

The Honourable Bill Graham  
Minister of Foreign Affairs  
125 Sussex Drive  
Ottawa, Ontario  
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October 29, 2003

Dear Minister,

Many troubling, unanswered questions remain regarding the alarming description you are going to hear today from Maher Arar about his arrest and treatment in the United States, summary deportation to Syria instead of Canada, and the torture and unbelievably harsh prison conditions he endured during close to twelve grueling and painful months of detention without charge or trial in Syria.

Now that you have had an opportunity to hear firsthand from Mr. Arar about his experience Amnesty International strongly urges that you take steps to ensure that a full public inquiry into his case is convened without any further delay.

The need for such an inquiry became apparent this past summer when the Solicitor General was unable to rule out that information about Mr. Arar might have been passed on to foreign sources by RCMP officers acting outside the chain of command. Since that time, the need for an inquiry has only become more pressing.

Most recently, allegations have been made, through a profoundly disturbing series of leaks to the media emanating from unnamed sources within unidentified Canadian government departments, that Mr. Arar may have been connected to or had knowledge about the activities of individuals involved in terrorist groups. To date the Solicitor General has not expressed concern about the leaks, let alone taken immediate and effective action to investigate their source and stop any further leaks from occurring.

In his meeting with you today Mr. Arar will deny those allegations. He will deny that he ever traveled to Afghanistan. He will deny that he had any relationships with individuals known to him to have been involved in terrorist activities. He will describe that information he provided to Syrian officials during interrogation sessions arose in the context of extensive and severe beatings, psychological torture and solitary incarceration in a cell that is best described by the name he gave it in his own mind, "*the grave.*"

In short, Mr. Arar will tell you of a year in which a number of his most fundamental human rights – most obviously freedom from torture (including the right not to be deported to a risk of torture), protection against arbitrary arrest, the right to a fair trial, and freedom from discrimination – have all been blatantly ignored and violated. He will describe to you that his year-long nightmare appears to have taken place simply because of a handful of friendships and casual relationships he had with people in Canada.

Regardless of the nature of the information that Canadian or other law enforcement forces may possess regarding Mr. Arar, any action taken in his case should of course have been in full compliance with the law, both international and national. That remains the case now. But at no point has that characterized how his case has been handled – not in the United States, not in Syria, and sadly not in Canada.

We are aware that the Commission for Public Complaints against the RCMP has initiated an investigation into this matter. We remain firmly convinced that more is needed and that is why we continue to call for a public inquiry. We are concerned that the RCMP complaints process will face difficulties in uncovering the truth. The Chair of that Commission has herself frequently publicly described the great difficulties she faces in obtaining genuine cooperation from the RCMP in the course of her investigations. Given the complexities and sensitivities of Mr. Arar's case it is difficult to feel confident that she will be able to fully accomplish her goals.

Beyond that concern, however, is the reality that the RCMP is not the only government agency or department to have been involved in Mr. Arar's case. It is apparent that CSIS has been involved. Obviously officials from your own department were involved, as was the Prime Minister's Office. It is only through a broad public inquiry, given a mandate to consider the actions of all relevant players, that an accurate and comprehensive picture of what went wrong will emerge.

I might add that Gar Pardy, your now-retired former Director General of Consular Affairs who was responsible for overseeing your department's response to Mr. Arar's situation for 11 of the 12 months of his ordeal, has publicly described the ways in which he felt undermined by the RCMP in the course of his efforts. I can imagine no stronger recommendation from within your own department that there is a need for a full inquiry.

Minister, for you to add your voice to the many who have called for a public inquiry into this affair would be a stellar and very welcome demonstration of leadership and of your commitment to human rights. You have frequently and eloquently in various speeches underscored how important it is that human rights not be left behind as governments respond to heightened concerns about terrorism and security in the wake of the September 11<sup>th</sup> attacks. Mr. Arar's case has given a very human and poignant face to that imperative.

A public inquiry into this case offers a valuable opportunity to go behind the rhetoric of the "human rights and security" debate. It would offer a venue in which there would be truth and accountability for the Arar family, a sense of justice for Canadian Arabs and Muslims who continue to live under the shadow of what this case represents, and a chance for Canada to unequivocally affirm that no matter what, human rights must prevail.

Sincerely,  
Alex Neve  
Secretary General