

June 5, 2009

Via mail and email

Honourable Lawrence Cannon
Minister of Foreign Affairs
House of Commons
Ottawa, ON K1A 0A6

Dear Minister Cannon:

On behalf of the Canadian Union of Postal Workers and its 56,000 members, I am writing to you regarding the continuing denial of your government to provide travel documents to Abousfian Abdelrazik. The June 4 judgment by Justice Zinn reveals an alarming disregard by your department for a citizen's charter rights.

We fail to see how the continuing refusal to permit Mr. Abdelrazik to come home contributes to national security in any way. A Canadian citizen has once again experienced grave injustice abroad and was obstructed in exercising his rights by those charged to protect and uphold them. This is the opposite of "security".

No evidence has been presented anywhere that would stand the slightest legal test. Still, this parent of three has been separated from his family for years. When Canadian citizens are detained and interrogated by multiple security forces, what response can be expected by our government? Is this the kind of protection Canadian citizens can expect when traveling abroad? Will this practice now apply to all Canadian citizens?

In a chilling statement, Justice Zinn writes, "I find on the balance of probabilities, on the record before the court, that CSIS was complicit in the initial detention of Mr. Abdelrazik by the Sudanese." This injustice continues to the present. "The decision of the minister on April 3, 2009, was merely the most recent of the actions and inactions that are complained of as constituting this ongoing breach...I find that the only reason that Mr Abdelrazik is not in Canada now is because of the actions of the Minister on April 3, 2009."

Justice Zinn reminds us that "international law expressly provides for a right of return, and prevents a state from denying return..." and that "Canada must share his view that he is at risk of further detention and torture in Sudan."

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He has little positive to say of the UN 1267 Committee on whom you have indefensibly and inappropriately relied to justify your denial of Mr. Abdelrazik's charter rights. He notes: "It is a fundamental principle of Canadian and international justice that the accused does not have the burden of proving his innocence, the accuser has the burden of proving guilt." Of the 1267 Committee he writes, "the accuser is also the judge...It can hardly be said that the 1267 Committee process meets the requirement of independence and impartiality...I pause to comment that it is frightening to learn that a citizen of this or any other country might find himself on that 1267 Committee list, based on suspicion." Regardless, "the UN travel ban presents no impediment to Mr. Abdlerazik returning home to Canada."

We feel there is only once choice now and that is to do the right thing. Restore some integrity to the charter while providing some resolution for Mr. Abdelrazik and his family. Anything less prolongs the indefensible practices that led to this injustice in the first place. Please do not waste government resources or generate further suffering by obstructing Mr. Abdelrazik's rights. Issue the appropriate travel documentation to him immediately so he can finally come home.

Yours truly,



Denis Lemelin
National President
Canadian Union of Postal Workers

cc National Executive Board, CUPW
National Union Representatives, CUPW
Specialists, CUPW
Locals, CUPW
Ken Georgetti, President, Canadian Labour Congress
Prime Minister Stephen Harper
Michael Ignatieff, Leader of the Liberal Party
Jack Layton, Leader of the New Democratic Party
Gilles Duceppe, Leader of the Bloc Québécois

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