

Editorial

There Will Be Many More Maher Arars

On September 18, Justice Dennis O'Connor released his report on the investigation into the U.S. detention and deportation of Maher Arar to Syria. In September 2002, on a stopover in New York while returning home from Tunisia Mr. Arar was detained by U.S. security officials, acting on information forwarded by the RCMP that he had links to al-Qaeda. He was denied access to Canadian consular representatives and was secretly deported to Syria where he was subjected to torture and other inhumane treatment for over a year.

Justice O'Connor found that there was no evidence that Mr. Arar was ever linked to terrorist groups or was a threat to national security. The report was extremely critical of the RCMP, finding that the agency violated its own rules restricting the exchange of information with foreign agencies. Justice O'Connor concluded that, as a result, the

U.S. FBI and other security officials were given an inaccurate and unfair picture of the activities of Mr. Arar and his family. In addition, he found that the RCMP blocked Canadian Foreign Affairs officials from trying to get Mr. Arar released and returned to Canada and leaked false information to the media in order to prejudice Mr. Arar's attempts to obtain an inquiry into his mistreatment. He recommended that the government compensate Mr. Arar for his suffering and called on RCMP Commissioner Giuliano Zaccardeli to resign.

Prime Minister Stephen Harper and Public Safety Minister Stockwell Day expressed regret over Mr. Arar's treatment, quickly pointing out that it had happened during the previous Liberal administration. The Liberals were equally quick to point out that Harper, Day and various other members of the current

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For Your Information

History of RCMP Wrongdoing

In the wake of the release of Justice O'Connor's report about RCMP misconduct towards Maher Arar, several commentators have suggested that the problem is RCMP lack of experience in intelligence activities. Better training for RCMP members, it has been suggested, is needed now that the RCMP's responsibilities have been expanded to include intelligence and espionage since September 11, 2001. Improved training is being proposed as a way to prevent further Maher Arar's. However, presenting this as the solution completely ignores the experience of previous RCMP intelligence operations. The following are some of the most well-known examples of RCMP wrongdoing.

The Samson Affair

In August 1974, RCMP Security Service member Robert Samson blew off part of his hand in the course of planting a bomb near a Quebec supermarket. Testifying in court about his activities, Samson confessed he had been planting the bomb to try and provoke a government crackdown on a strike by supermarket workers. During the course of his cross examination, Samson told the court he had done much worse for the RCMP. The scandal which followed included Samson admitting he had broken into the headquarters of the Agence de Presse Libre du Quebec on the night of October 6, 1972, stealing

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Conservative government had adamantly opposed any government actions to assist Mr. Arar at the time and had expressed strong convictions that the FBI must have had a good reason to do what they did. For his part, RCMP Commissioner Zaccardeli has said that he has no intention of stepping down and that Canadians have to understand that the abuses of Mr. Arar's rights took place in the aftermath of the events of September 11, 2001 and the early days of the war on terror. Of course, everyone says that something must be done to ensure that such things do not happen again.

However, the fact of the matter is that it is virtually inevitable that such human rights abuses will happen again. The reason for this is that the Canadian state does not and never has accepted that Canadian citizens and residents have inalienable human rights. Even the Canadian Charter of Rights does not recognize such rights and places so-called unreasonable limitations on all of the rights supposedly granted to Canadians. In other words, Canadians are granted privileges, not rights by the Canadian state. The reality is that the main role of the Canadian state is to protect the ruling economic and political elite – a tiny minority of the population – from the majority of working people. It is a capitalist state designed to ensure the continued domination of all of Canadian life by the capitalist class. When the state considers the interests of the capitalist class to be threatened it takes whatever measures it considers necessary – legal or illegal – to eliminate the threat.

In the case of Mr. Arar and numerous other Canadians who have suffered similar treatment, the threat perceived by the RCMP is, in fact, largely concocted by themselves and their counterparts in the U.S. as justification for the Bush regime's war on terror. Everything from the invasion of Afghanistan and Iraq to the threats against Iran, Syria and other countries is justified under the claim that a large and well-organized network of terrorists is poised to wreak havoc on the West. However, September 11, 2001 notwithstanding, there has never been any evidence that such a well-organized terrorist network actually exists. As a result the RCMP and the intelligence agencies in the U.S. and elsewhere have been reduced to concocting such evidence by staging elaborate sting operations and rounding up thousands of innocent people and labelling them terrorists. The media hype surrounding the apprehension of such terrorists is rarely matched by similar reporting when the suspects are released without charge, often, as in the

case of Mr. Arar, after gross violations of their human and civil rights.

