

CANADA

Head of state: Queen Elizabeth II, represented by Adrienne Clarkson

Head of government: Paul Martin (replaced Jean Chrétien in December)

Death penalty: abolitionist for all crimes

UN Women's Convention and its Optional Protocol: ratified

There were concerns about the protection of human rights in security-related cases, as well as about police brutality, refugee protection and the rights of indigenous peoples.

Security and human rights

At least five men alleged to pose a risk to national security remained in detention pending deportation. Three of them had been held for over two years. They were detained on the basis of a "security certificate" which denies detainees full access to evidence against them, and may result in an individual being returned to a country where they face serious human rights violations.

AI called for a public inquiry into Canada's possible role in the case of Maher Arar, a Canadian citizen of Syrian origin summarily deported in October 2002 from the USA to Syria, where he was tortured and detained without charge. He was released and returned to Canada in October 2003.

Police brutality

Several cases of alleged brutality by police were reported. At least two people died after being struck with Tasers fired by police officers.

- In April, Terry Hanna died in Burnaby, British Columbia, after being struck with a Taser by police officers. A coroner's inquiry was opened in November but was adjourned.
- In May, police officers allegedly fired Tasers at peaceful protesters during a demonstration outside the Immigration Ministry in Ottawa. Algerian nationals who occupied the office of the Immigration Minister to protest against the deportation of several Algerian families from Canada also alleged that they were beaten by police officers and struck with Tasers despite presenting no threat.
- In June, Albert Duterville, a Haitian national and prisoner at Port-Cartier Penitentiary in Quebec, was allegedly sprayed with tear gas and hit by guards. He was then reportedly left without adequate medical care for several days. AI had previously expressed concern about beatings suffered by Albert Duterville that were administered by

other prisoners and allegedly by prison guards, and called for investigations into allegations that the abuse was racially motivated.

- In July, Clayton Alvin Wiley died in Prince George after being struck with a Taser by police officers. An internal investigation by the Royal Canadian Mounted Police (RCMP) cleared the officers of any wrongdoing. The inquest into the death had not been held by the end of the year.

Ongoing cases

- AI remained concerned about the deaths of several indigenous men over a period of years on the outskirts of the city of Saskatoon, Saskatchewan. It appeared that the men had frozen to death after being dumped in remote areas by police officers. An inquiry was opened into one case, that of Neil Stonechild, who died in 1990. In May, AI urged the government of Saskatchewan to establish an independent, civilian body to investigate such cases.
- In October an interim report by the Commission for Public Complaints against the RCMP was released regarding policing at the Summit of the Americas in Quebec City in April 2001. The report concluded that the RCMP had failed to provide adequate warnings before using force, and had inappropriately used tear gas, rubber bullets and a Taser.
- A public inquiry was announced in November into the 1995 killing of indigenous rights activist Dudley George by an Ontario Provincial Police officer. AI and numerous other organizations and individuals had been calling for an inquiry since his death.
- In November the four Toronto city police officers accused of the manslaughter of Otto Vass in August 2000 were acquitted.

Refugees

Provisions for a refugee appeal process in the Immigration and Refugee Protection Act passed in June 2002 were not implemented. As a result, failed refugee applicants continued to be denied access to an appeal on the merits of their case following a negative decision by the Immigration and Refugee Board.

The Canada/USA "Safe Third Country Agreement" remained pending as the USA did not introduce regulations to implement the Agreement. Concerns remained that the Agreement could lead to human rights violations in the USA, including arbitrary detention and *refoulement*.

AI remained concerned that the safety of Mansour Ahani, forcibly returned to Iran from Canada in June 2002 despite a request from the UN Human Rights Committee to suspend the deportation, had not been adequately established. According to reports, he had been briefly detained on his return to Iran and his whereabouts subsequently were unknown. A

newspaper reported in September that he was "safe and sound", but had relied on a local reporter to interview him.

Indigenous rights

AI called on the Canadian government to reach a fair settlement regarding the land rights of the Lubicon Cree (an indigenous nation in northern Alberta) that ensures the protection of their rights as required by international and national law.

AI country visits

Reports

Canada: "Time is wasting" – Respect for the land rights of the Lubicon Cree long overdue

(AI Index: 20/001/2003)

Canada: Why there must be a public inquiry into the police killing of Dudley George (AI Index: AMR 20/002/2003) Visit In May AI's Secretary General met government officials in Saskatchewan to discuss the organization's concerns.