

## A. DIMITRI LASCARIS LAW PROFESSIONAL CORPORATON

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February 20, 2020

Office of the Information Commissioner of Canada  
30 Victoria Street, 7th Floor  
Gatineau, Quebec K1A 1H3

Re: **Complaint re: request under the *Access to Information Act*  
A-2018-02157 / DL1**

Dear Sir/Madam:

I am hereby filing a complaint with respect to the above captioned *Access to Information Act* Request, which I filed on January , 2019.

By way of background, I am legal counsel to Rehab Nazzal, a citizen of Canada who is of Palestinian origin.

In December 2015, at which time Ms. Nazzal was pursuing doctoral studies at the University of Western Ontario, Ms. Nazzal was shot by an Israeli sniper while she was in Bethlehem in the occupied West Bank. At the time that she was shot, she was photographing an Israeli 'skunk truck' which was spraying a highly noxious fluid onto the homes of Palestinians. Ms. Nazzal posed no threat to anyone and there was no conceivable justification for her shooting. Moreover, when a Palestinian ambulance arrived at the scene to tend to Ms. Nazzal, Israeli forces rained tear gas down on the ambulance in an apparent effort to impede the medical treatment of Ms. Nazzal. This was a flagrant violation of international humanitarian law.

Enclosed herewith is a December 15, 2015 article published by the *London Free Press* relating to the shooting of Ms. Nazzal.

Subsequently, Ms. Nazzal retained me to represent her in her dealings with the Canadian government in regard to the crime committed against her by Israeli forces.

On April 17, 2017, I sent a letter to Canada's then Foreign Minister Chrystia Freeland and to Canada's Ambassador to Israel, Deborah Lyons. In that letter, a copy of which is enclosed herewith, I described in detail the shooting of Ms. Nazzal, provided evidence of the crime committed against her, and requested that the Canadian government intervene with Israeli

authorities to ensure a thorough and independent investigation into this matter and that the culpable Israeli soldiers be held fully accountable by the Israeli government.

I never received any reply to my letter of April 17, 2017.

In April 2018, I contacted by email various officials in the Canadian embassy in Israel to advise them of the shooting of Ms. Nazzal and to request information as to what efforts they had made, if any, in order to defend Ms. Nazzal's rights and to ensure that the Israeli soldiers who were responsible for her shooting were held accountable. Copies of some of my email correspondence with those officials are enclosed. As you will see, I was unable to obtain any information from those officials, one of whom (Ian Anderson) ultimately advised me to file an Access to Information Request.

On January , 2019, I filed an Access to Information Request with Foreign Affairs, Trade and Development Canada seeking the following:

“In December 2015, my client, Rehab Nazzal, was shot by an Israeli sniper in Bethlehem in the occupied West Bank. Ms. Nazzal is a Canadian citizen of Palestinian origin. On her behalf, I seek all documents generated/dated between December 1, 2015 and January 5, 2019 which relate in any way to the shooting of Ms. Nazzal.”

On January 11, 2019, I received an email from ATIP officer Dan Lanigan requesting a copy of Ms. Nazzal's identification document. I provided that document to him on the same day.

I have heard nothing from Mr. Lanigan ever since.

On February 7, 2019, I received a letter from Patrick Picard, Director of Access to Information and Privacy, requesting an additional 60 days to respond to my request.

On September 20, 2019, having heard nothing further from Mr. Lanigan or Mr. Picard, I sent a letter to Mr. Picard asking about the status of this matter. A copy of that letter is enclosed herewith.

I have received no response to that letter.

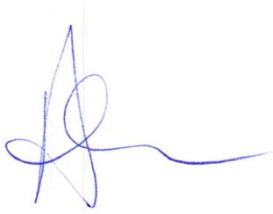
Accordingly, I and my client are left with no alternative but to file a complaint with your office.

The conduct of the Canadian government in this matter is simply appalling. It is bad enough that the Canadian government appears to have done absolutely nothing to protect the rights of a Canadian citizen who was brutalized by a foreign military, but even worse, the government has completely stone-walled me and my client every time that we have sought information relevant to this matter.

The *Access to Information Act* was intended to promote governmental transparency by requiring **timely** disclosure of requested information. The legislation's purposes cannot be achieved when government departments openly flout reasonable requests for production of documents.

Accordingly, I request that the Information Commissioner intervene in this matter and direct Foreign Affairs, Trade and Development Canada to provide responsive documents to me forthwith.

Yours truly

A handwritten signature in blue ink, consisting of a large, stylized initial 'A' followed by a long, horizontal flourish.

A. Dimitri Lascaris

(enclosures)

Cc: Dan Lanigan