

INDIVIDUALS APPREHENDED ILLEGALLY

For some years residents of Canada suspected of committing crimes in the United States have been brought against their will to the United States to stand trial. Such actions by private agents claiming to act for the federal or state authorities in the United States are violations of international law. They strike a blow at the very foundations of the extradition treaty between our two countries.

In 1981, a naturalized Canadian citizen was kidnapped from his Toronto apartment by American "bounty hunters" and transported to the State of Florida to stand trial for illegal land sales practices. Diplomatic efforts by Canada to obtain his release were unfruitful. In June 1983, Canada filed a writ of Habeas Corpus in the Jacksonville District Court to contest the legality of the Florida court's trying a suspect brought into custody by kidnapping. This action has not yet been concluded, even though the Canadian involved returned to Canada in October 1983 on bail.

A different type of case occurred in May 1984 when a British citizen residing in Canada was brought to the American border near Vancouver, where he was arrested by a sheriff from Washington State on a charge of having committed a fraud in the State of Florida.

Following representations made by Canada, and with the assistance of the Washington District Attorney, he was handed over to the Canadian authorities, who then, at the request of the State of Florida, initiated the procedures set forth in the extradition treaty between Canada and the United States.

Finally, in February 1985 on Vancouver Island, another Canadian was forced by American bounty hunters to board an aircraft that flew him to Seattle, where he was accused of violating the currency regulations. Two men involved in this kidnapping were arrested in Canada. In response to representations made by the Government of Canada, the US Justice Department suspended the charge against him for 24 hours, to allow him to return to Canada. The US Attorney-General took this approach in order to discourage this type of private excursion by bounty hunters and to encourage even greater cooperation between the Canadian and US governments.