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Terror claims trap Canadian in Khartoum Marooned for five years, Abousifian Abdelrazik gets \$100 a month from Canada to survive, but no passport or clearance to go home

PAUL KORING Abousifian Abdelrazik, a 46-year-old Sudanese Canadian fingered by CSIS as a terrorist suspect, has been marooned in Khartoum for nearly five years as successive Canadian governments have refused him a passport and thwarted other efforts to bring him home to his family in Montreal.

Mr. Abdelrazik - who faces no criminal charges - denies he belongs to al-Qaeda or has ever been to Afghanistan. He can't explain why Canadian, French and U.S. counterterrorist agencies have labelled him a terrorist.

"I love Canada and I want to go home, I want to see my children, I want to live a normal life," Mr. Abdelrazik said during one of several telephone interviews from Khartoum.

The Montreal resident said Canadian diplomats told him "they cannot help me because Canada is a member of the United Nations." In 2006, some government - perhaps Canada's - added Mr. Abdelrazik's name to the UN Security Council's list of international terrorist suspects, which requires member states to freeze his assets.

He is also on the no-fly list maintained by airlines, which are compiled with the covert input from government counterterrorism agencies, including Canada's.

Three years earlier, in August of 2003, Mr. Abdelrazik was plucked off the streets of Khartoum after returning to Sudan from Montreal to visit his ailing mother. No reason has ever been given for his arrest.

However, CSIS documents marked "secret" and now in the possession of The Globe and Mail say Sudan imprisoned Mr. Abdelrazik "at our request."

Blacked-out portions that obliterate sections of many pages whenever there are references to security agencies may explain why.

CSIS had been interested in Mr. Abdelrazik since 1999 - and perhaps earlier - when he associated with several other Muslim men believed to be linked to al-Qaeda. CSIS agents questioned him numerous times.

Mr. Abdelrazik's lawyer asserts that Canada was complicit in his detention, calling it "another form of extraordinary rendition." More than 1,000 pages of government documents - many of them heavily redacted - corroborate Mr. Abdelrazik's accounts of a long, but futile, effort to end his imposed exile in Sudan and return home.

Officially, Mr. Abdelrazik has been told by Canadian diplomats he's welcome to go home. But his efforts to return have been stymied at every step by Canada's refusal to issue him a passport, the claim that they can do nothing about his "no-fly" status, and perhaps most startlingly, by thwarting offers by Sudan to fly him back to Canada.

The document trail obtained by The Globe ends in early 2006, but Mr. Abdelrazik's limbo continues. He remains under police surveillance in Khartoum. He makes frequent visits to the Canadian embassy, which has been doling him out \$100 a month from a special fund for distressed citizens. He's being allowed to telephone his family in Montreal, but the embassy hasn't issued him a passport or travel documents, which could hold the key to his return.

At the same time, he is a Canadian citizen facing no charges, and in a world of unsubstantiated security targeting, a suspected terrorist believed to be so dangerous that he must be kept out of North America.

The trove of documents makes clear that the "highest levels" of both the past Liberal and the current Conservative governments were kept fully informed of Mr. Abdelrazik's case and concurred in its handling. More recently, Mr. Abdelrazik's lawyers sent letters to Prime Minister Stephen Harper demanding his intervention. Last month, officials from Foreign Minister Maxime Bernier's office met with Mr. Abdelrazik in Khartoum. Late last week, The Globe and Mail sent the Harper government written questions concerning Mr. Abdelrazik's case, including asking why the government had decided to deny a Canadian citizen a passport and had failed to repatriate him. No replies have been received from Mr. Bernier's office.

Documents make it clear one of Ottawa's biggest concerns was the potential political furor if the case became public. Briefing notes, cleared by CSIS and the intelligence sections of Foreign Affairs, were prepared to carefully coach ministers. They include carefully worded replies to questions about whether Canadian authorities shared intelligence about Mr. Abdelrazik with the Sudanese or U.S. governments, whether Canada was the originator of information that resulted in on him being placed on

"no-fly" lists and how to respond if asked about parallels to Maher Arar's case, in which another Canadian originally fingered by CSIS ended up being tortured in a Syrian prison.

It all started in the spring of 2003 when Mr. Abdelrazik flew to Sudan to visit his ill mother. He travelled on his Canadian passport and had no difficulty getting on flights leaving Canada, despite CSIS's long-standing interest in him. His wife and their children joined him for several months that summer. In an interview, she tells of flying back to Montreal, sick and with an infant son, only to be detained at Montreal's airport, interrogated for hours and denied access to a toilet or even allowed to sit down.

