

**International Civil Liberties Monitoring Group  
Coalition pour la surveillance internationale des libertés civiles**

**338 Somerset Street West, Ottawa, Ontario, K2P 0J9**

**Tel. (613) 241-5298**

November 27, 2009

The Right Honourable Stephen Harper  
Prime Minister of Canada  
80 Wellington Street  
Ottawa, Ontario  
K1A 0A2

By fax: (613) 941-6900

Dear Prime Minister,

The ICLMG is a pan-Canadian coalition of 38 civil society organizations that was established in the aftermath of the September 11, 2001 terrorist attack in the United States. Its goal is to focus on the impact of new anti-terrorism legislation and other counter terror measures with regards to civil liberties, human rights, refugee protection, racism, political dissent, governance of charities, international cooperation and humanitarian assistance (*See list of members attached*).

The mandate of the coalition is to defend the civil liberties and human rights set out in the Canadian Charter of Rights and Freedoms, federal and provincial laws (such as the Canadian Bill of Rights, the Canadian Human Rights Act, provincial Charter of Human Rights or Privacy legislation), and international human rights instruments (such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment).

We are sending you this open letter to express our deep concerns regarding the transfer of Afghan detainees by Canada, and to support the call by Amnesty International (Canada) and the B.C. Civil Liberties Association for the immediate establishment of a Commission of Inquiry into the matter.

A key question raised in this matter is Canada's obligation, under international law, to take steps to ensure that it is not transferring detainees to a risk of torture. This legal obligation includes a duty to inquire, to set up safeguards and to stop transfers where there are grounds to suspect torture.

Like countless Canadians, members of the ICLMG coalition are very disturbed by the testimony of Richard Colvin last week which highlighted the high risk of torture of detainees in the period prior to October 2007. This was widely supported by credible human rights organizations and within the international diplomatic community.

In our view it is unlikely that the Special Committee of Parliament will be able to adequately examine the questions raised in a setting that is plainly charged with partisanship and political interest. We believe Amnesty International and the British Columbia Civil Liberties Association have it right, with their call for a full public Commission of Inquiry into all aspects of the laws, policy and practice that has governed Canada's approach to handling prisoners in Afghanistan. This Commission must have full powers to subpoena documents and witnesses.

In addition, it is absolutely essential that all the letters and memos sent by Mr. Colvin to government and military officials be made public immediately.

These steps are necessary to ensure transparency and accountability and to help re-establish Canada's credibility and reputation as an advocate for democracy and human rights.

Yours sincerely,

Gerry Barr  
Co-Chair of the ICLMG and  
President-CEO  
Canadian Council for International  
Co-operation

Maureen Webb  
Co-Chair of the ICLMG and  
Legal Counsel  
Canadian Association of University  
Teachers

**C.C.** Michael Ignatieff  
Leader of the Opposition

Jack Layton  
Leader, New Democratic Party

Gilles Duceppe  
Chef, Bloc Québécois

## ANNEX I

### ICLMG MEMBERSHIP LIST

*The International Civil Liberties Monitoring Group* is a multi-sector coalition that promotes respect for human rights and civil liberties. Positions expressed by ICLMG speak to common concerns of members but do not necessarily articulate the position of individual member organizations.

- Amnesty International
- Association québécoise des organismes de coopération internationale
- B.C. Freedom of Information and Privacy Association
- Canadian Arab Federation
- Canadian Association of University Teachers
- Canadian Auto Workers Union
- Canadian Council for International Co-operation
- Canadian Council for Refugees
- Canadian Council on American-Islamic Relations (CAIR-CAN)
- Canadian Ethnocultural Council
- Canadian Federation of Students
- Canadian Friends Service Committee
- Canadian Labour Congress
- Canadian Muslim Civil Liberties Association
- Canadian Muslim Forum
- Canadian Muslim Lawyers Association
- Canadian Union of Postal Workers
- Canadian Unitarians for Social Justice
- CARE Canada
- Centre for Social Justice
- Communications Energy and Paperworkers Union
- Confederation of Canadian Unions
- Council of Canadians
- CUSO
- David Suzuki Foundation
- Development and Peace
- ETC Group
- Greenpeace
- International Development and Relief Foundation
- Inter Pares
- KAIROS
- Ligue des droits et libertés
- National Anti-Racism Council of Canada
- National Union of Public and General Employees
- Ontario Council of Agencies Serving Immigrants

- PEN Canada
- Primate's World Relief and Development Fund
- Public Service Alliance of Canada
- United Steelworkers of America
- World Vision Canada

### **Friends of the ICLMG**

Hon. Warren Allmand; Mr. Allmand is a former solicitor general of Canada and the immediate past president of the International Centre for Human Rights and Democratic Development (Rights & Democracy).

Hon. Edward Broadbent; Mr. Broadbent is a former leader of Canada's New Democratic Party. He was the first president of the International Centre for Human Rights and Democratic Development.

Hon. David MacDonald; Mr. MacDonald is a former Canadian secretary of State and minister of communications. Mr. MacDonald is also an ex-Canadian ambassador to Ethiopia.

Hon. Flora MacDonald; Ms. MacDonald is a former Canadian minister of foreign affairs and a former minister of communications.

The Very Rev. Lois Wilson; Rev. Wilson is a former moderator of the United Church of Canada and retired recently from the Canadian Senate.

Brian Murphy; Mr. Murphy is an independent writer, policy analyst and human rights advocate, and a former staff member of the Canadian social justice organization, Inter Pares, where he worked for almost 30 years.