ALL CITIZENS HAVE A RIGHT TO RETURN

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Category: Opinions

By Thomas Walkom, The Toronto Star , 8 April 2009

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Abousfian Abdelrazik is a Canadian citizen who can't get home to Canada because the Canadian government won't let him. Think about that.

The Sudanese-born Montrealer is not in jail abroad, like Guantanamo Bay detainee Omar Khadr. Ottawa should arguably do more to bring Khadr home. But ultimately, his fate is in the hands of the U.S.

Not so Abdelrazik. The Sudanese government, which had jailed and allegedly tortured him for almost two years as a suspected terrorist, now says he's perfectly innocent. It wants him out of Sudan, where's he's been stranded since arriving in 2003 to visit his ailing mother.

At one point, Sudan even offered to fly him home on a private plane.

But Stephen Harper's Conservative government won't let him back. First, Ottawa said he couldn't return because he's on a United Nations no-fly list (even though the UN ban specifically exempts repatriation flights).

Then the government said it would issue him temporary travel documents (his passport expired while he was in jail) if he booked a flight. When he did that, Ottawa upped the ante and said the flight would have to be fully paid.

Yet when Abdelrazik managed that, partly with the help of prominent Canadians such as former Liberal solicitor-general Warren Allmand, the Harper government shifted ground again.

Now it says it won't issue Abdelrazik the necessary travel documents for reasons of "national security."

Or, to put it another way, the government insists that it has the right to arbitrarily decide which Canadian citizens can live in Canada.

Even if Abdelrazik were a terrorist, this would be blatantly unconstitutional. All Canadians have the right to return home. Those who have committed crimes may be charged once they arrive in Canada. But they can't be kept out.

What makes the Abdelrazik case more poignant, however, is that he is not a terrorist – or indeed a criminal of any kind. The Sudanese came to that conclusion after torturing him. The Canadian Security Intelligence Service which, according to court documents, had some role in his arrest in

Sudan, has given him a clean bill of health, as has the RCMP.

Abdelrazik's only sin, it seems, is that he knew Ahmed Ressam, the so-called millennium bomber convicted in the U.S. of trying to blow up Los Angeles airport.

Indeed, Abdelrazik testified for the prosecution at Ressam's trial.

Nonetheless, he somehow made it onto the notoriously inaccurate U.S. no-fly list and from there, at Washington's behest, to the equally dubious UN list. The U.S. claims he is an associate of Abu Zubaydah, a former Osama bin Laden lieutenant now imprisoned at Guantanamo Bay.

How did this happen? A classified Red Cross document leaked to the press and now available at the New York Review of Books website, offers one suggestion. Compiled from interviews with detainees like Zubaydah, it describes in convincing detail how they were tortured by American officials.

"I gave a lot of false information in order to satisfy what I believed the interrogators wished to hear in order to make the ill-treatment stop," Red Cross investigators quote Zubaydah as saying.

No Canadian government is covered with glory in this case. Paul Martin's former Liberal regime also refused to help Abdelrazik come home. But the new Harper doctrine of citizenship threatens us all.

Do you want Stephen Harper – or indeed any prime minister – to decide whether you have the right to live in your own country? I don't.