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For Immediate Release

FATCA Lawsuit Launched in Canada Federal Court

Today, a lawsuit was filed in Federal Court of Canada challenging the constitutionality of the Foreign Account Tax Compliance Act ('FATCA') agreement. The plaintiffs hope to stop the Government of Canada from turning over private bank account information from more than one million United States 'persons' and their families, living in Canada, to the U.S. Internal Revenue Service (IRS).

The two plaintiffs, G. Hillis and G. Deegan, claim that the agreement between Canada and the United States to implement the FATCA law violates provisions of the Canadian Charter of Rights and Freedoms (life, liberty, security of person; security against unreasonable search and seizure; equal protection of law without discrimination) and the "principle that Canada will not forfeit its sovereignty to a foreign state."

Both Canadian citizen plaintiffs, entrapped in U.S. citizenship, were born in the U.S., left the U.S. at age five to live in Canada, never obtained a U.S. passport or developed meaningful ties with the U.S., but are considered 'tax cheats' by the U.S. because they are not 'IRS compliant.' "I am a proud Canadian. Why is my government branding me with being a potential U.S. tax evader merely because of my place of birth – and turning my personal information over to a foreign government's jurisdiction?" said Ms Hillis. Ms. Deegan says "This was not the Canada our brave Fathers of Confederation envisioned. FATCA destroys our unity and we cannot permit the loss of our sovereignty."

This lawsuit is accompanied by a separate submission (August 7) of a complaint to the United Nations, by concerned citizens worldwide, that the unique U.S. style 'place of birth taxation', for which FATCA is an enforcement tool, violates fundamental human rights.

The Alliance for the Defence of Canadian Sovereignty (ADCS) has retained Joseph Arvay QC and David Gruber, well known constitutional litigators of the Vancouver law firm Farris LLP, to bring this constitutional challenge.

"Many of our donors are pensioners who have little savings, and we need the support of those who can afford larger donations to fund this case, expected to go to the Supreme Court of Canada" said Dr. Stephen Kish, ADCS Chair.

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