

NEWS RELEASE

British Columbia Civil Liberties Association

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BCCLA demands immediate repatriation of Abousfian Abdelrazik

In light of today's Federal Court judgment, the B.C. Civil Liberties Association demanded the immediate repatriation of a Canadian citizen who has been living in the Canadian embassy in Khartoum, Sudan, for more than a year after being detained there without charge since 2005.

"The Federal Court has recognized that Mr. Abdelrazik, like all Canadian citizens, has a constitutional right to return to Canada," says Robert Holmes, President of the BCCLA. "The Court has properly found that Canada's denying Mr. Abdelrazik the travel documents he needs is unconstitutional. In another case, the Supreme Court of Canada ruled that while government needed the tools to fight terrorism: 'On the other hand stands the need to ensure that those legal tools do not undermine values that are fundamental to our democratic society — liberty, the rule of law, and the principles of fundamental justice [. . .] it would be a Pyrrhic victory if terrorism were defeated at the cost of sacrificing our commitment to those values.' Those are wise words."

The government may only interfere with Canadians' right to enter Canada in exceptional circumstances, such as where national security is clearly and imminently threatened. Despite having two flights booked out of Sudan, Canada has refused to issue Mr. Abdelrazik a passport or emergency travel documents to replace his passport that expired while he was being detained.

"Mr. Abdelrazik says he was tortured in Sudanese jails and the Federal Court has found that Canadian agencies helped to put him in those jails," says Holmes. "The very least that Canada can do now is comply with the Court's order, not appeal it or seek a stay, and bring Mr. Abdelrazik home immediately."

The Federal Court also found that Mr. Abdelrazik had been detained in Sudan at the request of the Canadian Security Intelligence Service, despite the fact that the agency had written a letter saying that they had no current information that Mr. Abdelrazik was involved in any illegal activities. The Federal Government has been directed by the Court to issue Mr. Abdelrazik an emergency passport and arrange transportation for him to Montreal, Canada within the next 30 days.

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