

Canadian can't come home, Cannon says

In last-minute reversal, Ottawa says citizen stranded in Sudan poses too great a national security risk

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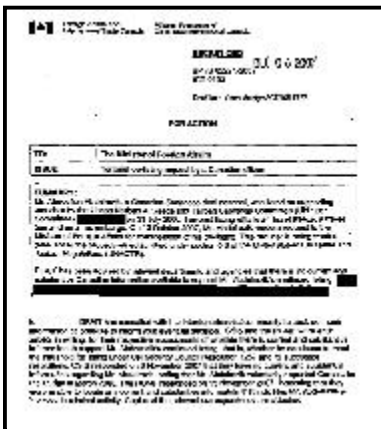
PAUL KORING
FROM SATURDAY'S GLOBE AND MAIL
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Abousfian Abdelrazik, a Canadian citizen, poses so grave a threat to Canada that he can't come back, Foreign Minister Lawrence Cannon said yesterday, abruptly reversing the government's written promise of an emergency one-way travel document less than two hours before his flight home was to depart from Khartoum.

"I denied Mr. Abdelrazik an emergency passport on the basis of national security," Mr. Cannon said at the NATO summit in Strasbourg.

"He was crushed by the decision, he is incredulous; ... he thinks it is surreal," said Yavar Hameed, the Ottawa lawyer representing Mr. Abdelrazik, who spent nearly two years in Sudanese prisons.

Canadian government documents, marked secret, implicate Canadian security agencies in Mr. Abdelrazik's original arrest. Canada's antiterrorism agency and the RCMP have both subsequently cleared Mr. Abdelrazik.



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"The only plausible explanation is that the decision was taken at the highest political levels," Mr. Hameed said. "They will do anything to keep him from coming home and telling his story."

Mr. Abdelrazik was to reach Canada today, after more than six years of imprisonment and forced exile in Sudan, on a ticket purchased by hundreds of supporters who defied the government's threat to charge anyone with helping him because he was put on a United Nations terrorist blacklist by the Bush administration.

Instead, two hours before his flight was to depart, government lawyers faxed a one-sentence letter to his lawyers in Ottawa, saying he had been deemed a national security risk and refused travel documents.

The reversal by the government — which previously promised, in writing, to issue Mr. Abdelrazik a one-way, emergency passport to return home if he had a fully paid ticket — adds yet another dimension to the long-running and increasingly Kafkaesque labyrinth that Mr. Abdelrazik must walk.

"For this guy they are making it up as they go along. ... Parliament did not give the minister the right to do this," said law professor and human-rights advocate Amir Attaran.

In fact, the passport order seems intended to allow the government to deny a citizen a passport — and therefore the government's blessing to travel abroad if he is deemed a security threat — rather than as a means to deny a citizen the right, enshrined in the Charter, to return to Canada.

"The government is now in violation of the Charter of Rights and Freedoms," Liberal MP Irwin Cotler said.

"For six years I have tried to go back home to my children, but the Canadian government took my old passport and will not give me another one," Mr. Abdelrazik said in a statement released as the hours ticked down to his flight home.

Government documents, marked secret, implicate Canadian security agencies in the original arrest of Mr. Abdelrazik in 2003. In prison, he says, he was beaten and tortured. He was also interrogated by a team of CSIS agents and U.S. counterterrorism agents.

"The Harper government says I am an Islamic extremist. This is a lie. I am a Muslim and I pray to my God but this does not make me a terrorist or a criminal," Mr. Abdelrazik said.

Designating Mr. Abdelrazik a national security risk — which, in effect, maroons him in exile — represents a striking change in government policy. Only 15 months ago, Mr. Cannon's predecessor formally applied to the UN Security Council to remove Mr. Abdelrazik from its terrorist blacklist.

That formal delisting request, in December of 2007, was made only after both the RCMP and the Canadian Security and Intelligence Service, informed the minister — in writing — that there was no reason to oppose Mr. Abdelrazik's removal from the so-called 1267 list. He had been added to the list by the Bush administration in 2006.

Mr. Abdelrazik has been living inside the Canadian embassy for the past 11 months — granted "temporary safe haven" by the government, which accepted that he was at risk of re-imprisonment.

"He's literally stuck in limbo," Mr. Hameed said.

Government officials rejected suggestions that Mr. Abdelrazik was under de facto house arrest.

"Mr. Abdelrazik has always been free to leave the embassy," said Daniel Barbarie, a Foreign Affairs spokesman, adding that it was Mr. Abdelrazik's choice to seek haven there.

NDP MP Paul Dewar said the "government can't have it both ways, they can't say he is a threat to national

security and still harbour him in the embassy."

Less than four months ago, the government promised Mr. Abdelrazik a one-way travel document if he could get a fully paid flight home on an airline willing to defy the U.S. no-fly ban.

"In order to facilitate Mr. Abdelrazik's return to Canada, Passport Canada will issue an emergency passport to Mr. Abdelrazik upon his submission of a confirmed and paid travel itinerary," Lu Fernandes, director general of the passport agency's security bureau, promised in a Dec. 23, 2008, letter. But last week, Mr. Cannon added a new — and seemingly impossible — condition.

When more than 160 Canadians chipped in to buy the ticket and Etihad Airlines agreed to fly him, Mr. Cannon raised the bar last week, saying Mr. Abdelrazik needed to get himself off the 1267 blacklist, even though the government itself had tried and failed.

"It's up to him, its incumbent on him to make sure he gets off that list," Mr. Cannon said, referring to the UN Security Council terrorist blacklist, notwithstanding the specific UN exemption that permits those on the list to return home.

"What has changed now is that [Mr. Cannon] can't blame this on anyone else — not the United States nor the United Nations. Now the Harper government has to explain to all of us the basis for denying Mr. Abdelrazik the right to return home," Mr. Dewar said.

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