

# CANADA

Last update: 17 April 2019

## RULES/GENERAL LAWS

<b>General</b>	<b>Civilian Review and Complaints Commission For the Royal Canadian Mounted Police</b>
	<a href="https://laws-lois.justice.gc.ca/eng/acts/R-10/page-11.html">https://laws-lois.justice.gc.ca/eng/acts/R-10/page-11.html</a>
	<b>Criminal Code</b>
	<a href="https://laws-lois.justice.gc.ca/eng/acts/C-46/">https://laws-lois.justice.gc.ca/eng/acts/C-46/</a>
	<b>United Nations Standards of Conduct Zero Tolerance</b>
	<a href="https://peacekeeping.un.org/en/standards-of-conduct">https://peacekeeping.un.org/en/standards-of-conduct</a>
	<b>United Nations Standards of Conduct</b>
	<a href="https://conduct.unmissions.org/standards">https://conduct.unmissions.org/standards</a>
	The Royal Canadian Mounted Police (RCMP) is the only national police force in Canada. The RCMP and the Government of Canada partner with selected police forces from several provinces and municipalities in Canada to fulfill deployments to international peace operations. In Canada, the <b>Criminal Code of Canada</b> applies to all Canadians, including police officers. For disciplinary or non-criminal allegations, each police force is subject to its own disciplinary code of conduct. Investigations related to disciplinary matters are the responsibility of the home police agency and/or the United Nations mission, as appropriate. Due to differences of definition, many allegations of sexual exploitation and abuse alleged to have occurred in foreign jurisdictions would not be considered criminal under the Criminal Code of Canada, and therefore outside of the scope of the <b>Criminal Code of Canada</b> . In addition, the <b>Criminal Code of Canada</b> , with few exceptions, only applies with respect to crimes committed in Canada.
<b>SEA: police offence?</b>	The <b>Criminal Code of Canada</b> defines certain criminal offences related to crimes of a sexual nature that are applicable to all Canadians, including police officers. When UN-deployed police officers are alleged to have committed sexual exploitation and abuse not criminal in nature, they are investigated via the disciplinary processes of their home police agencies and/or by the United Nations mission as appropriate. The Government of Canada has a zero-tolerance policy in relation to fraternization with members of the local population. Sexual exploitation and abuse allegations that are criminal in nature are the responsibility and jurisdiction of the host country national authority.
	The United Nations definition of sexual exploitation and abuse is applicable to Canadian police officers deployed to United Nations missions. Any credible allegation of sexual exploitation and abuse against a Canadian police officer results in the immediate repatriation of the officer in question followed by a disciplinary investigation by the United Nations mission and/or home police agency as appropriate. Allegations of criminal sexual exploitation and abuse are subject to the laws and jurisdiction of the host country national authority where the criminal activity is alleged to have occurred.
<b>Powers of the Commanding Officer (CO)</b>	Canadian police officers deployed to United Nations missions are supervised by a Canadian Contingent Commander who has the jurisdiction to enforce rules and policies within the contingent. The Canadian Contingent Commander, in consultation with the Director of Peacekeeping Operations in the Canadian capital, has the authority to repatriate a police officer against whom a credible allegation of sexual exploitation and abuse has been made.
	Canadian contingent commanders have a wide range of powers ranging from administrative, disciplinary and investigative. The extent and limit of their powers may vary depending on the mission. Criminal investigations are the jurisdiction of the host country national authority.
	Canadian police officers are always on duty when deployed to United Nations missions and therefore must abide by all rules and regulations at all times as outlined in their deployment letters.
<b>INVESTIGATION</b>	
<b>Who can investigate?</b>	Canadian police officers deployed to United Nations missions are subject to the codes of conduct of their respective police services and that of the United Nations. For disciplinary or non-criminal allegations, each police force is subject to its own disciplinary legislation or act. Investigations of allegations of disciplinary matters are the responsibility of the home agency and/or United Nations mission as appropriate.
<b>National Investigation Officer (NIO)</b>	When Canadian UN-deployed police officers are alleged to have committed sexual exploitation and abuse not criminal in nature, they are investigated by their home police agencies/investigators trained in matters of conduct and discipline and/or by the National Investigations Officer of the United Nations mission as appropriate.

## PROSECUTION

<b>Referral</b>	Criminal allegations of sexual exploitation and abuse are the responsibility of the host country national authority.
<b>Who can charge?</b>	The Criminal Code of Canada, with few exceptions, only applies with respect to crimes committed in Canada. Allegations of criminal sexual exploitation and abuse are subject to the laws and jurisdiction of the host country national authority where the criminal activity is alleged to have occurred.

## JUSTICE

<b>Police justice system</b>	Police officers in Canada are subject to the same criminal and civil justice systems as any other Canadian citizen, both at the provincial and federal levels. Police forces in Canada do not have a specific or unique police justice system for criminal or civil matters. Police forces in Canada do have their own codes of conduct and disciplinary procedures.
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