. On the other hand, the fundamental principles of our justice system demand that issues of importance to Canadian citizens be dealt with in a fair, proper and reasonable manner. The purpose of my letter is to petition you to reconsider your decision to surrender Mr. Schreiber to Germany. I ask for your reconsideration as there is no question but that the cumulative effect of the matters I will outline hereunder has not been considered by any Court. The cumulative effect of the many things that have transpired over the course of the investigation is such that the principles of fundamental justice would be violated if Mr. Schreiber is returned to Germany before there has been a proper consideration of this matter, particularly a complete review of the actions of the RCMP.

Honourable Robert Douglas Nicholson

April 3, 2007

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Therefore, I ask for your indulgence in reviewing Mr. Schreiber's position in the context of the following:

- a) the abuse of process and abuse of Mr. Schreiber's rights as gleaned from a review of RCMP actions in their investigations of Airbus and in relation to Eurocopter Canada;
- b) the misleading statement of Commissioner Murray that he did not know anything about the Letter of Request when it was he who in fact instructed an investigation into the matter when he was provided with briefing notes about the ongoing investigation;
- c) that an official letter from the Swiss Justice authorities to the German authorities withdrawing documents sent to Germany and the implication of the Germans not providing correct information to the Canadian authorities at the time they sought the assistance of the Canadian authorities and Courts;
- d) the fact that many of the charges against Mr. Schreiber are time barred in Germany and Lex Schreiber will operate retrospectively;
- e) the implications on the right to a fair trial in light of the comments made by the spokesperson for the Augsburg Court and by the Chief Prosecutor of Augsburg;
- f) that the charges against Mr. Schreiber stem as a result of political developments and issues in Germany; and
- g) that a Canadian citizen ought to be given the benefit of the legal safeguards provided in the *Charter of Rights and Freedoms* before being surrendered to a foreign government.

Mr. Schreiber's case is not the usual MLAT case in that he became the subject of the Letter of Request, a party to a lawsuit against the Attorney General, and the subject of Extradition proceedings that have been conducted by members of the IAG. It is my understanding that the IAG also provides advice to the Minister of Justice in relation to your review and decision relating to surrender. The overall impression of a reasonable person, fully informed of the circumstances of the case could be none other than that there is an apprehension of bias. The apprehension is not in relation to any one individual but more so to the office of the Minister of Justice and to the duties members of the IAG must perform. The apprehension of bias arises in the context of the appearance of the conflicts of interest in the peculiar circumstances of Mr. Schreiber's case.

The RCMP have not conducted themselves in a honorable manner in relation to this matter from the inception of the investigation in January, 1995 to the conclusion of the investigation in April, 2003. The most egregious action occurred when the RCMP, in concert with a "foreign agency", arranged to have a foreign spy ingratiate himself to Mr. Schreiber with the express purpose of entrapping Mr. Schreiber into committing a criminal act. The spy was thus instructed by the RCMP on their own accord after the RCMP had obtained the materials relating to the Letter of Request and during the time Mr. Schreiber was subject to extradition proceedings.

Honourable Robert Douglas Nicholson

April 3, 2007

3

The statements made by the Augsburg Court spokesperson and the Augsburg chief prosecutor relative to awaiting Mr. Schreiber's surrender, convey no other meaning than that Mr. Schreiber is not considered innocent and that he is not going to receive a fair and impartial trial. The comments are suggestive of the political atmosphere Mr. Schreiber faces in Augsburg. How can the Canadian government justify sending a Canadian citizen to a jurisdiction that will not adhere to the principles of fundamental justice and that appears to have prejudged Mr. Schreiber? The political nature of the actions against Mr. Schreiber is brought home with the passage of "Lex Schreiber" in the summer of 2005 whereby the Germans will extend the limitation periods relating to the charges facing Mr. Schreiber. The *Extradition Act* obliges you to consider limitation periods in making your surrender decision. How can Canada, where laws do not apply retrospectively, send a citizen of Canada to a country that has passed legislation to ensure Mr. Schreiber will be prosecuted, despite the fact that many of the charges are now time barred?

The Courts and the Minister of Justice have stated that the surrender decision is at the "extreme end of the continuum of administrative decision making" and it has been said that the decision the Minister must make is a "political one". The Swiss Minister of Justice has informed the Augsburg Prosecutors that they are not at liberty to use the documents that the Swiss officials seized. The Swiss have taken that position as they are of the view that the German authorities misled them at the time the initial request for the seizure of documents was made. The letter from the Swiss and the media commentary relating to the same are available for your review. The documents referred to are precisely the documents that were relied upon by the Honourable Mr. Justice Watt when he made his committal decision. If the documents are tainted (as the Swiss have indicated to the Germans), then there can be no other conclusion but that the committal order was made on the basis of tainted evidence. How can the government of Canada justify surrendering one of its citizens on the basis of tainted/improper evidence? It is respectfully submitted that to surrender Mr. Schreiber would be contrary to the *Charter of Rights and Freedoms*, contrary to the tenets of fundamental justice and would bring the administration of justice into disrepute.

There is no statutory nor legal obligation for Canada to extradite Mr. Schreiber to Germany; in fact, Germany would not extradite one of its citizens to Canada.

Please reconsider your decision in light of the above information and rescind the decision to surrender Mr. Schreiber to the German authorities.

Yours truly,

HLADUN & COMPANY



ROBERT W. HLADUN, Q.C.
RWH/ms

TAB 12 April 10, 2007 letter from Karlheinz Schreiber to the Right Honourable Stephen Harper

(N.B.: the April 8 and April 10, 2007 letters were received as a single mailing by PCO ECS and were entered as a single record in the database. Their treatment was identical.)

Enclosures:

- 12A Copies of 4 pages from www.globeandmail.com
- 12B Copies of press clippings from Globe and Mail
- 12C Letter dated April 10, 2007 from Karlheinz Schreiber to the Right Hon. Brian Mulroney (1 page) with enclosures
- 12D Two pages from www.cbc.ca; 1 page from www.canada.com
- 12E Letter dated March 16, 1993 from Karlheinz Schreiber to the Right Honourable Brian Mulroney
- 12F Diagrams of military equipment
- 12G Copy of article from International Defense Review, 1993
- 12H Page from web site, URL not clear
- 12I Letter dated March 17, 1993 from Karlheinz Schreiber to Hon Kim Campbell, Minister of National Defence
- 12J One page picture of military equipment
- 12K One page news clipping
- 12L Letter dated October 18, 1990 from Karlheinz Schreiber to Honourable Bill McKnight, Minister of National Defence
- 12M Letter dated September 25, 1990 from Karlheinz Schreiber to Robert Fowler, Deputy Minister of Department of National Defence
- 12N Letter dated August 1, 1995 from Paul Heinbecker, Canadian Ambassador, Embassy of Canada in Germany to Karlheinz Schreiber
- 12O One page news clipping.

Print this Folder Copy this Folder Jump down to: [Attachments](#) [Assignments](#) **610883**

Folder

Folder ID **610883**

From* **Mr. Schreiber, Karlheinz**

Owner* **Prime Minister of Canada (Group)**

Addressed To Prime Minister of Canada

Classification* **ECU-General mail/SC**

Keyword Personal

Summary

Notes letter regarding Afghanistan vehicles
FILE JD

Mail Type Letter

Folder Types **(None)**

Tracking ID* 71020178E

Created By **Duthie, Joseph 2007/04/17**

Modified By **Duthie, Joseph 2007/04/17**

Dates

Date Sent* 2007/04/10

Date Received* 2007/04/12

Date Due 2007/05/24

Date Closed **2007/04/17**

Attachments

Details	Download	Description	Type	Classification	Owner	Created	Modified
		letter	Image Viewer	ECU-General mail/SC	<u>Duthie, Joseph</u>	2007/04/17	2007/04/17

Assignments There are no Assignments.

- WebCIMS 4.1 SP4 - Wednesday, November 21, 2007 - 9:51:07 AM -

KARLHEINZ SCHREIBER

610883

71020172

710207E

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schreiberbarbel@aol.com

PERSONAL / FOR HIS EYES ONLY

The Right Hon. Stephen Joseph Harper P.C., M.P.
Prime Minister
House of Commons
Ottawa, Ontario
K1A 0A6

Ottawa, April 10, 2007

**Subject: "Bomb kills 6 Canadian soldiers in Afghanistan"
"All LAV IIIs to be replaced within the year"**

Dear Prime Minister,

Great sadness in my heart concerning our killed soldiers and the fear of more casualties to come is the reason for this letter to you.

The attached article of the Globe & Mail, 03/04/07 "War taking unexpectedly harsh toll on vehicles", page 3 : "Other supplements to the battered fleet of vehicles are already on their way to Afghanistan, he added. In addition to the 45 boxy, tracked M113s armoured vehicles that arrived on the last ship, he said, another 100 M113s will be prepared in the next six to eight month and shipped over. (Lt.-Gen.Leslie)

The attached article of the Globe & Mail March 22, 1993: "Vintage vehicles drive up risk." **The M113 "is not fit for the type of job it's doing."** retired Canadian Major – General Lewis MacKenzie, who commanded the Sarajevo sector when a Canadian battalion took control of the airport in July, said in an interview last week.

"The job is not peacekeeping, for there is no peace. It is delivering humanitarian relief, often through combat zones."

(page 2) **“While no one is questions the quality, training or professionalism of the soldiers, most of the armoured vehicles are the M113s, which date from 1965.”**

“The Canadian army was to have had a similar vehicle (like the British warrior), the MRCV (like the Thyssen Bear-Head TH 495 Multy Role Combat Vehicle).”

“The Progressive Conservative government scrapped that program two years ago, along with other plans to replace obsolete equipment, despite longstanding pledges to end years of what they called Liberal neglect.”

Dear Prime Minister,

I take the liberty to send you a copy of my letter April 10, 2007 to The Right Hon. Brian Mulroney with attachments,
 a copy of my letter March 17, 1993, to the Hon. Kim Campbell, then the Minister of National Defence,
 a copy of my letter October 18, 1990, to the Hon. Bill McKnight, then the Minister of National Defence,
 a copy of the letter August 1, 1995 from the Canadian Ambassador Paul Heinbecker to me
 and the copy of an article of The Ottawa Citizen August 17, 1995 concerning the vehicles, which now have to be replaced within the year, for your information which might be of interest to you.

I can assure you that I made a lot of friends with Ottawa's bureaucrats when I tried, as requested from the Canadian government, to create jobs and protect the life of Canadian soldiers.

The use of Vintage Vehicles in Afghanistan puts our soldiers on high risk which could amount to manslaughter.

Dear Prime Minister, you have a tough job. I hope that I could provide some help with this information.

Yours sincerely



Karlheinz Schreiber

Executive Correspondence Unit
Le service de la correspondance de la haute direction

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
L'article décrit ci-dessous a été reçu avec la lettre suivante :

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Item Type/Type d'article	
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Item Description/Description de l'article	
<u>Various photocopies regarding vehicles used in Afghanistan</u> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

**Executive Correspondence Unit
Le service de la correspondance de la haute direction**

Attachment Form - Pièces jointes

The item described below was received with the letter identified as follows:
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Tracking number 71020178E Numéro de suivi

Item Type/Type d'article	
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<input type="checkbox"/> Binder/Cartable	<input type="checkbox"/> Cassette tape/Cassette audio
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<input type="checkbox"/> Petition/Pétition	<input type="checkbox"/> Press Release/Communiqué de presse
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<input type="checkbox"/> Photo/Photo	<input type="checkbox"/> School/École
<input type="checkbox"/> Magazine/Revue	<input type="checkbox"/> Other/Autre
Item Description/Description de l'article	
Various photocopies regarding vehicles used in Afghanistan	

Posted AT 1:30 AM EDT ON 03/04/07

War taking unexpectedly harsh toll on vehicles

All LAV IIIs to be replaced within the year

GRAEME SMITH
FROM TUESDAY'S GLOBE AND MAIL

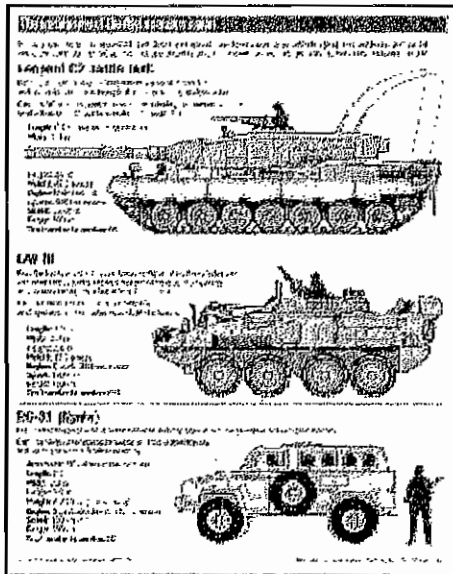
KANDAHAR, AFGHANISTAN — All of Canada's LAV III armoured vehicles in Afghanistan will need to be replaced within the next six to eight months, Canada's army chief told troops Monday, because hard fighting and harsh conditions are taking a greater toll than expected.