In order to prevent such travesties in the future three remedies are essential. The first is that the Canadian government should immediately withdraw from the U.S.-led war on terror, as numerous other countries have done over the past several years. The second remedy is to entrench in the Canadian Charter of Rights that Canadians have human rights which cannot be taken away under any circumstances, no matter how extraordinary those circumstances may be. The third is to vigorously prosecute any state or government officials who dare to violate the rights of Canadians. Unfortunately, none of the current parliamentary parties appear interested in pursuing such obvious remedies.

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documents and ransacking the building. He also admitted to stealing Parti Quebecois membership lists. After the election of a PQ government in 1976, Quebec established the Keable commission to investigate RCMP activities against the sovereignty movement. In large part to preempt that Keable commission, the Trudeau government set up its own commission to investigate RCMP actions.

McDonald Commission on RCMP Wrongdoing

The McDonald Commission into Acts Carried out by the RCMP was established in 1977. Chaired by Mr. Justice D.C. McDonald, the commission investigated over 290 allegations of RCMP attacks and violations against left-wing groups during the 1960s and 1970s. The McDonald commission released its report in 1981. However, one volume of the commission's report has never been publicly released, with successive governments citing national security concerns. The report stated "no officials should be above the law" and that "the investigation of subversive activity [may] not interfere with the freedoms of political dissent and association which are essential ingredients of a free society." It was the McDonald commission which recommended that intelligence gathering be removed from the RCMP's mandate. This led to the creation of the Canadian Security Intelligence Service (CSIS).

Among the published findings of the McDonald Commission:

- RCMP agents had infiltrated political and social organizations, including political

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The Fiftieth Annual General Conference of the IAEA

The International Atomic Energy Agency (IAEA) held its Fiftieth Annual General Conference in Vienna, Austria from September 18 to 22, 2006. The conference adopted many resolutions. These included: measures to protect against nuclear terrorism; strengthening the safeguards system and the application of the additional protocol; strengthening technical cooperation activities; strengthening activities related to nuclear science and technology; strengthening international cooperation in the transport of nuclear materials including waste; implementation of the Safeguards Agreement with the Democratic People's Republic of Korea, application of IAEA safeguards in the Middle East; and the acceptance of four new members into the IAEA which will bring its membership to 144 states.

The general conference elected eleven countries to serve on the 35-member board of governors for 2006-2007. The newly-elected board members are Austria, Brazil, Bolivia, Chile, Croatia, Ethiopia, Finland, Morocco, Nigeria, Pakistan, and Thailand. They take the seats of the members who have ended their two-year period of service, namely Algeria, Ecuador, Ghana, Portugal, Singapore, Slovakia, Sri Lanka, Sweden, Venezuela and Yemen. The 35-member board for the 2006-2007 also includes Argentina, Belarus, Belgium, Canada, Cuba, Egypt, France, Germany, Greece, India, Indonesia, Japan, Republic of Korea, Libya, Morocco, Norway, Russian Federation, Slovenia, South Africa, Syria, Britain, and the United States.

The conference was not without its controversies. Some of the Arab states expressed reservations about the credentials of the Israeli delegation. In a statement they pointed out that Israel had annexed the city of Jerusalem and that the General Assembly of the UN had resolved on December 15, 1980 that all legislative and administrative measures taken after the occupation of the city were null and void and unlawful. The resolution had called upon all states, specialized agencies and international organizations to disregard any measure contravening the provisions of the General Assembly resolution. In spite of the provisions of that resolution, the credentials of the delegation of Israel were issued from occupied Jerusalem. The Arab states argued that the IAEA, a specialized agency of the UN, should reject those credentials. Israel replied

that the Arab states were trying to use the rules of procedure to advance their political interests. The General Conference agreed to note the views of both sides and adopted a resolution accepting the credentials of all delegations, including those from Israel.

Many of the Arab states also requested that the General Conference include an item on its agenda entitled 'Israeli nuclear capabilities and threat'. In a letter to the IAEA Director General, the Arab states asked that the General Conference 'take appropriate measures to ensure that Israel places all its nuclear installations under Agency safeguards and accedes to the Treaty on the Non-Proliferation of Nuclear Weapons.' Resolutions to this effect were passed by the General Conference in 1987, 1988, 1989, 1990 and 1991. They have all been ignored by Israel. After 1991 efforts by the Arab and other states to put this matter back on the agenda failed. This time a draft resolution did go to the General Conference but no vote was taken on it. Canada called a vote to adjourn the session and drop the topic off the agenda. The vote was won by 45 votes in favour, 29 against, and 19 abstentions including from Russia and China. The main countries supporting the effort to block the vote were the United States, Israel, France, Germany, Britain and Canada. However, another resolution was passed, without specific mention of Israel, that supported a nuclear-weapon free zone in the Middle East. This resolution received 89 votes in favour, 2 votes against from the United States and Israel, and 3 abstentions.

