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HOUSE OF COMMONS
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Elizabeth May

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The Honourable David Lametti
Minister of Justice and Attorney General of Canada

The Honourable Mélanie Joly
Minister of Foreign Affairs

November 29, 2021

Dear Ministers,

I am writing to request the immediate repatriation of Yukon resident, John Graham, who was extradited to the United States on the charge of the 1975 killing of the Mi'kmaq activist Anna Mae Aquash in South Dakota. Anna Mae Aquash was from Nova Scotia. The decision made by the Canadian federal government in 2007 to extradite Mr. Graham to the United States remains controversial. John Graham currently resides in the South Dakota State Penitentiary.

At the time of the extradition, MP Libby Davies, and myself, as well as several legal experts criticized the decision and called for Graham to be repatriated. As it stands, the federal *Extradition Act* requires judges to assume that the foreign state's case is strong enough to prosecute, and the burden is placed on the individual being extradited to prove otherwise. Multiple cases have proven that this is nearly impossible. Canada's extradition process has increasingly come under scrutiny due to recent high-profile proceedings, such as the recent cases of Hassan Diab and Meng Wanzhou.

My understanding of Mr. Graham's case is that only ministerial intervention from the Canadian government, in cooperation with the United States, would be capable of making any change to his circumstances. After being extradited to the United States, Mr. Graham's subsequent appeal was denied. The timeline for legal appeals through Canadian courts is closed.

I write to ask you to revive the effort to have Mr. Graham immediately repatriated to Canada.

Sincerely,

Elizabeth May, O.C.
Member of Parliament
Saanich-Gulf Islands

CC: Right Hon. Justin Trudeau, Prime Minister of Canada