In August of 2003, shortly after his wife's return to Canada, Mr. Abdelrazik was arrested for the first time by Sudanese police.

Officials who identified themselves as CSIS agents interrogated him in a Sudanese prison in December - asking about the same men he had been questioned over in Montreal.

He says he was beaten and ill-treated in prison and went on several hunger strikes.

Although the Canadian embassy arranged consular visits and put him in contact with a lawyer, Mr. Abdelrazik was never charged.

According to Mr. Abdelrazik, Sudanese security officials told him he was in custody only because the Americans and Canadians asked that he be imprisoned.

After nearly a year in Kober prison, Mr. Abdelrazik was released.

His wife sent \$3,000 for a plane ticket home and the embassy promised temporary travel papers for a flight to Montreal in July of 2004.

But Lufthansa and Air Canada, acting on "no-fly" lists, refused to take him. Sudan then offered a private plane to get him to Canada but Ottawa imposed conditions and that flight was aborted.

Even senior Sudanese officials seem to have become suspicious that Ottawa was quite comfortable to leave Mr. Abdelrazik languishing in Khartoum.

In September of 2004, a Canadian embassy official told Ottawa in a memo that a top Sudanese official said "there were no charges against him in Sudan . . . He repeated there was nothing against him in Sudan, stressing those last two words. He said Sudan realized, however, that keeping an innocent man in detention was a human- rights violation. So far, they had prevented him from having access to news media and HR [human-rights] organizations but this could not go on forever. He thought that protest and public attention to this story would impact adversely on both our countries. In particular, it would tarnish Canada's reputation in Arab countries."

Despite that, Mr. Abdelrazik was arrested again in November of 2005, this

time spending seven months in prison. In Ottawa, senior bureaucrats prepared "press lines" for ministers, apparently worried that Mr. Abdelrazik's predicament would become public.

"As a Canadian citizen, Mr. Abdelrazik is entitled to a one-time Canadian travel document that would allow him to travel to Canada," reads one of the prepared answers. "Canada is not, however, prepared to make extraordinary arrangements to provide for Mr. Abdelrazik's travel to Canada." And, it said. "Canada will not issue Mr. Abdelrazik a passport." His lawyers said Canadian diplomats told Mr. Abdelrazik the same thing as recently as last week in Sudan.

Last week, a senior Foreign Affairs official wrote to Mr. Abdelrazik's lawyers saying "the unfortunate circumstances in which Mr. Abdelrazik has found himself are beyond Canada's control." But other documents show that CSIS regarded him as a security concern and that the government routinely shares information about security suspects with other governments and airlines.

The same letter, dated April 18, 2008, flatly denies Sudan ever offered a private aircraft to fly Mr. Abdelrazik back to Montreal.

"I would like to confirm that no such offer was ever made to Department officials by the Sudanese government," the letter, signed by Sean Robertson, director of consular case management at Foreign Affairs, says. That claim is contradicted by dozens of secret diplomatic messages exchanged between Ottawa and Sudan in 2004 when Mr. Abdelrazik was first released from prison. "There is no unwillingness to allow him to come to Canada aboard a private plane which the Sudanese government is willing to provide," a senior Canadian foreign affairs official wrote then. But conditions were set, blocking his passage. "No Cdn escort will be provided. The Canadian government will not contribute to the cost," the embassy in Khartoum was instructed by Ottawa.

Yavar Hameed, an Ottawa lawyer who has taken on Mr. Abdelrazik's case, says the government has been "duplicitous." The "government of Canada is implicated in his original detention," he said, calling it "another form of extraordinary rendition." He says the similarities with Mr. Arar's case are compelling.

In both instances, a Canadian citizen is fingered by CSIS as a terrorist suspect. In both cases, no charges are laid in Canada. In both, the person is arrested and imprisoned abroad. In both, Canadian officials say there is little that they can do because the person is in the country of their other citizenship.

Even Sudan, a country with a notorious human-rights record, run by a regime considered an international pariah for its failure to contain violence in Darfur, eventually refused to keep Mr. Abdelrazik in prison.

In July of 2005, after Mr. Abdelrazik was freed for the second time, the Sudanese government gave him and the Canadian embassy a formal document clearing him of all allegations that he was a terrorist or a member of al-Qaeda.

That prompted a rare expression of disquiet from a senior Canadian Foreign Affairs official, who makes it clear that other elements of the government are working behind the scenes.

