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June 30, 2010

Dear Prime Minister Harper and Premier McGuinty,

### **URGENT NEED FOR SUMMIT SECURITY REVIEW: AN OPEN LETTER**

We are writing on behalf of the more than 80,000 members of Amnesty International across Canada to urge that you work together to launch an independent review of the security measures adopted and the range of police actions taken in association with the G20 Summit in Toronto. This letter highlights many of the crucial issues that we believe need to be examined in that independent review.

We first called for such a review in a Closing Communiqué issued at the end of Amnesty International Canada (English branch)'s Annual General Meeting on June 27<sup>th</sup>. The meeting was held in Toronto, with some 200 members from across the country in attendance. Amnesty International members took part in the People First demonstration on June 26<sup>th</sup> and witnessed many other demonstrations and some instances of arrest and other confrontation between police and demonstrators over the course of the weekend. We have also reviewed many of the growing number of media accounts, individual testimonies and monitoring reports describing police tactics, patterns of arrest, conditions of detention, and acts of vandalism and other violence, including the Preliminary Report of Observations issued by the Canadian Civil Liberties Association on June 29<sup>th</sup>.

All of these observations and information lead us to be concerned that the approach taken to ensuring summit security appears to have resulted in extensive violations of essential rights associated with peaceful protest and due process, including rights to freedom of expression and assembly and the right to be protected from arbitrary arrest. It is vital that an independent review be tasked with looking into these concerns to ensure that there is accountability for violations and lessons learned for the future.

We recognize that governments bear a very important responsibility to ensure security in and around events such as the G20 Summit. Of that there is no question. The safety of individuals involved in peaceful demonstrations and other public events as well, of course, as the safety of leaders and other officials attending the summit, must be assured. It is also crucial that the well-being, livelihoods and property of individuals living in and around the summit site be protected.

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As such, we unequivocally condemn acts of vandalism and other violence that were carried out by numbers of individuals over the course of the June 26/27 weekend. Such acts are criminal and undermine the safety of the many thousands of individuals involved in peaceful protest. Police are clearly obligated to both make an effort to prevent criminal acts and to arrest and charge individuals who are reasonably suspected of having committed any such crimes.

Under international human rights law, however, it is essential that security measures that are adopted in connection with events such as major international meetings like the G20 Summit uphold rights associated with peaceful protest, particularly freedoms of expression, assembly and association. Amnesty International is concerned that the security measures that were adopted in Toronto in the lead-up to the Summit, as well as the tactics used by police in responding to many of the incidents of both violence and peaceful protest, give rise to troubling questions about respect for these fundamental rights.

Providing security for this summit was not an easy policing challenge. The decision to hold it in the location and venue that was chosen – the downtown core of Canada’s largest urban centre – made that challenge a formidable one from the outset. Among other concerns, therefore, the question of location is one issue that the independent review should be asked to evaluate.

Other human rights concerns that should be investigated by the review include the following.

- Whether the extensive police build-up in the lead-up to the Summit and the overwhelming and intimidating police presence on the streets of Toronto may have deterred members of the public from participating in peaceful protest and other activities.
- Whether the extensive police build-up and presence may have in any way fueled or provoked the likelihood of acts of vandalism and other violence.
- The failure to ensure public input into and awareness of the designation of the G20 security zone under Ontario’s Public Works Protection Act and the implications of the designation with respect to police powers of arrest.
- Whether the police response to acts of vandalism and other violence during the afternoon of June 26 was adequate.
- The justification for wide-sweeping arrests during the evening of June 26 and throughout the day on June 27, many of which appear to have failed to discriminate between individuals who may have committed crimes or been reasonably suspected to be planning to commit crimes, and individuals who are reported to have been involved in legitimate protest or to have simply been passers-by or bystanders.
- Whether there was any profiling used in making decisions about arrest.
- Whether adequate measures were taken to protect the rights of individuals living and working in and near the G20 security zone.

- Whether appropriate steps were taken to ensure that conditions of detention complied with recognized standards for detention.
- Whether there were any unjustified incidents of police violence during arrests.
- What circumstances led to the reported arrests of numbers of journalists or individuals working with journalists.
- An evaluation of the range of police weapons and equipment used as part of summit security measures.
- How many individuals arrested have, in the end, been charged with criminal offences and any concerns related to the nature of the legal proceedings they face.

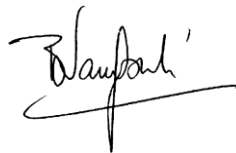
The review should be given terms of reference that will facilitate and ensure cooperation among the different levels of government involved in summit security – federal, provincial and municipal. It could take the form of a public inquiry or other process that is independent and comprehensive. It should be conducted by an individual or individuals with requisite expertise and background who have full access to all relevant and necessary information. It should be carried out in a manner that clearly demonstrates it is independent of the policing agencies and government officials whose decisions and conduct are being reviewed. It should ensure meaningful opportunities for input from individuals who allege that their rights were violated or were personally affected by summit security operations. Finally, it is crucial that the outcome of the review be released to the public.

Prime Minister Harper and Premier McGuinty these concerns cannot be allowed to linger. Launching an independent review will provide a sense of accountability for individuals whose rights have been infringed. It will assure Canadians who are troubled by the events of June 26-27 that the concerns are being taken seriously. And it will offer an opportunity to Canadian and foreign law enforcement agencies to learn lessons that can be applied to the approach taken to the policing of similar events in the future.

Sincerely,



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