



Canadian Arab Federation  
La Fédération Canado-Arabe

## PRESS RELEASE

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### FOR IMMEDIATE RELEASE

April 1, 2009

#### **Strong indication that Minister Kenney breached the duty of Fairness**

On Monday March 30, 2009 the Canadian Arab Federation (CAF) asked the Honourable Justice Kelen of the Federal Court for an interim order so that it could continue to receive the funds it needs to operate its english language training program until its challenge to the cancellation of this funding is heard by the Court.

The Court did not issue this order because it concluded that the harm caused by the immediate loss of funding could be recovered later in damages if the CAF ultimately wins its case in court. However, it found that the evidence reveals that Minister Kenney probably breached his legal duty to act fairly to the Canadian Arab Federation when deciding to cut its language training funding. "The Canadian Arab Federation clearly has a strong case to challenge the government's decision and ask for reparations," stated Barbara Jackman, Legal Council for the Canadian Arab Federation.

Justice Kelen made it clear that it would be inappropriate for the Minister to have cut CAF's funding because its president had called the Minister a name. Justice Kelen said, "Being a target of public criticism is part of holding public office. If the Minister decided to cancel English as a Second Language funding contract for the Canadian Arab community simply because he was called a name... his decision should not stand. It was not unexpected that the Arab community would be repulsed by Israel's invasion of Gaza ... the Arab community was upset that the Canadian government did not strongly protest this attack. Many reputable Canadian Jews were similarly opposed to... [the] attack."

Minister Kenney chose not to present evidence through government counsel to counter CAF's allegations that the cut in funding was inappropriate and motivated by Kenney's political beliefs. Government counsel did not try in court to defend Minister Kenney's strong allegations that CAF is anti-Semitic and promotes terror. "Clearly this was a political decision in an attempt to silence CAF, however, we will continue our court case to clear our name and repair the damage done to the Canadian Arab Federation and the Arab Canadian community at large," added Mohamed Boudjenane, CAF's Executive Director.

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Established in 1967, the Canadian Arab Federation is a national, non-partisan, non profit and membership-based organization. CAF represents Canadian Arabs on issues relating to public policy.