

Few lessons learned

The federal government's position on keeping Abousfian Abdelrazik in Sudan simply does not pass the smell test when you consider past history

By Gar Pardy, Citizen Special
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George Orwell is often quoted to the effect that political euphemisms exist in order to make "murder respectable." In today's speak, the government misuses UN resolutions and national security to make respectable the denial of the return of a Canadian citizen to Canada.

Abousfian Abdelrazik, a Canadian citizen, has spent the last six or so years in a maze constructed and maintained by the government of Canada. It is a maze that had an entry point but every time there is a slight glimmer of an exit the government builds a new wall.

Various government documents released to Abdelrazik's Canadian lawyer, Yavar Hameed, and to the media detail the ever changing position of the government. First and foremost, however, the documents suggest that Abdelrazik's maze crawling began with a request from the government of Canada that he be detained by the Sudanese authorities in 2003.

CSIS has denied this, but its denials are neither definitive nor convincing. To give verisimilitude to its denial, it has asked its oversight committee to review the evidence. Given the lack of transparency in CSIS oversight, that is akin to asking the Vatican to rule on the authenticity of the Turin shroud.

CSIS's actions in 2003 on Abdelrazik appear to be eerily similar to actions it and the RCMP carried out in 2002 and 2003 with respect to Maher Arar, Ahmad El Maati and Abdullah Almalki. In the intervening years the O'Connor and Iacobucci commissions detailed the deadly amateurism of both the RCMP and CSIS. Those details echoed their ineptness of nearly 25 years ago in the prelude to the bombing of Air India 182.

The cornerstone of the government's position resides in a UN Security Council resolution blocking assets of suspected international terrorists and an associated international no-fly list. Inclusion on both lists is at the request of governments. There are no provisions for independent standards or vetting of information provided by governments.

Not surprisingly, as with domestic no-fly lists, there is great scope for error, misrepresentation and outright deception. If the Americans could not keep Senator Ted

Kennedy off their no-fly lists, it is not difficult to understand that a mistake could be made for a person named Abousfian Abdelrazik. For many, unfortunately, in this age of paranoia on national security, the name screams for inclusion on someone's list!

There is also the matter of the sources for such information. Governments in general and the U.S. government in particular have not been particularly fastidious in the means such information is collected and in its subsequent assessment and use. Harsh and illegal interrogations -- including torture -- and interpretation by inexperienced and ignorant police and security officials under great pressure to not make a mistake have been the source of many of the suspicions leading to such listings.

In the blackness that backstops national security issues there is little scope for concerned citizens to exercise independent judgment.

Not surprisingly, suspicion and doubt surround government decisions in such matters. Even a senior legal official with CSIS had difficulty in understanding what information could be used when speaking to a Parliamentary committee. In recent days the foreign minister and lawyers for the government appearing before the Federal Court misconstrued the provisions of the applicable UN resolution. Demonstrating how out of touch the government is, it argued that such matters are ones of "Crown prerogative."

More surprising is the expectation by the government that its position on Abdelrazik meets the smell and duck tests of common sense. First the government expects us to believe that Abdelrazik is such a security risk that it is best to leave him in Sudan, a country that provided a home for Osama bin Laden and from which he went to Afghanistan and began his worldwide terrorist campaign.

It says little about Canadian counterterrorism capabilities if Abdelrazik's return to Canada could not be supervised and monitored here, thus lessening any risk he may represent. As was suggested in testimony before the O'Connor Commission the cost of such supervision may be an element in such decisions.

A second and even more preposterous tenet of the government's position is that Abdelrazik should be provided shelter and succour within the Canadian embassy in Khartoum. Canadian foreign service officers are a versatile lot but it beggars the mind to have them act as custodians of a security risk who has been denied a Canadian passport for national security reasons.

In the United States the days of reckoning for those who created and perpetuated gross crimes against the principles on which the Republic was founded are about to begin. Numerous lawyers and other officials in various parts of the American government, in the coming months, will have to publicly account for their actions. And, while some exempt former president George W. Bush from this accounting, the same cannot be said for his vice-president.

Many in the U.S. Congress and beyond believe legal principles concerning torture, secret interrogation sites in third countries, the prison at Guantanamo, and the invasion of the privacy of American citizens have been badly abused. These issues will provide fodder for Congressional investigations.

In Canada we have had some measure of public accounting through the O'Connor Commission and somewhat less so through the Iacobucci Inquiry. In the aftermath of this national breast beating, there was every expectation there would be significant changes in the way in which our police and security organizations operate.

It is a national shame nothing has been done. And from the way Abdelrazik is being treated there can be little expectation this will change.

Gar Pardy is a former director general of consular services for Canada.

E-mail: garp@rogers.com

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