

Refugee researcher hopes to force Ottawa's hand

AZER

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The Security Intelligence Review Committee, which oversees CSIS, eventually reviewed the case and found no evidence that Azer was a member of PKK.

The watchdog committee said CSIS-prepared brief on Azer was "of extremely poor quality and full of conjecture."

It concluded by saying that Caplan's department would be "well-advised" to grant Azer landed status.

Chotalia said she sent the committee's report to Caplan, but did not hear back from her until last July. The minister said she is now waiting for the solicitor general to conduct a new security assessment on Azer.

Said Chotalia: "We were shocked when we got that because SIRC had already said that CSIS was biased (against her client) and it was acting on outdated information."

"I want to obtain landing (immigrant status) and then citizenship so that I may vote and contribute as a Canadian citizen."

*Saren Azer,
an asthma researcher at the
University of Alberta*

In an interview Thursday evening, Azer spoke of the hardship of living in legal limbo.

Without permanent resident status, he has lost out on job offers, scholarships and fellowships. He has also been prevented from attending academic conferences abroad and cannot invite family members to Canada, he said.

As a foreign student he must pay double the cost of regular tuition fees.

"I want to obtain landing and then citizenship so that I may vote and contribute as a Canadian citizen," he said in his affidavit.

Besides being an award-winning PhD student, Azer is also chair of a campus chapter of Amnesty International.

If the federal court agrees to hear the case, Chotalia said the minister would have to either land Azer or declare him a threat to Canada's security. "To do that, obviously she's got to have some evidence."

CSIS spokesperson Dan Lambert would only say he cannot confirm or deny any investigations.

A spokesperson for Caplan's office also wouldn't discuss the case, but confirmed CSIS conducts background checks on everyone who applies for landing.

Danielle Sarazin said checks are done as "thoroughly and expeditiously as possible," adding some cases are more complex than others.

"Where the protection of the public is concerned, we're not willing to compromise," she said.

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Scientist takes citizenship battle to court

BY JILL MAHONEY, EDMONTON

An Iranian refugee who has tried to become a Canadian citizen for years — and who has the support of the country's intelligence watchdog — is taking his fight to remain here to the courts.

Saren Azer, a 33-year-old asthma researcher at the University of Alberta, applied for permanent residency six years ago, a few months after he arrived in Canada.

The federal government and its spy service, the Canadian Security Intelligence Service, have opposed his application, saying they believe the Kurdish man supports the use of violence and poses a threat to safety.

But the Security Intelligence Review Committee, CSIS's watchdog,

said in a report last April that such fears were unfounded and that Mr. Azer should be given his landed-immigrant papers.

Mr. Azer and his lawyer, Shirish Chotalia, say that after countless unanswered letters to the Immigration Department, they have little option but to ask the Federal Court of Canada for a judicial review of Ottawa's handling of the case and to grant Mr. Azer citizenship.

"I am very optimistic," Mr. Azer said yesterday. "I think that this is the only way. I didn't have any other choices, any other options and I hope that something will come out of this one."

In its response filed in court, the federal government — which says it has not concluded its security screening of Mr. Azer — opposes

the application for judicial review, citing information it has about Mr. Azer's contact with alleged terrorists. Ms. Chotalia said SIRC discounted this evidence in its report, saying it was biased and full of conjecture.

While in Canada, Mr. Azer contacted people with links to the pro-Kurdish PKK, which is violently fighting for a new state for the world's Kurds, but he has also been in touch with many other Kurds who are anti-PKK. SIRC said these phone calls had no terrorist overtones.

Although the application for judicial review was made in September, and not made public until now, there is no timetable for when the Federal Court will decide whether it will hear the case.

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