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The Honourable Vic Toews, P.C, M.P.
Minister of Public Safety
269 Laurier Avenue West
Ottawa, Ontario
K1A 0P8

Re: Open letter calling for an inquiry into alleged violations of civil liberties during the Toronto G20 Summit

Minister Toews,

We are writing you to express our dismay regarding the accounts of the conduct of the G8-G20 Integrated Security Unit (“ISU”) during the G20 summit recently held in Toronto, and to enjoin you to take positive steps to ensure that civil liberties in Canada are not eroded in the context of political demonstrations. In our capacities as law professors and attorneys, but especially as citizens, we are extremely concerned about the reports of widespread infringements of civil liberties allegedly perpetrated by members of the ISU and urge you to initiate an independent inquiry into the searches, seizures, and arrests effected in the context of the G20 demonstrations, as well as the conditions of detention of those arrested.

Unfortunately, the mass arrests effected during the G20 appear to be part of a trend towards the criminalization of dissent in Canada. Canadian police forces resort increasingly to mass arrests during political demonstrations, only to release the protestors – many of them without charge – after the protested event. Though the police have the responsibility of arresting individuals directly engaged in property damage (whether during a protest or not), this in no way justifies recourse to mass arrests. This tactic is not only a clear infringement of the freedoms of opinion, expression, association and assembly, but also a form of arbitrary detention that violates the presumption of innocence. In 2005, having noted that Canadian police engage in such large-scale arrests, and that they are arbitrary within the meaning of the *International Covenant on Civil and Political Rights*, the Human Rights Committee of the United Nations exhorted Canada to “...ensure that the right of persons to peacefully participate in social protests is respected, and ensure that only those committing criminal offences during demonstrations are arrested.” There were over 900 arrests made during the G20 summit and we understand that the overwhelming majority of those arrested were later released without charge. These facts support the view that Canada has disregarded the UN Committee’s exhortation.

In addition to the mass arrests, reports from independent observers such as those of the Canadian Civil Liberties Association, indicate that ISU members routinely detained and searched citizens without reasonable grounds to do so. Certainly, if the available video evidence and the many first hand accounts reported in both the traditional and alternative media are representative of ISU tactics, these rights violations number in the thousands. In at least some reported cases, ISU members purported to have been specifically granted the power by a regulation adopted under Ontario's *Public Works Protection Act* to detain and search citizens without reasonable grounds. As you know, Toronto police chief Bill Blair later admitted that ISU members were mistaken as to the powers conferred to them under that regulation.

Furthermore, the reports of the conditions in the makeshift detention centre set up on Eastern Avenue are extremely troubling. Credible accounts of overcrowding, inadequate supplies of food and fresh water and threats of abuse by ISU members, including sexual assault of female detainees, lead us to believe that the right to security of the person of detainees was violated. Detainees were also apparently denied their rights to counsel and to be informed of the reason for their detention.

The rights set out in the *Canadian Charter of Rights and Freedoms* are not optional. In a free and democratic society, it is paramount that civil liberties be respected by police, even when it would be inconvenient for them to do so.

Minister Toews, we cannot reconcile the numerous eyewitness and media accounts of the G20 protests with your statement on June 28, 2010, that the ISU acted with "professionalism" and thanking ISU members for their "exceptional work". We therefore call upon you to initiate a full and independent inquiry into the actions of the ISU during the G20.



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