



Montreal, January 15th, 2007

Honourable Diane Finley
Minister of Citizenship and Immigration

RE: Open Letter from the Ligue des droits et libertés (Quebec Civil Liberties Union) in support of Abdeldkader Belaouni's Request for the Status of Permanent Resident Based on Humanitarian and Compassionate Considerations (#ID: 5265-1093)

Honourable Minister,

In its letter of March 13th, 2006 (enclosed), the Ligue des droits et libertés (the Quebec Civil Liberties Union)) had expressed its reactions to the first decision of the Ministry of Citizenship and Immigration (CIC) to turn down Abdelkader Belaouni's request for the status of permanent resident, based on humanitarian and compassionate considerations. The League had reacted to the reproach, expressed to Mr Belaouni in that refusal, that he had not succeeded in integrating the workforce.

For the League, this refusal was discriminatory in that it did not take into account the obstacles to his work integration faced by Mr Belaouni, based on his handicap, taken that he presents a visual impairment which makes him totally blind. The League considered then that Mr Belaouni was a victim of discrimination based on disability.

In its second decision, made in the beginning of September 2006, CIC no longer bases its refusal on the non integration to the workforce or the absence of family in Canada, but now while underlining the success of Mr Belaouni's social integration, gives absolutely no consideration to this integration. Indeed, the Ministry now bases its refusal on the fact that Mr Bealouni would incur no risk for his personal security if he were deported back to Algeria. Yet, Mr Belaouni in his request never claimed that his security would be jeopardised by a return to Algeria.

In a democratic society, the government acts in the name of its citizens: the decisions it takes, the interpretations it gives to its laws must, as much as is possible, reflect the decisions the citizens would themselves take, had they the power to decide.

In the case of Mr Belaouni, we are faced with:

- An impeccable social integration;
- The presence of 5 irreproachable sponsors, all responsible and reliable citizens, ready to take on all the risks;
- The expressed solidarity and involvement of 50 community based organisations;
- The signatures of over 500 members of the community.

We at the *Ligue des droits et libertés* totally disagree with the interpretations given over the years to the expression in the Citizenship and Immigration Act of “humanitarian and compassionate considerations”. The successive CIC ministers, of whatever political affiliation, have demonstrated by the interpretations they have given to this legislative expression, that these notions are much too vague and can be used to justify almost all the refusals, depriving it of any useful meaning.

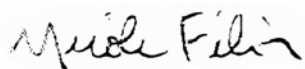
It seems to us quite evident that in its latest decision in the case of Mr Belaouni, the Ministry has completely overlooked the serious vulnerability of this disabled person by reason of his blindness, to whom the decision would impose a total uprooting from his present community. The Pointe Saint-Charles community in Montreal has completely adopted him, making him a full-fledged member of that community, which has clearly expressed its intention and ability to meet the full responsibility for his welfare.

We vehemently disagree with the decision to expel Mr Belaouni from Canada with the intention of provoking his return to Algeria, a country where he has been unable to live for the past ten years and where he does not want to return. He would thus risk being imprisoned in the United States of America where he was before his arrival at the Canadian border, while awaiting the US decision to deport him. CIC’s decision appears to us at the same time as an in-human and dis-compassionate decision!

Honorable Minister, we hope that you will see to it that the Ministry you presently head reverses its stance and starts to show humanity and compassion for the unbearable situation of Mr Belaouni, who has been in sanctuary now for almost one whole year. You have the discretionary power to intervene in favour of Abdelkader Belaouni, by granting him status as well as freedom. We do pray that you hear our appeal and the appeal of so many groups and individuals who have united to obtain a permanent Canadian residence for Mr Bealouni.

Thanking you in advance for the humanitarian and compassionate consideration you will give this letter, we remain.

Yours truly,



Nicole Filion, president
Ligue des droits et libertés

Encl.: Letter from the Ligue des droits et libertés dated March 13, 2006

Copy: Natalina Ranaudo,
Directress of Interior Services, CIC Montréal, Fax: 514-496-1881

