



Woman stranded in Kenya sues Ottawa for \$2.5-million

Tu Thanh Ha

From Saturday's Globe and Mail

Published Friday, Aug. 21, 2009 12:49PM EDT

Last updated Thursday, Aug. 23, 2012 11:12AM EDT

The lawyer for Suaad Hagi Mohamud, the Toronto woman trapped in Kenya because federal officials didn't believe she was Canadian, says an independent probe is needed to find whether she was treated that way because of her Somali ethnicity.

Six days after she got home thanks to genetic tests proving her identity, Ms. Mohamud is suing Ottawa for \$2.5-million, saying she wants to get to the bottom of the bureaucratic screw-ups that left her stranded overseas for three months.

"The question that needs to be posed and answered is whether the colour of her skin and her cultural background as a Somali had anything to do with her treatment," her new lawyer, well-known Toronto barrister Julian Falconer, said in an interview.

"The question has to be asked whether a Caucasian in the same circumstances would have been treated the same way."

The Canada Border Services Agency and Foreign Affairs Canada have opened internal investigations into the handling of Ms. Mohamud's case.

However, she and her lawyers are calling for an independent inquiry and a public apology.

"I was alone when my government let me down," Ms. Mohamud told reporters Friday.

"I don't care about money. I live [simply] ... I only go to court so this never happens to another Canadian citizen."

Her comments came as a second Canadian of Somali origin, Abdihakim Mohamed, a 25-year-old autistic man, is getting a travel document to return to this country after being marooned in Kenya for three years.

Ms. Mohamud's notice of action in Ontario Superior Court details a series of blunders that began in May when Kenyan authorities questioned the validity of her passport as she tried to board a flight to Canada.

The notice says that rather than help her, Liliane Khadour, who was then vice-consul at the Canadian High Commission in Nairobi, wrote "a false and defamatory letter" that told Kenyan officials that a consular investigation confirmed that Ms. Mohamud wasn't the rightful holder of the passport.

The consular officer also handed Ms. Mohamud's passport to the Kenyans, resulting in the Toronto woman being charged, jailed for nine days until she got bail, and facing deportation to Somalia.

"Ms. Mohamud was robbed of her identity, denied her rights as a Canadian citizen and abandoned to the whims of Kenyan authorities for three months," the notice said.

The notice, a summary filing preceding a more substantive statement of claim, says she is seeking damages because the government defamed her and acted in a negligent, malicious fashion.

The lawsuit names as defendants Foreign Affairs Minister Lawrence Cannon, and three of his department's diplomats, including Ms. Khadour.

The notice also cites as defendants Citizenship Minister Jason Kenney and Public Safety Minister Peter Van Loan, who is responsible for the CBSA.

Mr. Kenney and Mr. Cannon knew of Ms. Mohamud's predicament as early as June, the notice says. It also notes that, as late as July 23, the Foreign Affairs Minister was expressing doubts to reporters about whether she was a genuine Canadian.

After appearing at a press conference Friday, Ms. Mohamud, who is in poor health, will no longer speak to the media because "she needs some healing time," Mr. Falconer said.

More Related to this Story

- [Stranded Canadian to be given new ID](#)
- [Video Detained Canadian returns home](#)
- [Video Picks Mohamud sues federal government](#)

Next story | [Learn More](#)



Bombardier defends outsourcing plan amid bailout request

MONDAY, MAR. 21, 2016, 1:16PM EDT