

# NEWS RELEASE

British Columbia Civil Liberties Association  
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## Civil Liberties Association Celebrates Landmark Supreme Court Decision on Security Certificates

The B.C. Civil Liberties Association is celebrating a landmark decision of the Supreme Court of Canada in a trio of appeals that assessed the constitutionality of the security certificate provisions of the *Immigration and Refugee Protection Act*. The Court struck down the provisions, holding that the non-disclosure of evidence at security certificate hearings is incompatible with the principles of fundamental justice.

Jason Gratl, President of the B.C. Civil Liberties Association: “The result sets the constitutional limits on the power of the executive to rely on secret evidence to infringe the core interests of a non-citizen’s right to life, liberty and security of the person.”

The Canadian government has used security certificates to deport non-citizens to their countries of origin, in some cases at the risk of torture, on the basis that they pose a threat to national security. Security certificate detainees do not have access to the government’s evidence, are barred from secret trials assessing their case and have been held for indefinite periods in sub-standard prison facilities. Three men imprisoned under security certificates in Kingston recently engaged in a hunger strike for over eight months to protest the conditions of their detention.

The BCCLA intervened in the hearing before the Supreme Court of Canada to argue that the security certificate provisions would not contravene the *Charter of Rights and Freedoms* if the Court would read in various due protections. The BCCLA’s factum is available at:  
<http://www.bccla.org/othercontent/06security.pdf>

The Supreme Court of Canada’s decision is available at:  
<http://scc.lexum.umontreal.ca/en/2007/2007scc9/2007scc9.html>

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