

## Watchdog says RCMP security work beyond his reach

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OTTAWA — The RCMP watchdog says he's powerless to tell whether the Mounties have made the changes needed to prevent another Maher Arar affair.

Paul Kennedy, chair of the Commission for Public Complaints Against the RCMP, told a Commons committee Thursday he can provide no assurances the government has enacted the Arar inquiry's recommendations.

The federal inquiry led by Justice Dennis O'Connor examined the role Canadian officials played in opening the door to Arar's torture in a grave-like Syrian cell after he was falsely accused of ties to terrorism.

Among the changes O'Connor called for more than two years ago was an overhaul of the RCMP complaints commission that would give it new powers to keep an eye on the Mounties' intelligence activities.

Kennedy told MPs on the public safety and national security committee that without the new authority he's in the dark as to whether the RCMP has cleaned up its act.

The commission's ability to probe security investigations is currently limited because such RCMP activities usually take place in the shadows, he said. In addition, the law does not give the complaints commission full access to information in RCMP files, and the commission lacks power to review or audit the force's programs and policies.

"I cannot give you any assurance that the RCMP has implemented the recommendations of Justice O'Connor or if such recommendations, if implemented, are either being adhered to or are in fact adequate to achieve their stated purpose," Kennedy said.

Arar, a Syrian-born Canadian, was detained in New York in September 2002 and subsequently shipped abroad by U.S. authorities, ending up in a Damascus cell where he gave false confessions about terrorist ties.

The government apologized to Arar in 2007 and gave him \$10.5 million in compensation.

O'Connor found the RCMP passed misleading, inaccurate and unfair information to the Americans that likely led to Arar's arrest, deportation and ultimate torture.

Kennedy suggested a broader watchdog mandate for his organization could have deterred the RCMP from breaking policies and sharing information about Arar with the United States without attaching cautionary conditions about its use.

"If you knew that someone could come in and look at your program and find out if you're adhering to those policies and procedures, you would certainly be less tempted to have done what occurred in that case" he told the committee.

"Which is to forget about the policies and procedures, pull the caveats off and just do a dump of information. It would not have happened because you know someone is going to look at it.

"Right now, there's a curtain drawn around that, and no one looks in it other than the RCMP."

O'Connor also called for stricter review of five other agencies involved in national security, and made 23 recommendations urging the RCMP, Canadian Security Intelligence Service and others to usher in policy changes on information sharing, training and monitoring of security probes.

Liberal public safety critic Mark Holland said it was "staggering" the recommendations remained up in the air.

"We're still talking about what the government responses will be."

The committee is looking at how the government has reacted to O'Connor's recommendations and the findings of a more recent inquiry headed by former Supreme Court judge Frank Iacobucci into the overseas imprisonment of three other Arab-Canadian men.

Iacobucci found Canadian officials had a hand in the brutalization of Abdullah Almalki, Ahmad El Maati and Muayyed Nureddin in Syria through the sharing of information with foreign intelligence and police agencies.

Iacobucci blamed the RCMP, CSIS and Foreign Affairs for mistakes.

Kennedy expressed concern that while the RCMP's budget has more than tripled since 1988, his funding has not even doubled in that period.

Conservative MP Blake Richards objected to Kennedy equating the work of his "bureaucrats and paper pushers" with that of RCMP officers who risk their lives on the street.

New Democrat MP Jack Harris said the Security Intelligence Review Committee, which monitors CSIS, appears "hamstrung" by the fact it can investigate the spy service's actions, but not those of other federal intelligence agencies.

He pointed to the case of Abousfian Abdelrazik, a Montreal man who wants the review committee to probe the CSIS role in his imprisonment and interrogation in Sudan.

The review committee has told Abdelrazik's lawyers the committee must first gauge its "ability to fully investigate CSIS's actions given the alleged possible involvement of another government department or of other countries."

Susan Pollak, executive director of the review committee, declined Thursday to pass judgment on the need for a new, more powerful watchdog.

"I see it as a decision the government has to make."

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