"We're going to replace them faster than we'd planned," Lieutenant-General Andrew Leslie said of the vehicles that are the backbone of Canada's fighting force.

The army's fleet of available LAVs, however, is shrinking because 20 of the \$3.5-million Light Armoured Vehicles have been destroyed and they're no longer manufactured. The remaining ones will have to be refurbished for service.

In an open-air forum with troops in Kandahar last night, the general responsible for all Canadian land forces also described maintenance issues with two other military vehicles that have forced the military to scramble for spare parts and look at replacing old tanks.

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Problems have cropped up with the new RG-31 Nyala, the commander said. When Canada bought 75 of them from South Africa last year, the vehicles didn't come with any guarantee that Canada could also buy sufficient spare parts.

"They break a hell of a lot faster than we thought," he said.

But some of the worst problems described by the commander concerned the Leopard tanks sent to Afghanistan late last year. Canada has only 17 tanks on the battlefield, but they serve as a symbol of military power in districts where many people remain unsure about which side has more strength.

Lt.-Gen. Leslie said he hopes Stephen Harper will replace the old tanks, adding that he expects the Prime Minister's decision within about a week.

The Leopard tanks are 30 years old and are vulnerable to the increasingly powerful suicide bombs faced by Canadian troops, he said, and with temperatures climbing every day he expressed concern about how the tanks will handle the 55-degree heat.

"They're on their last legs," he said.

Government researchers have been studying ways to prepare the tanks for summer, but the ideas — such as outfitting soldiers with cold-water cooling vests, or installing air-conditioning — would involve modifications to tanks the military had already planned to decommission four years ago.

“We’re either going to replace them, or not,” Lt.-Gen. Leslie said. “If we replace them, thank God. If the decision is ‘No,’ we’ll suck it up, we’ll come up with some workarounds, and we’ll soldier on. Quite frankly, we’ll see within the next week or so.”

The commander made the comments as he answered questions from soldiers, the majority of whom asked about vehicle issues. The forum came at the end of a visit by Public Safety Minister Stockwell Day, Treasury Board President Vic Toews, and Helena Guergis, secretary of state for foreign affairs, as they toured the Provincial Reconstruction Team’s small base in Kandahar city.

Lt.-Gen. Leslie thanked the ministers for the support of their government, which last year approved the largest increase in military spending in decades. In some cases, he said, more money won’t immediately solve the problems: The shortage of spare parts for the Nyala has been caused by high demand among the countries that operate the vehicles, and it’s impossible to find enough parts.

“It’s not a question of money,” he said. “There’s a lack of widgets.”

But when the parts become available, Lt.-Gen. Leslie said, they will be expensive. Turning to Mr. Toews, from the Treasury Board, he said the government has promised to spend whatever is necessary.

“The minister’s standing right here, and he said he’d pay the cheque. Did he not? He’s nodding,” he said, jokingly.

Other supplements to the battered fleet of vehicles are already on their way to Afghanistan, he added. In addition to the 45 boxy, tracked M113 armoured vehicles that arrived on the last ship, he said, another 100 M113s will be prepared in the next six to eight months and shipped over.

Within the same time frame, the military also plans to buy another 85 heavily armoured trucks, adding to the 300 armoured trucks now in the final stages of the purchasing process.

Besides trying to replace equipment, the commander also told his troops that he needs their help to replace themselves. The next rotations of soldiers in Afghanistan will require trainers, he said, making an impassioned plea for troops to stay in the military after they return to Canada.

“I need you to come back,” he said. “When you’re finished this tour, work with us to change the culture of the army, to pass along your combat experience and your practical wisdom.”

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Phillip Crawley, Publisher

The workhorses of the Afghanistan mission

Military planners are facing difficult decisions about how to replace or refurbish aging and battered armored vehicles such as the 30-year-old M1090 tanks and the Nyala, as well as the LAV III, which is no longer made.

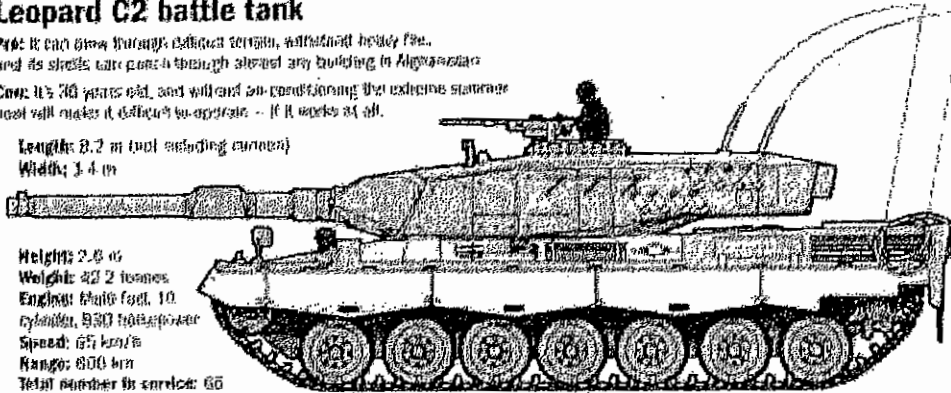
Leopard C2 battle tank

Pro: It can drive through rugged terrain, withstand heavy fire, and its shells can punch through almost any building in Afghanistan.

Con: It's 30 years old, and will need an overhauling. The extreme summer heat will make it difficult to operate -- if it works at all.

Length: 8.2 m (not including cannon)
Width: 3.4 m

Height: 2.8 m
Weight: 42.2 tonnes
Engine: Multi fuel, 10 cylinders, 930 horsepower
Speed: 65 km/h
Range: 600 km
Total number in service: 66

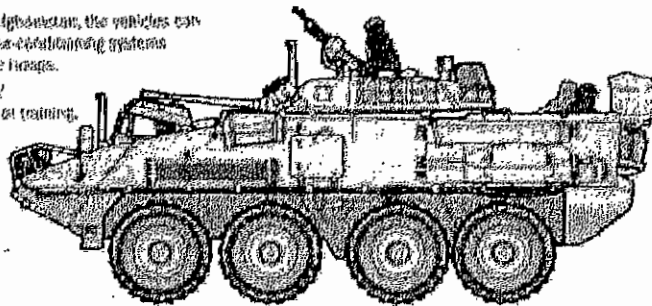


LAV III

Pro: The suspension of Canada's forces in Afghanistan, the vehicles can withstand road attacks. The fact that the air-conditioning systems usually work means it's a favorite with the troops.

Con: No more are being built, so every LAV described here's been totally available for training.

Length: 7.0 m
Width: 2.7 m
Height: 2.8 m
Weight: 16.9 tonnes
Engine: Diesel, 950 horsepower
Speed: 100 km/h
Range: 450 km
Total number in service: 654

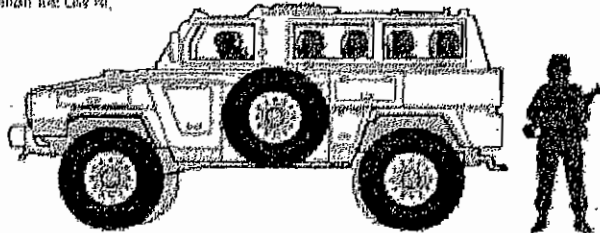


RG-31 (Nyala)

Pro: It's the toughest vehicle in the Canadian security arsenal comes and possesses explosive devices.

Con: It's more vulnerable to environmental attacks than the LAV III, and sand gets in difficult to clean up.

Armaments: 50 cal heavy machine gun
Length: 5.5 m
Width: 2.3 m
Height: 2.3 m
Weight: 6,800 kg (combat weight)
Engine: Six-cylinder diesel, 132 horsepower
Speed: 100 km/h
Range: 800 km
Total number in service: 50



Source: Department of National Defence

US 2400 200205 LEAN SPEED THE COURAGE AND THE

The Globe + Mail
March 22, 93

BOSNIA / *'A bunch of people will have to get killed before it gets changed,'*
officer says of ill-equipped Canadian armoured carriers under fire

Vintage vehicles drive up risk

BY PAUL KORING
European Bureau
Visko, Bosnia-Herzegovina

CANADIAN soldiers are escorting the most dangerous and difficult convoys in war-torn Bosnia-Herzegovina in some of the oldest, slowest and least protected vehicles of any of the battalions flying the United Nations flag.

And they are routinely shot at in vehicles ill-equipped to take fire.

"Someone, or more likely a bunch of people, will have to get killed before it gets changed," one Canadian officer serving in Bosnia said.

Most of the soldiers and officers, however, are unwilling to criticize the government. Even privately, when pressed, the response is usually, "We'll make do," or "What's the point of complaining? It doesn't make

any difference."

They are intensely proud of the job they are doing, delivering humanitarian aid, and they say they are willing to accept the risks involved.

But the soldiers know their armoured personnel carriers compare poorly with modern military vehicles. Their reluctance to voice concerns publicly seems to stem partly from a fear of upsetting their families in Canada and partly from the Canadian military tradition of doing the job with inadequate or barely adequate equipment.

The biggest question mark hangs over the survivability of Canada's vintage armoured vehicles: the tracked M113 armoured personnel carrier and the wheeled Cougar fire-support vehicle.

One M113 already bears the smooth tell-tale hole of an armour-piercing grenade that cut

through its back like butter, tore through the commander's position and lodged in the radiator. Fortunately, the vehicle was empty at the time.

The M113 "is not fit for the type of job that it's doing," retired Canadian Major-General Lewis MacKenzie, who commanded the Sarajevo sector when a Canadian battalion took control of the airport in July, said in an interview last week.

The job is not peacekeeping, for there is no peace. It is delivering humanitarian relief, often through combat zones.

As for the Cougar, Gen. MacKenzie said, "it's safer than the APC but not much." He said it was developed "during the era of Trudeau's anti-tank phobia and it was stated at the time that it would never be deployed operationally" in a combat zone.

Please see CANADIANS—A6

Canadians under fire in vintage vehicles

• From Page A1

"If I was still in uniform, I'd do the job, but I'd be sending messages back [to Ottawa] marked 'Canadian eyes only' and asking for better vehicles. Our guys are being shot at, and spending money to make them safer and more comfortable in an operational theatre would be money well spent."

One sergeant-major in Bosnia said the media were doing a disservice by reporting the risks. "You guys should stop saying it's dangerous. It just worries the families back home."

The reality is that the 2nd Battalion of the Royal Canadian Regiment, currently in central Bosnia, is taking heavier fire than any Canadian soldiers since the Korean War.

The Canadians have been in central Bosnia less than a month. A partial list of incidents in their first week of convoy operations includes:

- A Cougar was hit by heavy machine-gun fire.

- A convoy escort of four M113s returning from Goradze through the western suburbs of Sarajevo rolled into a firefight. Four mortar bombs landed so close to the lead M113 that the escort commander in the second vehicle believed, in his words, "I've lost them."

- Another pair of M113s, guarding a civilian team trying to repair electricity lines in Sarajevo, hastily retreated when an anti-armour rocket-propelled grenade was fired at them.

- The convoy to Goradze, set to be a weekly event, was hit several times by small-arms fire. Cans containing extra fuel mounted on top of the M113s were pierced, and an ambulance was hit by a ricochet.

- Mortar bombs landed within a few hundred metres of the main Canadian base in Visiko, sending troops to the basement of the half-built concrete structure in which they pitched tents for extra protection. Visiko is shelled nightly, although not usually so close to the Canadian base, which, aside from Sarajevo airport, is the UN base closest to an active front line.

The risks are increased by the nature of the tasks assigned to the Canadians. Initially, in November, the battalion was supposed to deploy in Serb-held northern Bosnia, an area relatively free of combat. (Another Canadian battalion, similarly equipped, is stationed in central Croatia, with the relatively safer job of maintaining a Croat-Serb cease-fire. It was there, however, that the rocket-propelled grenade blasted

dian units, sometimes 100 kilometres from their base, in a war zone with 1950s radios.

Although communications are notoriously difficult in mountainous areas, most aid agencies have far better equipment than the Canadians. To communicate, except over very short distances, Canadian soldiers have to get out of the vehicles and set up cumbersome high-frequency antennas.

"It's not a smart thing to be doing if you are in trouble and need help," said an officer who was on the first run to Goradze.

Christopher Foss, an expert in armoured vehicles and the military technology editor of Jane's Defence Weekly, said: "You are paying for years of neglect, and it may come home to roost."

The government has sent 40 per cent of Canada's army combat units overseas on peacekeeping missions, a proportion of active service abroad unmatched by any other military in the world and one that is unsustainable even with the best equipment.

