

ARAR INQUIRY UPDATE

Maher Arar Support Committee, info@maherarar.ca
Produced by volunteer labour.

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- Vote in the new poll on maherarar.ca and encourage others to vote.
- Write a letter to your local newspaper and comment on the government's actions or on how the inquiry is progressing.
- Write to Geoff Regan, the acting attorney general for the Arar inquiry, and ask for the government to be more open. You can contact him at: Regan.G@parl.gc.ca
- Submit your comments in the Have Your Say section on maherarar.ca

Arar never a terrorism suspect: RCMP documents New documents reveal more RCMP misdeeds

Newly released documents expose more RCMP errors in Maher Arar's case and prove he was never a terrorism suspect.

"They always knew I wasn't a terrorist and yet they shared information about me with the U.S.," says Arar. "Every Canadian needs to be concerned about what they're doing."

More than a thousand heavily censored RCMP documents were released by the Arar inquiry on November 26. They

included statements by RCMP officers admitting Arar was only "peripheral" to their investigation and never a target. One officer said Arar was merely a "potential witness."

But despite knowing of Arar's innocence, the documents show the RCMP attempted to dissuade former prime minister Jean Chretien from writing a letter to the Syrians asking for Arar to be freed. Previous reports showed the RCMP blocked other attempts to free him as well.

In addition to this, the documents reveal the RCMP, who had shared information on Arar with the U.S., admit having no control over information once it has been shared with other countries. This conflicts with prior testimony by officials that caveats, or conditions, are sufficient protection.

"What this really shows you is their information-sharing is totally out of control," said Lorne Waldman, Arar's lawyer, to the media.

Continued on page 2

RCMP ordered to reveal documents on raid of journalist's home and office

Juliet O'Neill, a reporter for the Ottawa Citizen, has won the right to see RCMP affidavits used to obtain a search warrant for the ransacking of her home and office earlier this year.

A judge recently ruled the sealing orders on the documents violate freedom of the press and the principle of open courts.

The RCMP searched O'Neill's home and office on Jan. 21, 2004 in an attempt to identify who had leaked information from the Maher Arar case

to the media. O'Neill had written an article containing classified information on Nov. 8, 2003.

According to the Ottawa Citizen, the documents, which Crown attorneys argued must remain secret for national security reasons, showed an RCMP officer arranged for a city of Ottawa employee to seize O'Neill's garbage for them. It also named the location of an RCMP building, which one officer claimed during his testimony that it must

remain secret to protect an ongoing investigation, despite the fact the building is already marked by an RCMP sign.

"The knee-jerk reaction of an automatic 'national security is at stake, all of this must be secret, never can be disclosed,' keeps on getting proven to be completely wrong," said Richard Dearden, a lawyer for the Ottawa Citizen, who was recently quoted in a Citizen article.

"The lesson is you can't believe their claims for secrecy and sealing of these (documents) at all."

Privacy watchdog says freedoms suffering under anti-terrorism measures

The fight against terrorism is trampling Canadian's rights and freedoms, said Jennifer Stoddart, Canada's privacy commissioner, to a parliamentary committee last month.

Stoddart said privacy complaints increased by a record 250 per cent in the past year. She asked for privacy safeguards to be included in the legislation of the Public Safety and Emergency Preparedness department.

"We've never seen the creation of an entity like this in Canadian history ... and it's important we say to ourselves privacy is an important consideration," said Stoddart, who was quoted in a Toronto Star article.

"Our office is not convinced that reducing the freedoms of all individuals in society will prevent further threats to public safety," says her report on the issue.

Nevertheless, Anne McLellan, the minister of public safety, has reportedly rejected Stoddart's advice, saying it risks "unduly" limiting information sharing.

RCMP documents - continued

Arar says he wants to know what is being done to protect Canadians when information about them is shared with other countries.

"It's private information and it ends up in the hands of other governments that could actually draw conclusions from it. That is really what's disturbing," Arar told the media.

The documents also show the RCMP knew, two months prior to Arar's rendition to Syria, that another Canadian citizen may have been tortured there. However, that document also revealed the RCMP's only concern was in developing a media strategy to handle the torture allegations. What's more, it was also revealed that the RCMP even wanted to interrogate Arar while he was imprisoned in Syria.

Barbara McIsaac, a lawyer representing the

government in the inquiry, told the CBC that no single piece of information should be given "undue importance."

Yet there were other RCMP errors exposed in the new documents, including that the RCMP repeatedly gave inaccurate and misleading information to the Commissioner of the RCMP and the Solicitor General of Canada. Briefing notes to those high-ranking officials wrongly claimed that Arar refused to be interviewed by national security investigators in January 2002. However, the original documentation of that event shows Arar agreed to the interview and it was the RCMP who refused the meeting after Arar's lawyer placed conditions on it, such as his legal counsel being present.

The RCMP also claim in these documents

that they didn't know of Arar's deportation to Syria until after it took place, although previous reports showed an RCMP liaison officer knew Arar could be rendered to Syria beforehand, and yet withheld that information until the day of Arar's deportation.

Arar says the RCMP's alleged lack of awareness should be viewed carefully. "The government is being very selective in the disclosure of these documents," he said, noting that much of the information was blacked out.

He says there is still one question that has not been sufficiently answered by any of the disclosed information.

"Are our police and security agencies contracting out torture to other countries, violating our rights and freedoms? This is the key question that we all need to know."

Inquiry's public hearings will restart in March

The Arar inquiry's public hearings will likely resume in March, says Paul Cavalluzzo, a lawyer representing the inquiry.

"We are very confident that the essential segments of this story will be disclosed to the public, eventually," Cavalluzzo told the media.

The inquiry's secret hearings are expected to continue through January while the public hearings will restart in March, after Justice Dennis O'Connor rules on what information

in Arar's case can be made public without harming national security. However, in spite of O'Connor's ruling, the government can still prevent any information from being released to the public.

Cavalluzzo also said the commission is making progress in the secret hearings in determining what happened to Maher Arar. Arar depends on commission counsel to strenuously test the government's claims of

confidentiality, as his own lawyers are barred from examining any of the evidence presented in the closed hearings. Arar and his lawyers are even forbidden from knowing who is testifying and what topics are discussed.

"It's very difficult for us to judge what's happening in a closed and secret process," said Lorne Waldman, Arar's lawyer, to the Ottawa Citizen. He also said they never know if the right questions are being asked.