

**The Rt. Hon. Stephen Harper, PC, MP**  
**Prime Minister of Canada**  
**Ottawa, Ontario**

**Dear Prime Minister Harper,**

On behalf of the legal professions in the United Kingdom, and in common with colleagues and legal academics in Canada, we are writing to encourage you in the strongest possible terms to take urgent action in the case of Omar Khadr, the young Canadian detained without trial by the United States military at Guantanamo Bay since 2002. You will be well aware that Khadr was apprehended when he was 15 years old and has spent a quarter of his life in US detention. We are conscious that the Canadian Bar Association has made a similar plea to your Government, and that you have received similar petitions from concerned Canadian Statesmen and Parliamentarians.

The lengthy detention, and putting on trial for war crimes, of someone who appears to be a "child soldier" is contrary to the special protection to which Khadr is entitled by virtue of the Optional Protocol of the UN Convention on the Rights of the Child. A formal complaint has recently been made to the United States in this regard by the UN Special Representative for Children in Armed Conflict, Radhika Coomaraswamy. We regret to see Canada appearing to be complicit in such breaches of fundamental international standards of conduct in relation to children.

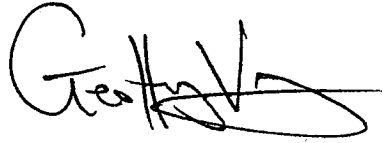
In our judgment, the ad hoc process devised by the United States to try "enemy combatants" is illegitimate and irreparably flawed. It has no basis in international law and contravenes well established laws of war and humanitarian law. Our concern about the unfairness of this regime is underscored by the fact that the military commission is authorized to try only non-US citizens. As others have indicated before us, if the system is not good enough for Americans, it should not suffice for Canadians either.

We do not believe that Canada, a Commonwealth partner, should remain silent while the US subjects its citizen to such a process. Every other ally of the United States, including the United Kingdom, France, Germany and Australia, has acted to protect their citizens detained at Guantanamo Bay. Each of these states has succeeded in repatriating its citizens and, in the case of Germany and the UK, permanent resident non-citizens. In all cases except that of Australian David Hicks, the country of citizenship undertook to investigate whether its citizen had committed any war crimes, crimes against humanity, or violations of domestic criminal law.

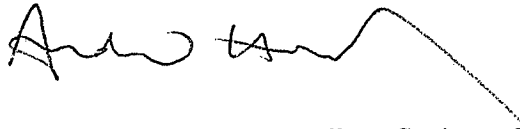
We urge the Canadian government to follow the precedent of other US allies and insist on the repatriation of Khadr. Like these states, Canada must assert its sovereign interest by providing diplomatic protection to its citizen. We are confident that the Canadian justice

system, with its strong international reputation for fairness, due process and the protection of human rights, is more than competent to adjudicate the appropriate legal consequences for Khadr, bearing in mind his age at the time the alleged acts occurred.

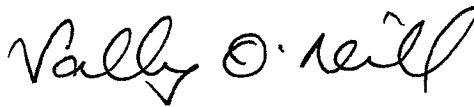
Yours faithfully,



**Geoffrey Vos QC. Chairman of the Bar of England and Wales**



**Andrew Holdroyd. President of the Law Society of England and Wales**



**Sally O'Neill QC. Chair of the Criminal Bar Association of England and Wales**



**Mark Muller QC. Chairman of the Bar Human Rights Committee**



**Ron Heinrich. President Commonwealth Lawyers' Association**