

CONSULAR - Sudan - A Abdelrazik, Canadian stranded in Sudan

Key Messages

Full consular assistance has been provided since DFAIT was informed of his detention. Services provided included medical and financial assistance, facilitating communications with family and lawyers.

DFAIT must abide by sanctions imposed by the UN Security Council Resolution 1267 and successor resolutions.

DFAIT 's position has always been that a travel document can be issued to Mr Abdelrazik.

Supplemental 0

Did the Government of Canada support Mr. Abdelrazik's request for de-listing?

The Government of Canada forwarded Mr. Abdelrazik's request to be de-listed to the UN Al Qaida and Taliban Sanctions Committee for their consideration and decision.

This was done pursuant to Canada's United Nations Al Qaida and Taliban Regulations. These regulations implement Canada's obligations under UN Security Council Resolution 1267.

Supplemental 1

Why did the Government of Canada support Mr. Abdelrazik's request?

In application of the United Nations Al Qaida and Taliban Regulations, the Government decided to transmit Mr. Abdelrazik's de-listing request to the UN Al Qaida and Taliban Sanctions Committee.

Supplemental 2

If Canada supported the request, why does Mr. Abdelrazik remain on the list?

De-listing requests are forwarded to the UN Al Qaeda and Taliban Sanctions Committee for their consideration and decision.

The Government of Canada forwarded Mr Abdelrazik's request to be delisted to the UNSC Committee in December '07. The Committee denied the request.

The Committee makes decisions by consensus. The Committee's deliberations are confidential. Canada is not a current member of the Committee and thus does not participate in its deliberations.

AFFAIRES CONSULAIRES - Soudan - A. Abdelrazik, Canadien coincé au Soudan

Messages Clés

Des services consulaires complets lui ont été offerts dès que le MAECI a été informé de sa détention. Le Ministère lui a apporté de l'aide médicale et financière et l'a aidé à communiquer avec sa famille et ses avocats.

Le MAECI doit respecter les sanctions imposées par la résolution 1267 et les résolutions subséquentes du Conseil de sécurité des Nations Unies.

La position du MAECI a toujours été la même : un document de voyage peut être délivré à M. Abdelrazik

Supplémentaire 0

Le gouvernement du Canada a-t-il appuyé la demande de M. Abdelrazik pour être rayé de la liste?

Le gouvernement du Canada a transmis la demande de M. Abdelrazik pour être rayé de la liste au Comité des sanctions imposées aux entités liées à al-Qaïda et aux talibans de l'ONU.

Le gouvernement a agi conformément au Règlement d'application des résolutions des Nations Unies sur al-Qaïda et les talibans, lequel donne effet aux obligations du Canada en vertu de la résolution 1267 du Conseil de sécurité des Nations Unies.

Supplémentaire 1

Pourquoi le gouvernement du Canada a-t-il appuyé la demande de M. Abdelrazik?

En vertu du Règlement d'application des résolutions des Nations Unies sur al-Qaïda et les talibans, le gouvernement a décidé de transmettre la demande de M. Abdelrazik pour être rayé de la liste au Comité des sanctions imposées aux entités liées à al-Qaïda et aux talibans.

Supplémentaire 2

Si le Canada a appuyé la demande, pourquoi M. Abdelrazik figure-t-il toujours sur la liste?

Les demandes visant à être rayé de la liste sont soumises à l'examen du Comité des sanctions imposées aux entités liées à al-Qaïda et aux talibans de l'ONU.

Le gouvernement du Canada a transmis la demande de M. Abdelrazik pour être rayé de la liste au Comité des sanctions imposées aux entités liées à al-Qaïda et aux talibans de l'ONU en décembre 2007. Le Comité a rejeté la demande.

Le Comité prend ses décisions par consensus. Ses délibérations sont confidentielles. Le Canada n'est pas membre du Comité. Il ne participe donc pas aux délibérations.

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Supplemental 3

Was Canada involved in the UN's original decision to list Mr. Abdelrazik?

Mr. Abdelrazik was added to the UN's list in July 2006. Canada did not initiate or co-sponsor the listing.

Supplémentaire 3

Le Canada a-t-il pris part à la première décision des Nations Unies pour inscrire M. Abdelrazik sur la liste?

M. Abdelrazik a été ajouté à la liste des Nations Unies en juillet 2006. Le Canada n'a pas entrepris de le faire inscrire sur la liste ni n'a aidé quiconque à le faire.

Supplemental 4

What is the UN listing regime and how is it implemented in Canada?

Pursuant to the UN Security Council Resolution 1267 and successor resolutions, which creates legally binding obligations on UN member states, the UN may designate as terrorists persons affiliated with Al Qaeda, the Taliban or Osama bin Laden.

