

Canada: Alleged ISIS supporter detained without charge for over a week

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Aaron Driver, a 24-year-old Winnipeg resident, has been held in police custody since June 4 without charge. He was arrested by Royal Canadian Mounted Police (RCMP) officers, who also searched his home, on allegations that he is an Islamic State (ISIS) supporter.

Authorities have not charged Driver with any crime. Under Canadian law, a terrorism suspect can be detained for a maximum of 48 hours without charge. This is to be extended to seven days under the recently adopted anti-democratic Bill C-51, but its provisions have yet to come into force.

“It should shock every Canadian citizen that this is possible or” that it “is being done,” Corey Shefman, head of the Manitoba Association of Rights and Liberties, told CBC. He continued, “I cannot comment on what he might or might not do, or what he has or hasn’t done. But I do know he hasn’t been charged with a crime and yet he finds himself behind bars without his freedom and no reason he has officially been presented with.”

Driver is said to have posted messages on Twitter defending ISIS and promoting extremist and reactionary views. In one post, he allegedly accused the Jews of plotting a war against Islam, and in another he defended ISIS’s use of terrorist methods.

However, authorities have presented no evidence, let alone charged Driver, with having or having had ties to a terrorist group. The only item the media report police having found during a raid of his Winnipeg home was an “Arabic for Dummies” book. They also seized his computer.

Reports indicate that Driver was an isolated individual who was trying to complete his high school diploma by attending adult education classes. He converted to Islam some time during the past two years, but according to teachers interviewed by the CBC, did not try to convert others. He allegedly used the alias Harun Abdurahman on Twitter to post pro-ISIS material.

No legal justification has thus far been given for Driver’s continued detention without charge.

Jeff Gindin, a defence lawyer with over 40 years of experience, drew attention to the unprecedented character of the Driver case. “So far there’s no real law that I’m aware of that when you think someone might commit an offence that you would then have the right to arrest them prior to that,” he told CBC.

Police plan to apply for a peace bond (or restriction order) at Driver’s next court hearing, scheduled for June 24. By then, he will have been held for almost three weeks without charge.

Peace bonds enable a judge to impose conditions on an individual whom the authorities suspect will commit a terrorist offence, but it is not necessary for the individual in question to have been charged, let alone convicted, of any crime.

The detention of Driver without charge and in apparent violation of Canadian law is merely the latest indication of the Canadian elite’s turn towards openly authoritarian forms of rule. Earlier this week, the Senate, Canada’s upper house of parliament, gave its approval to the draconian Bill C-51. It grants the Canadian Security Intelligence Service (CSIS) the power to “disrupt” the activities of groups and individuals deemed to threaten national security, establishes an all-embracing speech-crime offence of “promoting” terrorism, virtually abolishes privacy rights, and provides for the confiscation or deletion of “terrorist propaganda.”

The fact that the ruling elite plans to use such measures against working class and left-wing opposition is confirmed by the vague definitions of potential threats in the legislation, which allow the security services to target any group deemed to be a threat to the economic or national security of Canada, and its diplomatic interests or constitutional order.

Bill C-51 will also make it easier for police to obtain

peace bonds from a judge. Authorities will only be required to prove that an individual “may” facilitate a terrorist attack. This is a significant reduction of the evidentiary standard, meaning that the use of peace bonds will become much more routine.

Even without these powers, police forces across Canada have dramatically stepped up the use of peace bonds against alleged terrorist suspects in recent months.

A 20-year-old Stratford, Prince Edward Island resident signed a one-year peace bond on May 22 after the RCMP alleged that he possessed 50-60 castor beans, with which it is possible to produce the ricin toxin.

Amir Raisolsadat, a chemistry student at the University of Prince Edward Island, had been arrested in March after the RCMP told a judge it feared “on reasonable grounds” that he would commit a terrorist act. As his lawyer Brandon Forbes pointed out, Raisolsadat essentially faced the choice to “take on the combined efforts of the state in a prolonged hearing at great expense” or sign a peace bond.

Associates of Raisolsadat, including neighbours and professors, described him as a good student who likes chemistry. Raisolsadat himself denies intending harm to anyone.

In addition to restricting his movements to the island, the peace bond requires Raisolsadat to report to a probation officer and the police once a week. The peace bond also forbids him from owning castor beans, ricin, or any weapons, ammunition or explosives.

Before allegedly finding the castor beans in an iPhone case at his home in April last year, the RCMP claim to have uncovered instructions to make calcium phosphide and a diagram of a rocket with a section labelled “warhead” in Raisolsadat’s garbage. The RCMP also allegedly seized castor bean plants, computer equipment, and journals with drawings of bombs, explosions and chemical formulae.

While the RCMP won’t release further details, on the grounds of an ongoing criminal investigation, none of the published allegations indicate that Raisolsadat was a threat to anyone at the time of his arrest. According to Forbes, the rocket depicted in the diagram is “a foot-high piece of cardboard with glue and balsa wood. It’s meant to put a little GI Joe up in the air and it parachutes down” and can be bought in a toyshop. The RCMP claim Raisolsadat bought it with a fake name, whereas Forbes indicates it was bought by somebody else.

Raisolsadat wasn’t charged with any crime, nor have any of the allegations used to compel him to sign the

peace bond been proven in court. However, if he violates the conditions he agreed to, he could face criminal charges leading to up to three years of probation and a two-year prison sentence. A Montreal man who recently signed a peace bond currently faces just such charges.

A series of terrorism suspects have been targeted by the RCMP through novel legal concepts, such as preventive arrest and peace bonds. Since the Ottawa shooting last October, the use of such techniques has increased markedly. Meanwhile, the Harper government has stepped up its campaign to portray Canada as a country under siege from terrorists, so as to both justify the adoption of Bill C-51 and Canada’s expanded role in the US-led war in the Middle East.

Ten young people accused of being on their way to join Jihadist groups abroad were arrested in May. In April, the 18-year-olds El Mahdi Jamali and Sabrine Djermane pled not guilty to charges related to terrorism. Two men from Montreal were arrested in March and April and compelled to sign peace bonds.

While the current targets of the state’s expanding authoritarian powers are reputed supporters of Islamic extremism, no one should be in any doubt as to the ultimate purpose of these measures. As the Canadian ruling elite intensifies its policies of aggressive militarism abroad and attacks on social and democratic rights at home, it is preparing for mass repression of a wave of working class opposition.

The authors also recommend:

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