

News Release

Canada's privacy guardians call for comprehensive changes to no-fly list program

Federal-Provincial-Territorial Meeting of Privacy Commissioners & Ombudsmen

Fredericton June 28, 2007 — Federal, provincial and territorial privacy guardians are united in calling on the federal government to suspend its new no-fly list program, Passenger Protect, until it can be overhauled to ensure strong privacy protections for Canadians.

The information and privacy commissioners and ombudsmen today issued a joint resolution outlining reforms urgently required for Passenger Protect. (The resolution is available on the web site of the Office of the Privacy Commissioner of Canada: www.privcom.gc.ca.)

The Commissioners, who are meeting in Fredericton to discuss issues of common concern, also released the following joint statement:

The Passenger Protect Program involves the secretive use of personal information in a way that will profoundly impact privacy and other related human rights such as freedom of association and expression and the right to mobility.

We are particularly troubled that Canadians will not have legally enforceable rights of appeal, to independent adjudication or to compensation for out-of-pocket expenses or other damages. Commissioners and Ombudsman are unanimously of the view that the use of such lists in the interests of airline security should only occur in a manner consistent with Canadian values in the area of privacy protection.

It is alarming that Transport Canada has not provided assurances that the names of individuals identified on its no-fly list will not be shared with other countries. We do not want, to see, through the failure to take adequate safeguards, other tragic situations arise where the security of Canadian citizens may be affected or compromised by security forces at home or abroad.

There is a very real risk people will be stopped from flying because they have been incorrectly listed or share the name of someone on the list. There have been many cases with the US no-fly list where false positives have meant that even children and well-known public figures such as Senator Edward Kennedy have been questioned or denied boarding.

Being placed on the list has serious repercussions for people. This is particularly worrisome since Canada's federal public-sector Privacy Act is in critical need of reform and offers no adequate protection or remedies to address the privacy risks that inappropriate use of the no-fly list creates.

Until the government substantially overhauls Passenger Protect in order to address significant risks of the no-fly list to the privacy and other rights of Canadians, the program should be suspended. Alternatively, Parliament should ensure that the program functions under strict ministerial scrutiny with regular public reports to Parliament until a comprehensive public Parliamentary review is completed and reforms are made.

-30-

To contact federal, provincial or territorial officials for further comment:

Canada Office of Jennifer Stoddart, Privacy Commissioner of Canada

Phone: Colin McKay (613) 995-0103

Alberta Office of Frank Work, Information and Privacy Commissioner

Phone: (780) 422-6860

British Columbia Office of David Loukidelis, Information and Privacy Commissioner

Phone: Maria Dupuis (250) 387-0777

Manitoba Office of Irene A. Hamilton, Ombudsman

Phone: (204) 982-9130

New Brunswick Office of Bernard Richard, Ombudsman

Phone: (506) 453-2789

Newfoundland and Labrador Office of Philip J. Wall, Information and Privacy Commissioner

Phone: (709) 729-6309

Northwest Territories and Nunavut Office of Elaine Keenan-Bengts, Information and Privacy Commissioner

Phone: (867) 669-0976

Nova Scotia Office of Dulcie McCallum, Freedom of Information and Protection of Privacy Review Officer

Phone: (902) 424-4684

Ontario Office of Ann Cavoukian, Information and Privacy Commissioner

Phone: (416) 326-3333

Prince Edward Island Office of Karen A. Rose, Information and Privacy Commissioner

Phone: (902) 368-4099

Québec Office of Jacques Saint-Laurent, President, Commission d'accès à l'information

Phone: (418) 528-7741

Saskatchewan Office of R. Gary Dickson, Information and Privacy Commissioner

Phone: (306) 787-8350

Yukon Office of Tracy-Anne McPhee, Ombudsman and Information and Privacy Commissioner

Phone: (867) 667-8468