All UN member states are legally required to implement these designations by freezing the assets of listed individuals or groups, and enforcing a global travel ban and arms embargo.

Canada fulfills our international obligation to implement these requirements through regulations pursuant to the United Nations Act.

Supplémentaire 4

En quoi consiste le régime d'inscription des Nations Unies et comment est-il appliqué au Canada?

En vertu de la résolution 1267 et des résolutions subséquentes du Conseil de sécurité des Nations Unies, qui créent des obligations ayant force exécutoire pour les États membres de l'ONU, les Nations Unies peuvent désigner comme terroristes les personnes affiliées à al-Qaïda, aux talibans ou à Oussama ben Laden.

Tous les États membres des Nations Unies sont légalement tenus d'appliquer ces désignations en bloquant les biens des personnes ou des groupes inscrits sur la liste, en leur interdisant de voyager et en imposant un embargo sur les armes.

Le Canada remplit son obligation internationale qui consiste à appliquer ces exigences par l'intermédiaire d'un règlement conforme à la Loi sur la Nations Unies.

Supplemental 5

What is Canada doing on Mr Abdelrazik's behalf?

Full consular assistance has been provided since DFAIT was informed of his detention. Services provided included medical and financial assistance, and facilitating communications with family and lawyers.

Canada has transmitted Mr Abdelrazik's request for delisting to the UNSC's Al-Qaïda and Taliban Committee.

Canada has notified the UNSC Committee of an exemption to Mr Abdelrazik's final restriction so Canada can provide him financial support.

Supplémentaire 5

Que fait le Canada au nom de M. Abdelrazik?

Des services consulaires complets lui ont été offerts dès que le MAECI a été informé de sa détention. Le Ministère lui a apporté de l'aide médicale et financière et l'a aidé à communiquer avec sa famille et ses avocats.

Le Canada a transmis la demande de M. Abdelrazik pour être rayé de la liste au Comité des sanctions imposées aux entités liées à al-Qaïda et aux talibans de l'ONU.

Le Canada a informé le Comité de l'ONU d'une exemption à la dernière restriction de M. Abdelrazik de sorte qu'il puisse lui fournir de l'aide financière.

WHAT'S NEW 2008/06/06

Updated background to add notes for months of May and June. Added attachments that include Chronology upto April 2008,

WHAT'S NEW 2008/04/28

An article concerning Canadian citizen Abousfian Abdelrazik, currently resident in Sudan and listed under the United Nations Al Qaida and Taliban Regulations (UNAQTR), appeared in the Globe and Mail on Monday, April 28, 2008. The UNAQTR implement Canada's obligations under UN Security Council Resolution 1267.

WHAT'S NEW 2008/04/29

BACKGROUND

CONSULAR:

Mr. Abousfian Abdelrazik became a Canadian citizen connections to international terrorism. He travelled to Sudan in March 2003 in order to visit his family. He was arrested and detained by local authorities in August 2003. Consular access was requested and granted. He also had retained the services of a lawyer.

There have been serious allegations about his connections to international terrorism. He travelled to Sudan in March 2003 in order to visit his family. He was arrested and detained by local authorities in August 2003. Consular access was requested and granted. He also had retained the services of a lawyer.

In June 2004, we were informed that Mr. Abdelrazik would be released from jail as long as we provided assurances that he would

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return to Canada, which we provided. The standard consular practice was followed and a return flight to Canada was booked. Shortly prior to his departure, we were informed that Mr. Abdelrazik could not travel as his name appeared on a "no fly" list. Alternate solutions were explored without success.

Unable to travel, Mr. Abdelrazik was sent back to a detention centre and was finally released in August 2004. He enjoyed relative freedom within Khartoum i.e. he was free to visit his family and the mission as long as he reported to Sudanese authorities on a regular basis.

In October 2005, he was detained again, for reasons unknown to us. All requests for consular access have been denied including his request for legal representation.

In July 2006, he was listed on the UN Al Qaida and Taliban Sanctions Committee Consolidated lists.

Full consular assistance has been provided to Mr. Abdelrazik. He is allowed to work in Sudan and is free to visit the Canadian embassy at will. Medical assistance was provided in the past and will be provided again should there be an emergency. He is currently receiving financial assistance for the Distress Canadian Funds (recovery basis). He is allowed regular phone calls to his family and his lawyer in Canada. Up until recently, he was residing with his family in Sudan.

For a more detailed chronology through April 29, 2008 please see attachment #2.

May, 2008

Mr Abdelrazik's stay at the mission continues.

Consultations were held with other interested Departments to seek their input into how a resolution can be achieved in this case.

June 2008

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