"I wish I had a magic wand and make this case go away . . . I find it unethical to hold him like this in limbo with no future, no hope and all because . . . Obviously I cannot address the issue of the no-fly list - are there volunteers?" Odette Gaudet-Fee, a senior Foreign Affairs official in Ottawa, wrote in an e-mail to David Hutchings, head of the Canadian embassy in Khartoum on July 13, 2005.

But documents suggest Ottawa seemed more preoccupied about the case becoming public than whether Mr. Abdelrazik should be helped to return home.

Mr. Abdelrazik "has reached the end of his rope, he has no money, no future, very little freedom and no hope. Should this case break wide open in the media, we may have a lot to explaining to do," Ms. Gaudet-Fee wrote in May of 2005, only a few months after the government had been forced to launch an inquiry into the actions of Canadian officials in relation to Mr. Arar.

Mr. Abdelrazik, was born in Sudan on New Year's Day, 1962. He says he was trained as a machinist. After the 1989 military coup by former paratrooper Omar al-Bashir, Mr. Abdelrazik said he was imprisoned for his political views. He fled to Canada in 1990, was granted refugee status and, by 1992 landed immigrant status. In Montreal, he married a French Canadian in 1994 and they had a daughter.

The next year, Mr. Abdelrazik became a Canadian citizen. His first wife died of cancer in 2001.

During the 1990s, Mr. Abdelrazik says he was unable to find regular paid employment. Those who know him say he was an observant Muslim who often read the Koran to the sick and was paid as "a healer."

Counterterrorism agencies allege he spent time in Afghanistan at al-Qaeda training camps, which Mr. Abdelrazik denies. In 1999, he reported that he had "lost" his first Canadian passport and applied for a new one.

Mr. Abdelrazik prayed at Montreal's Assuna Annabawiah mosque, widely regarded as a hotbed of Islamic extremism.

He admits to knowing Ahmed Ressam, the so-called millennium bomber, who was supposed to activate an al-Qaeda sleeper cell in Montreal and bomb Los Angeles airport. But Mr. Abdelrazik says he knew nothing of the plot and never saw Mr. Ressam after he left for Vancouver.

He voluntarily testified by video-link at Mr. Ressam's trial in 2000. Under questioning, Mr. Abdelrazik explained how their paths had crossed at the mosque and later identified Mr. Ressam as a remote camera panned across the courtroom.

CSIS agents had followed but lost track of Mr. Ressam in the late 1990s. They also followed and interrogated other suspected Islamic radicals, including Mr. Abdelrazik.

After the Sept. 11, 2001, attacks, Mr. Abdelrazik says, CSIS followed him constantly and harassed him so much that he once called Montreal police in the hope that they might intervene.

Adil Charkaoui, the alleged al-Qaeda recruiter who was imprisoned in Canada on a security certificate, says CSIS and the RCMP were wrong about Mr. Abdelrazik.

"Charkaoui is of the opinion that Abdelrazik has nothing to be ashamed of. Charkaoui considers that Abdelrazik is not a violent man, that he does not express violent remarks," according to a CSIS summary filed in Federal Court shortly after Mr. Abdelrazik returned to Sudan. More than two years later, even as a steady stream of messages about the Abdelrazik case were flowing back and forth from Khartoum to Ottawa, a CSIS lawyer formally wrote to Mr. Charkaoui's lawyers saying the Canadian government had no knowledge of Mr. Abdelrazik's whereabouts.

Since his release from prison in 2005, Mr. Abdelrazik has lived in Khartoum in increasingly ill health. Diplomats tell him they are doing everything they can to get him home but that his inclusion on the no-fly list "effectively precludes his return to Canada." In the latest letter to his lawyers, the government says his passport application is being considered. "Since October of 2003, the government of Canada has provided a high level of consular assistance and support to Mr. Abdelrazik," according to Mr. Robertson, director of consular case management at Foreign Affairs.

Overland and sea routings remain impossible because Ottawa won't give him a passport, only emergency travel papers tied to a one-way air ticket. Yet successive governments have also neatly sidestepped obvious opportunities to get Mr. Abdelrazik home, if that's what they wanted to do. In September of 2004, the Sudanese government suggested that the visiting Liberal aid minister, Aileen Carroll, who flew into Khartoum on one of the government's Challenger executive jets, give Mr. Abdelrazik a lift home.

"This has been rejected, primarily because of his potential inadmissibility to the countries where the Challenger will land on the way home," a senior official wrote.

Three months later, then-prime-minister Paul Martin was in Khartoum with a mostly empty 200-passenger Canadian Forces airbus. But Mr. Abdelrazik had been bundled off to prison again after suggesting he wanted to make his case to the prime minister.

