

Ottawa will allow Abdelrazik to return to Canada

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The federal government will comply with a Federal Court order to allow the return of Montrealer Aousfian Abdelrazik, who has been stranded in Sudan for six years after being labelled an al-Qaeda suspect, Justice Minister Rob Nicholson said Thursday.

Abdelrazik, 47, was arrested and detained while visiting his mother in Sudan in 2003 and for the last year has been living in the Canadian Embassy in Khartoum.

Earlier this month, Federal Court Justice Russell Zinn ordered the Canadian government to fly him home early next month and provide those travel plans by Friday.

Nicholson initially said the government would need time to review Zinn's decision before deciding whether it would appeal, despite intense calls from opposition members and Abdelrazik's supporters to allow him to return.

But in his response to a question Thursday from Liberal MP Irwin Cotler in the House of Commons about the status of Abdelrazik, Nicholson said, "The government will comply with the court order."

A spokeswoman for the Foreign Affairs department said it had nothing to add to Nicholson's statement.

No date set yet for return: lawyer

Following Nicholson's announcement, Abdelrazik's lawyer, Khalid Elgazzar, told CBC News his legal team has received written confirmation from the government that Abdelrazik will return to Canada, but could not immediately disclose a travel date.

"They've given us an initial indication as to a commitment to bring him back, and I guess the logistical factors are how that's going to happen," he said in an interview from Ottawa.

Elgazzar said he contacted Abdelrazik to inform him of the government's decision and his client "had some difficulty containing his happiness."

Both the RCMP and Canadian Security Intelligence Service have cleared Abdelrazik of any terrorist connections, but the Conservative government had refused to issue him travel documents to return home because his name was on a UN Security Council list banning travel for terrorist suspects.

Rae urges Tories to accept court's Khadr decision

His lawyers successfully argued the government has violated his right to mobility under Section 6 of the Canadian Charter of Rights and Freedoms.

In his decision, Zinn wrote that Abdelrazik is a "prisoner in a foreign land" and "as much a victim of international terrorism as the innocent persons whose lives have been taken by recent barbaric acts of terrorists."

The judge 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.

Zinn also said CSIS was "complicit" in Abdelrazik's detention by Sudanese authorities six years ago.

Liberal foreign affairs critic Bob Rae said the government's decision also raises the question of why the Conservatives are not abiding another Federal Court decision calling on Ottawa to press for the return of Omar Khadr, the last Western citizen imprisoned at the U.S. detention centre in Guantanamo Bay, Cuba.

"The judge's decision in Abdelrazik was very clear, but I would add that the judge's decision in Mr. Khadr's case is very clear as well, and I would hope that the government would now turn and accept the decision in Mr. Khadr's case," Rae said Thursday.

The government announced in May it was appealing the court's ruling on the Toronto-born Khadr's case.

Khadr, now 22, has been at the Guantanamo Bay facility since 2002 when he was picked up by U.S. soldiers in Afghanistan. He's alleged to have thrown a grenade that killed an American soldier during a battle.