

**Commission d'enquête  
sur les actions des  
responsables canadiens  
relativement à Maher Arar**



**Commission of Inquiry into  
the Actions of Canadian  
Officials in Relation to  
Maher Arar**

**Audience publique**

**Public Hearing**

**Commissaire**

L'Honorable juge /  
The Honourable Justice  
Dennis R. O'Connor

**Commissioner**

**Tenue à:**

Salon Algonquin  
Ancien hôtel de ville  
111, Promenade Sussex  
Ottawa (Ontario)

le lundi 20 juin 2005

**Held at:**

Algonquin Room  
Old City Hall  
111 Sussex Drive  
Ottawa, Ontario

Monday, June 20, 2005

## APPEARANCES / COMPARUTIONS

Mr. Paul Cavalluzzo M <sup>e</sup> Marc David Mr. Brian Gover Ms Veena Verma Ms Adela Mall	Commission Counsel
Mr. Ronald G. Atkey Mr. Gord Cameron	<i>Amicus Curiae</i>
Mr. Lorne Waldman Ms Marlys Edwardh Ms Breese Davies Ms Brena Parnes	Counsel for Maher Arar
Ms Barbara A. McIsaac, Q.C. Mr. Colin Baxter Mr. Simon Fothergill Mr. Gregory S. Tzemenakis Ms Helen J. Gray	Attorney General of Canada
Ms Lori Sterling Mr. Darrell Kloeze Ms Leslie McIntosh	Ministry of the Attorney General/ Ontario Provincial Police
Mr. Faisal Joseph	Canadian Islamic Congress
Ms Marie Henein Mr. Hussein Amery	National Council on Canada-Arab Relations
Mr. Steven Shrybman	Canadian Labour Congress/Council of Canadians and the Polaris Institute
Mr. Emelio Binavince	Minority Advocacy and Rights Council
Mr. Joe Arvay	The British Columbia Civil Liberties Association

## APPEARANCES / COMPARUTIONS

Mr. Kevin Woodall	The International Commission for Jurists, The Redress Trust, The Association for the Prevention of Torture, World Organization Against Torture
Colonel M <sup>e</sup> Michel W. Drapeau	The Muslim Community Council of Ottawa-Gatineau
Mr. David Matas	International Campaign Against Torture
Ms Barbara Olshansky	Centre for Constitutional Rights
Mr. Riad Saloojee Mr. Khalid Baksh	Canadian Council on American-Islamic Relations
Mr. Mel Green	Canadian Arab Federation
Ms Amina Sherazee	Muslim Canadian Congress
Ms Sylvie Roussel	Counsel for Maureen Girvan
Ms Catherine Beagan Flood	Counsel for the Parliamentary Clerk
Mr. Norman Boxall	Counsel for Inspector Michael Cabana
Mr. Richard Bell	
Mr. Vince Westwick	Counsel for Ottawa Police Service

1 Ottawa, Ontario / Ottawa (Ontario)

2 --- Upon commencing on Monday, June 20, 2005

3 at 10:12 a.m. / L'audience reprend le lundi

4 20 juin 2005 à 10 h 12

5 THE REGISTRAR: Please be seated.

6 Veuillez vous asseoir.

7 THE COMMISSIONER: Good morning.

8 Mr. Cavalluzzo...?

9 MR. CAVALLUZZO: Thank you,  
10 Commissioner.

11 Commissioner, we were about  
12 to proceed this morning with Mr. Martel, and  
13 certainly we were prepared to proceed with  
14 him today.

15 Unfortunately, as a result of  
16 some personal and urgent circumstances, we will  
17 not be able to proceed with Mr. Martel today  
18 and tomorrow.

19 As a result of these  
20 circumstances, and through discussions with  
21 counsel for the government and Mr. Arar, we have  
22 agreed to have Mr. Martel return in the middle of  
23 August sometime. We will, after today, hopefully,  
24 get certain dates down. It will be mid to late  
25 August when Mr. Martel will testify.

1                   This is a most unfortunate event.  
2           As you know, it happens often in long trials and  
3           hearings and so on, but really, it is something  
4           beyond our control.

5                   THE COMMISSIONER: All right. I  
6           have been advised of the circumstances, counsel  
7           have been advised, and I agree with you that it is  
8           unfortunate, but I also agree with you that the  
9           matter has to be put over.

10                   I take it, Mr. Cavalluzzo, that  
11           putting it over -- we do have an overarching  
12           schedule, if I can call it that, that this will  
13           not affect the overarching schedule.

14                   MR. CAVALLUZZO: No, it will not  
15           interfere with the schedule which we have  
16           prepared. We are still going to proceed with our  
17           oral public submissions in the week of Labour Day,  
18           and having Mr. Martel return in August will not  
19           postpone those submissions, so that we will still  
20           be proceeding on schedule.

21                   THE COMMISSIONER: Okay.

22                   MR. CAVALLUZZO: In terms of  
23           this week, we will be proceeding with  
24           Superintendent Cabana this Thursday. His evidence  
25           is likely to go into the next week. We will be

1 sitting, commencing on Wednesday of the week  
2 after, June 29th.

3 THE COMMISSIONER: I understand.  
4 I think it is unfortunate, but there is nothing  
5 that can be done about it. As long as we can  
6 stick to the main schedule, then I guess that is  
7 the good news of it.

8 Then we will rise now until  
9 Thursday morning.

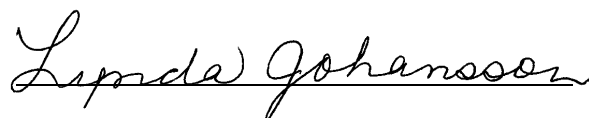
10 Thursday?

11 MR. CAVALLUZZO: On Thursday I  
12 think we can start at 10 o'clock in the morning.  
13 That will be fine.

14 THE COMMISSIONER: Okay. That's  
15 fine. Ten o'clock Thursday morning.

16 THE REGISTRAR: Please stand.  
17 --- Whereupon the hearing adjourned at 10:15 a.m.,  
18 to resume on Thursday, June 23, 2005,  
19 at 10:00 a.m. / L'audience est ajournée à  
20 10 h 15, pour reprendre le jeudi 23 juin 2005  
21 à 10 h 00

22  
23  
24  
25

  
Lynda Johansson,  
C.S.R., R.P.R.

StenoTran

<b>A</b>	<b>event</b> 7728:1 <b>evidence</b> 7728:24	7728:18 <b>matter</b> 7728:9 <b>mid</b> 7727:24 <b>middle</b> 7727:22 <b>Monday</b> 7727:2 <b>morning</b> 7727:7,12 7729:9,12,15	<b>rise</b> 7729:8 <b>R.P.R</b> 7729:25	<b>à</b> 7727:4 7729:19 7729:21
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