

The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, Ontario
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By fax: 613 941 6900

September 18, 2007

Dear Prime Minister,

One year ago today, the first report from the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar was released. All of our organizations had been intervenors in the inquiry. One year later we are calling on you to take action to ensure that the recommendations resulting from the Arar Inquiry are implemented without further delays.

The first report provided an extensive, detailed account of the actions of Canadian police, security and diplomatic officials. It extensively catalogued mistakes and wrongdoing on the part of Canadian officials and laid out a range of recommendations both to ensure justice for Mr. Arar and to guard against similar tragedies in the future. Three months later a second report was released in which Commissioner O'Connor recommended the creation of a comprehensive oversight agency that will oversee the national security activities of the RCMP, CSIS, the Canadian Border Services Agency and other departments.

One year later we are concerned that there have been very limited steps taken to implement these very important recommendations. We are aware of some measures that have been taken, a number of which were crucial and very welcome. This has included the apology and compensation offered to Mr. Arar and his family, as well as filing official complaints with the U.S. and Syrian governments.

The government took action on another important recommendation in the Arar Inquiry when, in December, it announced the establishment of a second inquiry examining the related cases of Abdullah Almalki, Ahmad Abou-Elmmati and Muayyed Nuredding. However the government gave that inquiry a restrictive, internal mandate which has been interpreted by Commissioner Iacobucci as requiring all proceedings to be conducted *in camera*, without the participation of lawyers for the three men or the involvement of organizations that have been granted intervenor status.

It is unfortunate that your government opted for such a closed, secretive process in the wake of the important revelations from the Arar Inquiry about the role that transparency and openness can and must play in ensuring that abuses and mistakes in the course of national security investigations are addressed. We call on you to mark this anniversary by instructing government lawyers at the Iacobucci Inquiry to adopt positions in support of opening up some of the process to the public.

Beyond these initiatives we are not aware of other action that has been taken, nor of any upcoming plans to do so. When the report was released you and others in your government made strong statements of support for the recommendations:

- You indicated that the government did:
“intend to act on [the] recommendations. We are preparing our response as quickly as possible. It is clear that Mr. Arar was the victim of an injustice, and this government intends to act.”
- Minister Day stated that:
“Justice O'Connor made many recommendations. We have read them and we agree with them. We will take action.”
- And your Parliamentary Secretary at the time, Jason Kenny stressed that:
“the government agrees that Mr. Arar was the victim of a great injustice. That is the reason the government has accepted, without reserve, all the recommendations in Mr. Justice O'Connor's report, as the Commissioner of the RCMP did this morning before the Parliamentary committee.”

Prime Minister, the work of the Arar Inquiry has been ground-breaking, both domestically and internationally. It offers concrete guidance to governments as to how to ensure that human rights protection and the rule of law are not sacrificed in the pursuit of national security objectives. One year on, and in keeping with the assurance your government provided at the time the report was released, we call on you to take immediate steps towards implementing Commissioner O'Connor's recommendations, beginning with a Plan of Action and timeline for doing so.

Sincerely,



Alex Neve
Secretary General,
Amnesty International Canada

On behalf of:

Amnesty International Canada

Association for the Prevention of Torture

British Columbia Civil Liberties Association

Canadian Arab Federation

Canadian Council on American Islamic Relations

Canadian Islamic Congress

Canadian Labour Congress

Council of Canadians

International Campaign against Torture

International Civil Liberties Monitoring Group

Law Union of Ontario

Muslim Community Council of Ottawa-Gatineau

Redress Trust

World Organization against Torture