

Security Certificate 5

Five Muslim men are currently being held under Security Certificates in Canada. According to Amnesty International, all of their lives are at risk if deported from Canada

Mohammad Mahjoub

- An agricultural engineer who fled torture in Egypt. Married with three children. Arrested in June 2000, he was released on bail in February 2007 after nearly seven years in prison.



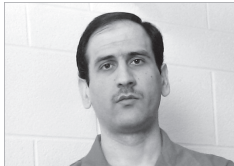
Mahmoud Jaballah

- married, with six children. Held since August 2001. He “won” against a prior security certificate, a new one was signed despite a lack of any new evidence.



Hassan Almrei

- A poet, he ran a small import shop in Saudi Arabia. Held since October 2001, he spent over 4 years in solitary confinement.



Mohamed Harkat

- see other side for more information about Mohamed.



Adil Charkaoui

- married, with three children, held from May 2003 to February 2005. Like Mohamed Harkat, he was released with severe bail conditions.



What We Want

Since December of 2002 the Justice for Mohamed Harkat Committee has been insisting that the Canadian government and the general public recognize that the Security Certificate process is undemocratic and violates fundamental human rights, while not enhancing the security of Canadians.

Accordingly, we demand that the Security Certificate process be abolished.

For those currently imprisoned under security certificates, we demand:

- **That they be released immediately; or, if any case against them actually exists, that they be allowed to defend themselves in open, fair and independent trials with full disclosure of the case against them.**
- **That they not be deported to countries where they may be jailed, tortured or killed.**

**Sign our statement
against secret trials**

Visit www.nowar-paix.ca/harkat
to add your name

**What if it were you or
someone you love...?**

How You Can Help

Contact Prime Minister Stephen Harper, the ministers, individuals listed below, and your local MP:

% House of Commons
Ottawa, ON, K1A 0A6
(no postage necessary to M.P.'s)

Right Hon. Stephen Harper
Office of the Prime Minister
email: Harper.S@parl.gc.ca
Ph: (613) 996-6740 Fax: (613) 947-0310

The Hon. Stockwell Day
Minister of Public Safety & Emergency Preparedness
email: Day.S@parl.gc.ca
Ph: (613) 995-1702 Fax: (613) 995-1154

The Hon. Diane Finley
Citizenship & Immigration Canada
email: Finley.D@parl.gc.ca
Ph: (613) 996-4974 Fax: 613) 996-9749

The Hon. Robert Douglas Nicholson
Minister of Justice & Attorney General
email: Nicholson.R@parl.gc.ca
Ph: (613) 995-1547 Fax: (613) 992-7910

*Educate people you know
about security certificates
and encourage them to
take action.*

Join the Justice for Mohamed Harkat emergency contact list.
To be informed of last-minute events forward your phone numbers or email to:
justicepourmohamedharkat@yahoo.ca

Donate

Funds for legal support are badly needed!
Please make cheques payable to:

Justice for Mohamed Harkat Committee
22 Rue Dalpé apt. 6
Gatineau QC J8Y 2Y5

**This man
is facing
deportation
to torture**



**Released on
bail after 3.5
years in prison,
Mohamed Harkat
is now under
virtual house
arrest awaiting a
decision from the
Supreme Court**

**Justice for Mohamed
Harkat Committee**
www.zerra.net/freemohamed
justicepourmohamedharkat@yahoo.ca

What is a Security Certificate?

- At the request of the Canadian Security Intelligence Service (CSIS), the government of Canada can declare any permanent resident or refugee inadmissible to this country based on undisclosed grounds. CSIS then has that person arrested. They can hold the accused indefinitely, without charge.
- The detained person’s lawyer is given only a summary of allegations, and is denied access to evidence that CSIS wants kept secret for national security reasons. The CSIS-approved judge is presented with some of the evidence behind closed doors, without a defence lawyer being present.
- The judge’s mandate is to rule on whether there were “reasonable grounds” to issue the security certificate. This conclusion is reached without cross examination and no appeal.
- CSIS need only prove that there is a possibility, or a belief, that a person might do something that threatens national security, based on the individual’s actual, past or *potential* activities or associations. No actual crime need have been committed. The court can rule only on whether it is possible that the allegations are true.
- If the judge upholds the Certificate, the detainee automatically faces immediate deportation. The decision is final and no appeal is permitted.

In the name of “National Security” the Security Certificate violates all the fundamental principles of justice.

It violates the Canadian Charter of Rights and Freedoms, the Constitution, the UN Universal Declaration of Human Rights, the UN Convention on Refugees, the International Covenant on Civil and Political Rights and the UN Convention on Torture.

The Security Certificate is also completely contrary to the Canadian justice system, because the accused cannot even have a lawyer review the evidence against him; with no access to the evidence, there can be no defence made, and no access to justice.



No Deportations.

It is well established in international law that no deportations should take place to countries where there is risk of death or torture. In the case of Algeria, the country to which the government is trying to deport Mohamed Harkat, recent Amnesty International statements and reports are clear that the risk of torture is high. Similar risks are documented for Egypt, Syria and Morocco. Diplomatic assurances are no safeguard against torture.



In June of 2006 the legal teams of three of the Security Certificate detainees, including Mohamed Harkat, argued in the Supreme Court that the Security Certificate process is unconstitutional, based on:

- Lack of access to the evidence, and therefore an abrogation of international law
- Lack of fairness in different standards of rights (depending on citizenship status)
- Conditions of detention

The Supreme Court also heard interventions against the Security Certificates from dozens of human rights and legal organizations including Amnesty International and the Law Union of Ontario.

The arguments in favour of the process were made by lawyers for the federal and Ontario governments.

A decision of the Supreme Court is expected in March of 2007.

Mohamed’s Story

Mohamed Harkat has been in Canada since 1995. In 1997, he was given refugee status after successfully claiming government persecution if he were to return to Algeria.

On December 10, 2002, Mohamed was arrested by undercover police outside his home in Ottawa. He spent one year of his 3 1/2 year detention in solitary confinement. He was released on bail on June 21, 2006, with the strictest conditions in Canadian history:

- He must wear a GPS monitoring device at all times to track his movements both inside and outside his residence.
- He must be under 24 hour supervision by either his wife, Sophie Harkat; his mother-in-law, or her partner.
- All outings (a maximum of four hours long, three times per week) must be approved 48 hours in advance by the Canadian Border Services Agency (CBSA). Two of their officers follow them at all times.
- All visitors to the Harkat residence must be pre-approved by the CBSA.
- All mail is intercepted and telephone conversations are monitored.
- No wireless devices are allowed in the residence; He is prohibited from using a computer.

Mohamed’s release coincided with the discovery of evidence that the informant who triggered his arrest, Abu Zabaydah, was considered certifiably insane in the view of American intelligence officials, and he may have given information while being tortured.

CSIS alleges that Mohamed has been, is, or will be involved with terrorism. Mohamed denies any involvement with any terrorist organizations.