



For immediate release

Omar Khadr apology and compensation long overdue, but systemic changes are also needed to protect human rights

Ottawa, June 12, 2017 — The International Civil Liberties Monitoring Group (ICLMG) and the Rideau Institute welcome the Canadian government's decision to settle the lawsuit launched by Omar Khadr, apologize for its failure to protect one of its citizens and a minor, and compensate Khadr for the illegal detention and the torture he suffered.

At the same time, the government must also go further and make systemic changes in order to avoid such horrendous abuses of civil liberties and human rights in the future.

Last March, both ICLMG and the Rideau Institute also welcomed the Canadian government's apology to, and compensation of, Mr. Almalki, Mr. Abou-Elmaati and Mr. Nureddin who were tortured in Syria and Egypt because of erroneous information sent by Canadian officials. And in March 2015, Benamar Benatta reached a settlement with the Canadian government for having spent five years in a US prison where he suffered abuse, after Canadian officials falsely labelled him a terrorist suspect and unlawfully transferred him over the US border to FBI agents in the middle of the night.

As welcome as all these apologies and compensation awards are, these settlements were reached after many, many years of litigation and pro bono legal work, and only when the Canadian government realized it couldn't win these lawsuits.

This is worrisome in the current context: Anti-terror legislation continues to "creep," growing all the time and further threatening civil liberties. The government has continued to stall the repeal of Canada's ministerial directives on torture, which allow the government to use information from countries that engage in torture, and to share information with those same countries, in direct contravention of Canada's legal obligations under the Convention against Torture. Refugee Mohamed Harkat continues to suffer under a security certificate and faces deportation back to Algeria where he risks detention and torture. The Liberals have also refused to hold a public inquiry on Canada's role in the torture of Afghan detainees, despite calling for one when they were in Opposition.

Just before going on recess for the summer, the government tabled Bill C-59, its long-awaited national security reform. We were pleased to learn that the legislation aims to create a new all-agency review body for national security, one of the many (still unimplemented) recommendations of Justice O'Connor in the 2004 Maher Arar inquiry (which also resulted in a settlement and apology for Mr. Arar for Canada's complicity in his rendition and torture in Syria). However, as we have said many times, review mechanisms do not and cannot make up for bad laws. The fact that the *Anti-terrorism Act of 2015* (also known as Bill C-51) hasn't been repealed is of serious concern. Especially worrying is the fact that Bill C-59's changes to the *Security of Canada Information Sharing Act* (enacted by C-51) still don't contain any additional guarantees to protect against the subsequent disclosure of information to, for example, foreign governments. This means that the risks that erroneous information being shared with other countries, potentially leading to serious human rights violations, like in the cases of Arar, Almalki, Elmaati and Nurreddin, are still very real. Haven't we learned anything?

Canada should not wait for lawsuits from torture victims to recognize and repair its mistakes. Instead, we need to see systemic change. If the Canadian government really wants to call itself a champion for human rights and show that it really doesn't condone torture, it needs at a minimum to repeal the *Anti-terrorism Act of 2015*, get rid of the torture memos, stop the deportation proceedings against Mohamed Harkat, and hold a public inquiry on Canada's role in the torture of Afghan detainees.

- 30 -

For media inquiries:

Tim McSorley, National Coordinator, ICLMG
514-561-9919, national.coordination@iclmg.ca

Peggy Mason, President, Rideau Institute
613-565-9449 ext. 24, 613-612-6360 (cell), pmason@rideauinstitute.ca