

8 May 2014

**URGENT**

Petitions Team  
United Nations Committee against Torture  
Office of the High Commissioner for Human Rights  
Palais Wilson  
52 rue de Pâquis  
1211 Geneva 10, Switzerland

Via email: [petitions@ohchr.org](mailto:petitions@ohchr.org)

Re: **CAT/536/2013, Hassan bin Attash et al., Communication against Canada**  
**NEW INFORMATION: GEORGE W BUSH VISIT TO CANADA 12 MAY 2014**  
*(Alleged Violation of Articles 5(2), 6 and 7 of the Convention against Torture;  
Implicating Article 14 – Right to a Remedy)*

Dear Members of the Committee against Torture:

Hassan bin Attash, Sami el-Hajj, Muhammed Khan Tumani and Murat Kurnaz (collectively, “Complainants”) hereby bring to the Committee’s attention a **time-sensitive factual development** that has direct bearing on their pending Communication (No. 536/2013), which sets out an alleged violation of Articles 5, 6 and 7 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by Canada resulting from its failure to ensure custody over, investigate and prosecute former U.S. president George W. Bush when he visited Canada in 2011, as required by the Convention.<sup>1</sup> Complainants welcome the issuance of any **Interim Measures** pursuant to Rule 114 of the Rules of Procedure that the Committee deems appropriate and necessary to avoid a further breach of Canada’s obligations under the Convention and to further the Convention’s core purpose.

**George W. Bush is scheduled to return to Canada on Monday, 12 May 2014**, to appear at an event being held at the Metro Toronto Convention Center located at 255 Front Street West, Toronto, Canada. *See* Ex. A. In light of the factual record previously presented to Canada setting forth Bush’s role in ordering, directing, authorizing, approving, facilitating, and failing to prevent or punish acts of torture against persons detained by the United States between 2001 and 2009, including the Complainants,<sup>2</sup> and recalling the pending Communication, Canada must take steps to ensure custody over, investigate and prosecute Bush lest it again breach its obligations under the Convention.

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<sup>1</sup> The Complainants are four individuals who were subjected to torture while detained in U.S.-run detention centers, including in Afghanistan and at Guantánamo Bay. The named Complainants, with the assistance of the Center for Constitutional Rights and the Canadian Centre for International Justice, submitted a communication pursuant to Article 22 of the Convention with this Committee on 14 November 2012. That Communication is pending.

<sup>2</sup> *See* “Factual and Legal Basis for Prosecution of George W. Bush Pursuant to the Canadian Criminal Code and the Convention Against Torture,” 29 September 2011, available at: <http://ccrjustice.org/files/2011.09.29%20Bush%20Canada%20Indictment.pdf>.

Complainants recall that Canada's obligations under the Convention include not only preventing and punishing acts of torture, as reflected *inter alia* in Articles 5, 6 and 7 of the Convention, but also redressing such acts, pursuant to Article 14. This Committee issued General Comment 3 in December 2012, which makes clear that guarantees of non-repetition are included in the comprehensive reparative concept set forth in Article 14.

The Convention against Torture was adopted to combat impunity for torture. Allowing Bush to be present on Canadian territory without consequence – again – leaves Canada open to the charge of being a “safe haven” for torturers and an ally of impunity, rather than accountability. Complainants respectfully request that in considering their case, the Committee take the action necessary to ensure that the core purposes of the Convention are upheld.

