

From Center for Constitutional Rights

October 24, 2011, Surrey, BC and New York, NY – After successfully lodging a private torture prosecution with a British Columbia court against former U.S. president George W. Bush as he visited Surrey for a paid speaking engagement, four torture victims have had their pursuit of justice blocked by the Attorney General of B.C. The private prosecution was brought on behalf of three former

Guantánamo detainees and one man currently detained at Guantánamo who has been imprisoned without charge for more than nine years. Lawyers from the Center for Constitutional Rights (CCR) and the Canadian Centre for International Justice (CCIJ) responded to the Attorney General's intervention in the case and order that the proceedings be stayed:

Matt Eisenbrandt, legal director of the Canadian Centre for International Justice, who submitted the case on behalf of the torture victims remarked, "Mere hours after a justice of the peace received the criminal information and the court set a hearing date for January, we received notice by phone that the Attorney General of British Columbia had already intervened in the case and stayed the proceedings against former President Bush, effectively ending the case. The legal basis for the case is exceptionally strong under the Criminal Code of Canada, and this private prosecution was initiated because the government of Canada refused to prosecute. The Criminal Code allows us eight days to obtain the consent of the Attorney General of Canada to continue with the prosecution, yet the case was shut down the very day it was filed. This is a slap in the face to the four men who were brutally tortured by Mr. Bush's government who have a right to have a court of law examine the evidence and hear the legal arguments."

Katherine Gallagher, senior staff attorney at the Center for Constitutional Rights, added, "The government of Canada obviously did everything it could to protect George Bush from facing criminal accountability for torture, which is a stark example of politics trumping law. The Attorney General still has not given us any reasons in writing for staying the case, but the speed with which it was done shows the case was not treated seriously and the claims of torture by four men imprisoned without charge at Guantánamo Bay were simply ignored. Canada will have to account for its actions and its failure to uphold its obligations as a signatory to the Convention Against Torture before the United Nations Committee Against Torture. At the same time, Mr. Bush will need to be exceedingly careful about where he travels. He has caused harm to so many – including those who were tortured in U.S.-run detention facilities – and he remains

vulnerable to prosecution in any of the other 145 countries that have signed the Convention Against Torture, as long as the United States continues to breach its own obligations under the Convention.”

Further details regarding the case can be viewed at: <http://ccrjustice.org/ourcases/current-cases/bush-torture-indictment> or <http://www.cij.ca/programs/cases/guantanamo/index.php>

The Canadian Centre for International Justice works with survivors of genocide, torture and other atrocities to seek redress and bring perpetrators to justice. The CCIJ seeks to ensure that individuals present in Canada who are accused of responsibility for serious human rights violations are held accountable and their victims recognized, supported and compensated. For more information visit www.ccij.ca

The Center for Constitutional Rights, in addition to filing the first cases representing men detained at Guantánamo, has filed universal jurisdiction cases seeking accountability for torture by Bush administration officials in Germany, France and submitted expert opinions and other documentation to ongoing cases in Spain in collaboration with ECCHR. The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change. Visit www.ccrjustice.org . Follow @theCCR.