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**The government no longer helps all Canadians in trouble abroad**

UNTIL recently, Canadians who ended up in a foreign jail could be confident of help. The federal government backed any request by a convicted prisoner to be repatriated to a Canadian jail. For those sentenced to death, an appeal for clemency was automatic. While consular officials would not interfere in any reputable prosecution, once sentence was passed, they would help bring Canadians home.

Stephen Harper's Conservative government has changed this. In November Stockwell Day, the minister of public safety, said he would not ask the governor of Montana in the United States to commute a death sentence against Ronald Smith, who killed two Americans during a drunken road trip in 1982. In future, no appeal would be made where Canadians were convicted by due process in a democratic country, he said. Mr Harper says intervening on behalf of double murderers sends the wrong signal to Canadians.

Maybe, but there are also pitfalls in the new approach. Governments receiving official representations—such as Saudi Arabia, where Mr Day appealed for clemency in the case of Mohamed Kohail, sentenced to beheading for killing a teenager in a 2007 schoolyard brawl—will now know that Canada considers their justice system unfair. Some Canadians reckon that their government has become complicit in capital punishment, which the country abolished for civilians in 1976.

More broadly, rather than providing an equal service to all, the government has begun to pick and choose which among the 1,815 Canadians in foreign jails it will help, complains Gar Parady, a retired civil servant who drew up the previous consular policy. Brenda Martin, whose trial and conviction for fraud in Mexico received much media coverage in Canada, was whisked home on a government-chartered jet within days of being sentenced. Under Canadian rules, she was promptly freed on parole, having served a third of her five-year sentence.

Her treatment contrasts with that of several Canadians facing terrorism charges. Omar Khadr was arrested in Afghanistan in 2002 at the age of 15 and is due to go on trial for murdering an American soldier before a military commission at the prison camp at Guantánamo Bay this summer. The government says that any request to the United States to return Mr Khadr would be premature until his case is completed. Lieutenant-Commander William Kuebler, the American military lawyer assigned to defend him, disagrees. Canada should follow the example of other Western governments and press to repatriate his client, he says. "The guy who is facing the death penalty in Montana was tried and sentenced in a lawful justice system," he points out. "What's going on in Guantánamo, especially with regard to Omar Khadr, is illegal."

Canada is not alone in exercising discretion as to which of its citizens in trouble abroad it will aid, says Amanda Cumberland, of Fair Trials International, an NGO. But unless governments explain their policy clearly, they raise suspicions that their actions are determined by media interest, politics or ideology, she adds.

A government pamphlet called "A Guide for Canadians Imprisoned Abroad", setting out what consular officials will and won't do, does not include any recent changes in policy. Not much use to any Canadian who is unlucky enough to be banged up while abroad.

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