Bringing home stranded Canadians sometimes gets prime ministerial attention.

In June of 2006, Mr. Harper kicked the media and some of his official entourage off his Canadian Forces Airbus, diverted it to Cyprus and, in a blaze of publicity, flew home with more than 100 Canadians who had been evacuated from Lebanon.

Last month, Mr. Bernier was in Khartoum.

An official in his ministry and Deepak Obhrai, the junior foreign affairs minister, met Mr. Abdelrazik at the embassy. But they didn't offer him either a passport or a route home. Instead, Mr. Abdelrazik said, they quizzed him about why he came to Canada in the first place and asked about his views on Israel.

Suggested government line The Canadian government prepared this list labelled "Questions and Answers," should officials be asked about Abousfian Abdelrazik.

It was marked "secret." Q: As a Canadian citizen, isn't Mr. Abdelrazik entitled to return to Canada? A: Yes, as a Canadian citizen, Mr. Abdelrazik is entitled to a temporary Canadian travel document that would facilitate his travel to Canada.

However, as a result of security concerns, airlines have indicated that they are not in a position to provide Mr. Abdelrazik with passenger service from Sudan to Canada.

In the absence of a confirmed itinerary, we cannot issue a temporary travel document.

Q: Will you provide Mr. Abdelrazik with a passport upon his return to Canada? A: There is no right to a passport - it is a privilege that is subject to a number of restrictions.

If Mr. Abdelrazik were to apply for a passport, the application would be duly considered. One consideration is whether a person poses a risk to the national security of Canada.

Q: Did the Government of Canada provide information to Air Canada to prevent Mr. Abdelrazik from flying? A: It would not be appropriate for us to discuss specific cases.

However, air carriers regularly receive information on potential threats to security from a number of sources, including the Canadian Government.

Q: Did the Government of Canada provide information about Mr.

Abdelrazik to Sudan or the United States? A: It would not be appropriate for us to discuss specific cases.

In our efforts to combat terrorism, however, we co-operate and share information with many countries. The sharing of information is an important tool in protecting the safety of Canadians.

Q: Will Mr. Abdelrazik be placed on a "no-fly" list if he returns to Canada?

A: Mr. Abdelrazik is not in Canada at this time.

We will not speculate on whether or what security measures would be put in place should Mr. Abdelrazik return to Canada.

Q: Is Mr. Abdelrazik's situation similar to that of Mr. Arar? A: Mr. Arar's situation is the subject of a public judicial inquiry and it is for the inquiry to determine the facts of that situation.

Q: Is Mr. Abdelrazik's situation similar to that of Mr. [Abdullah] Almalki? A: Every case is different. The Department of Foreign Affairs is in touch with Mr. Almalki and his family and is providing consular services.

Chronology Abousfian Abdelrazik arrived in Canada as a political refugee from Sudan in and became a citizen five years later, but by he had drawn the attention of Canadian security agents. This timeline of what followed is drawn from more than 1500 pages of government documents obtained by The Globe and Mail.

Oct. 25, 2000: He voluntarily testifies at the Los Angeles trial of Ahmed Ressam, the so-called Millennium bomber from Montreal, telling the court he barely knew the accused
March 15, 2003: He returns to Khartoum on a Canadian passport to visit ailing mother and escape harassment from the Canadian Security Intelligence Service.

July 15, 2003: Information provided to a Federal Court by Canadian security agencies labels him an associate of some alQaeda suspects.

August, 2003 : Mr. Abdelrazik is arrested in Khartoum.

Oct. 16, 2003: Foreign Intelligence Section of Foreign Affairs plays down any comparison to Maher Arar. " We judge it unlikely that, should Abdelrazik's detention in Sudan become public knowledge, there would be the same sort of outcry that surrounded Maher Arar's arrest and deportation from the USA." Dec. 10, 2003: CSIS agents interrogate him in a Sudanese jail.

July, 2004: He has " visitors from France," an apparent reference to an interrogation by French antiterrorism agents.

July 14, 2004: Sudan agrees to release him, and his wife sends \$3,000, to pay for a flight arranged via Lufthansa and Air Canada with diplomatic

escorts July 21, 2004: The flight, planned for July , is scrapped. Germany and the airlines say Mr. Abdelrazik is on the "nofly" list.

Aug. 8, 2004: He is released to a Khartoum "halfway" house.

Sept. 25, 2004 Aileen Carroll, then minister for the Canadian International Development Agency, visits Khartoum on Canadian government Challenger aircraft.

