

CND0025 - Meeting with MFA concerning Potential Release & Return of Abousfian Abde.. Page 1 of 4

Hoskins, Bert

From: DiGangi, John (DFAIT)
Sent: Friday, April 21, 2006 4:18 PM
To: KHRTM - [REDACTED]
Cc: [REDACTED] -C4; WRIGHT James -IFM -C4; EXTOTT -RGM -C4; EXTOTT -ISI -C4; CCATS; EXTOTT -RFD -C4; EXTOTT -ISD -C4; EXTOTT -IFM -C4; BAKEWELL Peter -ISI -C4; CALDERWOOD Perry -RFS -C4; GILMOUR Wendy -FSDN -IRP -C4; EXTOTT -CND -C4
Subject: CND0025 - Meeting with MFA concerning Potential Release & Return of Abousfian Abdelrazik to Canada

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Thank you for your message and patience in managing this case.

We are unfortunately not in a position at this stage to offer specific information as to how return would be effected.

Consistent with the position we have put forward in the past, you should restate to the Sudanese authorities that:

- a) we view this case as a consular case;
- b) that if there are no charges against subject, he should be released;
- c) as a Canadian citizen, subj is free to return to Canada if he so wishes, and that we would assist him in making arrangements.

Notwithstanding the expected displeasure of the Sudanese with this response, you should restate our position and make no further comment other than to say that we continue to insist on immediate consular access to our citizen.

You should also be aware of the fact that no/no consideration is being given at this time to any kind of special flight for subject's return to Canada.

drafted and approved: CND/Desjardins

—Original Message—

From: KHRTM - [REDACTED]
Sent: April 17, 2006 9:21 AM
To: LIVERMORE Daniel -ISD -C4; DIGANGI John -ISI -C4; EXTOTT -CND -C4
Cc: [REDACTED] -C4; WRIGHT James -IFM -C4; EXTOTT -RGM -C4; EXTOTT -ISI -C4; CCATS; CYR Laura -CND -C4; KHRTM - [REDACTED] -C4; EXTOTT -RFD -C4; EXTOTT -ISD -C4; EXTOTT -IFM -C4; BAKEWELL Peter -ISI -C4; CALDERWOOD Perry -RFS -C4; GILMOUR Wendy -FSDN -IRP -C4; CCATS; [REDACTED] -C4; EXTOTT -RGM -C4

Subject: KHGR0044 - Meeting with MFA concerning Potential Release & Return of Abousfian Abdelrazik to Canada

REF: KHGR0033

M. Pawsey met with MFA on Monday, April 17 to discuss cancel Mr. Abousfian

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Abdelrazik's case. After receiving instructions from Ottawa, we confirmed the meeting to deliver Embassy's verbal response to Note Verbale MFA/AMER/7/1/2 received on March 20, 2006.

As instructed, the MFA was informed that we would "welcome Mr. Abdelrazik's release, that we will endeavour to facilitate his return to Canada and we would appreciate receiving consular access ASAP" (a note verbale was sent this afternoon as a formal response to MFA/AMER/7/1/2). MFA response was enthusiastic and it is clear that the Sudanese authorities have been anxiously awaiting a positive response from the Embassy as MFA colleague immediately followed up with detailed questions on Government of Canada's proposed action for Mr. Abdelrazik's return. Non-committal and vague responses seem to have sufficed for the moment, however, I was informed that a meeting with NSI would be confirmed shortly so that details concerning Mr. Abdelrazik's release can be confirmed and his return to Canada expedited.

It is crystal clear that GoS authorities are eager to have this problematic case resolved as soon as possible and that they will be most accommodating in assisting the Embassy with the facilitation of Mr. Abdelrazik's return to Canada. [REDACTED] my MFA colleague was frank and well-informed about the details of this case as he asked detailed questions about the conditions for the release and plans for the return of Mr. Abdelrazik.