While Bosnia is probably the most dangerous zone, it is hardly the only one. Canadian units in Somalia, Cambodia and Croatia, all similarly equipped, are racking up what is known in military parlance as "combat days."

Senior officers of the 2nd Battalion reject suggestions that the M113 is unfit.

"The British APCs are better-armoured than ours; they weigh almost as much as a tank," said Major Mark Sellars, the battalion's second-in-command. He rejected suggestions that Canadian soldiers face unnecessary risks because of the age and quality of their vehicles.

"To be fair to our APC," he said, "the Canadian battalion is the second most heavily armoured here [after the British]." He conceded that there are shortcomings. "I'd prefer it to have a turret, I'd prefer it to have snap-on armour."

The M113 commander, who controls its main 50-calibre machine gun, sits with his head and shoulders exposed. A Plexiglas shield, like a motorcycle windscreen, protects him from the elements, but nothing protects him from incoming fire.

The soldiers in the back (usually two) also stand with their heads outside the hatch. If the hatches are closed because of incoming fire, the vehicle cannot shoot back.

"It's not a fighting vehicle," Major Sellars acknowledges. "It's a battle-field taxi. It is supposed to protect in

ture. It was there, however, that the rocket-propelled grenade blasted through the empty M113 recently.)

After Serb forces blocked the crossing into northern Bosnia by the second Canadian battalion for 10 weeks, the UN asked the Canadian government, in December, to send the battalion to central Bosnia. There, it was to take over the long convoy route to Tuzla.

"Ministers knew that was more dangerous [than northern Bosnia], but the advice from the Defence Department was that the Canadian military was capable of doing the job," a cabinet source confirmed. But that advice was given when the new job was to be the Tuzla run.

The Tuzla run, while close to the front lines in several sections, does not cross those lines. That job has been left for the British.

Instead, the Canadians have been given an even more dangerous task: all the convoy routes that cross active front lines, plus the job of guarding utility repair work in Sarajevo.

Canadian routes include: the daily run from Croatian-held Kiseljak through Serb forces besieging Sarajevo and into the city, and all of the runs to the besieged Muslim enclaves in eastern Bosnia, including Zepa, Goradze and Srebrenica. All of those enclaves are the focus of a renewed Serb offensive.

On paper, the Canadian battalion is one of the toughest. It has more than 1,000 men and more than 100 armoured vehicles.

While no one questions the quality, training or professionalism of the soldiers, most of the armoured vehicles are the M113s, which date from 1965. Armour-piercing weapons have improved by several orders of magnitude since then. In Bosnia, for instance, a common weapon is the Soviet-made RPG-7, a shoulder-fired rocket-propelled grenade.

Although the Cougar is faster and has more firepower than the M113, its armour is equally outdated, reaching back to the late 1970s.

Even discounting for the grumbling about "kit," the concerns quietly voiced in dozens of conversations by both officers and men are real.

The adequacy of the Cougars and the M113s, especially their inability to take a hit in a war zone where the UN rules of engagement mean you give the other guy the first shot, is not the only worry.

The Cougar's 76 mm cannon, for instance, has no night sight. Or, more accurately, the night-vision equipment is not connected to the cannon. To fire back effectively at night, Canadian soldiers would have to get out of the vehicle to set up the sight to direct fire.

Radios are another sore point.

"It's a black hole," said a Canadian operations officer with the UN's Bosnia command in Kiseljak.

Successive governments scrapped programs to equip the Canadian Forces with modern battlefield communications systems, leaving Cana-

...not a fighting vehicle, Major Sellars acknowledges. "It's a battlefield taxi. It is supposed to protect infantrymen from artillery splinters until they can dismount and fight."

Over the years, there have been plans to refit Canadian M113s with turrets. All have died in government defence cuts.

"The Canadians have had lots of improvement programs," Mr. Foss said, "but the politicians always say, 'Let's save some money, let's kill the program.' Your chaps [in Yugoslavia] have done a super job, but in a firefight they would be in real trouble."

The Danes, who are using APCs of the same vintage as the Canadian M113s, have fitted turrets and have bolted snap-on armour along the sides and front.

At the other end of the scale is the British Warrior, an infantry fighting vehicle like the U.S. Bradley, both of which proved themselves in the Persian Gulf war.

The Warrior travels up to 100 kilometres an hour, and its crew is encased in thick protective armour. Heavy machine-gun fire and mortars literally bounce off. In at least one case in the gulf war, a Warrior took a direct hit from an artillery shell and its crew survived.

The Canadian army was to have had a similar vehicle, the MRCV. The Progressive Conservative government scrapped that program two years ago, along with other plans to replace obsolete equipment, despite longstanding pledges to end years of what they called Liberal neglect.

Many Canadian soldiers and officers believe there is a better vehicle sitting in Canada, but the M113s were sent to Bosnia because there were lots of them at the soon-to-be-closed base at Lahr, Germany.

Major Sellars believes that the M113, whatever its shortcomings, is the best vehicle in the Canadian army for the job.

Others, like Gen. MacKenzie, believe that the new Bison would be a better armoured personnel carrier in Bosnia. It travels twice as fast as an M113, so it could sacrifice some speed to the weight penalty of snap-on armour.

"The Bison is a better vehicle," Gen. MacKenzie said. "Our guys are being shot at. Anything that makes a soldier more comfortable and safer is worth the cost, and spending money in an operational theatre would be money well spent."

At least 10 UN peacekeepers have been killed in former Yugoslavia, only one of them a Canadian.

"That's part professionalism, part luck," Gen. MacKenzie said. Nobody suggests it is because of the quality of either the protection, mobility or firepower of the Canadian battalion.

And nobody is betting that there will not be more casualties. Indeed, when the government erected a monument near the Canadian base in Croatia, the chiselled tribute was to "Canadian soldiers" who died in former Yugoslavia.

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The Right Hon. Brian Mulroney, P.C., LL .D.
47 Forden Crescent

Per Fax (1) 514 369 9393

Westmount, Quebec
H3Y 2Y5

Ottawa, April 10, 2007

Subject: "Bomb kills 6 Canadian soldiers in Afghanistan"

Dear Brian,

I take the liberty to send you a copy of the CBC News April, 8, 2007:
"Bomb kills 6 Canadian Soldiers in Afghanistan",

an article of canada.com: "Canada to lease tanks for Afghanistan" April 3, 2007,

a copy of my letter March 16, 1993 to you,

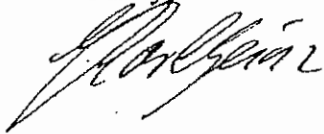
an article: "Thyssen Henschel's TH 495 MICV"(The Bear Head MRCV)

and information on the new German: "Puma infantry fighting vehicles".

Finely, 14 years after I send my letter to you, the Canadian Government made the right decision to protect Canadian soldiers and asked the German Government for the lease of the best tanks.

How do you feel today when you read my letter from March 16, 1993 and you must think of all the poor soldiers who had to die in the meantime?

Yours truly,



Bomb kills 6 Canadian soldiers in Afghanistan

Last Updated: Sunday, April 8, 2007 | 6:46 PM ET
CBC News

A roadside bomb killed six soldiers and injured two others in an armoured vehicle west of Kandahar City on Sunday, resulting in the worst single-day loss of life for Canadian Forces in Afghanistan, military officials said.

The LAV III hit an "improvised explosive device" around 1:30 p.m. local time, Col. Mike Cessford, deputy commander of Task Force Afghanistan, told reporters at Kandahar air base.

Earlier, Prime Minister Stephen Harper confirmed the deaths as he spoke to a shocked crowd of dignitaries and veterans in Lille, France, where he was attending a dinner to mark the 90th anniversary of the Battle of Vimy Ridge.

"Sadly today has been a difficult day in Afghanistan," Harper said. "We've learned that an incident has claimed the lives of six Canadian soldiers and injured a number of others."

"Our hearts ache for them and their families, and I know as we gather here on Easter Sunday our thoughts and prayers are with them," the prime minister said.

Harper's announcement was met with an audible gasp from the crowd.

The troops were serving with NATO's International Security Assistance Force (ISAF) in Helmand province, where the multinational force recently launched a major offensive against the Taliban.

No names or hometowns of the soldiers involved have been released.

In another area of the south, one NATO soldier was killed and another injured earlier Sunday by a similar type of bomb, a NATO spokeswoman said. The location was not disclosed.

One soldier in serious condition

Cessford said 10 soldiers were riding in the vehicle when it struck the explosive. Four Canadian soldiers were flown to the hospital at Kandahar air base.

One is listed in serious condition with non-life-threatening injuries and will likely be taken to the U.S. military hospital in Landstuhl, Germany, Cessford said. A second soldier suffered minor injuries and the other two were not hurt.

"We lost six of our best, and really, we are thinking of the families as much as anyone," Cessford said,



Col. Mike Cessford, deputy commander of Task Force Afghanistan, announced in Kandahar Sunday that six Canadian soldiers were killed in a roadside bomb explosion and two soldiers were wounded, one seriously.
(John Cotter/Canadian Press)

adding that despite the tragic incident, the soldiers stationed at Kandahar remain committed to the mission.

"We are focused on rebuilding Afghanistan and doing the right thing by those kids who wave at us every day as we drive down the roads here," Cessford said.

Maj.-Gen. Ton van Loon, the ISAF chief of Regional Command South, said "the hearts of his soldiers" go out to the victims' families and their country.

Reaction to soldier deaths

In Toronto, NDP Leader Jack Layton told CBC News, "it's a devastating blow."

He said that there will be doubt about the mission in Afghanistan, which was recently extended by the government, but Sunday was a day to pray for and reflect on those who sacrificed their lives for the country.

Since 2002, 51 Canadian soldiers and a diplomat have been killed in Afghanistan, where Canada has more than 2,000 troops, with the majority in the southern province of Kandahar.

The main thrust of the offensive in Helmand province is being handled by British and American troops, with Canadian soldiers offering backup and security. About 5,000 soldiers in all are engaging the Taliban, including elements of Afghanistan's army.

In February, the Taliban said it has 6,000 fighters ready for a spring offensive and could dramatically increase that number if necessary.

Al-Jazeera reported at the time that Taliban leader Mullah Dadallah had recruited 500 suicide bombers for the campaign.

Canada to lease new tanks for Afghanistan

David Pugliese and Jonathan Fowlie

CanWest News Service

Tuesday, April 03, 2007

OTTAWA — The federal government is proceeding with the lease of some of the most modern Leopard tanks on the market as it boosts its equipment in Afghanistan.

Defence sources told CanWest News Service that Ottawa will lease 20 A6M tanks from Germany. The tanks, which have improved protection against landmines and other enemy weapons, could be shipped to Afghanistan direct from Germany, sources said.

In addition, the new Leopards are air conditioned so they could operate in Afghanistan's stifling summer heat. Canada's older Leopard tanks now in Kandahar do not have air conditioning and there have been concerns the heat could limit their usefulness on the battlefield.

Temperatures inside the vehicles could soar beyond 60 C.

The lease was approved last week by the cabinet priorities and planning committee.

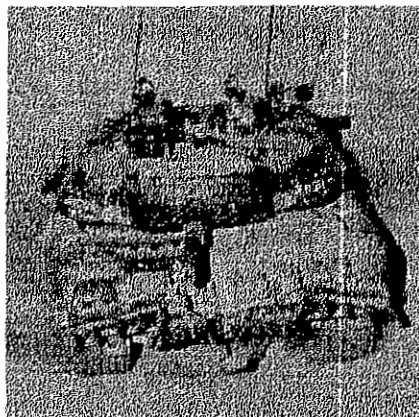
Defence Minister Gordon O'Connor wasn't releasing details about the Leopard tank lease Tuesday, but he did say the tanks were a necessity for the Afghan mission.

"Our experience in Afghanistan has proven we need main battle tanks," he said. "It's really to offer security to our soldiers."

O'Connor suggested the decrease in the number of Canadian casualties in the last six months was due to more use of heavier armoured vehicles, including the tanks.

Over the last year there has been a major about-face in the Canadian military's view of the usefulness of tanks. The Leopards were originally scheduled to be destroyed or sold off, but the army put a halt to that program.

It sent the Leopards to Afghanistan in the fall and began its search for newer tanks to purchase or lease.



CREDIT: Doug Schmidt/Windsor Star
A Leopard tank of the Edmonton-based Lord Strathcona's Horse, attached to ISTAR squadron in southern Afghanistan, returns to a Canadian Forces mountain base after assisting a patrol on the lookout for Taliban insurgents.

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PERSONAL AND CONFIDENTIAL

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March 16, 1993

The Right Honourable
Brian Mulroney
Prime Minister of Canada
Langevin Block
80 Wellington Street
Ottawa, Ont.
K1A 0A2

Dear Prime Minister:

For more than thirteen years I have had the privilege to call you my friend. In all of those years you always gave me the feeling of confidence that I could count on you, as you know you always could with me.

