

News Release

CANADIAN IMPRISONED IN BULGARIA ACCUSES RCMP OF MISCONDUCT

Toronto Lawyer Files Application for Urgent Investigation

(OTTAWA, ON – February 15, 2008) – The Lawyer for Michael Kapoustin, a Canadian citizen unlawfully imprisoned in Bulgaria, filed an application today with the *Commission for Public Complaints against the RCMP* for an urgent investigation into misconduct by members of the Royal Canadian Mounted Police towards Mr. Kapoustin, which prompted his arrest, interrogation, torture and conviction.

Mr. Kapoustin's situation is grave and concerns broad issues of public importance. It pre-dates the Maher Arar case and has many similarities.

Mr. Kapoustin's lawyer, Dean Peroff, is calling on the RCMP to correct the record and work with the Federal Government to bring him home immediately.

“The decision of Associate Chief Justice O'Connor, in the Arar case, made it clear that, under circumstances such as those alleged by Mr. Kapoustin, the RCMP is obliged to correct the record and inform the Bulgarian authorities that the information previously communicated is untrue.” said Mr. Peroff.

Mr. Kapoustin maintains that past and current members of the RCMP are complicit in his conviction of a crime that he did not commit and in his unlawful imprisonment in Bulgaria.

According to Mr. Kapoustin's allegations, in 1995 the RCMP falsely linked him to a person whom the RCMP had under investigation at the time for money laundering and other crimes. This false information was used by Bulgarian authorities to launch a smear campaign that ruined his reputation. This information was also used to levy a prohibitively exorbitant tax assessment that destroyed his businesses.

Mr. Kapoustin is currently serving his 12th year of a 17-year prison sentence in Bulgaria, a country known for its questionable human rights practices and a lack of due process in its judicial system.

“The alleged misconduct by the RCMP continues to have a profound effect on Mr. Kapoustin's life and his family” said Mr. Peroff. “Under International law, Mr. Kapoustin should have been transferred to Canada five years ago.”

“This is the worst case in Canadian history of another country refusing to transfer a Canadian to a prison in Canada” stated Mr. Gar Parfy, retired Director General for Canadian consular services from 1992 to 2003.

Dr. Peter Leuprecht, former Deputy Secretary-General of the Council of Europe is also lending support.

Mr. Peroff and Mr. Kapoustin's family are calling on the Canadian government to continue pressuring the Bulgaria government to comply with their obligation to transfer custody of Mr. Kapoustin back to Canada.