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Abdelrazik wants his name off UN blacklist

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OTTAWA – The court order that brought back Abousfian Abdelrazik, a Sudanese-Canadian who had been stuck for six years in Sudan, did not deliver him to freedom, the former exiled Canadian said Wednesday.

Speaking before an unofficial session of the Commons foreign affairs committee, attended only by Opposition parties, Abdelrazik pleaded for help to be removed from a United Nations blacklist.

Abdelrazik's name remains on the UN Security Council's "1267 list" - an anti-terror watchlist that imposes an asset freeze, travel ban and arms embargo on those listed as associates of Al Qaeda or the Taliban.

The Montreal man faces no charges in Canada or the U.S. and though initially under CSIS' watchful eye—its agent interrogated him in Sudan—his return last June was not opposed by Canadian security.

At Wednesday's hearing he denied knowing any reason why he would have been named, saying he was never a member of a political or religious movement, organization or sect.

Lawyer Yavar Hameed told the MPs that being blacklisted by the UN ensnares a person in "this sort of Kafkaesque nightmare" where there is no effective process for de-listing.

There is no judicial review, no way to know the "case to be met" and virtually no way to get off the list, he said.

"The consequences are quite devastating on the individual such as Mr. Abdelrazik," he said.

"The difficulties still continue; it is not over," said Abdelrazik who showed the committee a letter from the Royal Bank of Canada that first denied him the right to re-open a bank account on his return because of the listing.

He was able to open an account, but it remains "tenuous," Hameed said.

Abdelrazik is unable to get work and survives on the charity of Canadians. Those individuals help him, said Hameed, despite the risk of prosecution for aiding a listed associate of Al Qaeda, according to Canadian regulations.

Abdelrazik lamented the limbo he finds himself in.

He said his second marriage fell apart during his exile. Now he cannot explain to his 7-year-old son why he cannot take him to Disneyworld.

"Even I do not have explanation for myself."

In 2006, the United States designated Abdelrazik as someone who poses a "significant risk of committing acts of terrorism."

Washington claimed he was closely allied to a key lieutenant of Osama bin Laden, recruited Al Qaeda, and attended a terrorist training camp in Afghanistan.

University of Ottawa Amir Attaran said Abdelrazik's name was flagged by Abu Zubayda—who had been detained and waterboarded by US interrogators.

Attaran said the UN "1267" blacklist is in constant flux—it contains the names of dead people, with arbitrary rules, designed to de-legitimize "whoever" the listing committee members want to discredit.

He likened it to the 17th century Salem witch trials, saying it pretends to be a legal regime, when it is a sham diplomatic regime.

Five members of the Taliban were recently removed from the list because, Attaran said, "it was thought they should play a role in the Karzai government—a larger role than they play already. One is a governor of a province," Attaran said.

He urged the Canadian government to repeal regulations that give effect to the UN resolution that created the list.

"It's a charade in legal terms, it's not up to the standards of Western justice, of Canadian justice in 2010."

The "1267" list was created in 1999 by the UN's security council to ban the material support for and movement of Al Qaeda and Taliban members and associates.

Abdelrazik's lawyer, Hameed, said today it contains 507 listings: 142 Taliban associates, 118 Al Qaeda individuals, and 247 Al Qaeda associated entities.

Last spring, a Federal Court judge ruled that Ottawa had violated Abdelrazik's constitutional rights by refusing to allow him to return to Canada and faulted the Canadian Security Intelligence Service for its role in his detention.

It ordered the Canadian government to issue him a passport so he could leave the Canadian embassy in Khartoum where he had sought refuge for more than a year after being released from a Sudanese prison.

Arrested in 2003 while visiting his sick mother in Sudan, Abdelrazik said he was repeatedly beaten and mistreated during two periods in custody that lasted about 20 months.

Liberal Bob Rae questioned Abdelrazik about his travels and activities prior to coming to Canada in 1990 as a refugee, in order to explain to Canadians who wonder what "got you on the list in the first place."

Abdelrazik gave a brief personal history, saying he was a unionized labourer at a factory in Sudan before fleeing the abusive government regime of Omar al Bashir.

"For me, it is a kind of racism because I am a Muslim," Abdelrazik said of his blacklisting.

"But there are 800,000 Muslims in Canada and they are not all on the list," said Rae.

"I don't know why," responded Abdelrazik.

He said he never fought in Chechnya, attended any training camps, received any fighting training, or had warm relations with any radical leaders in Sudan, or with Al Qaeda or the Taliban.

He told the committee that when the Conservative parliamentary secretary for foreign affairs visited him during his exile at the Canadian embassy, he quizzed him about Osama Bin Laden, Al Qaeda, and his opinions on Israel.

He claimed Deepak Obhrai told him if he didn't answer the questions, "there's no help."

Rae said he learned to his surprise that Abdelrazik had requested to meet him when Rae travelled to Sudan in 2004. But an embassy official told Abdelrazik that Rae, not then an MP, was not "a member of the government," said his lawyer.