For nearly thirty years, I worked closely with my friend Franz-Josef Strauss; and it was not always easy to confront him with realities that he did not like. Living with the understanding that we shared a certain degree of intelligence we agreed that the greatest treasure between friends is the truth. That includes that true friends are aware that it would never be their intention to embarrass or to influence on unreasonable grounds. Keeping this in mind and looking at the situation in Canada, I have come to the conclusion that the philosophy "wash me but don't make me wet" is not going to work any longer.

If it is your understanding that Kim Campbell is the best choice to be the next Prime Minister

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PERSONAL AND CONFIDENTIAL

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for Canada, with the capability to solve the enormous problems of the country, then it is my opinion that she should resign as Minister of Defence as soon as possible. The reason I say this is because I believe the pressure and problems she may face with the Ministry may harm her chances. I don't want to deal with the problems she may face with the anti-submarine helicopter, rather I put much more importance on the safety of Canadian soldiers in Yugoslavia and in other peacekeeping missions.

The strong feeling of friendship toward you tells me that I owe you the following report on the situation as I see it:

Today, Lewis Mackenzie (MGen Ret'd) in his first speech after his official retirement from the Canadian Armed Forces spoke out frankly and honestly without editorial control from the Department of National Defence. He spoke about the state of inadequate armoured protection of Canada's armoured personnel carriers, which he experienced first hand. He specifically criticised the cancellation of the Army's requirement known as the Multi Role Combat Vehicle (MRCV) as a primary reason for the inadequacy of equipment for Canada's soldiers who are the ones exposed to the very real and serious risks of peacekeeping.

You may also be aware of the ongoing hearings of the House of Commons Committee on National Defence and Veterans Affairs, where on the 17th of February 1993, during the appearance of Adm. Anderson, Chief of Staff to the Canadian Forces, it was confirmed by his technical assistant, LCol Peter Kenward, that the M-113 and the Grizzly and Cougar (basically all of Canada's Armoured Personnel Carriers) only have protection against 7.62 mm ball ammunition, which leaves them vulnerable to the commonly used 7.62 mm armoured piercing ammunition, and most varieties of machine gun ammunition.

You may already have known of the problems with Canada's armoured vehicles from the CBC's Journal of June 22, 1992 when they interviewed Canadian troops in Yugoslavia who when discussing the state of their armoured personnel carriers told The Journal "the bullets from one of their own guns can go through one of these things like butter and it's all the protection they have".

As far back as May 26, 1987, in testimony to the Senate Committee on National Defence, LGen J.A. Fox, Commander Mobile Command, described the desolate state of Canada's

Karlheinz Schreiber

PERSONAL AND CONFIDENTIAL

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armoured vehicle fleet in comparison to the vehicles of the Warsaw Pact then and also in comparison to Canada's allies.

The German Ministry of Defence provided us with samples of the aluminum plate of an actual M-113 armoured vehicle which had been fired on and completely pierced by a basic 7.62 mm armoured piercing round. You will recall that I showed you those samples when we met at 7 Rideau Gate together with the Hon. Elmer MacKay. As a reminder of this I enclose a photograph of the pierced aluminum plate (1.75" thick) and the 7.62 ball and armoured piercing ammunition samples. I also informed the Hon. Bill McKnight, then Minister of Defence of this situation, and later did the same with the Hon. Marcel Masse when he was the Minister of Defence as well Mr. Fowler, Deputy Minister of National Defence.

In a letter dated February 10, 1992, Canadian Ambassador Delworth, on behalf of the Minister of National Defence, informed the Ministry of Defence in Germany of the pending Army project known as the MRCV, within which the lead procurement would be the RCV (Reconnaissance Combat Vehicle): "The armoured reconnaissance vehicle, RCV, must be equipped with an armour resistant against 30 mm piercing ammunition".

On April 7, 1992 in a Department of National Defence News release, we learned that GM Diesel Division was selected on a sole source basis to produce up to 229 light armoured vehicles "enhanced for the reconnaissance role". Without doubt, this vehicle will be unable to meet the stated armament requirement for resistance to 30 mm armour piercing ammunition and it is unlikely that it will achieve any higher level of protection than the Canadian Army has in the GM vehicles of the same design which they already have.

Finally, I would like to inform you that Norwegian and French Forces refused to send their soldiers to Yugoslavia with protection less than 12.7 mm (50 calibre) armour piercing. Canada is present especially in Yugoslavia now with nowhere near that level of protection. The constant threat is that Canadian peacekeepers in their outdated armoured personnel carriers could be killed by crossfire of rifles which use basic 7.62 armour piercing ammunition prevalent in the Yugoslav conflict.

With this situation, I cannot comprehend why Canadian DND will not accept a loan of

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PERSONAL AND CONFIDENTIAL

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appropriately protected equipment from their German ally especially when at present the German Forces cannot participate in the peacekeeping missions in Yugoslavia. Nevertheless, the American and British Forces were not too proud to accept such a loan from Germany of the NBC Fox reconnaissance vehicles during the Gulf crisis. I was heavily involved in the arrangements to supply those vehicles to the Americans, within 48 hours of their request.

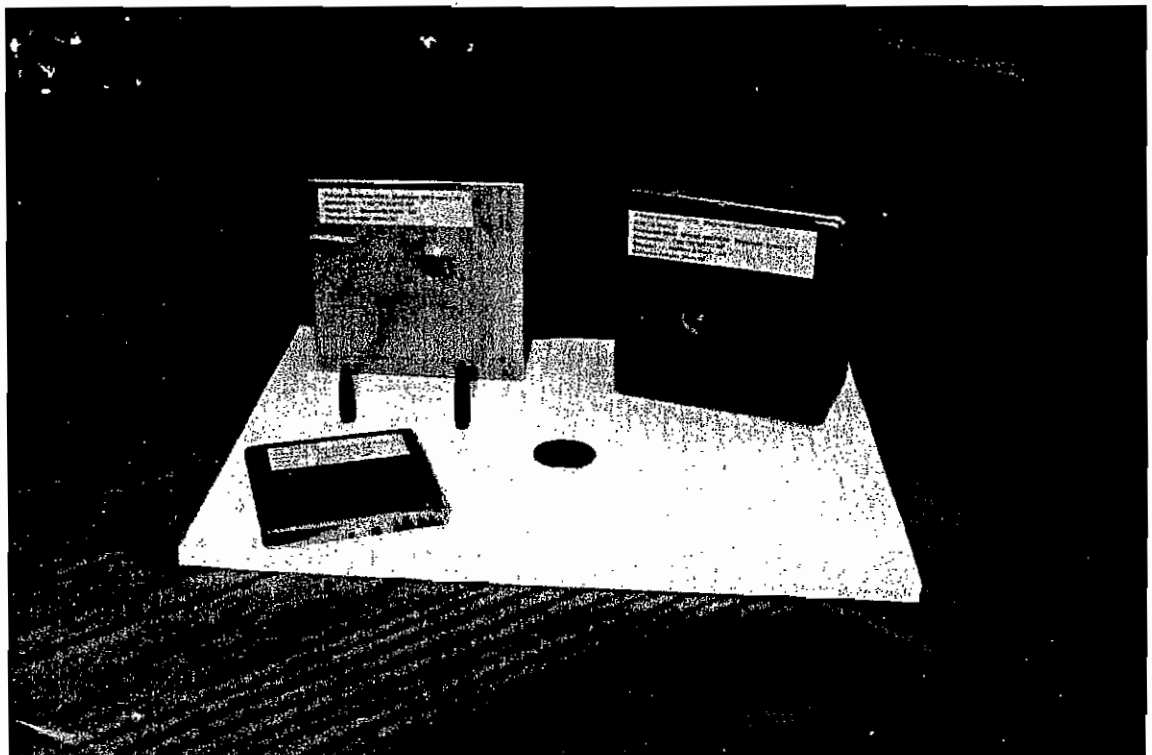
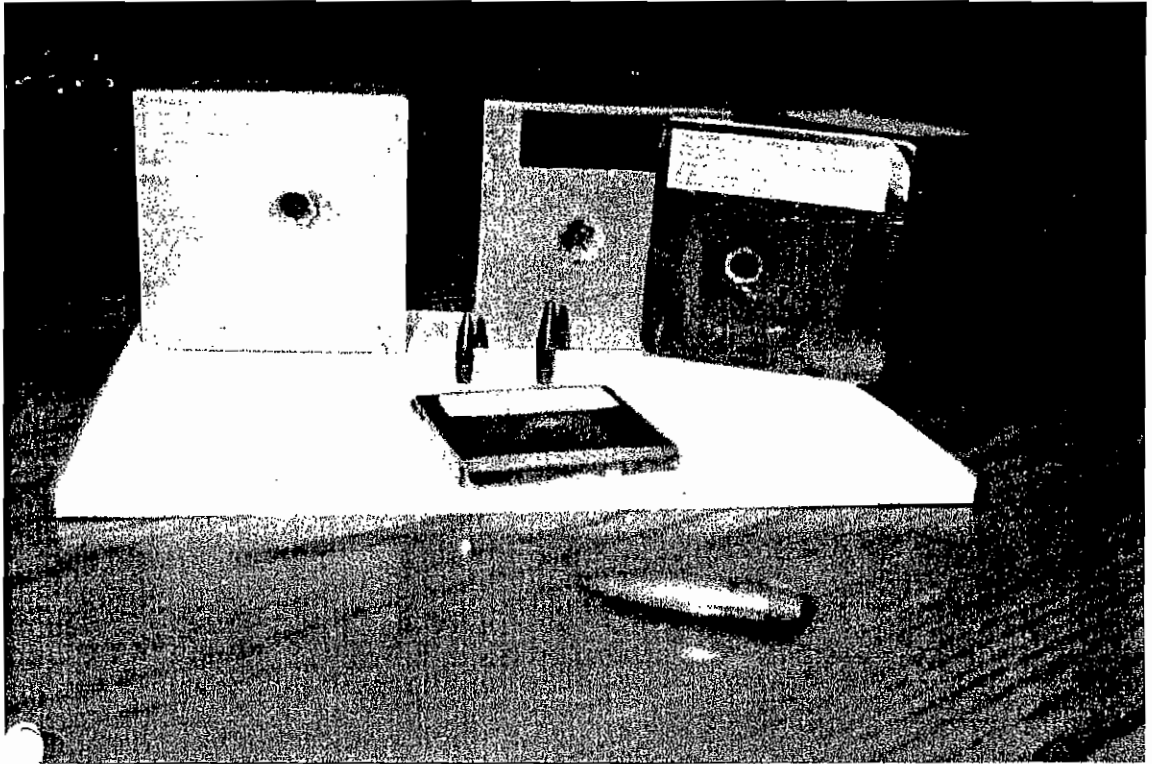
I have no doubt that you share my real concerns on the situation of our Canadian soldiers in Yugoslavia. The question is no problem for those who are not involved or are not aware of the risk Canadian soldiers face, but we are and we know, therefore, I feel guilty that I may not have done all I could to protect those soldiers who take such risks for the preservation of peace. Let's pray that Canadian soldiers are not killed as a result of their poor equipment, because the blame for their death will rest on the inaction of the Canadian Government in not providing them with adequate equipment. Almost certainly that blame will fall on the shoulders of Mrs. Campbell, and she has had virtually no involvement in allowing this situation to go unaddressed.

If you feel that I could be of any assistance to help solve the problem, please feel free to call on me at any time.

