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Minister
of Foreign AffairsMinistre
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Ottawa, Canada K1A 0G2

The Honourable L'honorable
Bill Graham P.C., Q.C., M.P., c.p., c.r., députéRECEIVED
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Mr. Nathan J. Whiting
Parlee McLaws Barristers & Solicitors
1500 Manulife Place
10180-101 Street
Edmonton, Alberta
T5J 4K1

Dear Mr. Whiting:

Thank you for your letter of February 9, 2004, concerning your request that the Canadian government seek equivalent assurances with respect to Omar Khadr as those granted to the Australian government in relation to the manner in which an Australian citizen held at Guantanamo Bay will be tried and treated. I regret the delay in replying to you.

First, Canada has formally registered its opposition with the American government to the death penalty as an acceptable punishment or as a sentence for any Canadian detainee held at Guantanamo Bay.

We have discussed with U.S. officials the legal protections to be accorded to Mr. Khadr while he is incarcerated, as well as the legal protections that he is entitled to receive when, and if, he goes to trial. In regard to the latter, it should be noted that, unlike the case of the Australian citizen, the American government has not yet determined that Mr. Khadr is subject to the jurisdiction of the U.S. military commissions. Further, Mr. Khadr is not currently charged with any crime.

In closing, let me say that the Canadian government will continue to monitor closely the situation at Guantanamo Bay. Our dialogue with U.S. officials about the legal protections to be accorded to Mr. Khadr will also continue.

Sincerely,

Canada

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

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