

**PUBLIC**

**AI Index: AMR 20/001/2006**

**20 March 2006**

**UA 64/06**      **Fear of forcible return/Fear of torture/Fear of death penalty/Legal concern**

**CANADA**      **Mostafa Dadar (m), Iranian national**

---

The Canadian authorities are preparing to forcibly return Mostafa Dadar to Iran, where he would be at grave risk or torture or possibly the death penalty.

Mostafa Dardar was a supporter of the late ruler of Iran, the Shah, who was overthrown in 1979 by the revolution that installed Ayatollah Khomeini, whose successors are still in power. He is believed to have been involved with an organization that was implicated in a failed attempt to overthrow Khomeini in March 1982. For this he was arrested and jailed for five years, during which he was tortured. In 1987 he absconded while on leave from prison for medical treatment. He made his way to Pakistan, where he was recognized as a refugee by the United Nations High Commissioner for Refugees. He travelled on to Canada, where he was granted residency in 1988.

In 1996 he was convicted of aggravated assault. He was found to be a danger to the public, and in 2002, a month after his release, he was detained under the Immigration Act to await deportation to Iran.

To forcibly return anyone to a country where they would be at risk of torture is a violation of Canada's obligations under international law, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

In November 2004 Mostafa Dadar submitted a complaint against Canada to the United Nations Committee against Torture claiming he was at risk of being tortured if he was returned to Iran. The Committee concluded that "substantial grounds exist for believing that the complainant may risk being subjected to torture if returned to Iran" and that his deportation would amount to a breach of article 3 of the CAT.

## **BACKGROUND INFORMATION**

Torture has been used systematically in Iran for many years to extract information and confessions. It is used as a matter of routine in many Iranian prisons and detention centres.

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

- expressing concern that the Canadian authorities are preparing to forcibly return Mostafa Dadar to Iran, where he would be at risk of torture or even execution;
- calling on the authorities to ensure that he is not forcibly returned to Iran, in accordance with their obligations under international law;
- reminding the authorities that forcibly returning anyone to a country where they would be at risk of torture is absolutely prohibited under international law, and that the forcible return of Mostafa Dadar to Iran would violate Canada's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

## **APPEALS TO:**

Honourable Stockwell Day  
Minister of Public Safety

House of Commons  
Ottawa, Ontario  
K1A 0A6

**Fax:** +1 613 995 1154  
**E-Mail:** Day.S@parl.gc.ca  
**Salutation:** Dear Minister

Monte Solberg  
Minister of Citizenship and Immigration  
Confederation Building  
Ottawa  
Canada K1A 0A6

**Fax:** +1 613 992 6181  
**Email:** solbem@parl.gc.ca  
**Salutation:** Dear Minister

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

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 1 May 2006.