

THE GLOBE AND MAIL

Anxious Abdelrazik set to fly home Saturday

Complying with court order, Ottawa books flight for exiled Canadian after six years exile in Sudan

Campbell Clark

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After more than a year in the lobby of Canada's embassy in Khartoum, Abousifian Abdelrazik is scheduled to fly home to Canada on Saturday afternoon.

Federal officials have arranged a flight to Toronto for him and assured his lawyer that a long-denied emergency passport will be ready – after a Federal Court judge ordered the government to stop obstructing his return.

Mr. Abdelrazik, 47, has lived through a six-year saga of imprisonment and exile in Sudan, unable to return after being placed on a United Nations no-fly list as an alleged terrorist.

Both the RCMP and CSIS have said they have no information linking him to any crime and no reason to support his continued inclusion on the UN's list of suspected al-Qaeda operatives. He has camped since the spring of 2008 in Canada's embassy.

“He's been there for 13 months, day in and day out,” said his Canadian lawyer, Yavar Hameed. “I can tell there's elation in his voice, but also trepidation.”

It's not the first time that Mr. Abdelrazik has thought he was close to returning home to his family in Montreal.

In April, Foreign Affairs Minister Lawrence Cannon reneged on a promise to issue an emergency passport if he obtained a paid ticket on an airline willing to fly him home.

And Mr. Hameed said Mr. Abdelrazik is still apprehensive that he could be intercepted on the way, possibly by U.S. officials.

The Canadian government has refused to provide assurances that he will get home safely, and has expressed mysterious “reticence” about that, Mr. Hameed said. The lawyer flew to Khartoum yesterday to escort Mr. Abdelrazik home, even though a Canadian government official and two RCMP agents will also travel with him.

In a highly unusual move, Canada allowed a U.S. official to enter the Canadian embassy in Khartoum yesterday to question Mr. Abdelrazik.

Mr. Hameed said he spoke to his client briefly about it yesterday, but was not able to get full details.

“I don't know, first of all, why a U.S official who has never, historically, spoken to my client, is coming to the embassy. I don't know how at ease my client would be to fully disclose those details to me from where he is at this point.”

Foreign Affairs Department spokeswoman Emma Welford said a U.S. official who was visiting the embassy on another matter simply had a brief exchange with him as he was leaving the embassy grounds.

She said Canadian diplomats did not hear what was said.

Mr. Abdelrazik was jailed by Sudanese authorities in 2003, and questioned in prison by officials who identified themselves as CSIS agents. He had two stints in Sudanese prisons, and says that he was beaten and ill-treated there, and was unable to fly home after his 2006 release. Fearing that he would be jailed a third time, he sought refuge in the Canadian embassy last year.

Until this week, the UN had not revealed its reasons for including Mr. Abdelrazik on its list. On Tuesday, it posted an unsourced “narrative” that echoed allegations released by the U.S. Bush administration three years ago that Mr. Abdelrazik trained at an al-Qaeda camp, knew Osama bin Laden, and was a member of a Montreal al-Qaeda cell.

Mr. Abdelrazik has denied the allegations.

“My concern is that the United Nations is acting as a conduit for U.S. foreign policy, and that is problematic,” Mr. Hameed said.

On June 4, Mr. Justice Russel Zinn of the Federal Court of Canada ruled that the government had violated the constitutional right of a Canadian citizen to return to Canada, and ordered officials to bring him home within 30 days.

Judge Zinn excoriated the UN no-fly-list process, writing that it is impossible for someone like Mr. Abdelrazik to challenge his place on the list “when you have no idea why you're on the list in the first place, other than that you're an associate of al-Qaeda, whatever that means.”

He also found CSIS “complicit in the detention of Mr. Abdelrazik by Sudanese authorities in 2003.”

But if and when he returns home, Mr. Abdelrazik will still face other consequences of his blacklisting, Mr. Hameed said. No Canadian can legally give him money or hire him, and he must repay about \$7,000 that the Canadian government lent him while he was stranded in Sudan.

“The first thing we need to do is rectify that situation,” Mr. Hameed said.