

Press release  
For Immediate Release

**Operation "Armoured Rights" continues**

**A Notice of Appeal to be filed in the case relating to the granting by Canada of permits to export armored vehicles to Saudi Arabia**

**Montréal, February 6, 2017-** Operation Armoured Rights continues. A notice of appeal of the judgment on January 24, 2017 rendered in *Turp v. Minister of Foreign Affairs of Canada* (2017 FC 84) will be filed in the Federal Court of Appeal. In her decision, Judge Danièle Tremblay-Lamer had dismissed the application for judicial review to declare illegal the granting by Canada of export permits for Light Armor Vehicles (LAVs) manufactured by General Dynamics Lands Systems Canada (GDLS -C) in Saudi Arabia.

André Lespérance and Anne-Julie Asselin, the lawyers acting *pro bono* in this case, will file a notice of appeal with the Registry of the Federal Court within the 30-day deadline, that is by February 24, 2017. The procedure will then follow its course with the filing of a notice of appearance by the Minister of Foreign Affairs within 10 days of the filing of the notice, the preparation of record of appeal by the appellant and the filing of memoranda of fact and law by both parties as well as the filing of a requisition for a hearing. Such a hearing could occur in early 2018.

"We are still convinced of the soundness of our case and want to give the three judges of the Federal Court of Appeal the opportunity to rule on issues of law and fact which, in our view, were improperly assessed by the trial judge ", declared Professor Daniel Turp who initiated the application for judicial review.

Before the Federal Court in first instance, it was argued that the deliverance of permits for the export of LAVs manufactured by GDLS-C to Saudi Arabia was illegal in that it was contrary to the *Export and Import Permits Act*, its regulations and the Guidelines as adopted by the Cabinet in 1986. The appellant remains of the view that Minister Stéphane Dion acted without jurisdiction or exceeded his jurisdiction in issuing such licenses knowing that in Saudi Arabia the fundamental rights of citizens are the subject of serious and repeated violations and that there is a risk that the vehicles will be used against the civilian population. The decision of the minister was not based on the evidence or on a demonstration that there was no such risk, but rather a mere belief, without regard to the relevant material available to him or available to him.

The Operation Armoured Rights team, consisting mainly of students from the Faculty of Law of the Université de Montréal, will continue its research to support its lawyers André Lespérance and Anne-Julie Asselin. The mandate is to formulate the arguments that will enable the Federal Court of Appeal to give the judgment and award the process or other proceedings that the Federal Court should have given or awarded, order a new trial if the ends of justice seem to require it, or make a declaration as to the conclusions that the Federal Court should have reached on the issues decided by it and refer the matter back for a continuance of the trial on the issues that remain to be determined in light of that declaration.

"As was recognized by the trial judge, the issue of export permits for controlled goods is important from the public's perspective and judicial review is a reasonable and effective way of bringing the issue before the court. Operation Armoured Rights therefore will be pursued so that the Government of Canada and its new Minister of Foreign Affairs report on their actions regarding the export of military equipment to countries, such as Saudi Arabia, countries with a persistent record of serious violations of human rights", concluded Professor Turp.

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