



Canadian Arab Federation
La Fédération Canado-Arabe

PRESS RELEASE

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Playing Politics With Victims of Terrorism is Bad for Canada

The Canadian Arab federation (CAF) views the current legislation being proposed by Public Safety Minister Peter Van Loan, which would allow terror victims to sue foreign governments, lacking in scope and objectivity since it is limited only to those states that are on a list of selected terrorist abettors compiled by the federal government.

“By picking and choosing which states could be sued, and which were immune, the federal government would be interfering with the independence of the judiciary. Judges would be arbitrarily handcuffed in their ability to determine, solely according to the evidence presented in court, whether a given state is engaged in terrorism. Once again the federal government seems to be playing politics with terrorism and the victims of terrorism. This is in the tradition of the Bush administration. It is bad for Canadians and it is bad for Canada in the world,” stated Michael Mandel, Professor of Law, Osgoode Hall Law School, York University.

The federal government has not announced which states are to be included on the list, but given the federal government’s track record (for instance, the selectivity of groups deemed terrorist entities) it is very probable that this power will be abused. In a world where one man’s freedom fighter has been another man’s terrorist (among the South Africans, Irish, Palestinians and Somalis, for example) the only objective finding can be produced by the courts, and not in our political arenas. “Such discretionary powers given to politicians puts in doubt that the bill can serve as a tool that would help bring justice to all victims equally.” Added Khaled Mouammar CAF National President.

Further, the law incorporates the definitional flaws of the Anti-Terrorism amendments to the criminal code, arbitrarily excluding terrorism (intentional killing of civilians) when committed by armies engaged in war, like in Gaza, Iraq, Afghanistan, Somalia and Congo.

Currently, thousands of criminal cases are dismissed each year and our civil cases are taking too long to resolve by our already over burdened jam-packed courts. From a strictly domestic Canadian point of view, it would be unwise to open up this Pandora’s Box.

CAF views such faulty legislation as a continuation of the repudiated politics of Bush’s outdated administration. The United States has opted for change; it is about time that Canada does too.

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