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OUR FILE #: 62695-1/NJW

VIA FACSIMILE & COURIER

Department of Foreign Affairs and International Trade
Lester B. Pearson Building, Tower A
125 Sussex Drive
Ottawa, ON K1A 0G2

Attention: Pierre Pettigrew, Minister of Foreign Affairs

JCD (m)
A14595-2004

Dear Sir:

Re: Omar Ahmed Khadr, Guantánamo Bay Detainee

Please find enclosed previous correspondence dated January 20th, 2004 and February 9th, 2004 from myself and Mr. Dennis Edney to Minister Graham as well as his two letters in response both dated June 3rd, 2004 regarding Omar Ahmed Khadr, a Canadian citizen and a juvenile who has now been imprisoned without trial or legal process in Guantánamo Bay, Cuba for approximately 2 years. We confirm that legal proceedings have been commenced in the Federal Court of Canada in relation to these matters, and that our client Fatmah Elsamnah (Omar's grandmother) has been appointed as Omar's Next Friend for the purposes of these proceedings.

- As you may or may not be aware, statements from former prisoners recently released from Guantánamo Bay have raised extremely serious concerns regarding the mistreatment of Omar at the hands of United States authorities. More specifically, a British citizen named Rhuheh Ahmed who occupied a cell one door down from Omar, has made the following statement through his U.K. solicitors:

5. Omar Khadr

298. Rhuheh recalls "the same thing also, we are aware, happened to a young Canadian man, Omar Khadr, who was aged 17 when we left. He had been shot three times at point blank range and his lung punctured and had shrapnel in one eye and a cataract in the other. They would not operate on him. He was told that was because he would not cooperate. We were told one time when he was in isolation he was on the floor very badly ill. The guards called the

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: SHARON E AHMAD
DATE/CASE ID: 20 APR 2005 200303827

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- 2 -

medics and they said they couldn't see him because the interrogators had refused to let them. We don't know what happened to him (he had had some sort of operation when he was still in Afghanistan but he was in constant pain in Guantanamo and still undoubtedly is and they would not give him pain killers." (He was one door from Rhuhel in the same block and all three used to talk to him.)

The entire report is available at:

<http://www.ccr-ny.org/v2/reports/report.asp?ObjID=4bUT8M23lk&Content=424>

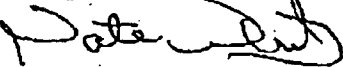
On behalf of our clients, we must express our grave concern in relation to the issues raised by these allegations of the torture of a Canadian juvenile. We urgently request that you provide us with any information you may have in relation to these allegations, that you make formal inquiries with the United States government regarding their truth or falsity, and that you advise ourselves of the results of these communications.

We note further that in Minister Graham's letter to Mr. Edney dated June 3rd, 2004, it was stated that "The decision by the government of Canada not to intervene on the jurisdictional point does not preclude the possibility of a future intervention in proceedings before the U.S. courts that involve Mr. Khadr directly." In this regard, we confirm that *habeas corpus* proceedings have now been commenced on Omar's behalf in the United States District Court for the District of Columbia, Case No. 1:04-CV-01136 (JDB). On behalf of our clients, we have retained the services of the International Human Rights Law Clinic, American University Washington College of Law to act as counsel for Omar in this proceeding, with Professors Muneer L Ahmad and Richard J. Wilson acting as responsible counsel. We therefore renew our request for intervention and assistance from the government of Canada in securing relief from the violations of Omar's human rights in the context of this proceeding. We along with Professors Ahmad and Wilson would be interested in meeting with you in person or by telephone to discuss what steps the government of Canada might take in this regard.

We would greatly appreciate a response to the above at your earliest convenience.

Yours truly,

PARLEE McLAWS LLP



NATHAN J. WHITLING

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cc: The Khadr Family
Dennis Edney

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