



June 26, 2025

The Honourable Anita Anand
Minister of Foreign Affairs of Canada
125 Sussex Dr
Ottawa, ON
K1A 0G2

Via email

Dear Minister Anand,

I'm writing today, the UN International Day in Support of Victims of Torture, on behalf of the International Civil Liberties Monitoring Group, a coalition of 44 civil society organizations that, since 2002, has worked to defend civil liberties in Canada in the context of anti-terrorism and national security activities, to urge you to repatriate all Canadian men, women, children and non-Canadian minor siblings and caretakers of Canadian children from unlawful indefinite detention in life-threatening conditions in northeast Syria in camps and prisons of northeast Syria. United Nations officials have even found that the conditions faced by these Canadians in prison are akin to torture.

For years, family members, human rights advocates, lawyers, UN officials and even a federal court judge have called on the Canadian government to repatriate them. Following the death of FJ, a Canadian mother who had been indefinitely detained in a prison camp in northeast Syria, it is clearer than ever that your government must bring them all home.¹

¹ Behrens, M. "The feds refused to repatriate a Canadian citizen detained in Syrian prison. Then she died." *The Breach*. 8 Nov. 2024. Online at: <https://breachmedia.ca/the-feds-refused-to-repatriate-a-canadian-citizen-detained-in-syrian-prison-then-she-died/>

FJ was found dead in the night between October 16 and 17, 2024, in a Turkish deportation centre, after being acquitted of charges of belonging to a terrorist group. She had ended up there after escaping from a detention camp, following your government's refusal to repatriate her, without good reason, alongside her six children.

Federal Court Justice Brown clearly stated, in his January 2023 ruling in the *Bring our Loved Ones Home (BOLOH) v. Canada* case, that the protections provided under section 6 of the *Canadian Charter of Rights and Freedoms* – guaranteeing all Canadians the right to enter, remain in, and exit Canada – means that your government must act to repatriate its citizens, and that doing so is consistent with binding jurisprudence and Canada's international obligations.²

We disagree with the Court of Appeal's May 2023 ruling that Canada has no such obligation to act – and with the Supreme Court's refusal to hear the case. Nevertheless, the Court of Appeal wrote that its ruling "should not be taken to discourage the Government of Canada from making efforts on its own" to repatriate its citizens.

The former UN Special Rapporteur on counter-terrorism and human rights, Fionnuala Ní Aoláin, noted in a 2022 special report on the ongoing detention of Jack Letts, one of the Canadian citizens who remains held in prison without charges and has allegedly been tortured by his captors: "the urgent, voluntary and human rights compliant repatriation of all Canadian citizens... is the only international law-compliant response to the complex and precarious human rights, humanitarian, and security situation" of the detainees.³ Canada has a positive obligation here not to be involved, directly or indirectly, in arbitrary detention and torture.

These concerns were echoed by a Canadian civil society delegation to Northeast Syria in August 2023, where they met with Canadian women, children and men detained indefinitely in life-threatening conditions in camps and prisons. The men they spoke to were constrained in what they could share because of the presence of prison officials, but made it clear that they had not received consular support, that they faced serious health risks, and that they had undergone interrogation by American FBI officials without access to legal counsel or any other support. The delegation's conclusion was clear: all Canadian children, women and men, and non-Canadian mothers, must be repatriated to Canada.⁴

² See: *Boloh 1(A) v. Canada* online at <https://www.canlii.org/en/ca/fct/doc/2023/2023fc98/2023fc98.html>

³ See: "Communication from the Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism et al.", 8 June 2022, online at: <https://static1.squarespace.com/static/6151c20044f08f51ac3f5b5f/t/62f24d172ce0bb3123fa2047/1660046617430/Public+-+UA+CAN+06.05.22+%283.2022%29.pdf>

⁴ The delegation consisted of Kim Pate, a Canadian senator; Alex Neve, Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa; Scott Heatherington, a retired Canadian ambassador; and Hadayt Nazami, a Toronto-based immigration and human rights lawyer. For more see: Pate et al., "Canada is still ignoring

I am also deeply disappointed that the Canadian government has repeatedly used unsubstantiated “national security” concerns to justify its failure to assist these Canadians in coming home. As Justice Brown further wrote in his decision: “There is no known offence in Canada that carries with it exile or banishment as a penal consequence,” yet both by Canadian actions and conscious inaction, exile and banishment have been the result for Canadians abandoned in northeast Syria.

Canada has already repatriated at least 21 of its adult female and child citizens from the region. It has the necessary contacts in northeast Syria. It has the support of the US government, which continues to have forces on the ground. It has the consent and clear request of Kurdish authorities who hold the Canadians. It has the tools to lay criminal charges against those they deem a threat; those charges would be tested in a court of law, in accordance with the presumption of innocence, due process and the right to a fair trial. There is no reason not to repatriate the others.

For too long, the Canadian government has frustrated and denied the rights of these Canadians. There is only one right thing to do: bring the detainees home without delay.

Your government must also issue ministerial permits to allow for the entry of non-Canadian mothers and minor siblings of Canadian children since you have committed to not separate children from parents in accordance with Canada's international commitments to the best interests of the child.

Finally, I also call on your government to immediately take steps to initiate an independent and impartial investigation into the death of FJ.

We would appreciate a timely response to our letter, and if you would like more information or have any questions, we would be happy to meet with you to discuss it further.

Sincerely,



Tim McSorley
National Coordinator, International Civil Liberties Monitoring Group

the basic human rights of its citizens held in northeast Syria,” Aug. 2023, online at: <https://www.alexneve.ca/blog/ne-syria-press-release>; “News release: Urgent Call for Canada and International Community to Act to Uphold Human Rights in Northeast Syria,” Aug. 2023, online at: https://static1.squarespace.com/static/5fc01c8f405d5340f3254abf/t/64f0da3f66448a49ac221298/1693506111795/EN_News+Release++Backgrounder_Human+Rights+Delegation+to+NE+Syria_August+31+2023+%284%29+%281%29.pdf; and Neve, A. “One year on: My shaken but determined belief that human rights will prevail in Northeast Syria,” Aug. 2024, online at: <https://www.alexneve.ca/blog/nesyria-one-year-on>