

Minister
of Foreign Affairs



Ministre
des Affaires étrangères

Ottawa, Canada K1A 0G2

OCT 17 2007

Ms. Audrey Macklin
Associate Professor
University of Toronto
Faculty of Law
78 Queen's Park
Toronto, Ontario
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Dear Ms. Macklin:

Thank you for your facsimile of July 24, 2007, addressed to my predecessor, the Honourable Peter G. MacKay, regarding detainees at the U.S. military prison at Guantanamo Bay, Cuba, more particularly the case of Mr. Omar Khadr. The Office of the Right Honourable Stephen Harper, Prime Minister, has also forwarded to Minister MacKay a copy of your letter, (Folder: 622804), on this same matter. I regret the delay in replying to you.

The Government of Canada is very concerned by allegations of the mistreatment of detainees at Guantanamo Bay and other U.S. detention facilities abroad. Canada has underscored that serious allegations and evidence of such treatment should be fully investigated in all cases and the alleged perpetrators of any crimes brought to justice.

Canada has sought and received renewed assurances from the United States that the detainees are being treated humanely. The Canadian government will continue to stress with the United States the need to ensure that the military commissions meet international protections and standards of due process.

Mr. Khadr is a Canadian citizen and as such the Government of Canada has an interest in his case and in his treatment. Although Mr. Khadr is no longer a juvenile, he was fifteen years old when he was alleged to have committed crimes in Afghanistan. Canada has sought to ensure that the treatment of Mr. Khadr is consistent with internationally recognized norms and standards for the treatment of juvenile offenders, and that his juvenile status at the time the alleged events occurred is considered. Canada has also consistently sought to ensure that Mr. Khadr receives the

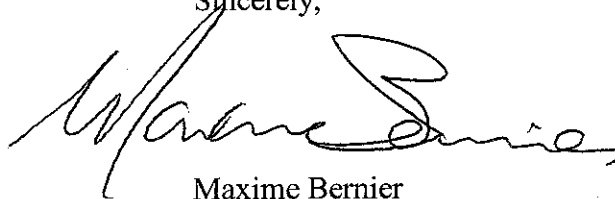
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benefits of due process, including the access to Canadian counsel of his choice, which has now been granted. You may also wish to note that Canadian observers have been present at his hearings before the Military Commission in Guantanamo Bay and the Court of Military Commission Review in Washington, D.C. The Canadian government has received unequivocal assurances from the U.S. authorities that Mr. Khadr will not be subject to the death penalty.

Respect for human rights and international law remain fundamental tenets of Canadian foreign policy.

Thank you again for taking the time to write.

Sincerely,

A handwritten signature in black ink, appearing to read "Maxime Bernier", written in a cursive style.

Maxime Bernier

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