# GOVERNMENT LAWYER'S COMMENTS PREJUDICIAL TO ARAR INQUIRY

*for immediate release* 22 September 04

(Editor's please note: The following is a statement from Maher Arar)

I am deeply disturbed by comments made yesterday by the lawyer acting for the Attorney General in the Arar Inquiry. Ms McIsaac told a Toronto Star reporter that "no Canadian official knew of the US intention to deport Maher Arar." This is an astonishing statement on a number of levels. First, as the attached memo (obtained under access to information) of October 3 2002 shows, I met the Canadian Consul in New York while I was under arrest at in the US and informed her that the US authorities said they would deport me to Syria. I also expressed my fears about this to her very clearly and asked for help from the Canadian government.

Secondly, Ms McIsaac's remarks are offensive and run contrary to what I understood to be the spirit of the Arar Inquiry. Right now, Ms McIsaac is participating in closed door hearings necessitated by her objection to the release of documents and evidence to the public. These hearings are taking place in a secret location where evidence about my case is being examined without any representation from me or my lawyers. For her to make a categorical statement absolving Canadian officials of any knowledge of my deportation amounts to a pronouncement on supposed "evidence" of this without having to offer any proof. It has always been my understanding that these are matters for Justice O'Connor to decide based on his reading of all of the evidence presented in both in camera and public hearings.

Ms McIsaac and the Government of Canada cannot have it both ways. They cannot cloak their actions in the robe of national security and at the same time feel quite free to openly absolve their officials of any blame.

This is particularly galling, when my lawyers and I know that there are other documents which call into question her contention, documents which we are legally bound not to reveal.

As my lawyers are writing a letter to Commission Counsel Paul Cavalluzzo, stating that Ms McIsaac's statement is prejudicial to my case. I support their call for an immediate hearing with all counsel involved in the Inquiry.

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Department of Foreign Affairs and International Trade

Ministère des Affaires étrangères et du Commerce international

# Case Note / Note sur le cas

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## 02-CNGNY-871270 United States Arar 03-Oct-2002 15:48

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| **Category / Catégorie :** | Arrest/Detention | **Status / Statut :** | Active |
| **Mission / HQ/AC:** | New York (CG) | **Originator / Auteur:** | Girvan |
| **Note No. / N° de note :** | 29 | **Topic / Sujet:** | Details on visit part 1 |

Wording on documents held by Mr. Arar.

Factual Allegation of Inadmissibility under Section 235C of the Immigration and Nationality Act.
1) You are not a citizen of the United States

2) You are a native of Syria and a citizen of Syria and Canada

3) You arrived in the United States on September 26, 2002, and applied for admission as a non-immigrant in transit through the United States, destined to Canada

4) You are a member of an organizing that has been designated by the Secretary of State as a Foreign Terrorist organization, to wit Al Qaeda aka Al Qa'ida.

This document was given to Mr. Arar yesterday, October2 nd, 2002

According to Mr. Arar, he was stopped by immigration and taken to an interview room, where he was interrogated by police and FBI for many hours. (He had arrived at 2.p.m., and was finally taken to a cell at 1:30a.m. of the following day)

During the interrogations, he was polite and tried to give them all the information they asked for, even when the questions were extremely personal. They insulted him, but he held his peace. He gave them all his e-mail accounts, and his family's names, he explained that the lap top he was carrying actually belongs to the company for whom he does contract work, Mathworks.

In the morning, he was interviewed again by the FBI. He asked for their identification, and they showed him their name cards, but he cannot even remember their names.

Mr. Arar diverged to say that at first (the previous day) the officers had said that he was not a suspect and that once he had answered their questions they would put him back on the plane. After four hours of interrogation, they again said that they were going to put him on the plane. At 7p.m. they said they did not have a final decision.

At one point, two immigration officers spoke to him and told him that they were going to send him to Syria. He said that he asked why, since he had not been to Syria for years and all his family is in Canada.

They put him back in the cell, and then three men armed men came and put him in handcuffs to transport him to MDC.
more to follow.

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Maureen

Info:

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