

June 15, 2007

Mr. Garry Breitkreuz
Chairperson
Standing Committee on Public Safety and National Security
Sixth Floor, 180 Wellington Street
Wellington Building
House of Commons
Ottawa ON, KIA OA6
Canada
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Transmitted Via Facsimile and email

Dear Mr. Breitkreuz:

Re: The Federal Government's Planned Implementation of the "No Fly List"

We, the national organizations listed below are writing to collectively respond to the government's plan to implement the No Fly List ("Passenger Protect") on June 18, 2007 and to call for its elimination.

Our concerns with the "No Fly List" stem from the potential violation of human rights and civil liberties; the potential for violations of the privacy rights of Canadians; our concerns for the Public Safety Act itself which enables this type of program to be implemented; the non-transparent and secretive way in which this program has been initiated and the potential for violation of the freedom of movement of peoples.

We believe that the List raises grave concerns regarding the sharing of personal information with foreign governments, especially in light of the conclusions of the O'Connor Commission. Furthermore, it compounds the already existing problem with the American No Fly List that airlines (including Canadian airlines) are required to use.

Transport Canada purports that the elaboration of a Canadian No Fly List will minimize the impact of the problematic American list used by airlines. However, industry spokespeople themselves, have confirmed last week that they will continue using the American No Fly List.

Although the Privacy Commissioner has publicly expressed concern(s) about the No Fly List, and despite the poor record of the US experience with No Fly Lists, the Government seems determined to move forward with the program. The American experience has shown that such a program is highly vulnerable to abuse.

The Canadian No Fly List is said to be authorized under the *Public Safety Act 2002*, an omnibus legislation that has generated serious and persistent criticisms. Nowhere is a No Fly List spelled out in the legislation. We are unaware of any specific mention of No Fly List being before Parliament. If No Fly Lists were envisioned under the *Public Safety Act 2002*, the government appears to have kept its visioning a very well kept secret. We strongly believe that this program represents a massive infringement on the basic rights and civil liberties of Canadians, including the serious threat of racial, ethnic and religious profiling. As such, we are concerned about the lack of a genuine democratic process engaged in the articulation of this "No Fly List" program. While we know that Transport Canada has undertaken some consultation, it remains for the most part inadequate.

We support the Government's desire for public safety and security for airline companies and the travelling public. However, we fail to see how the No Fly List program will achieve this goal. The Federal Government has an obligation to ensure the primacy of human rights and civil liberties, while seeking to protect the public safety. A full parliamentary debate on public safety and civil liberties will ensure that these objectives are addressed.

We also reiterate Canada's obligations under the Charter of Rights and Freedom; and its commitment to international instruments that protect Canadian citizens and residents and their

family members from state and private actions that discriminate on the basis of race, ethnicity, national origin, religion, among other grounds and/or violate political and civil rights.

We ask that the Standing Committee on Public Safety and National Security (SECU) commit to launching an open debate on public safety and civil liberties, and this program, through the parliamentary committee review process. The “No Fly List” program impacts every single Canadian and as such, it warrants a full debate.

We look forward to your response. The Canadian Race Relations Foundation is acting as the coordinating organization for this group intervention and will receive correspondences on this matter.

Sincerely,

Signatory Organizations
(Organizations and contact information appended)

cc. The Honourable Stockwell Day, Minister of Public Safety and National Security
The Honourable Lawrence Cannon, Minister of Transportation

SIGNATORIES

ORGANIZATION	CONTACT	EMAIL
Canadian Race Relations Foundation (CRRF) 4576 Yonge St., Ste 701 Toronto, ON., M2N 6N4	Ayman Al-Yassini, Executive Director	ayassini@crr.ca
Canadian Labour Congress (CLC)	Hassan Yussef, Secretary-Treasurer,	sectreas@clc-ctc.ca
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