It is one of the oddities of the IAEA that supervision of the application of the Nuclear Non-Proliferation Treaty of 1970 is its most high profile activity, yet the criteria for a country to belong to the IAEA do not include acceptance of this treaty. Therefore, India, Pakistan and Israel are all members of the IAEA but none of them are signatories to the NPT. It is not just that these states have not signed the NPT; there are other countries that have not signed it too. What stands out about these three countries is that they have all become nuclear-weapon states. They have done so primarily with the assistance of the United States, Britain and Canada which promote themselves at home and abroad as the

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greatest defenders of the non-proliferation regime.

If India, Pakistan or Israel were to sign the NPT the way it is today, they would be required to disarm. This is because the treaty only recognizes the United States, Russia, China, Britain and France as entitled to possess nuclear weapons. But why should these countries disarm when the five original nuclear-weapon states have ignored their obligations to disarm under the terms of the NPT? The alternative is that the treaty would need to be amended to add the three countries to the nuclear-weapon club, but that would open up another can of worms. If India, Pakistan and Israel were admitted into the club, why not other countries like the Democratic People's Republic of Korea?

The importance of these struggles within the IAEA is that they are contributing to the isolation of the real warmongers and warmakers in the world. How can the Canadian government claim that it is in favour of peace, disarmament and non-proliferation when it is blocking a resolution asking Israel to sign the NPT, put its nuclear activities under international supervision, and forsake its nuclear weapons? The same thing applies when it comes to the decision of Paul Martin's Liberal government to lift its ban on the export of dual civilian and military nuclear technology to India.

These challenges and resolutions within the IAEA alone will not stop the imperialists and their allies from persisting in their war preparations and aggressions. Indeed, the creation of the Nuclear Non-Proliferation Treaty had nothing to do with peace and disarmament and everything to do with the five nuclear-weapon states holding the threat of nuclear attack over the non-nuclear states and forcing them to submit to one or another of the big powers. There has never been any time since the declaration of the NPT that the five nuclear-weapon states have engaged in disarmament of their nuclear, biological, chemical or conventional weapons. Similarly, there has never been a time when they have applied non-proliferation in a non-discriminatory manner. During the Cold War, and to this day, the United States, has kept its allies within NATO, such as Germany, Belgium and Turkey, armed with nuclear weapons. The other nuclear-weapon states have accepted this state of affairs.

Yet, the fight against the discriminatory and selective application of the NPT, as occurred at the Fiftieth General Conference of the IAEA, is creating a credibility crisis for the big powers and assisting the trend that favours equal rights and peaceful relations among states.

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parties.

- These infiltrators were involved with the theft of dynamite and other explosives.
- RCMP Security Service agents burned down a barn that was supposed to be the site of a meeting between the Black Panthers and the FLQ.
- RCMP agents were involved in mail theft.
- The RCMP had compiled dossiers on tens of thousands of Canadians.
- Besides engaging in 'dirty tricks' to discredit the revolutionary movement, the RCMP participated in and assisted the Central Intelligence Agency in offensive activities in Canada.

APEC ñ November 1997

During the period leading up to the APEC conference in Vancouver in November 1997, the RCMP infiltrated, spied on and tried to incite violence on the part of anti-globalization groups organizing anti-APEC protests. A report published in 1998 in the *Vancouver Sun* found the RCMP had also assembled dossiers on members of these groups and circulated photos of those they identified as potential threats, possibly to external security and police forces. John Russell and Andrew Irvine of the BC Civil Liberties Association, writing in response to the newspaper report, noted that besides illustrating a 'shocking failure on the part of the RCMP to properly appreciate the nature and importance of the free speech and privacy rights of Canadian citizens', the RCMP's tactics around the summit 'also raise important questions about RCMP intelligence gathering.'

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Editor: Ken Kaltornyk**

To contact the Manitoba Branch of CPC(M-L):

Fax: 477-6741

Email: mrc-cpcml@mts.net

Internet: www.modern-communism.ca

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