



Secret Trials in Canada

- ▼ Did you know the government of Canada, using a “security certificate,” can declare any refugee or permanent resident a threat to Canada, have them arrested, held without charge or bail, and not allow either that person or their lawyer to see the “evidence” (the basis of a secret trial)?
- ▼ Did you know on the basis of a secret trial, in which neither you nor your lawyer can see the evidence, you can then be deported to a country where you will likely be arrested, tortured, and murdered?
- ▼ Did you know a court does not have to condemn you on the basis of facts, but only “reasonable grounds” to believe such facts might exist?
- ▼ Did you know if a court upholds the security certificate against you, there is no appeal?
- ▼ Did you know this process can occur on the word of CSIS, the spy agency whose dishonesty, illegal acts and incompetence, known for years, have again resurfaced with the bungled Air India investigation?

This sounds like something out of a scary spy novel, but this is in fact the reality for a number of families in Canada, all of them Muslim, whose loved ones, never having been charged with or convicted of committing a crime, have been held without charge, or bail, for years. Five men currently behind bars have served a collective total of 104 months in prison, without knowing the reasons why.

Their names are:

- **Mohammad Mahjoub** (married, with three children, held since June, 2000)
- **Mahmoud Jaballah** (married, with six children, held since August 2001. He “won” against a prior certificate, but CSIS issued a new one, admitting that they had no new evidence)
- **Hassan Almrei** (single, held since October 2001)
- **Mohamed Harkat** (married, held since Dec., 2002)
- **Adil Charkaoui** (married, with two children, held since May)

According to Amnesty International, all of their lives are at risk if deported from Canada. *(over)*



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(continued)

Mourad Ikhlef was deported from Canada on a security certificate to Algeria, despite concerns he would be killed. He has disappeared. **Mansour Ahani** was deported from Canada on a security certificate to Iran after over 8 years in Canadian jails, despite concerns he would be killed. He too has disappeared.

You should know their names, because an injustice *anywhere* is a threat to justice *everywhere*. You should know their names, because unless we speak up and stop this, your name may be the next on a flyer like this (part of proposed legislation would give the government the right to strip you of your citizenship, again on secret evidence). Indeed, the recent arrest of some 2 dozen Pakistani students in Toronto, now held in “preventive detention” even though the RCMP says they pose no threat, shows that the net of repression is growing.

You should know their names because they have suffered cruel and unusual punishment. You should know their names because their families and friends have experienced the ordeal of separation by concrete and steel bars, and harassment at the hands of CSIS and the RCMP.

You should know their names because our silence, our comfortable lives in which we don’t protest or speak up against injustice, have allowed this to go on.

The security certificate trials are only the tip of the iceberg. A report released in May, 2003, by the International Civil Liberties Monitoring Group (ICLMG), reported that in “hundreds” of instances, people in Canada “are being visited for interviews by security forces without warrants, and taken away for interrogation. Although the full extent of Bill C-36 [so-called “anti-terror” legislation hurriedly passed by Parliament in 2001] was not implemented in these cases, it has been used as a threat to ‘encourage’ voluntary interviews by citing the risk of preventative detention allowed under the Act. Victims of such police conduct have been afraid to come forward publicly for fear of further retaliation.”

“In this great city of Toronto we have our own Guantanamo Bay [illegal detention camp run by U.S.],” Federal Court Judge Andrew Mackay concluded in May 2003. But Mackay and other judges have not had the courage to refuse to go along with this medieval process. So it’s up to you and me:

What you can do:

1. Get informed. For more information, contact the Campaign to Stop Secret Trials, at P.O. Box 73620, 509 St. Clair Ave. West, Toronto, ON M6C 1C0, (416) 651-5800, tasc@web.ca, www.homesnotbombs.ca
2. Write your MP and ask how, in a democracy, secret trials can be taking place (contact us for sample letters)
3. Help the families of the disappeared with legal and support costs.
4. Write letters demanding an end to the use of secret evidence. The two men who sign these certificates need to hear from you: **Wayne Easter**, Solicitor General, House of Commons, 318 Justice Building, Ottawa, K1A 0A6, (613) 992-2406, Fax: (613) 995-7408, Email: eastew@parl.gc.ca, **Denis Coderre**, Immigration Minister, House of Commons, Ottawa, ON K1A 0A6, (613) 995-6108, Fax: (613) 995-9755, coderre.D@parl.gc.ca, Minister@cic.gc.ca
5. Refuse to be afraid. The secret trials are only occurring because of the large amount of anti-Muslim fear and racism in the media and in our culture at large. Work against racism and religious intolerance.

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