Sudan suggested he fly home with the minister, but "this has been rejected, primarily because of his potential inadmissibility to the countries where the Challenger will land on the way home." Sept. 28, 2004:

Sudanese secret police make it clear they are tired of holding Mr.

Abdelrazik at Canada is behest. An urgent diplomatic cable to Ottawa reports about a high-level meeting with a Sudanese official.

See 1.

Oct. 10, 2004: Sudan offers a private aircraft to get him to Canada if Canada will contribute to costs and provide escorts.

Oct. 31, 2004: Canada is not prepared to contribute to the cost of the flight and also not prepared to provide an escort for Mr. Abdelrazik on the flight. See 2.

Nov. 24, 2004: Then prime minister Paul Martin visits Khartoum on a Canadian military airbus. Embassy officials thwart Mr. Abdelrazik's efforts to meet with PM, and there is no attempt to fly him home May 9, 2005: A senior Foreign Affairs official admits Mr. Abdelrazik is in a bad way. See 3.

July 5, 2005: He is released from prison.

July 26, 2005: Sudan clears him of terrorist links See 4.

Oct. 5, 2005: With a Canadian delegation scheduled to visit, Mr. Abdelrazik is arrested again and detained, without charge.

Dec. 16, 2005: In a cable marked secret, diplomats warn Ottawa that "further delay in this case risks the perception of complacency on the part of the Government should this case become public, especially given our repeated observations regarding Mr. Abdelrazik's increasingly desperate frame of mind." July 4, 2006: He is again freed from prison.

July 21, 2006: U. S. State Department says Mr. Abdelrazik "poses a significant risk of committing acts of terrorism that threaten the security of U. S. nationals and the national security, foreign policy, or economy of the United States." Aug. 2, 2006: UN Security Council adds Mr. Abdelrazik to the terrorist list maintained by Interpol.

January, 2008: Mr. Abdelrazik says he is interviewed by people claiming to be from the FBI.

Feb. 22, 2008: Latest CSIS summary says "Abdelrazik received training at the Khalden camp in Afghanistan in . According to French judicial documents, Abdelrazik is an important Islamic Jihad activist who is close to

[Abou] Zoubeida." March 25, 2008 When Foreign Minister Maxime Bernier visits Khartoum, his chief of staff and MP Deepak Obhrai question Mr. Abdelrazik, asking him, among other things, his views on Israel. He's told they can't help him get home 1. Sep 28, 2004: He told me there were no charges against him in Sudan. I asked why therefore they were keeping him in quasi detention. He repeated there was nothing against him in Sudan, stressing those last two words.

He said Sudan realised however that keeping an innocent man, in detention was a human rights violation. So far, they had prevented him from having access to news media and HR organisations but this could not go on forever. He thought that protest and public attention to this story would impact adversely on both our countries. In particular, it would tarnish Canada's reputation in Arab countries.

He said he was convinced that Canada could deal with this airline ban if it wanted to. Failing that, he suggested that Canada bring in a military or private aircraft to take him home.

I explained our position as I have before but also undertook to convey his views to Ottawa." 2. Oct. 31, 2004 : Once this information is provided, authorisation can be sought to provide Mr. Abdelrazik with an Emergency Passport.

The Government of Canada is not prepared to contribute to the cost of the flight and also not prepared to provide an escort for Mr. Abdelrazik on the flight.

I am ready to discuss this further at your convenience.

Yours truly and best regards, David Hutchings Head, Canadian Office 3.

May, 9, 2005: Today May 9th, 2005, he contacted the office of the Canadian Embassy quite upset. He wants to know what Canada is doing for him and he would like it in writing. He has talked about going to the media in the past but has not done it. I have the feeling that this is about to change. He has reached the end of his rope, he has no money, no future, very little freedom and no hope. Should this case break wide open in the media, we may have a lot of explaining to do.

May I suggest having him returned to Canada escorted by two/three RCMP if necessary....then we can deal with him here in Canada.

Drafted by Odette Gaudet-Fee 4. July 26, 2005: In the Name of Allah, the Most Benificent, the Most Merciful Ministry of Justice Attorney for Crimes against the States No. M.J. (A.C.A.S.) A Date: 26/07/2005 Decision The incidents denote that the National Security Apparatus and the Intelligence, Department of Combating Terrorism, have transferred to us, the procedures' file of the suspect/ABOUSFIAN, who was detained there (at their detention places), and that after his going on a hunger strike.

After interrogation and investigation conducted by the attorney general, the following facts were disclosed: The suspect does not belong to any political, partisan, sectarian party or otherwise based on religious, political, ethnic; sectarian or partisan understanding.
