



October 7, 2008

Hon. Stockwell Day  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Minister Day:

**RE: Ivan Apaolaza Sancho**

It is with great horror that we at the South Asian Women's Community Centre have come to learn that **Ivan Apaolaza Sancho** who sought refugee status in Canada, fleeing a situation of torture from Spain, was refused his refugee claim and while awaiting deportation is being subjected to solitary confinement, deprived of his clothing and glasses, in a filthy holding cell smeared with blood and feces in this very country where he sought asylum.

Canada has an international reputation for upholding the principles of justice and humanity. It is Canada's duty to live up to this reputation and not let it be eroded.

To return to the case of Mr. Ivan Apaolaza Sancho, who has been held since 2007, his desperation is underlined by the fact that he is on a hunger strike since hearing of the negative PRRA decision which clears the way for his deportation. Amnesty International, the UN Special Rapporteur on Torture, the European Committee for the Prevention of Torture and many others have recognized on numerous occasions that individuals with his profile – Basque nationalists suspected of terrorist activity – face a serious risk of torture.

Further, the only evidence against Mr. Apaolaza Sancho is a declaration that the Immigration Division of the Immigration and Refugee Board has already found to have been obtained through the use of torture. Evidence obtained in this manner is not to be given credence under Canadian law and also under international law. In this case, your Ministry has contravened a pillar of Canadian law.

Our very urgent message is being sent to you to:

- Immediately cease deportation proceedings against Mr. Apaolaza Sancho.
- Immediately release him from prison.

Failure to do so constitutes complicity in torture as Canada is fully aware that he can face torture on return to Spanish authorities. We expect you to take the principled action.

Sincerely,

Jennifer Chew  
Public Relations Secretary  
South Asian Women's Community Centre