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We expect to be called to a meeting with MFA and/or NSI shortly to iron out the details and conditions for the release and return of Abdelrazik to Canada. Vague responses will not be tolerated as I was asked during the meeting if "a release 48 hours in advance of the departure would suffice, would it be a Canadian Forces plane, how will we cope with the no-fly list, etc." **Clear detailed instructions are required in conjunction with a defined list of conditions and/or steps that must be met for the release and return of Abdelrazik. Please note that the turnaround time for this meeting and the subsequent release of the individual is expected (in my view) to be very quick.**

Drafted: M.Pawsey

Approved: A.Bones

-----Original Message-----

From: KHRTM [REDACTED]

Sent: March 21, 2006 12:06 PM

To: LIVERMORE Daniel -ISD -C4; DIGANGI John -ISI -C4; EXTOTT -CND -C4

Cc: [REDACTED] -C4; WRIGHT James -IFM -C4; EXTOTT -RGM -C4; EXTOTT -ISI -C4; KHRTM [REDACTED] CCATS; CYR Laura -CND -C4

Subject: KHGR0033 - Sudan: Consular Case, Abousfian Abdelrazik

CONFIDENTIAL

ref: KHRTM/CND/ISI secure telcon 2006.03.20

Sudan: Consular Case Abousfian Abdelrazik

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Current Situation: In response to numerous written and oral enquiries over the past months, the Embassy received on March 20 a Note Verbale from the MFA informing us that

[REDACTED]

[REDACTED]

We contacted the MFA for further information and guidance on any conditions that might be imposed prior to turning Mr. Abdelrazik over to the Embassy for immediate repatriation to Canada.

[REDACTED] the MFA was fully aware of case details and conditions that would have to be met:

[REDACTED]

The MFA articulated the following conditions as mandatory for the release of Mr. Abdelrazik: confirmation of flight and travel arrangements; a Canadian must accompany him back to Canada; Mr. Abdelrazik would be released to our custody at Khartoum Airport immediately prior to the outgoing flight.

Secure telcon CND/ISI and KHRTM: Telcon was held AM Monday 20 March; participants were CND/Harris, CNO/Gaudet-Fee; ISI; KHRTM/Bones [HOM]/Pawsey [Consul].

KHRTM outlined the political context surrounding this Note Verbale,

[REDACTED]

[REDACTED] There is clearly a very strong desire on the part of the Sudanese government to deal with this case for once and for all: we judge as significant their verbal reference to a "permanent solution" to this case. Despite a series of irritants over the last year, Canada has maintained a constructive working relationship with the Government of Sudan, and we believe that this is an example of the MFA and NSI going out of its way (and possibly engendering a degree of political risk) on our behalf to keep military intelligence from taking expedient measures to deal with the case (military intelligence is the most powerful and impenetrable security agency in Sudan, and operates with complete impunity - there is strong evidence that most of Sudan's 'disappeared' did so at the hands of military intelligence).

What has been clearly and forcefully implied by the MFA is that this is, in effect, our last chance to deal with this case on positive terms. All three Sudanese agencies are losing patience with what they perceive as lack of Canadian action

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when earlier openings presented themselves. If advantage of this opening is not taken by Canada, there is a clear implication that the MFA and NSI will simply cede this case to military intelligence. Canada's position hitherto that this is a consular rather than security case simply does not hold water with them, regardless of what we think.

Next Steps: As discussed, we will explore travel options, working on the consensus reached during the telephone conversation that the routing KHRTM-Tripoli-Casablanca on Libya-based Afirqya Airways, connecting to the Royal Air Maroc flight to Montreal, offers the most secure route for accompanying Mr. Abdelrazik back to Canada. In previous correspondence, CND instructed the mission to determine flight possibilities using Royal Air Maroc; CND/Harris undertook to confirm the determining factors behind this instruction.

All parties to the telcon agreed on the urgency in determining subsequent steps. CND indicated that they would get back to the Embassy as soon as possible, and in advance of the Embassy meeting with the MFA scheduled for Wednesday, March 29.

Drafted: KHRTM/Pawsey
Approved: KHRTM/HOM/Bones

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