Respectfully submitted,



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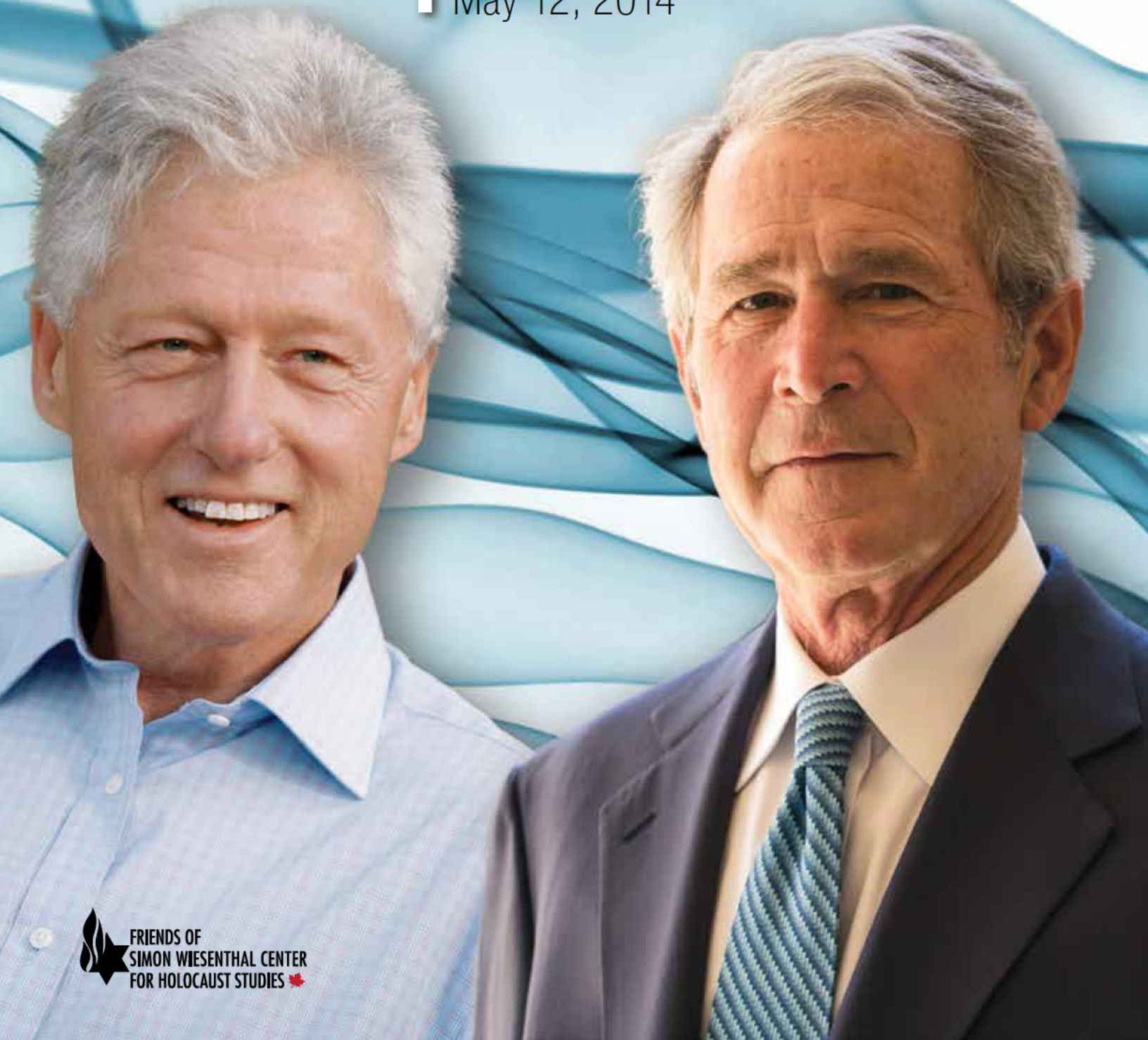
cc: Honourable Peter MacKay, Minister of Justice and Attorney General of Canada  
Bob Paulson, Commissioner of the Royal Canadian Mounted Police  
Crown Attorney's Office, Toronto  
Permanent Mission of Canada to the Office of the United Nations at Geneva

# EXHIBIT A

A Conversation with President Bill Clinton and President George W. Bush

spirit of  
**Hope**  
May 12, 2014

METRO TORONTO  
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# spirit of Hope

May 12, 2014

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\*VIP PhotoLine - For more information please contact Tracey at 416-864-9735 ext. 30 or at [tsteyn@fswc.ca](mailto:tsteyn@fswc.ca)

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Registration can also be made on line at [www.spiritofhopebenefit.com](http://www.spiritofhopebenefit.com)

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MAY 12 2014

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