Best regards,



Karlheinz Schreiber



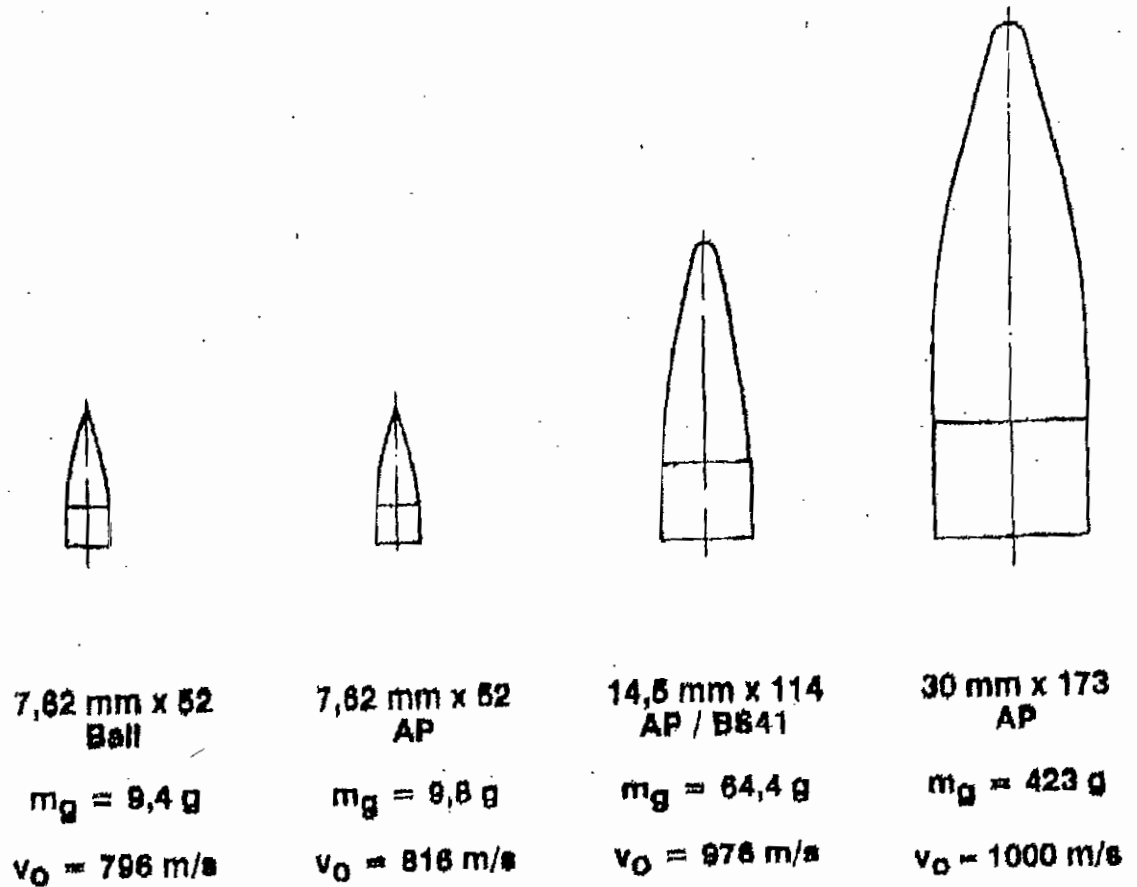


TH 495

Date: 05. May 1992

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Figur 2: Comparison of Projectiles





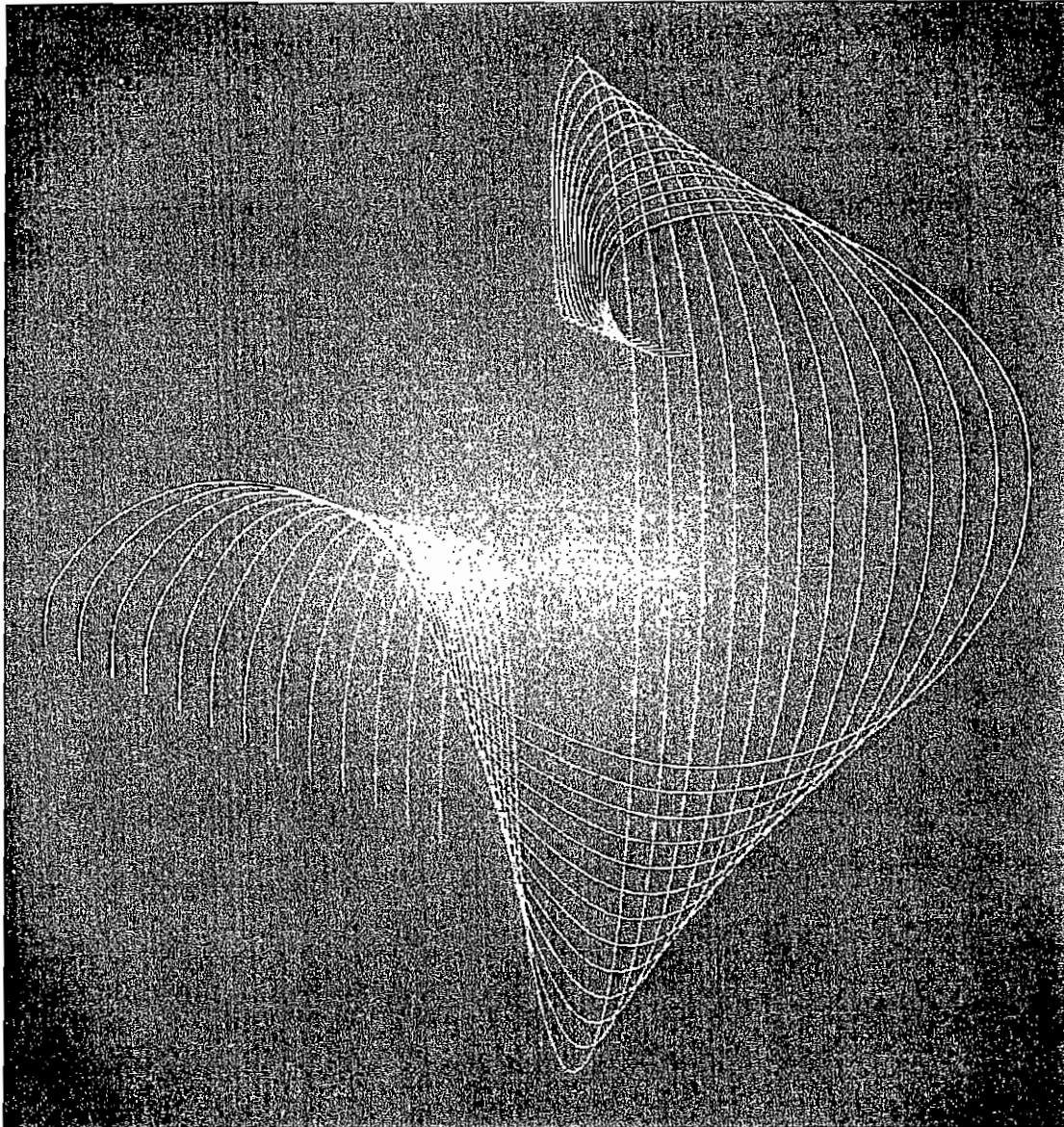
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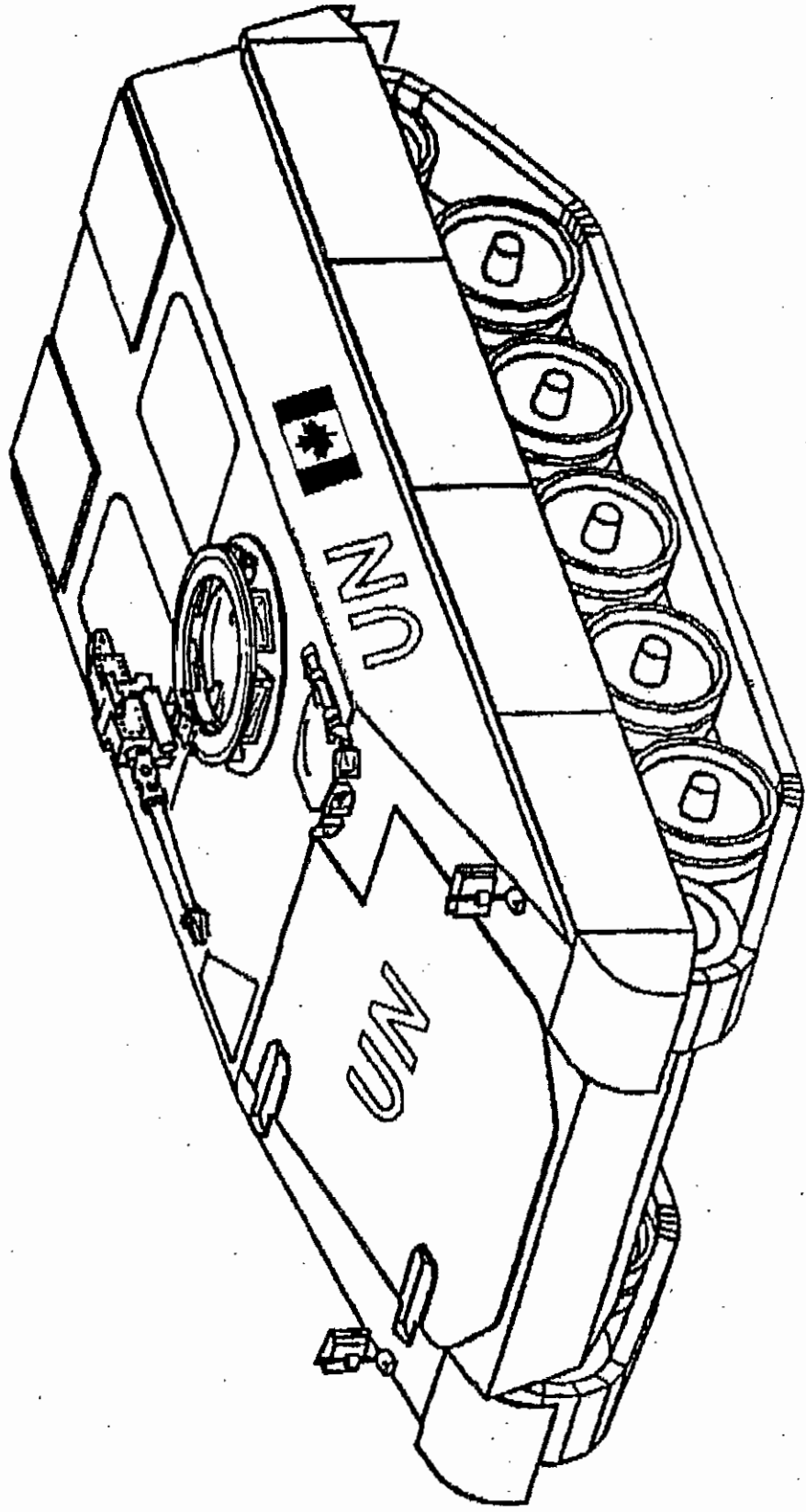


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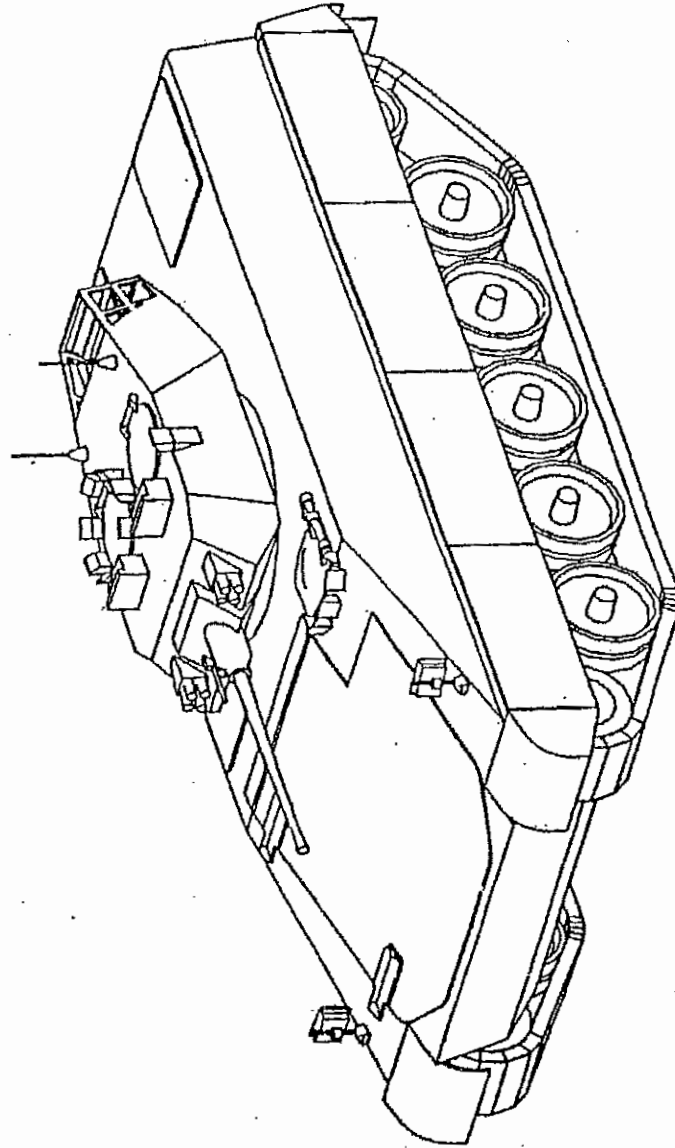
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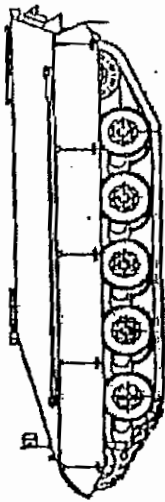
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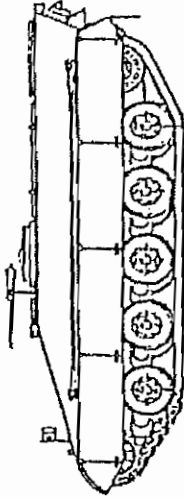
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WITH TURRET LAV 25 MM

