

Arar “rendition” case: Canadian government accepts non-apology from Bush administration

By David Adelaide
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The media reported this week that the Canadian government had received a letter from US Secretary of State Condoleezza Rice in response to its “protest” regarding the treatment of Maher Arar. A Canadian citizen, Arar was “rendered” by US authorities to Syria, where he was tortured and held under brutal conditions for almost a year.

Rice’s letter has not been publicly released. It reportedly defends the US government’s conduct in the case and makes no mention of an apology to Arar. It does not even commit Washington to remove the name of this entirely innocent man and his family from the US’s “no-fly” list.

Yet Canada’s government has used Rice’s letter to declare that the Arar case is for all intents and purposes closed. A spokesperson for Foreign Affairs Minister Peter Mackay indicated that the government was satisfied with Rice’s letter and explicitly confirmed that the letter contained no apology. Mackay himself told reporters, “The issues of apology will be dealt with in the future,” and claimed that outstanding lawsuits surrounding the case made it impossible for either the Canadian or the US government to issue an apology to Arar.

Arar, born in Syria but a Canadian citizen, was detained by US authorities in New York en route to his home in Montreal, in late September 2002. On the basis of spurious “intelligence” passed to them by the Canadian national security apparatus, US authorities sent Arar to Syria for detention without trial and interrogation.

Arar’s return to Canada in the fall of 2003 precipitated a crisis for the Canadian ruling class.

That Arar’s rendition to torture took place with the complicity of elements of the Canadian state was obvious. This threatened to focus unwelcome public attention and outrage on the wider agenda of the Canadian elite who, like their counterparts in other capitalist powers, have seized on the events of September 11 2001 in order to advance a massive assault on democratic rights twinned with a program of militarism and imperialism overseas.

The response of the then-Liberal government—the same Liberal government that had passed sweeping anti-terrorism legislation giving the Canadian Security Intelligence Service

(CSIS) and the Royal Canadian Mounted Police (RCMP) a free hand, especially in relation to collaboration with their US counterparts—was to convene a public inquiry so as to create the impression that the injustice done to Arar was an isolated case that could be corrected and avoided in the future.

The final report of this public inquiry, prepared by Justice Dennis O’Connor, confirmed 1) that both wings of Canada’s national security apparatus, CSIS and the RCMP, were complicit in Arar’s torture, 2) that elements within the RCMP and/or CSIS leaked to the media a slanderous “confession” obtained from Arar by torture, 3) that the RCMP hid key facts in the case from its political masters and 4) that Arar’s ordeal was not the only instance in which the RCMP and CSIS had collaborated with foreign governments in the torture of Canadian citizens.

Among the principal recommendations of the O’Connor report was that the Canadian government send an official protest to Washington over the decision to render Arar to Syria. (Arar it should be noted was sent to Syria in violation of his rights, as recognized by international treaty, to be deported to Canada.)

After a prolonged period of foot-dragging during which spokespeople for the minority Conservative government of Stephen Harper emphasized that any protest would be “reasoned” and not “provocative”, Ottawa eventually did issue a “protest”.

That Rice in her letter should dismiss the Arar affair and maintain that US authorities had done nothing wrong is hardly surprising. The Bush administration has in recent months pushed through the US Congress legislation—the Military Commission Act—that runs roughshod over the US Constitution and Bill of Rights. It allows the indefinite detention without legal recourse of anyone the president declares to be an “unlawful enemy combatant” and the use of methods of interrogation that all but Washington consider torture. In other words, the Bush administration fully reserves the right to commit crimes such as that done to Arar and worse.

But if the Bush administration feels so little need to show even a pretense of concern for the injustice done to Arar, this is

also because the Canadian government has gone out of its way to signal to US authorities that it shares their indifference to Arar's ordeal and would just as soon bury the whole affair. In announcing that a diplomatic protest over the Arar affair had been issued by Ottawa, Prime Minister Harper declared that his government's aim was to "help the United States in the war on terrorism" by gaining "assurance that the rules and the agreements between our two governments will be respected in the future."

On the very day that the Bush administration's Military Commission Act was passed into law, US Director of National Intelligence John Negroponte was in Ottawa to meet with Harper and the Minister of Public Safety, Stockwell Day. The meeting was not announced and came to public attention only because reporters, by chance, witnessed Negroponte and the US ambassador on the way to the Prime Minister's office.

After the fact, the government claimed that the meeting was only a courtesy call but there is no hiding that the publicly-stated purpose of the meeting was deeper collaboration between the Canadian and US governments on matters of "national security." That following his meeting with Negroponte, Harper offered no public comments either on the Arar case or the Military Commission Act only underlines the extent to which his government sees eye to eye with the Bush administration in its assault on democratic rights.

As the *World Socialist Web Site* wrote shortly after the release of the O'Connor report, "The Harper government views the Arar case and the O'Connor report as obstacles to its attempt to align Canada even more closely with the Bush administration, expand police powers, and use the current CAF [Canadian Armed Forces] counter-insurgency mission in Afghanistan to whip up militarism and press for a more pronounced and open use of the Canadian military as an instrument for asserting the Canadian elite's predatory economic and geo-political interests on the world stage."

The response of the corporate media—who very much assisted the coming to power of the Conservative minority government at the beginning of 2006—has been to say very little if anything about the Harper government's decision to declare the Arar case over and done with. The one notable exception was an editorial in the *Globe & Mail* in which the editors of Canada's "paper of record" feigned outrage over the Bush administration's handling of the situation.

Written in the form of "the apology the American president should have delivered to Arar," the *Globe* editorial includes the following fictional passage from the lips of George W. Bush: "Mr. Arar, what we did to you and your family was unspeakable. The Syrians tortured you, but we put you in harm's way and forgot about you. You were tortured because of *what we did*. We take full responsibility for that. What we did was out of keeping with the American spirit and American law. That spirit and that law held us in good stead for 200 years. Inexcusably, we abandoned them" (emphasis in

original).

It is worthwhile to note the way that responsibility for the Arar affair is shifted entirely onto US and Syrian authorities. Arar's rendition is presented simply as a result of US negligence, while Arar's torture is presented solely as a Syrian action in which Canadian and US authorities played no part. On the contrary, it has been established by the O'Connor report that CSIS interacted with Syrian authorities during Arar's ordeal, sending lists of questions for interrogation sessions, and that Canada's national-security agencies incited the US to detain and render Arar to Syria by providing false intelligence labeling him a likely terrorist. And it is just as widely known that the Bush administration has been running a systematic program of deliberately sending "suspects" to third countries for torture and interrogation.

The real concern of the Canadian ruling class, as articulated by the *Globe* editorial, is with the optics of the Arar case. If only the Bush administration were to appear more contrite, then it would be easier for the Conservative government to justify its claim that the case had been resolved and justice served, facilitating still-closer collaboration between Ottawa and Washington.

The acquiescence of the entire Canadian political establishment (including its left-wing hangers on in the social-democratic NDP and trade unions, who have said almost nothing about the O'Connor report and the Harper government's response) to the gross violations Arar's civil rights must serve as a stark warning to working people. Democratic forms of rule are incompatible with the dizzying growth of social inequality and the Canadian bourgeoisie's turn to militarism. The defence of fundamental democratic rights falls to the working class and is inseparable from a challenge to an economic order that enriches the few at the expense of the vast majority.

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