

**EXTRA 40/02**Forcible Return/Fear for safety/  
Fear of Torture or ill-treatment

**CANADAMansour Ahani (m)**

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Mansour Ahani is at imminent risk of being forcibly returned to Iran from Canada. As an alleged defector from the Iranian Ministry of Intelligence Security (MOIS), he could be at risk of torture or ill-treatment in Iran.

Mansour Ahani was recognized as a refugee in Canada in 1992, but his application for permanent residence was never finalized as he was found to be inadmissible on security grounds, under s. 40.1 of the *Immigration Act*. He was arrested and has remained in custody since June 1993.

The Canadian authorities were due to deport Mansour Ahani earlier this year, but this was temporarily delayed following a decision by the Court of Appeal in Ontario on 17 January. Mansour Ahani then sought leave to appeal against his deportation to the Supreme Court of Canada, but it rejected his application on 15 May. He could be deported at any time.

The United Nations Human Rights Committee has asked the Canadian government not to return Mansour Ahani to Iran, in order to give it time to review a submission on his case.

**BACKGROUND INFORMATION**

In January 2002 the British *National Union of Journalists* released video CDs, which show the interrogation, beating and mistreatment of Iranian intelligence agents. Those being ill-treated were considered by the Iranian government to be Arogue agents@ who murdered a number of public figures between 1998 and 1999. Sa'id Emami, one of the officials implicated in the murders, died in custody in unexplained circumstances in June 1999, reportedly due to suicide. Iranian officials have acknowledged that the footage is authentic. Given the content of these video CDs, Amnesty International believes that Mansour Ahani could face torture and ill treatment if returned.

International law prohibits the forcible return of anyone to a country where they might be at risk of serious human rights violations. Amnesty International recognises that states have a right to take measures to protect their own security: nonetheless, the protection against forcible return to a country where one might face torture is absolute and binding under customary international law.

Canada is a party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Under Article 3, no person may be returned to another state where Athere are substantial grounds for believing he would be in danger of being subjected to torture@.

Canada has recognized the competence of the Human Rights Committee to consider communications in individual cases by ratifying the International Covenant on Civil and Political Rights (ICCPR) and its First Optional Protocol.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:**

- urging the Government of Canada not to forcibly return Mansour Ahani to Iran where he could be at risk of torture;
- urging the Government of Canada to respect its obligations under international human rights law, including the absolute prohibition of torture and the principle of not forcibly returning an individual to a country where they would be at risk of human rights violations such as torture or ill-treatment;
- calling on the Canadian authorities to give the Human Rights Committee sufficient time to review the case;
- reminding them of their obligations as a state party to the International Covenant on Civil and Political Rights (ICCPR) and its First Optional Protocol and also of the importance of refraining from taking actions which could undermine the Human Rights Committee's authority and the international human rights treaty monitoring system as a whole.

**APPEALS TO:**

Prime Minister

The Right Hon. Jean Chretien P.C., M.P.  
Langevin Block  
Ottawa, Canada, ON K1A 0A2

**Telegram: Prime Minister, Ottawa, Canada**

**Fax: + 1 613 941 6900**

**email: [pm@pm.gc.ca](mailto:pm@pm.gc.ca)**

**Salutation: Dear Prime Minister**

Minister of Citizenship and Immigration

The Hon Denis Coderre P.C., M.P.  
Jean Edmonds Tower South 21<sup>st</sup> fl  
365 Laurier Avenue West  
Ottawa, Canada, ON K1A 1L1

**Telegram: Minister of Citizenship and Immigration, Ottawa, Canada**

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**Salutation: Dear Minister**

**COPIES TO:** Diplomatic representatives of Canada accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.**