Canada-US agreement whitewashes Arar case

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Following last week's first meeting between US President George Bush and Canada's new prime minister, Paul Martin, Ottawa announced that an agreement has been concluded with US authorities that will prevent other Canadians from being subjected to an ordeal like that of Maher Arar.

A 33-year-old computer and telecommunications engineer, Arar was detained at New York's JFK airport in September 2002 while returning home to Canada from visiting family in Tunisia. On the basis of "intelligence" supplied by Canadian police and security agencies—intelligence that amounted to no more than guilt by association and wild extrapolation—Arar was accused of being an Al Qaeda operative, strip-searched, shackled and interrogated for 12 days in the US before being—in the jargon of the US security establishment—"rendered" to Syria, his country of birth.

During 10 months of detention in Syria, Arar was repeatedly abused and tortured. He was released and returned to Canada in the fall of last year, after US authorities failed to provide the Syrians with any evidence corroborating their claims Arar was a terrorist. [*See:* "The Maher Arar case: Washington's practice of torture by proxy"]

Arar's torture by Syrian military personnel was in effect a fishing expedition, ordered by US security officers, who lacked evidence to charge Arar with any crime.

Ottawa's claim that the "letters of understanding" it has exchanged with US authorities would have prevented the gross injustice done to Arar is complete balderdash—a conclusion that Arar himself has drawn. "Nothing in this agreement would have changed what happened to me," he told the Toronto *Globe and Mail*.

Under the "Canada-US consular notification agreement," US authorities are expected to immediately inform and consult with Canadian officials when detention and deportation procedures are initiated against Canadian nationals. But Washington will not be prevented or even constrained from deporting Canadians to third countries.

In Arar's case, over his objections he was deported to Syria rather than Canada, because Washington wanted him held indefinitely and so as to circumvent US and international legal prohibitions on the use of torture.

Canadian consular officials were informed, albeit after several days, of Arar's detention in New York, and were in contact with US authorities about his situation until just hours before the middle-of-the-night hearing that ordered him deported to Syria. Although Arar told Canadian consular officials he was under threat of deportation to Syria, and warned them he would be tortured if sent there, the consular officials dismissed his concerns, treating his detention as a routine matter.

By championing this transparently toothless deal, the Liberal government hopes to be able to give the impression of having addressed the Arar case and thus deflect demands for a public inquiry into his case.

Such an inquiry would no doubt rankle Washington, as it would focus attention on its practice of rendering alleged terrorists into the hands of regimes that practice torture. But the most important reason such an inquiry would be problematic for Canada's Liberal government is that it would subject the complicity of the Canadian security and intelligence establishment in Arar's ordeal to greater scrutiny.

After months of denials and equivocation, the Canadian government conceded in November that the Royal Canadian Mounted Police (and possibly also the Canadian Security Intelligence Service) had fingered Arar to US authorities as a terrorist suspect. Moreover, there is reason to believe that in deporting Arar to Syria, US authorities may have been acting at the urging of elements within Canada's security establishment. Paul Cellucci, the US Ambassador to

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Canada, has suggested this and the US television program *60 Minutes II* amplified the charge in a piece it broadcast on the Arar case Wednesday evening.

Although the Canadian government did formally protest Arar's deportation and incarceration, CSIS agents reportedly traveled to Damascus in order to confer with the Syrian military on the "confession" beaten out of Arar. Upon Arar's return to Canada, "information" from this forced confession was leaked to the press by anonymous sources. There can be little doubt but that the source of the leaks is to be found in elements within Canada's intelligence services anxious to discredit Arar so as to justify their own role in his detention and deportation.

In addition to helping keep the skeletons in the closet, last week's deal also represents a small victory for the Martin government in its campaign for closer collaboration with the Bush administration. Significantly, the other agreement Martin and Bush reached is one that will allow Canadian companies to bid on a second round of Iraq "reconstruction" contracts. (Canada, like Germany, France and Russia, was punished by the Bush administration for failing to join in the illegal war on Iraq, by having its companies excluded from the first set of Iraq reconstruction contracts.)

Martin's recent succession to the post of prime minister was orchestrated by the most powerful sections of Canadian capital, which believe Canada must forge still closer economic and geopolitical ties with Washington, so as to ensure guaranteed access to the US market and a share in the booty from US militarism. Despite having led the most right-wing Canadian government since the Great Depression, Martin's predecessor, Jean Chrétien, was shown the door because he was deemed too strongly associated with the welfare-state policies and anti-American Canadian nationalism of the years of Pierre Trudeau's prime-ministership.

Mending fences with the Bush administration is thus one of Martin's main priorities. The announcement of the Arar deal was coordinated with glowing reports about Martin's first one-on-one meeting with the American president, over breakfast at the Summit of the Americas in Monterrey, Mexico. "I thought that the vibes were very, very good on both sides," declared Martin, when he met reporters after his 75-minute meeting with Bush. The US president, who made no secret of his animosity toward Chrétien, was equally upbeat, claiming that his meeting with Martin had "reaffirmed the important relationship between Canada and the United States."

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