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March 20, 2007

The Honourable Frank Iacobucci  
The Commissioner

PO Box 1208  
Station B  
Ottawa, Ontario, Canada  
K1P 5R3

BY EMAIL [inquiry.admin@bellnet.ca](mailto:inquiry.admin@bellnet.ca)

**Re: Canadian Arab Federation**

**Application for Standing to Participate in and Funding to be represented by counsel  
at the Inquiry into the Actions of Canadian Officials In Relation to Abdullah  
Almalki, Ahmad Abou-ElMaati and Muayyed Nureddin**

Below please find the above noted application and supporting documentation.

Yours sincerely,

  
James Kafieh

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

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APPLICATION FOR STANDING BY  
CANADIAN ARAB FEDERATION

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Solicitor for the Applicant

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## NOTICE OF APPLICATION

The CANADIAN ARAB FEDERATION will make a motion before this Inquiry on Wednesday, March 21, 2007 at 10:00 a.m., or as soon after that time as the motion can be heard, at the Bytown Lounge, 111 Sussex Drive, Ottawa, Ontario.

### PROPOSED METHOD OF HEARING:

The Canadian Arab Federation asks that this motion be heard orally.

### THE MOTION IS FOR:

An order granting the Canadian Arab Federation standing to participate before this Inquiry and funding to be represented by counsel.

### THE GROUNDS FOR THIS MOTION ARE:

1. Canadian Arab Federation has a direct and substantial interest in the subject matter of the inquiry;
2. Canadian Arab Federation does not have the financial means to retain counsel to represent it before this Inquiry;
3. Parts C and D of the Rules of Procedure and Practice respecting participation and funding of this Inquiry; and
4. Such further and other grounds as counsel may submit and this Inquiry accept.

The Following evidence will be used at the hearing on the motion:

1. The oral submission of James Kafieh; and
2. Such further and other evidence that counsel may submit and this inquiry accept.

The Canadian Arab Federation claims a genuine concern in the subject of the inquiry. As a federally incorporated body it has served as the national organization representing the interests of Arab Canadians since its founding in 1967.

The issues directly covered by this Inquiry have a direct and unique impact on the Arab Canadian community. There appears to be profound issues relating to the alleged mistreatment of Arab Canadians as part of Canada's security measures and security relations with foreign governments.

The impact of these measures are suspected by the Canadian Arab Federation to form a pattern of human rights abuse directly affecting Arab Canadians as a class. The Canadian Arab Federation submits that the impact of the alleged mistreatment and torture of Arab Canadians

extends well beyond the individuals directly involved and has left an indelible impact on the Arab Canadian community of over 500,000. In short the *Charter* right to security of the person for the Arab Canadian community may be at stake.

The Canadian Arab Federation has a long record of activity in the field of anti-racism and human rights work. It also has special knowledge of the Arab World.

Since September 11, 2001 the Arab Canadian community has been uniquely affected by Canada's security measures and the practices of its agencies as it participates in the "War on Terror". The Canadian Arab Federation has served its mandate as the national organization for Arab Canadians by repeatedly making representations to the Government of Canada. Due to these experiences and facts, it is submitted that the Canadian Arab Federation is uniquely positioned to make an important contribution to the Inquiry.

Precedent for granting standing to the Canadian Arab Federation in this Inquiry is found in the fact that it was granted standing in the earlier and related subject of the COMMISSION OF INQUIRY INTO THE ACTIONS OF CANADIAN OFFICIALS IN RELATION TO MAHER ARAR.

Dated at Perth, Ontario, This 20<sup>th</sup> day of March 2007, 2007



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Solicitor for the Moving Party



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March 22, 2007

**Cover + 3 Pages**

The Honourable Frank Iacobucci  
The Commissioner

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BY FAX: (613) 992-2366

**Re: Canadian Arab Federation**

**Application for Standing to Participate in and Funding to be represented by counsel  
at the Inquiry into the Actions of Canadian Officials In Relation to Abdullah  
Almalki, Ahmad Abou-ElMaati and Muayyed Nureddin**

Please find attached the sworn statement of Mohamed Boudjenane, Executive Director of the Canadian Arab Federation in Support of its application for intervener's status in the above matter.

Also, to follow up on my discussion with the Inquiry's Lead Council, Mr. Laskin, the Canadian Arab Federation does maintain that it does have a direct and substantial interest in the subject of the Inquiry for the reasons presented orally before the Commission. However, in the alternative the Canadian Arab Federation also submits that it has a genuine concern in the subject of the Inquiry.

Yours sincerely,



James Kafieh

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

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**AFFIDAVIT OF CANADIAN ARAB FEDERATION]  
(in support of intervener application)**

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I, Mohamed Boudjenane, of the City of Toronto, in the Province of Ontario, **make oath and state as follows:**

1. I am the Executive Director of the Canadian Arab Federation and as such have knowledge of the matters hereinafter deposed to.
2. As the Executive Director of the Canadian Arab Federation I have been intimately involved in all aspects of its operations for the last 2 years and have knowledge of the Federation's history and role as the national representative organization of the Arab Canadian community.
3. The Canadian Arab Federation is a non-profit federal corporation since its founding in 1967.
4. Today it represents the interests of the Arab Canadian community that numbers well over 500,000.
5. The Canadian Arab Federation has been vigorously active in the fields of human rights, anti-racism advocacy and training and security issues. In fulfillment of its mandate to serve and represent the interests of the Arab Canadian community it has been directly involved in substantial and ongoing consultations with various aspects of the Government of Canada including Parliament, the Prime Minister's Office and various ministries.

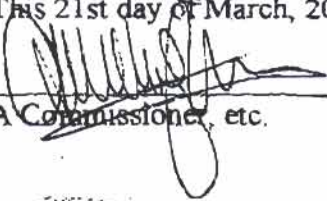
6. One key area of the consultations and representations in which the Canadian Arab Federation has been very active has been in regard to Canada's security legislation and the activity, policies and procedures of its security agencies.
7. For decades the Arab Canadian community has been disproportionately impacted by the activities of Canada's security establishment. However, since 9/11 and the imposition of new security legislation Arab Canadians have been subjected to much greater pressure.
8. The Canadian Arab Federation also served as an intervener at the COMMISSION OF INQUIRY INTO THE ACTIONS OF CANADIAN OFFICIALS IN RELATION TO MAHER ARAR.
9. The apparent pattern of Arab Canadians suffering human rights abuses and torture due (at least in part) to the actions of Canada's security establishment has left an indelible impression on the Arab Canadian community.
10. The subject of this Inquiry is of critical interest to the Arab Canadian community and as such the Canadian Arab Federation.
11. The Canadian Arab Federation is dependent for its operational budget on funding it receives from Federal, Provincial and Municipal sources. These funds are all provided for contracts for the delivery of settlement and other services to the community. As such all funds are committed. The Canadian Arab Federation constantly struggles to find adequate finances to cover its costs, including funding a modest staff of four full-time and two part-time employees.




12. Without funding from this Inquiry the Canadian Arab Federation would not be able to participate as an intervener.

13. I make this affidavit in support of Canadian Arab Federation's application for intervener's status and funding from the inquiry and for no other purpose.

Sworn before me at the City of Toronto )  
In the Province of Ontario )  
This 21st day of March, 2007 )

  
A Commissioner, etc.

  
[name of affiant in bold]  
BARDJEWANS POLIMED