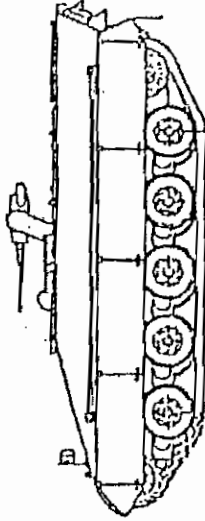
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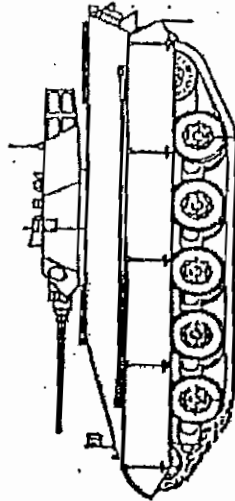
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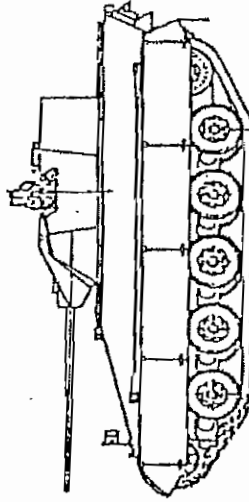
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INFANTRY-VEHICLE, WITH MG 7.62 PIN-MOUNTED



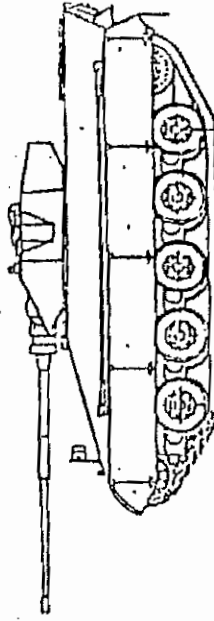
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INFANTRY-VEHICLE, WITH MG 12.7 CUPOLA



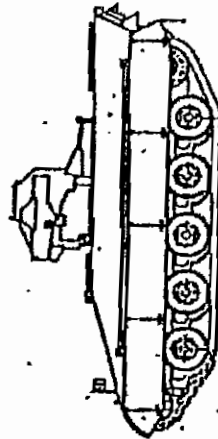
T H 4 9 5
INFANTRY-FIGHTING-VEHICLE, WITH MAIN GUN 25 MM



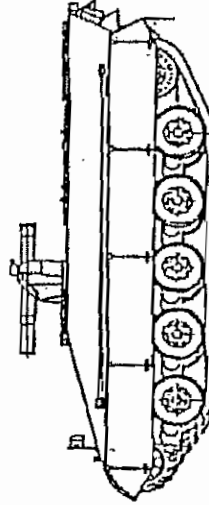
T H 4 9 5
INFANTRY-FIGHTING-VEHICLE, WITH MAIN GUN 35/50 MM



T H 4 9 5
INFANTRY-FIGHTING-VEHICLE, WITH BK 60 MM



T H 4 9 5
INFANTRY-VEHICLE, WITH ARMORED LAUNCHING TURRET
FOR THE TOW MISSILE SYSTEM



T H 4 9 5
TANK HUNTER, WITH TOW-LAUNCHER

Those responsible for weapons procurement in Germany were surprised by the rapid changes following the demise of the Soviet Union. For more than three decades, Germany's efforts concentrated on the development of high-endurance, versatile multi-purpose armoured fighting vehicles (AFVs). These became bigger and increasingly complex, optimized for the defense of a Central Europe threatened by Warsaw Pact forces superior in both general combat and anti-tank capabilities. This resulted in clumsy, heavy tanks and infantry fighting vehicles exceeding 50 and 40t respectively.

Given recent emphasis upon UN-controlled crisis management, the unified German forces realized that they lacked an effective combat vehicle suitable for strategic movement. Even the 17t, 2.98m-wide M113 is not air-transportable except by Starlifter or Galaxy aircraft. Faced with the possibility of significant politically led policy changes concerning Bundeswehr involvement with European rapid reaction forces, procurement planning has been suspended until a decision is made. Thus, despite limited funding, it was logical that the major German defense manufacturers should begin development of light AFVs suitable for crisis-management roles. Examples include the Diehl/Krauss Maffei Puma (as a possible M113 replacement) and the Krupp-MAK CV-90. Another interesting approach is the Thyssen Henschel TH 495, the first prototype of which recently had its roll-out in Kassel.

The first TH 495 prototype was built in a MICV configuration and forms the nucleus of a family of tracked vehicles able to meet all the requirements of an out-of-area mission. One of the main demands was that the vehicle should be transportable by C-130 Hercules. This limited weight to less than 20t, and both width and height to less than 3m. Nevertheless, it was decided to maximize protection by incorporating modular armour panels which could readily be altered to meet a specific threat. Otherwise, the MICV-version resembles the Marder 2, with the engine at the front, a rear troop-carrying compartment and a central cannon-armed turret to provide a favourable centre of gravity.

Good all-around (including overhead) protection is provided by spaced and/or special armour packages each of which can be removed or fitted by two crewmen within a few minutes. Spare or additional armour-modules could, for example, be transported in a second aircraft together with the crew, fuel, and ammunition to reduce vehicle weight, thereby increasing aircraft range. (In the prototype configuration seen at Kassel - mounting an OTO-Melara T 25 turret - the TH 495 has a combat weight of 26t. Thyssen Henschel pointed out that any other comparable turret can be fitted with the TH 495 according to customer's choice). Without its add-on armour modules the vehicle is only 2.72m wide. An internal spall-liner, NBC system, fire-suppression system (optional), and

Thyssen Henschel's TH 495 MICV

by Wolfgang Schneider

explosion-proof fuel tanks also raise crew protection beyond the standard for light armoured fighting vehicles.

The MICV has a crew of three and carries seven in the troop compartment. The driver is on the left of the engine and is provided with three integral periscopes in the single-piece hatch, one of which can be replaced by an image-intensifier for night driving. The commander and gunner sit in the turret. In the spacious rear compartment an infantry section is seated in two rows facing inwards. Up to four soldiers can fire personal weapons from the two roof hatches; the side-hinged rear doors have two weapon-ports. When closed down, the section can view the battlefield on two monitors linked to side-mounted cameras.

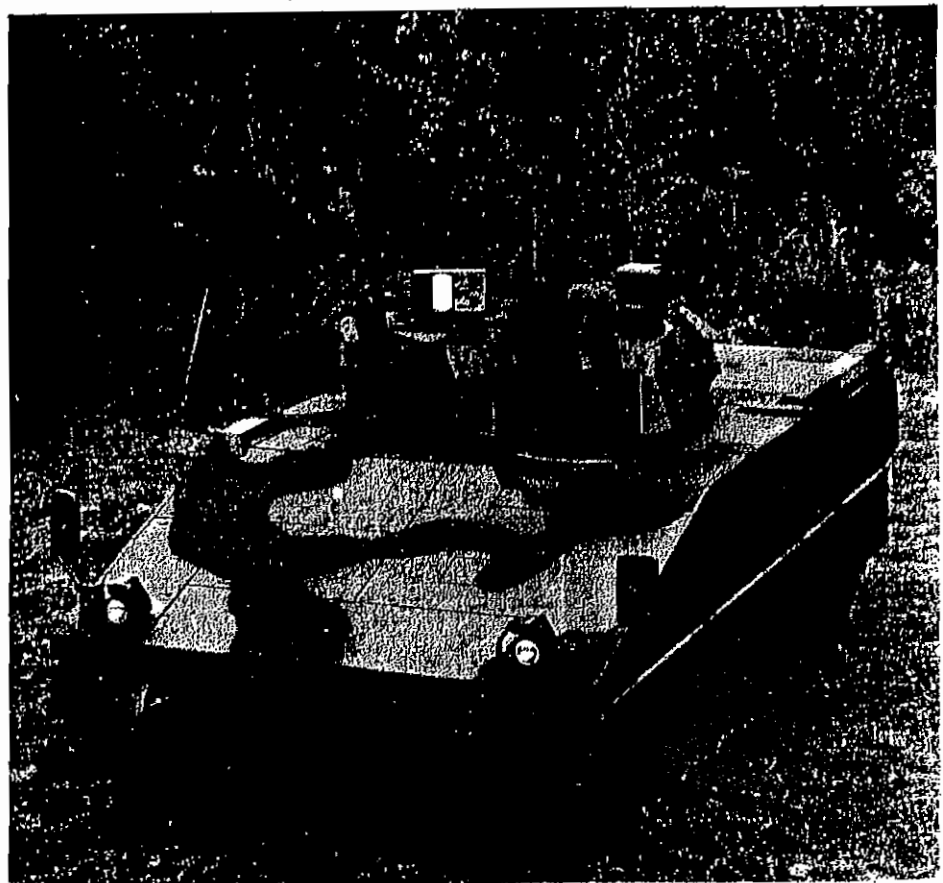
Emphasis has been placed upon a low infrared signature which has been achieved by ventilating the gap between the spaced

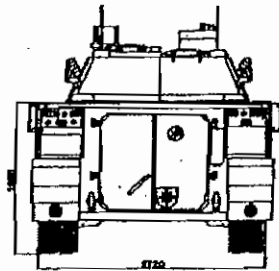
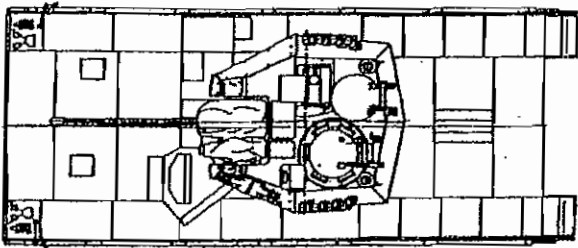
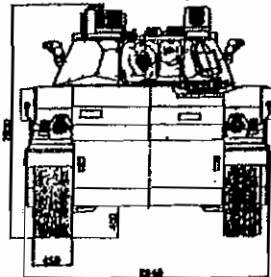
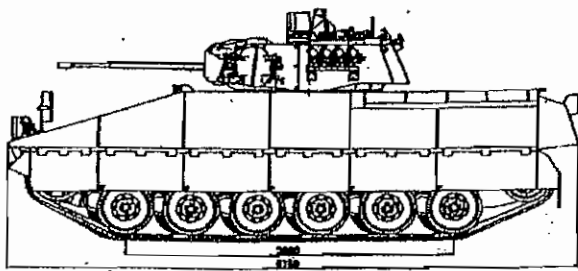
armour and the hull, as well as by careful layout of the exhaust and engine-cooling systems. Two cooling systems are located at the rear above each sponson; hot gases from the exhaust and cooling system are mixed with cold air in an "IR grating", and then vented downwards from a grill on the rear-right of the vehicle. The hot spot usually easily visible through a thermal sight is not identifiable from the front. Radar reflection is reduced by a combination of the vehicle's smooth surface and an absorbent coating.

Mobility

The TH 495's mobility is also good. The prototype is powered by an MTU 183 TE 22, 441kW (600hp) diesel, giving a power-to-weight ratio of more than 17kW/t (23HP/t). The track width of 450mm makes for a ground pressure of 72.7kPa in the MICV configuration and considerably less as an APC. The TH 495 is easily driven thanks to the improved ZF LSG 1500 fully automatic transmission, good ergonomics, and high safety standards. The driver's station, together with all controls and information displays is vertically adjustable. When driving with the hatch open, driver information is displayed on a panel mounted between hull roof and add-on armour. A digital power supply is fitted; micro-processors control all systems currently fitted, as well as monitoring their

Thyssen Henschel seems to have anticipated the shift in German requirements away from heavy armoured vehicles towards more mobile modular designs with its private-venture TH 495 family.





The TH 495 MICV forms the basis of the range; the layout is conventional, and a variety of turrets can be fitted. Spaced armour and exhaust coolers reduce the thermal signature, whilst the smooth hull and special coatings do the same for its radar signature.

operation, reporting faults to a diagnosis system combined with an integrated control system. The vehicle uses subsystems

and components already in series production and proven in non-military vehicles, thereby ensuring a high degree of reliability and reduced maintenance.

TH 495 armoured vehicle family

Construction is progressing on a second prototype with a hull 780mm shorter, and five instead of six road wheels. Roll-out is

scheduled for February 1993. The main features of the suspension (torsion bars, three return rollers, hydraulic shock absorbers on the two front and rear wheel stations of each side, Diehl double-pin track) remain unchanged. Depending upon vehicle configuration, the weight can be reduced to under 15t. A potentially interesting variant would be an armoured cavalry vehicle fitted with a 90 to 120mm anti-tank gun. The rest of the family is more conventional, comprising:

- TOW-based tank destroyer,
- Stinger anti-aircraft vehicle,
- radar carrier,
- APC,
- armoured ambulance,
- supply carrier,
- maintenance vehicle,
- and a command and communications vehicle.

