

THE GLOBE AND MAIL

Canada was 'indifferent' to Sudan's threat to kill Abdelrazik, files show

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Abousfian Abdelrazik was released after more than six years of imprisonment and forced exile in Sudan. Canadian diplomats in Khartoum were ordered by a senior Canadian intelligence official to deliver a non-committal response

The Harper government was warned shortly after it came to office in 2006 that Sudan's notorious military intelligence agency was ready to “disappear” Abousfian Abdelrazik, a Canadian citizen, unless Ottawa allowed him to go home, The Globe and Mail has learned.

Sudan wanted to “deal with this case for once and for all: we judge as significant their verbal reference to a ‘permanent solution,’” Ottawa was bluntly told by Canadian diplomats in the Sudanese capital, according to documents now in possession of The Globe.

Instead of protesting the threat or warning Sudan – a regime notorious for its human rights abuses – that Ottawa would hold it responsible if harm came to a Canadian citizen held in one of its prisons, diplomats in Khartoum were ordered by a senior Canadian intelligence official to deliver a non-committal response “notwithstanding the expected displeasure of the Sudanese.”

Although large chunks of the exchanges between Ottawa and its embassy in Khartoum have been blacked out by government censors, the heavily-redacted documents still show that the threat to kill Mr. Abdelrazik was being taken seriously by Canadian officials.

'Permanent solution'

“The message is as shocking as it is clear,” said Paul Champ, one of the lawyers acting on behalf of Mr. Abdelrazik, who was finally allowed to return home last month after a Federal Court judge ruled that the government had violated his constitutional right to enter Canada and ordered him repatriated, after more than six years of imprisonment and forced exile.

“Canadian officials were told in no uncertain terms that Sudanese military intelligence would execute Mr. Abdelrazik if the Canadian government failed to repatriate him,” Mr. Champ said, referring to the chilling e-mail exchanges between Canadian diplomats in Khartoum and senior officials in Ottawa in

March and April of 2006 – years after Mr. Abdelrazik was first imprisoned, apparently at the request of Canadian intelligence operatives in 2003.

“I wouldn't say that Canadian officials were necessarily giving Sudanese intelligence the green light to pursue a ‘permanent solution,’ but what's sickening is they were clearly indifferent to that outcome,” Mr. Champ said.

Despite a stark March 21, 2006, warning to Ottawa from Canada's top diplomat in Khartoum that “this is, in effect, our last chance [to] keep military intelligence from taking expedient measures to deal with this case ... and there is strong evidence that most of Sudan's ‘disappeared’ did so at the hands of military intelligence,” Ottawa's response was ambivalent.

“You should restate our position and make no further comment,” Canadian diplomats in Khartoum were ordered in an e-mail marked “secret” from John Di Gangi, then the director of foreign intelligence at Canada's Foreign Affairs department.

The long-standing official Canadian position was that Mr. Abdelrazik's plight was consular – meaning a routine case of a Canadian imprisoned, albeit without charge, aboard – and didn't warrant special treatment, notwithstanding the shadowy and still-unexplained involvement of Canadian and U.S. anti-terrorist agents who interrogated him in Sudanese prisons. And while Ottawa wanted the case treated as routine, the Sudanese were of the view that they had detained Mr. Abdelrazik at the behest of Canadian intelligence agents and now wanted Ottawa to take responsibility for repatriating the Canadian citizen.

“No consideration is being given at this time to any kinds of special flight for the subject's return to Canada,” Mr. Di Gangi added. That was before the Bush administration added Mr. Abdelrazik's name to the UN Security Council's terrorist blacklist which – for the next three years – became the Harper government's reason for denying him even a temporary travel document to return to his wife and children in Montreal.

Although high-level bureaucrats were fully informed about Mr. Abdelrazik's case and then-prime-minister Paul Martin had been briefed about it when he visited Khartoum in 2004, it remains unclear whether the Sudanese threat to extra-judicially execute a Canadian citizen was conveyed to Peter MacKay, who in 2006 was foreign minister in the Harper government.

Mr. MacKay declined to respond to written questions about whether he had been informed. “Ministers should absolutely have been informed,” said Alex Neve, secretary general of Amnesty International Canada. “One of the key recommendations from the Arar inquiry” – the inquiry into the case of Maher Arar, a Canadian citizen tortured in Syria, was then under way – “was that the minister of foreign affairs should become involved in decision-making when there are credible reasons to believe a Canadian is being or has been tortured abroad,” Mr. Neve said.

Although internal Foreign Affairs reports have detailed Sudan's human-rights abuses – including torture in prison, disappearances and extrajudicial killings – for years, officials deny there was any threat to Mr. Abdelrazik.

“The inference you draw from the document is not supportable and is in fact irresponsible,” André Lemay, a Foreign Affairs spokesman, wrote in an e-mailed response to questions. “There was no offer as you have suggested in your questions.”

The Globe asked why Canada had not explicitly rejected any Sudanese threat to kill or “disappear” Mr. Abdelrazik and whether Mr. MacKay had been informed of the extraordinary situation in which a foreign government was apparently threatening to kill a Canadian citizen unless Ottawa acted to allow him to return home.

Despite Sudan's brutal and notorious human-rights record and the war-crimes indictment of President Omar al-Bashir on charges of genocide in Darfur, Canadian officials have long cast doubt on whether Mr. Abdelrazik was at risk and have consistently dismissed his claims that he was tortured. Mr. Abdelrazik's case was finally resolved after a Federal Court judge ordered the government to allow him to return home. He has never been charged with a crime and had been cleared by both the RCMP and the Canadian Security Intelligence Service.

Although Canadian police and diplomats have previously been found complicit in the imprisonment and torture abroad of Canadian citizens considered terrorist suspects by the U.S. government, the Abdelrazik case may go beyond that. “Canada's tepid reaction can only be described as shocking,” Mr. Champ said.

“This case exemplifies how morally confused Canadian authorities have become in the wake of 9/11. Somehow, human rights have become viewed as an inconvenience, not a legal obligation.”