

IMMIGRATION

Basque separatist suspect ordered deported

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MONTREAL -- Immigration officials have ruled that a man suspected of being a Basque terrorist should be booted out of the country after he lived illegally and in relative anonymity in Canada for nearly six years.

In ordering Ivan Apaolaza Sancho deported, Immigration and Refugee Board commissioner Louis Dubé did reject some federal evidence that appeared to have been obtained when another person was tortured. But Mr. Dubé ruled that there was more than enough additional evidence, including police warrants and affidavits, showing Mr. Sancho has ties to ETA, a Basque separatist group involved in terrorism.

Those documents were sufficient to kick Mr. Sancho out of the country, Mr. Dubé ruled yesterday in Montreal. Mr. Sancho is wanted by Spain in connection with a series of car bombings tied to ETA.

Mr. Sancho has been living in Canada since 2001 under aliases and forged documents and says he will be tortured if returned to Spain.

Print Edition - Section Front



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Mr. Sancho's Montreal-based lawyer, William Sloan, didn't agree with the commissioner's ruling, which excluded some evidence while accepting police versions of the same facts. "It doesn't make a terrible amount of sense," Mr. Sloan said.

In particular, the lawyer keyed in on testimony from Ana Belen Egues Gurruchaga, a Basque detainee in Spain, who fingered Mr. Sancho during questioning.

Her 2001 testimony was rejected by Mr. Dubé because it was likely obtained under torture while she was in Spanish police custody after a Madrid car bombing.

Mr. Sloan said Ms. Gurruchaga filed a criminal complaint of torture not long after she was released. He

said roughly the same information provided by Ms. Gurruchaga was used in the police warrants.

"I am shocked that the tribunal could find that the only evidence against me was obtained under torture, while at the same time concluding that the Spanish allegations, which are based on that same evidence, are somehow valid," Mr. Sancho said in a statement released by his supporters.

Mr. Sancho admits to being part of the Basque nationalist movement but has denied ever supporting ETA.

Mr. Sancho has been held since last June in a wing of the Rivière-des-Prairies detention centre in northeast Montreal. He was ordered yesterday to stay there for another 30 days until his next detention review.

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