

Tories agree to let stranded man return from Sudan

Jim Bronskill, THE CANADIAN PRESS

OTTAWA - Abousfian Abdelrazik's long ordeal is almost over.

The Harper government said Thursday that it will comply with a court order to let the Montreal man return home from Sudan, where he has been stranded at the Canadian Embassy.

The government had refused to give him a passport on the basis that he remains on a UN terror watch list. But Federal Court Justice Russel Zinn ruled this month that Ottawa breached Abdelrazik's constitutional rights and ordered him returned within 30 days.

The man and his supporters waited almost two weeks to hear whether the government would follow the order or appeal to a higher court.

Justice Minister Rob Nicholson announced the news in the House of Commons.

"The government will comply with the court order," Nicholson said in response to a question from Liberal MP Irwin Cotler.

"We've acted on the very best legal advice."

Yavar Hameed, one of Abdelrazik's lawyers, welcomed the move.

"Government compliance with the order is an excellent and expected step - something we had hoped for in this file. This first new development is very encouraging."

Abdelrazik, a Canadian with family in Montreal, was arrested but not charged during a 2003 visit to Sudan to see his ill mother. He says CSIS and American FBI officers interrogated him over alleged terrorist links.

Sudanese authorities released Abdelrazik - who denies involvement in extremism - and the RCMP says there is no information linking him to criminal activities.

Zinn said the government's claim that Abdelrazik couldn't fly to Canada due to his inclusion on the UN blacklist was actually "no impediment" to his repatriation.

Scores of Canadians chipped in to buy Abdelrazik an airline ticket, but his passport had expired and he could not leave Sudan without one.

Zinn said the government violated Abdelrazik's Charter right to enter Canada by failing to justify its decision to deny him a temporary travel document.

"He lives by himself with strangers while his immediate family, his young children, are in Montreal. He is as much a victim of international terrorism as the innocent persons whose lives have been taken by recent barbaric acts of terrorists," the judge wrote.

"In this case, the refusal of the emergency passport effectively leaves Mr. Abdelrazik as a prisoner in a foreign land, consigned to live the remainder of his life in the Canadian Embassy or leave and risk detention and torture."

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