

The final accident, on January 27, 2001, resulted in the death of Ms. MacLean and serious injuries to Mrs. Doré. In a statement issued in Moscow on February 16, 2001, the Procurator General of the Russian Federation announced the decision to open a criminal case against Mr. Knyazev under Article 264, Part II of the Russian Criminal Code (violation of traffic safety rules and operation of transport vehicles, involving negligence and causing death). The Canadian police file on Mr. Knyazev has been forwarded to Moscow through Interpol Ottawa, and Canadian authorities have been in contact with Russian officials in order to offer any assistance required, such as through a request from Russia under our bilateral Mutual Legal Assistance Treaty. Canada works closely with police authorities in Russia through the RCMP Liaison Office at the Canadian Embassy in Moscow. Canadian authorities have already indicated to the Russian authorities their interest in ensuring that all related legal proceedings are open to the victims' families, journalists and Canadian government representatives.

2. Records Management

The Department had difficulty finding and assembling relevant information in a timely fashion. A thorough review of the Department's records in the Office of Protocol was initiated immediately after the accident on January 27, and a comprehensive search of all repositories in the Department was carried out during the weekend of February 3 and 4.

The Department has three systems for recording data on diplomats: (1) an electronic data base that contains "tombstone" information, such as family size, dates of arrival and departure etc.; (2) ad hoc files on individual diplomats depending on issues that arise; and (3) police files belonging to the RCMP officer seconded to work with the Office of Protocol (these are unavailable to departmental staff). Although the Department's records identify two incidents relating to Mr. Knyazev, information provided by the police during the course of this enquiry reveals that there were a total of four police reports on Mr. Knyazev before the fatal accident. The two additional encounters with the police involved an invalid registration sticker and damage to a car parked at the building in which Mr. Knyazev resided. These were reported by the police to the RCMP Liaison Officer in the Office of Protocol. At that time there were no clear guidelines requiring the Liaison Officer to share this type of information.

3. Mandate and Practice of the Office of Protocol up to the Present

The Office of Protocol is the interface between the Government of Canada and all foreign missions accredited to Canada. With regard to immunity from criminal jurisdiction, its primary responsibility is to ensure that diplomats respect the laws and regulations of Canada, thereby helping to protect Canadians. At the same time, the Office of Protocol ensures that the statutory obligations of the Minister of Foreign Affairs under the *Foreign Missions and International Organizations Act (FMIOA)* are applied in co-operation with domestic authorities.

In the past, the Office of Protocol followed practices developed over the years that were, for the most part, not written down and that were implemented on an ad hoc basis according to