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URGENT

November 18, 2003

Hon. Wayne Easter, Solicitor General of Canada
House of Commons, Parliament Buildings
Ottawa, Ontario
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By fax: (613) 995-7408

Dear Mr. Easter,

I am writing this open letter to you on behalf of my client, Mr. Maher Arar, regarding your meeting tomorrow, November 19, with United States Attorney General John Ashcroft. As you know, Mr. Arar's fundamental human and civil rights have been seriously violated, in the United States, where he was illegally detained and then deported, and in Jordan and Syria, where he was imprisoned without charge and tortured. I am writing today to urge you to use the opportunity of your meeting with Mr. Ashcroft to ask him the following very important questions about what happened to Mr. Arar:

- 1) Why did United States officials deport Mr. Arar to Jordan and Syria, given that he is a Canadian citizen and given that he asked to be allowed to continue his trip home to Canada? In fact, my client signed an INS document where he clearly indicated his desire to go to Canada and that he had no concerns about going to Canada. Mr. Arar had the right, under international and domestic Canadian and United States law, to enter or be returned to his country of effective and primary citizenship, namely Canada.
- 2) Why did United States officials deport Mr. Arar to Jordan and Syria, despite its international obligations under the United Nations Convention Against Torture, and its domestic obligations under U.S. Immigration Laws, not to send persons to countries where it is more likely than not that they will be subjected to torture? While in custody in the United States, Mr. Arar informed officials on numerous occasions that he feared being sent to Syria because he would be tortured there. The United States Department of State has extensively documented the use of torture against prisoners in Syria.
- 3) To what extent was information provided by Canadian security agencies influential in the decision to deport Mr. Arar to Jordan and Syria?
- 4) Why was Mr. Arar denied right to counsel for the first ten days that he was in custody in the United States, and in the interview in which decisions were made regarding his deportation?
- 5) Why was Mr. Arar denied access to Canadian consular officials until the eighth day of his incarceration in the United States? When, if ever, were Canadian consular officials advised of the decision to deport Mr. Arar to Syria?

- 6) Which Canadian authorities did United States authorities contact during the thirteen days that Mr. Arar was detained illegally in the United States?
- 7) Which Canadian officials were told that Mr. Arar would be deported to Jordan and Syria?
- 8) Mr. Arar wants to ensure that what happened to him does not happen to anyone else. He requests that you ask Mr. Ashcroft to provide guarantees that all Canadian citizens and indeed all foreign nationals detained in the United States will be given due process and treated in full accordance with international human rights standards, and that no other individuals will be illegally 'rendered' to foreign governments for the purpose of being tortured. Unless Mr. Ashcroft can provide these guarantees, information sharing between Canadian and American security agencies must be immediately stopped.

We would also like to highlight that although these questions must be asked of Mr. Ashcroft, it is vital that the Canadian government itself investigate all of these issues, especially its own role in what happened to Mr. Arar, and the subsequent use in Canada of information that was obtained by the Syrian authorities while Mr. Arar was being subjected to torture. Most importantly, we feel that only a full, independent, public inquiry can fully investigate these and many other very important questions, clear Mr. Arar's name, and ensure this does not happen again.

Yours truly,

LORNE WALDMAN

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