

Terrorism, Security and Human Rights: Reflections on the Maher Arar Case

Christ Church Cathedral – February 13, 2007

1. Basic Facts of the Case

- Arar is a Canadian citizen, married, two children – BEng in Computers (McGill), Masters in Telecommunications (UQuebec)
- September 26, 2002 – detained at JFK in NY on way back from visiting family in Tunisia, arrested and questioned for 12 days – removed against his will to Syria (country of birth) – arrived there October 9 and imprisoned for almost a year in “degrading and inhumane” conditions – severely interrogated and tortured during first two weeks
- spring/summer of 2003 – growing public pressure on government, and by government on Syria, for release of Arar
- released by Syrians on October 3, 2003 and returned to Canada

Never charged with any offence in Canada, United States or Syria

- early November, TV interview – my two reactions - (a) superb actor or telling the truth, and I do not think he is a superb actor; (b) government will have to establish a commission of enquiry
- led to increased media attention and hurried meetings of officials
- Commission of Inquiry established by O in C in February, 2004, to be headed by Justice Dennis O'Connor (Walkerton water inquiry)
- Commission Report released in September of last year
 - public – Analysis and (preliminary) Recommendations
Volume I & Volume II Factual Background
 - separate, fuller, confidential report to the government based on both the public and *in camera* sessions

Basic conclusion by O'Connor re Arar:

On the basis of public and *in camera* evidence, there is nothing to indicate that Mr. Arar committed an offence or that his activities constitute a threat to Canada.