

Return of Sudanese-born Canadian hailed as 'victory'

BY GIUSEPPE VALIANTE, NATIONAL POST JUNE 27, 2009



Abousfian Abdelrazik pumps his fist as he arrives home at Toronto's Pearson Airport in Canada after being in exile in Sudan for six years, June 27, 2009.

Photograph by: J.P. Moczulski , National Post

TORONTO — Abousfian Abdelrazik raised his right arm and clenched his fist as he walked down the ramp outside the international arrival gates at Pearson International Airport Saturday afternoon.

After six years in exile, alleged torture at the hands of Sudanese authorities, several thwarted attempts to return and over a year stranded at the Canadian embassy in Khartoum, Abousfian Abdelrazik is home.

About 40 supporters carrying signs that read, “We did it!” and “Oh Canada! Our home and Abdelrazik’s” chanted, “Welcome home,” as he made his way towards them.

“I’m a very glad to be here; I’m very tired,” said Abdelrazik, 47, who has been labelled a terrorist by the United States. “Thank you so much for your support. Now I’m here,” he said before being led to a vehicle waiting outside the airport to take him on the final leg of his journey — a six-hour drive to Montreal to see his family.

Abdelrazik was born in Sudan but fled the country in 1990. He received refugee status in Canada in 1992 and Canadian citizenship in 1995.

In 2003, Abdelrazik travelled back to the country to visit his ailing mother. He was repeatedly imprisoned by Sudanese authorities and tried to return to Canada several times but was denied a passport because he had been put on a United Nations no-fly list at the request of the United States.

Abdelrazik denies accusations that he is a terrorist and both CSIS and the RCMP have said publicly that they have no evidence of Abdelrazik's involvement in terrorist activities.

He admits to knowing the so-called Millennium bomber, Ahmed Ressay of Montreal. Abdelrazik testified against Ressay at his trial.

In a ruling on June 4, a Federal Court judge ordered Abdelrazik's return, saying the Canadian government had breached his rights as a Canadian citizen to return to Canada.

"The power of the Canadian constitution and the rule of law obliged this government to allow Mr. Abdelrazik to come back," said his lawyer, Yavar Hameed, who travelled to Toronto with him. The law has triumphed over "reactionary politics and the egregious selective practice of citizenship," he added.

Ishann Gardee, executive director for the Canadian Council on American-Islamic Relations, said that while this is a victory for Abdelrazik, his trouble might not be over.

As he is still on the UN's no fly-list, his assets and funds are frozen and anyone who assists him is liable to be charged.

"This is yet another case of alleged government complicity in the torture and detainment of a Canadian citizen abroad" said Gardee.

"The Canadian Muslim community is completely devastated at yet another case to become public like this."

James Loney, an activist who helped co-ordinate Abdelrazik's return, was part of a Christian group who was kidnapped in Iraq three years ago. He said he felt a personal connection with Abdelrazik's case.

"When I was hostage, the Canadian government went to great lengths to secure our release. They mobilized vast resources, sent a team to Baghdad . . . For Mr. Abdelrazik, they have been actively blocking his return," said Loney.

Beth Guthrie was standing outside the international arrival gate holding a little blue bag of strawberries for Abdelrazik and a cardboard sign with doves drawn on it that read "Welcome home Abousfian!!! "

She was one of the 250 Canadians who donated money to buy Abdelrazik a ticket home in April. Two hours before he was to board the plane in Sudan he was told his emergency passport was denied for national security reasons.

"When you're working in areas of human rights," Guthrie said, "its not often we get a victory. I'm here to celebrate his victory and welcome him home. "

"This is a victory yes. But for all Canadians," said Mohamed Boudjenane, director general of the Canadian Arab federation which was part of many civil rights groups that lobbied the Canadian

government for Abdelrazik's return.

"Thanks for the court. We have our legal system who is there to protect us as a Canadian," he said.

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Events leading to Abousfian Abdelrazik's return to Canada:

- Sudanese native Abousfian Abdelrazik was jailed in 1989 by the Sudanese authorities for being a political opponent of President Omar al-Bashir, who came to power in a coup. Al-Bashir was recently indicted for genocide, crimes against humanity and war crimes by the International Criminal Court.
- Abdelrazik arrived in Montreal in 1990; he was granted refugee status in 1992 and became a citizen in 1995. He has since married twice and has three Canadian-born children.
- Abdelrazik left for Sudan in March 2003 to visit his ailing mother, and according to Federal Court documents, he said he also left to "escape harassment by the Canadian Security Intelligence Service," after the terrorist attacks of Sept. 11, 2001.
- A few months after his arrival in Sudan, he was arrested and held in captivity for 11 months, during which time he claims he was tortured.
- During his time in Sudanese jail, his Canadian passport expired and was not renewed.
- Abdelrazik first tried to return to Canada in July 2004, but was told he could not because his name was on a no-fly list.
- In October 2005, Abdelrazik was re-arrested by the police in Sudan and held for another nine months. He claims he was again tortured.
- The day after his release, July 20, 2006, court documents show the U.S. departments of State and Treasury issued a news release stating that Abdelrazik was "a person posing a significant risk of committing acts of terrorism that threaten the security of U.S. nationals and the national security."
- About one month later, Abdelrazik was listed by the United Nations 1267 Committee as an associate of al-Qaida. As a consequence, his funds and assets were frozen and he was barred from travelling outside Sudan. He is still on the UN 1267 Committee list despite the fact that CSIS and the RCMP have both said publicly that they do not have any evidence linking him to any criminal activity.
- In April 29, 2008, Abdelrazik was granted safe haven at the Canadian Embassy in Khartoum and given \$500 a month to live on by the Canadian government.
- On April 3, 2009, as he was once again preparing to board a plane for Canada, he discovered the minister of Foreign Affairs had denied his request for an emergency passport for national security reasons.
- Federal Court Justice Russell Zinn ruled on June 4, 2009, that Canada breached Abdelrazik's right, as

a Canadian citizen, to enter Canada, and ordered his return. Zinn stated that the 1267 UN committee was not an impediment to Abdelrazik's repatriation. Zinn wrote in his decision that "there is no direct evidence before this Court that Mr. Abdelrazik supports, financially or otherwise, is a member of, or follows the principles of al-Qaida. There is no evidence before this court as to the basis on which the United States authorities concluded that Mr. Abdelrazik has provided support to al-Qaida and poses a threat to the security of the United States of America."

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Previous

Next



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