Though this Thyssen Henschel private initiative has involved considerable financial investment, the risk has been reduced by developing a promising AFV family which could be adapted to meet the needs of many potential customers. Compared with similar light AFVs, the TH 495 to some extent represents a "full-scale" fighting system with good growth potential. Nonetheless, competition is fierce and the attractions of buying alternative, cheaper, off-the-shelf vehicles such as the French VAB or the Swiss Piranha are self-evident.

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PUMA infantry fighting vehicles

The most modern system of its kind in the world

The PUMA infantry fighting vehicle sets new international standards in technology and design. Under the umbrella of Projekt System und Management GmbH (PSM) headquartered in Kassel, KMW is developing this ambitious future program together with the company Rheinmetall Landsysteme. In 2009, the PUMA will replace the MARDER which has been used by the German army for 30 years. Its level of protection, deployability and usefulness in networked operations are internationally unique.

High flexibility from a two-level protective system

The PUMA offers its occupants maximum protection during use. The corresponding system is built on two levels. In its air-transportable configuration (which includes maximum mine protection), the PUMA can be moved by the new Airbus A400M military transporter. Thanks to its modular construction, it can be quickly equipped to the combat level of protection in the field. The cohesive interior of the PUMA takes into account the great needs of troops for command, communications, protection and ergonomics. These and other features are an expression of the PUMA's internationally unique vehicle design.



Specifications

Total weight	43 t
Weight at protection level A	31,45 t
Weight at protection level C	40,7 t
Crew	9 (8+3)
Maximum speed	70 km/h
Length at protection level C	7,33 m
Width at protection level C	3,71 m
Height at protection level C	3,05 m
Main weapon	30 mm (MK 30-2/ABM)

Karlheinz Schreiber

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PERSONAL AND CONFIDENTIAL

March 17, 1993

Hon. Kim Campbell
Minister of National Defence
Confederation Bldg. #209
House of Commons
Ottawa, Ontario
K1A 0A6

Dear Minister Campbell:

As a Conservative and a member of the PC 500 Club for several years, I have observed with admiration your accomplishments as a Minister of the Crown. If you will stand as a candidate for the party leadership, I believe this will lead to your election as Prime Minister of Canada.

I regret that I have not yet had the chance to meet with you since you accepted your present portfolio as Minister of National Defence, but I can well appreciate how busy you are at this time.

Nonetheless, I feel I must write you about a serious concern which I have with respect to Canada's Armed Forces, a situation which I have kept the Prime Minister fully informed of over the past years. Also your Deputy Minister Mr. Fowler will be able to tell you how hard I have tried in my capacity as Chairman of Thyssen BHI, to convince him and his colleagues of the need to protect the lives of Canada's soldiers. However, I must confess that my efforts have been without success so far.

I see it as a matter of fairness to inform you of the following:

On March 16, 1993, Lewis Mackenzie (MGen Ret'd) in his first speech after his official retirement from the Canadian Armed Forces spoke frankly and honestly. He spoke about the state of inadequate armoured protection of Canada's armoured personnel carriers, which he experienced first hand. He specifically criticised the cancellation of the Army's requirement known as the Multi Role Combat Vehicle (MRCV) as a primary reason for the inadequacy of

Karlheinz Schreiber

PERSONAL AND CONFIDENTIAL

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equipment for Canada's soldiers who are the ones exposed to the very real and serious risks of peacekeeping.

You are also aware of the ongoing hearings of the House of Commons Committee on National Defence and Veterans Affairs, where on the 17th of February 1993, during the appearance of Adm. Anderson, Chief of Staff to the Canadian Forces, it was confirmed by his technical assistant, LCol Peter Kenward, that the M-113 and the Grizzly and Cougar (basically all of Canada's Armoured Personnel Carriers) only have protection against 7.62 mm ball ammunition, which leaves them vulnerable to the commonly used 7.62 mm armoured piercing ammunition, and most varieties of machine gun ammunition.

You may already have known of the problems with Canada's armoured vehicles from the CBC's Journal of June 22, 1992 when they interviewed Canadian troops in Yugoslavia who, when discussing the state of their armoured personnel carriers, told The Journal "the bullets from one of their own guns can go through one of these things like butter and it's all the protection they have".

As far back as May 26, 1987, in testimony to the Senate Committee on National Defence, LGen J.A. Fox, Commander Mobile Command, described the desolate state of Canada's armoured vehicle fleet in comparison to the vehicles of the Warsaw Pact then and also in comparison to Canada's allies.

The German Ministry of Defence provided me with samples of the aluminum plate of an actual M-113 armoured vehicle which had been fired on and completely pierced by a basic 7.62 mm armoured piercing round. I showed to the Prime Minister those samples when we met with him at Rideau Gate together with the Hon. Elmer MacKay. I enclose a photograph of the pierced aluminum plate (1.75" thick) and the 7.62 ball and armoured piercing ammunition samples. I also informed the Hon. Bill McKnight, then Minister of Defence of this situation, and later did the same with the Hon. Marcel Masse when he was the Minister of Defence as well as with Mr. Fowler, Deputy Minister of National Defence.

In a letter dated February 10, 1992, Canadian Ambassador Delworth, on behalf of the Minister of National Defence, informed the Ministry of Defence in Germany of the pending Army project known as the MRCV, within which the lead procurement would be the RCV (Reconnaissance Combat Vehicle): "The armoured reconnaissance vehicle, RCV, must be equipped with an armour resistant against 30 mm piercing ammunition".

On April 7, 1992 in a Department of National Defence News release, we learned that GM Diesel Division was selected on a sole source basis to produce up to 229 light armoured vehicles

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PERSONAL AND CONFIDENTIAL

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"enhanced for the reconnaissance role". Without doubt, this vehicle will be unable to meet the stated armament requirement for resistance to 30 mm armour piercing ammunition and it is unlikely that it will achieve any higher level of protection than the Canadian Army has in the GM vehicles of the same design which they already have.

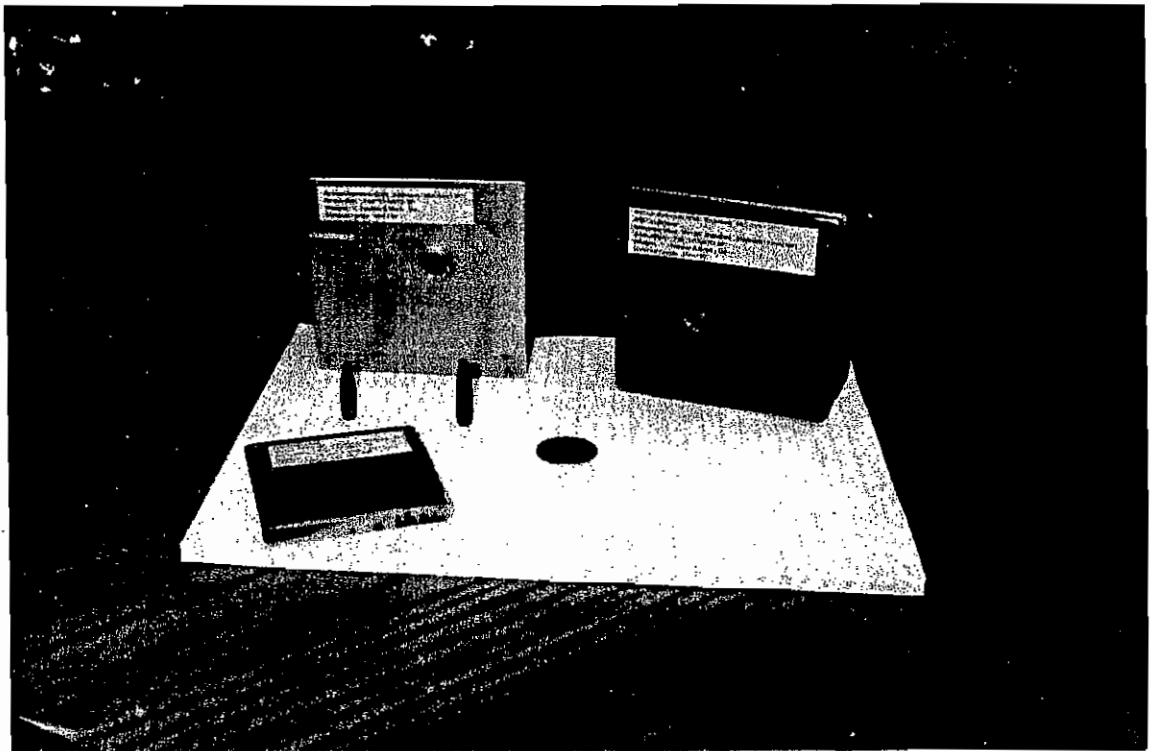
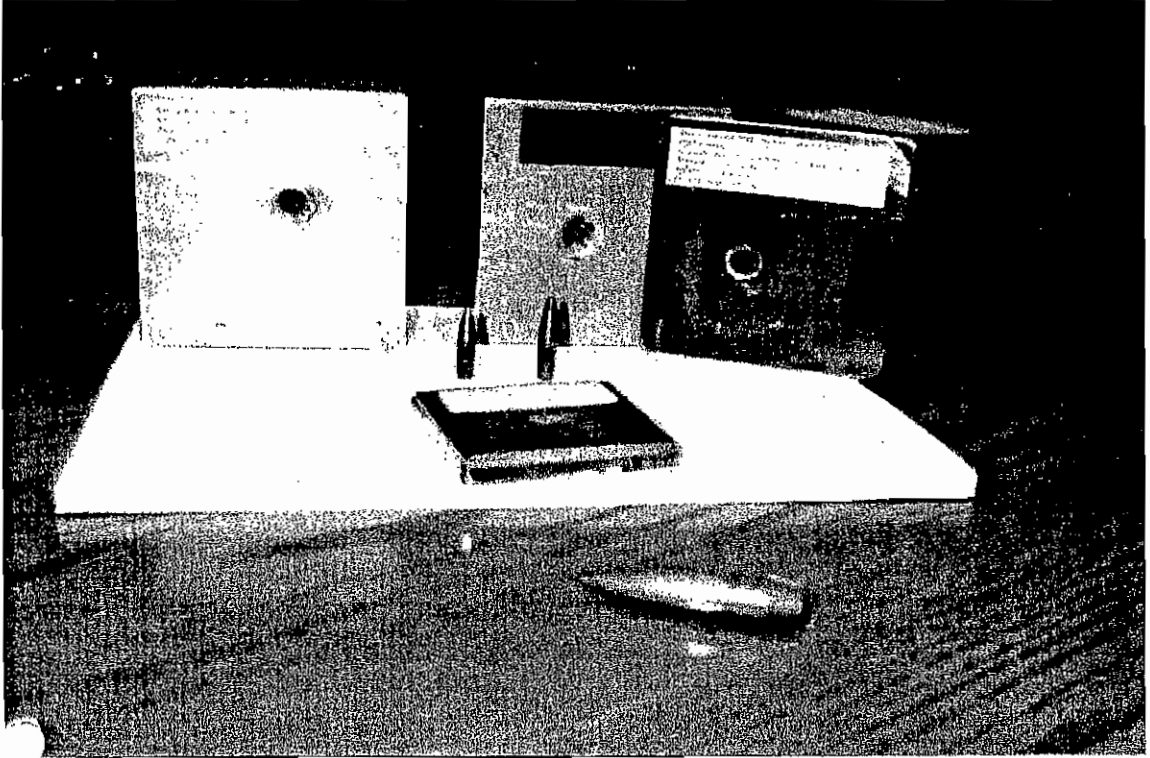
Finally, I would like to inform you that Norwegian and French Forces refused to send their soldiers to Yugoslavia with protection less than 12.7 mm (50 calibre) armour piercing. Canada is present especially in Yugoslavia now with nowhere near that level of protection. The constant threat is that Canadian peacekeepers in their outdated armoured personnel carriers could be killed by crossfire of rifles which use basic 7.62 armour piercing ammunition prevalent in the Yugoslav conflict.

With this situation, I cannot comprehend why Canadian DND will not accept a loan of appropriately protected equipment from their German ally especially when at present the German Forces cannot participate in the peacekeeping missions in Yugoslavia. Nevertheless, the American and British Forces were not too proud to accept such a loan from Germany of the NBC Fox reconnaissance vehicles during the Gulf crisis. I was heavily involved in the arrangements to supply those vehicles to the Americans, within 48 hours of their request. In the same vein, you may be interested also to learn that, despite Canada's shortage of Unimog ambulances for your deployment in Yugoslavia, a loan of additional Unimogs from the German Armed Forces was declined.

