

**INTERNAL INQUIRY INTO THE ACTIONS OF CANADIAN OFFICIALS IN  
RELATION TO ABDULLAH ALMALKI, AHMAD ABOU-ELMAATI AND  
MUAYYED NUREDDIN**

**INTERNAL INQUIRY**  
SEP 19 2008  
**ENQUÊTE INTERNE**

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**CONFIDENTIAL**  
**SUPPLEMENTARY SUBMISSIONS**  
**OF THE ATTORNEY GENERAL**  
**OF CANADA**

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**DATED: September 16, 2008**

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1. The Attorney General of Canada provides these supplementary submissions in regard to the actions of Canadian officials as they relate to Mr. Nureddin.

### **No Causal Connection**

2. The actions of the Royal Canadian Mounted Police did not directly or indirectly result in the detention or mistreatment of Mr. Nureddin in Syria. Further, the actions of the RCMP in relation to Mr. Nureddin were not deficient in the circumstances.

3. No information about Mr. Nureddin was shared directly by the RCMP at any time with any Syrian agency. The RCMP shared limited information in relation to Mr. Nureddin with American agencies. Travel information was shared with American agencies only after Mr. Nureddin's departure and did not include information that he would be transiting through Syria.

4. The limited information shared with the American agencies was believed to be accurate and reliable; it stemmed from the RCMP's own investigation and that of trusted partners. The information was protected by the third party rule, as well as by explicit caveats, both of which affirmed the originator control principle.

5. There is absolutely no evidence that the limited information shared by the RCMP with American agencies created an interest in Mr. Nureddin or played any role in the actions of those agencies. There is certainly no evidence that the information shared with the American agencies played any role in the actions of any Syrian agency.

6. As a result, there is no basis for finding that information shared by the RCMP in relation to Mr. Nureddin guided the actions of any foreign agency in

having him arrested in Syria. To conclude otherwise in the absence of any evidence would be to impose an automatic assumption that the sharing of any information in relation to an individual who is subsequently detained resulted in their detention. Imposing such an automatic assumption would put a profound chill on information sharing. That would have serious implications for the security of our country.

7. An approach that conflates the sharing of information with the subsequent actions of a third country in relation to an individual, absent evidence of an actual causal connection, also renders the causation standard in the Terms of Reference meaningless. The Commissioner is specifically called upon to determine whether the detention or mistreatment of Mr. Nureddin resulted from the actions of Canadian officials in sharing information. The Commissioner cannot assume that which he is called upon to determine based on information and evidence.

#### **The Actions of the RCMP were not Deficient**

8. Should the Commissioner nevertheless find that the limited information shared with American agencies resulted indirectly in Mr. Nureddin's detention or mistreatment, he should also find that that information sharing was not deficient in the circumstances.

9. As described above, the information that was shared was believed to be accurate and reliable. The descriptions of Mr. Nureddin in the information were accurate and appropriately qualified (e.g., suspected, believed to be). The information was shared with the appropriate caveats attached.

#### **Conclusion**

10. The RCMP acted appropriately and in good faith in sharing limited information with American agencies in relation to Mr. Nureddin. There is no basis for finding that the information shared by the RCMP resulted, directly or

indirectly, in the detention or any mistreatment of Mr. Nureddin. Nor is there a basis for finding that the actions of the RCMP were deficient in the circumstances.

DATED: September 18, 2008



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