

Canadian embassy in Sudan gives terror suspect shelter, won't yet send him home

Section: International News

Outlet: The Globe And Mail

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Date: 2008-04-30

The Harper government granted terrorist suspect Abousifian Abdelrazik "temporary safe haven" yesterday in Canada's Khartoum embassy and said it was "reviewing his case," but stopped short of agreeing to help him return home.

Mr. Abdelrazik, who has been marooned in Sudan for years, spent nearly two years in prison there, was denied a new Canadian passport and was unable to return to his family in Montreal, walked into the Canadian embassy yesterday morning and said he wanted to stay there.

A day earlier, The Globe and Mail published a detailed account of Mr. Abdelrazik's predicament, drawing on more than 1,000 pages of government documents that detailed his multiyear ordeal during which the government repeatedly assured him that there was nothing it could do to remove him from international blacklists fingering him as a terrorist.

Yesterday, the government abruptly changed tack.

Foreign Minister Maxime Bernier decided to grant Mr. Abdelrazik "temporary safe haven," said the minister's spokesman, Neil Hrab.

"We are currently reviewing his case," Mr. Hrab added.

And in a carefully worded response, the government acknowledged that it understood "Mr. Abdelrazik is unable to return to Canada of his own accord."

The response also acknowledged that repatriating the Canadian citizen would require either a government aircraft to circumvent no-fly lists or a serious effort to have him removed from the United Nations list of alleged al-Qaeda suspects.

For the government to provide even "temporary safe haven" on what is Canadian territory, the embassy in Khartoum, to Mr. Abdelrazik while the Canadian Security and Intelligence Service continues to finger him as a terrorist suspect suggests that the designation may be under review.

"He doesn't want to live out his days in the embassy," said Yavar Hameed, an Ottawa lawyer representing Mr. Abdelrazik. "That's just a stopgap measure. ... What he wants is to come home." Mr. Hameed said the government should send a plane "to fly him out of there within days."

As the government fended off questions and CSIS refused to say why it originally labelled Mr. Abdelrazik a terrorism suspect and al-Qaeda member, Opposition Leader Stéphane Dion said

Mr. Abdelrazik "should be authorized to return to Canada," adding that if there are serious allegations against him he should be charged and tried "in Canada."

The Harper government has failed to protect Canadians overseas, Mr. Dion said in Quebec City. "The government should be much more determined in protecting the rights of Canadians everywhere in the world," he said.

CSIS spokeswoman Manon Bérubé said "on the matter of Mr. Abdelrazik's status as a terrorist suspect, CSIS cannot confirm or deny any specific operational investigation."

Mr. Abdelrazik, walked into the Canadian embassy at about 10:40 a.m., yesterday, local time. According to Mr. Hameed, one of the Canadian diplomats stationed in Khartoum, Eric O'Connor, warned him to be careful "on the streets" because of the attention now focused on his case by reports of his predicament.

"I don't intend to leave the embassy," Mr. Abdelrazik told the consul.

Mr. O'Connor said he needed to seek advice from Ottawa and hours later confirmed to Mr. Abdelrazik that he would be allowed to stay temporarily. Embassy staff bought him a pizza. Security personnel guarding the embassy were told that Mr. Abdelrazik was remaining inside.

The government's carefully chosen phrase, "temporary safe haven," stops far short of "sanctuary" or "refuge," both of which could be construed by Sudan as suggesting the Canadian government believed Mr. Abdelrazik needs protection. Sudan has already issued documents saying it believes the accusations that he is a terrorist and al-Qaeda member are groundless.

A senior Foreign Affairs official called Mr. Hameed yesterday afternoon to say an "evolving risk assessment" was under way with respect to Mr. Abdelrazik.

Meanwhile, his former wife, Myriam St.-Hilaire, who divorced him while he was in prison in Sudan, made an impassioned plea at an Ottawa news conference for his return. She said she was speaking on behalf of their five-year-old son.

"I'm here to be his voice, since he's too young to do so right now. Time is passing by, years are passing by and things aren't changing," she said.

Ms. St.-Hilaire, who has said CSIS harassed her and Mr. Abdelrazik for years before he went to Sudan, also rejected the unsubstantiated allegations by counterterrorism agencies from Canada, France and the United States linking him to senior al-Qaeda figures, including Abu Zubaydah.

"The question that comes up over and over again: Is he a terrorist? I'll just answer plain and simple. He is not a terrorist. He is a Muslim. He is a practising Muslim, but a peaceful Muslim. And we just wish him to reunite with his family, with his children," she said.

Mr. Hameed said his client has been a victim of "duplicity and disinformation" by Canada's Foreign Affairs Department, which has refused to help repatriate Mr. Abdelrazik based on "nebulous security concerns."

In Toronto, Aileen Carroll, former federal minister for CIDA in the Liberal government and now Ontario Culture Minister, said she had been advised during a 2004 visit to Khartoum that the Sudanese government might ask her to take Mr. Abdelrazik home on her government Challenger executive jet.

“It would have been denied for the reasons that the gentleman's name was on the no-fly list, which means he is prohibited from flying on commercial air[lines] and most air[lines]. In addition to that, he would most likely not be permitted entry to countries that I would be required, ... to stop [for refuelling] on my return to Canada,” she said.

But nothing in the UN sanctions precludes the repatriation of terrorist suspects, nor do commercial no-fly lists apply to government or military aircraft.

Canadian embassies have been used as safe havens in the past, most recently in 2004 when 44 North Korean defectors stormed over the wall in the embassy in Beijing. They lived there for three months before a deal was struck allowing them to make their way to South Korea.

But the arrangement in Khartoum is different because Mr. Abdelrazik has been granted “temporary safe haven” in an embassy located in the country of his other nationality and isn't seeking to reach refuge in a third country but rather return to Montreal, an effort that has been thwarted for years by the refusal of the Canadian government to issue him a new passport or have him removed from no-fly lists.

In Ottawa yesterday, Liberal MP Dan McTeague said the first thing the government must do in Mr. Abdelrazik's case is find out how and why he got on the no-fly list in the first place.

“I have no information as to how or why Mr. Abdelrazik was placed on that, but I think that would be the first order of business if the government wishes to have him returned to Canada,” Mr. McTeague said. “It is well intentioned to give someone a travel document, but if you have to transit through another country which will not allow a Canadian on such a list to get onto their planes, it kind of makes it impossible to get him back.”