

Open Letter to Harper & McGuinty

Canadians Demand Public Inquiry Into Actions and Powers of Toronto G20 Police and Security

Prime Minister Harper and Premier McGuinty,

We are writing to express our deep concern over the unprecedented curtailment of civil liberties that took place at the June 2010 meeting of the G20 in Toronto. At a time when Canada was hosting leaders from around the world to discuss the direction of global policy, members of the public should have been encouraged to actively participate in the debate and discussion. Instead, the extraordinary powers granted to police, as well as the massive level of security, severely limited the space for democratic expression and, according to Amnesty International Canada, “cast a chill over citizen participation in public discourse”.

We condemn criminal acts of vandalism and damage to property carried out by a small number of individuals on the evening of June 26. We similarly condemn any acts that may have been carried out by police or security agents in an effort to provoke confrontation. We also unequivocally hold that they cannot be used as a justification for the pre-emptive curtailment of civil liberties and the arbitrary arrests that followed.

Over the course of the weekend, more than 1,000 people were arrested, more than any other event in Canada’s history. While this number may include people who were involved in vandalism or other property damage, the vast majority appear to have been arrested while exercising their constitutionally protected rights to freedom of assembly, association, and expression, including passers-by who happened to be in the wrong place at the wrong time. These arrests appear to have been a strategy of preventative detention, which infringes important Charter rights with respect to due process and cannot be justified in a free and democratic society. There are also numerous reports of activists and organisers being arrested, and raids being carried out by police on locations used by them to coordinate their activities.

While some chose not to participate in the demonstrations out of fear of the large police presence armed with new weapons, those who did were met with unprecedented levels of police surveillance and intimidation from the almost 20,000 police officers deployed on the streets of Toronto. At the same time, officers had been granted new sweeping powers of search and arrest. The rights to freedom of association, assembly and expression enshrined in the Charter of Rights and Freedoms guarantee the right to participate in the democratic process free from intimidation. The clear effect of the security approach at the G20 was that many individuals were made to feel unable, or afraid, to exercise these rights.

The Ontario Government’s expansion of the Public Works Protection Act to include the perimeter of the G20 meeting happened behind closed doors without notice or public debate. Originally adopted in 1939, the Act was not intended to be applied to public demonstrations and its application by police has resulted in severe limitations on Charter rights. The way it was adopted and the way it was applied both run counter to fundamental rule of law principles. .

During the summits there were numerous reports of police assaulting and intimidating peaceful protestors, including allegations about the use of excessive force during arrests and the use of pepper spray, rubber bullets, tear gas, and mounted police against peaceful demonstrators. Most notable are the events that transpired at Queen’s Park on the afternoon of June 26, outside of the G20 detention centre on the evening of June 26 and the afternoon of June 27, outside of the Novotel Hotel on the evening of June 26, and at the intersection of Queen Street West and Spadina Avenue on the evening of June 27.

While they have yet to be confirmed, there are reports of those detained alleging that they were held in unsanitary and inhumane conditions, and denied access to toilets, water, medicine, legal counsel, and due process. Youth have reported being held with adults, and there have been allegations of sexual and other harassment of those detained.

Of particular concern are reports that numerous journalists were arrested, detained, and constrained in the course of reporting on the G20 meeting and demonstrations, including reports of a journalist for the Guardian Newspaper who was reportedly assaulted by police while being detained. The media play a critical role in preserving democracy by bearing witness and documenting events. Actions that curtail the media's ability to do so severely limit the ability of citizens to hold their government to account.

The G20 Summit in Toronto is the latest in a series of global summits at which people faced substantial restrictions of their civil liberties and excessive police force. We call on all G20 leaders to ensure that at future summits people's rights to freedom from arbitrary arrest and detainment, and the rights of freedom of speech, assembly, and association are well protected. Further, the media, including alternative and independent media, must have the ability to report on future summits free from fear of arrest, detention, and intimidation. Lastly, we call for meetings of the G20 to include legitimate and meaningful avenues for civil society and citizens to participate.

It is essential for Canada to learn from what took place during the G20 weekend. The only way for Canadians to understand exactly what transpired during this Summit is through an independent public inquiry into security during the 2010 Canadian G8 and G20 Summits, held jointly by the Ontario and Federal governments. Such an inquiry must include opportunities for public input and participation, and produce findings that are released to the public. The inquiry should consider the impact of security measures on the Charter rights of citizens to freedom of assembly, association, expression, and due process. Among other matters, the inquiry should review:

- All raids and mass arrests conducted by police and security forces in connection to the 2010 Summits and, in particular, use of preventative detention and arbitrary arrest;
- The arrest and detention of journalists and members of the media;
- The excessive use of force against protestors by police and security during the 2010 Summits
- The conditions in which those detained were held and legally processed;
- The circumstances around the implementation and execution of the Public Works Protection Act.

At stake is the ability of citizens to participate in their democracy and the need to ensure that police and other security forces to be held responsible for their actions. We hope that you will heed this call and ensure that questions that remain from the Summits do not go unanswered.

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- **Ad Hoc Coalition for Women's Equality and Human Rights**
 - **Alternatives**
 - **Association québécoise des organismes de coopération internationale**
 - **Canadian Arab Federation**
 - **Canadian Association of University Teachers**
 - **Canadian Council of Muslim Women**
 - **Canadian Council on Social Development**
 - **Canadian Union of Public Employees-Ontario**
 - **Communication Energy and Paperworkers**
 - **Council of Canadians**
 - **Democracy Watch**
 - **Greenpeace Canada**
 - **Independent Jewish Voices**
 - **Indigenous Environmental Network**
 - **Make Poverty History Canada**
 - **National Association of Women in the Law**
 - **Ontario Association of Interval and Transition Houses**
 - **Ontario Federation of Labour**
 - **Polaris Institute**
 - **Public Service Alliance of Canada**
 - **RebELLEs Movement**
 - **Réseau d'Actions du Genre et de Développement Social - RAGDS**
 - **Women's Habitat**