I have no doubt that you share my real concerns on the situation of our Canadian soldiers in Yugoslavia. The question is no problem for those who are not involved or are not aware of the risk Canadian soldiers face, but we are and we know, therefore, I feel guilty that I may not have done all I could to protect those soldiers who take such risks for the preservation of peace. Let's pray that Canadian soldiers are not killed as a result of their poor equipment, because the blame for their death will rest on the inaction of the Canadian Government in not providing them with adequate equipment. I urge you to address this situation as a priority and bring all of your influence to bear in a solution as quickly as possible. If I may be of any assistance to you in this matter, please do not hesitate to contact me. Besides the preeminent concerns about the safety of Canadian soldiers, I want you to know that I have also expressed my concerns for the political risk in a letter to the Prime Minister today.

Most sincerely,


Karlheinz Schreiber



Equipment 'appropriate,' military assured cabinet

BY PAUL KORING
European Bureau

Defence Minister Kim Campbell said cabinet had received assurances from the military that the "equipment they have is appropriate" before it decided to send a Canadian battalion to central Bosnia to escort humanitarian relief convoys across active front lines.

But Ms. Campbell, in the midst of the Conservative leadership race, said she was concerned about any suggestion that Canadian soldiers lacked adequate protection.

"Nobody around the cabinet table is in a position to second-guess the military," she said, adding that she would have her own staff investigate the issue. "I don't always just take what uniformed people tell me," she said in a telephone interview.

Admiral John Anderson, Canada's chief of defence staff, who recently visited the troops in Bosnia, said he heard "some of the same concerns" about the lack of speed and defensive armour on Canadian vehi-

cles.

He flatly rejected, however, the suggestion that the old armoured personnel carriers were inadequate. "I don't have any doubts about equipment," he said. The M113 "may not be as good as [the armoured personnel carriers] of some other countries, but it is good enough to do the job."

He said some improvements are being made. New shields to protect the vehicle commander have been purchased. They have been sent to Bosnia but were delayed "because the ship got stuck in the ice in the St. Lawrence."

As for extra snap-on armour, Adm. Anderson said: "It's not been something that we consider necessary."

Canadian troops, the chief of defence staff said, "have been asked to take on a level of risk that is acceptable." But he acknowledged: "Of course, it is never acceptable to have somebody come home in a body bag."

(10/1)

Karlheinz Schreiber

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**PRIVATE AND CONFIDENTIAL
FOR HIS EYES ONLY**

18 October 1990

The Hon. Bill McKnight
Minister of National Defence
Room 401
Confederation Building
Ottawa, Ont.
K1A 0A6

Dear Bill:

I have always regarded you as a friend who shares many common friends within the Conservative Party. Therefore, I take the opportunity to write this letter to express some concerns to you on a private basis.

Years ago, we worked hard to elect a Conservative Government in Canada and finally in 1984 and 1988 found success with back to back majority governments under Brian Mulroney. I am very proud that I was able to contribute to this cause. I did this having complete confidence in Brian Mulroney as the leader who would carry Canada into a better future.

As a member of the 1990 Atlantic Bridge Conference this past week in Ottawa, I was amazed how speakers such as Mr. John Godfrey, Dr. Sylvia Ostry, Mr. de Montigny Marchand, and Senator Roch Bolduc, were so frank in their comments on the frustrating situation Canadians are in. Your parliamentary colleague Felix Holtman MP and Senator Guy Charbonneau were also present, and they may have shared this with you already.

The German participants of this meeting find it hard to understand why a country so rich in natural resources can find itself in such a situation.

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The outcome of the Atlantic Bridge Conference was as follows:

1. The dramatic challenges in the world will be economic.
2. These problems cannot be handled by Governments. Governments' role will be only to support industry as the engine of recovery.
3. NATO will continue in a role of keeping the trans-Atlantic Family together and as the key player in UN peace-keeping.
4. Finally, the problems of the environment will also only be solved by private sector activities supported by Government.

What Canada needs is increased business in exports, exports, exports. Not only in natural resources but increasingly in finished products.

The Canada-US Free Trade Agreement secures an open door to the most important market in the world and gives Canada one of the greatest opportunities, so long as we can deliver what that market demands. History will prove the vision of the Mulroney Government in having secured a treaty to guarantee Canada's access to the US market.

Five years ago, the Thyssen Company was ready to extend its activity in North America. In response to solicitation from the Canadian Ambassador to Germany and statements by Federal Government Ministers that Canada was "open for business", it was decided to choose Canada instead of the U.S. as a base for this new activity in North America. The priority activity planned for this new facility was defence production and representatives of the Canadian Government readily argued that under the Canada-United States Defence Production Sharing Agreement a Canadian site would be considered equal to an American site from the perspective of trade in defence goods. Furthermore, Ministers of the Crown specifically cited the Prime Minister's priority to bring new jobs and industrial diversification into Atlantic Canada. This was the main reason that I committed myself to bring this investment to Canada.

As you know, Thyssen is a broadly diversified industrial company with some 136,000 employees worldwide, achieving 2 billion DM in profits last year and an equally strong outlook for this year. In the United States, Thyssen employs some 16,000 persons with two new plants under construction, while in Canada, there are some 2,000 employees, mainly in Ontario.

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FOR HIS EYES ONLY**

I hope you understand that Thyssen does not need an order from DND to survive. What Thyssen does need is a reason to locate its plant for military vehicles and environmental protection technology in Canada. I expect that you may agree it is reasonable that the Americans would find it hard to understand why we want to produce in Canada vehicles for their procurement, when we have not yet received any order from the Canadian DND.

Thyssen does not need grants from the Government, nor does it want to be involved in another industrial tombstone erected at Canadian tax payers expense. What Thyssen needs is a start-up order for 250 Fox armoured personnel vehicles, an order that could be adjustable to the MRCV specifications. Both vehicles are especially well suited to peace-keeping missions due to protection against 7.62mm armour piercing ammunition and the nuclear, biological and chemical (NBC) threat.

I would like to inform you again that the Governments of the United States, United Kingdom, Saudi Arabia, Turkey and France have all petitioned the German Government for supply of the Fox vehicle on an urgent basis from German Army stocks. Delivery of the first thirty vehicles to the U.S. Forces in Saudi Arabia is complete and the result of their performance is very positive.

It surprises me that the Canadian DND has taken no similar action to protect Canadian military personnel stationed in the Gulf. It is also amazing to read today's press accounts that the Canadian Forces had to recover defensive weapons from a museum for deployment on the Naval vessels in the Gulf.

I for one would feel guilty having not done enough to change these problems in shortfalls of equipment capability. You may well imagine how I felt when, in February 1990, I learned from your officials that NBC protection was considered an unnecessary requirement in Canadian armoured vehicles.

Then in trying to help and bring the project forward and bring the necessary equipment to the Canadian Forces, I learned from LGen. David Huddleston:

I "will ruin the reputation of Thyssen within DND completely and end up with nothing".

Karlheinz Schreiber

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When I responded that I felt confused by such a remark, because we were invited by the Canadian Government he said:

"We are the Government".

I then said that Ministers soliciting investment for Canada abroad should explain to investors that Canada has two different Governments. LGen Huddleston's concluding remark was:

"We don't care what *#@^*# Ministers whisper in your ears and cannot deliver later on."

I will try to put this remarks aside as an unpleasant memory.

More recently, I learned from you that financing is the only problem that prevents you from equipping your soldiers with a modern vehicle. Thyssen is in a position to explore a variety of financing options which would assist in overcoming the obstacle of near term financial restrictions and I stand ready to help in finding the right solution for DND. In any event, we should do everything we can to give Canadian soldiers proper equipment and at least the same protection as our NATO allies seek for their soldiers.

Furthermore, activation of the Bear Head project will benefit the objectives of the Canadian economy through increased exports to the United States. I can see how, in meeting the primary equipment needs of the Forces, we also can multiply the effect by using the Forces needs to enhance our export position, a result that will help to address critical economic and employment problems all over Canada. Moreover, in exporting a system like this which requires ongoing maintenance, spare part supplies, and upgrading, we stand to create constant economic benefits for Canada of a significant and long term nature. For your interest, I enclose an article by Hyman Solomon which appeared in the Financial Post 10/17/1990, which argues strongly for the need of such linkage between Government and industry.

I stand ready to meet with you at the earliest opportunity to meet this challenge.

Kind personal regards,


Karlheinz Schreiber



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CONFIDENTIAL

VIA REGISTERED MAIL

September 25, 1990

Mr. Robert Fowler
Deputy Minister
Department of National Defence
101 Colonel By Drive
Ottawa, Ontario
K1A 0K2

Dear Mr. Fowler:

I am surprised that I still have not received your reply to my letters of February 13 and July 6, 1990. Nevertheless, I would like to take the opportunity to inform you of matters which I believe will be of interest to you.

Before doing so, I need to address a fundamental issue - that is, my motive in this matter. From the start, Thyssen has in good faith responded to the Government of Canada's request for our active involvement in establishing a manufacturing capability in Canada. Indeed, in 1988, Ministers signed a Letter of Understanding facilitating this request. You can imagine my surprise and concern when, in a subsequent meeting with DND officials on February 8th, I was told in effect that neither the request nor the Letter of Understanding carried any validity and that Thyssen should desist from pressing the issue, otherwise what remained of Thyssen's reputation among DND officials would be completely discredited. I would be grateful to know if this position is supported by you.

To talk now to matters at hand.

You will recall that during our discussions on February 5, 1990, Mr. Massmann, President of Bear Head Industries and Member of the Executive Board of Thyssen Henschel presented to you and your colleagues in the Department of National Defence, the details of the Thyssen Fox Family of vehicles including the vehicle with NBC "sniff-off" capability, and the new Thyssen TH 495 multi-role combat vehicle. Both the Fox and the TH 495 incorporate NBC protection and high level ballistic protection.

The DND position explained at that time was that the NBC protection built into the Fox as well as in the TH 495 was greater than the anticipated Canadian DND requirements in light of the associated costs.

You may agree it is ironic that Canada's allies are taking urgent action to acquire these very vehicles for their troops assigned to the Persian Gulf Region. The fear is that the Canadian troops do not have



BEAR HEAD INDUSTRIES LIMITED

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protection in their personnel carriers from the risk of chemical weapons nor even armour piercing ammunition.

The threat the world faces through the allies of Saddam Hussein, who is host to the most dangerous international terrorists, is that these terrorists may eventually use chemical weapons in areas beyond the immediate region of confrontation.

With this situation can you tell me whether there are any changes planned, which are consistent with the need identified in the public testimony to the Senate Defence Committee in May 1988 by General James Fox, then commander of FMC?


As a case in point, have you taken any steps to provide NBC protection to Canadian Forces assigned to the Gulf region with the airborne commitments announced last week?

I attach a few press clippings for your information which describe the activities of the US Forces in acquiring Fox vehicles which will be used by their forces in the Persian Gulf Region.

Should you wish to address the situation in a manner similar to that of Canada's allies, I would suggest that you consider contacting the German Department of Defence on an urgent basis as the inventory of immediately available NBC protected vehicles within the German Army is rapidly being depleted through loans to allied nations who have already requested them for their troops.

I trust that this information has been of some interest to you and I look forward to our next meeting.

Sincerely,



Karlheinz Schreiber
Chairman

cc. The Hon. Bill McKnight

Canadian Embassy



Ambassade du Canada

Friedrich-Wilhelm-Str.18
53113 Bonn, Germany

August 1, 1995

Mr. Karlheinz Schreiber
Bayerische Bitumen Chemie
Derdinand Heinrich GmbH
Raiffeisenstr. 27
86916 Kaufering

Dear Mr. Schreiber,

I am writing in response to your letter of May 26, 1995. I wish to inform you that during a recent trip to Canada, I spoke with officials at senior levels in various ministries responsible for armament procurement and in the cabinet office. I conveyed to them Thyssen's concerns regarding bidding on the planned procurement of light armoured vehicles. I understand that a decision will be made on the terms of procurement some time this autumn.

Yours sincerely,

A handwritten signature in cursive script that reads "Paul Heinbecker".

Paul Heinbecker
Ambassador

The Ottawa Citizen
Aug. 17. 95

DEFENCE

**\$2-billion deal
replaces aging
armored cars**

By David Pugliese
Citizen national staff

Canada will buy more than \$2 billion worth of armored personnel carriers to replace decades-old equipment used by soldiers on peacekeeping missions.

The government awarded an initial contract to General Motors of London, Ont., to build 240 armored vehicles, Defence Minister David Collette said Wednesday.

Cabinet has also approved the purchase of another 411 APCs from GM over the next 10 years.

The deal is worth \$2.2 billion, about 60 per cent of which goes to GM. The rest will be spent on ammunition, parts and training.

The government will spend another \$400 million to upgrade the current fleet of armored vehicles.

\$2-BILLION: continued on page A2