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Guantanamo inmates could be Canada-bound

Posted By Jim Brown, The Canadian Press

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OTTAWA - Omar Khadr isn't the only Guantanamo inmate who could look northward if the incoming Obama administration carries through on its promise to shut the military prison.

Three other men who once lived in Canada are being held at the U.S. naval base in Cuba and could be candidates to return to this country if they're released.

But unlike the Toronto-born Khadr - who's charged with murdering an American soldier in an Afghan firefight - the others don't hold Canadian citizenship and it's unclear whether Ottawa would let them into the country.

Alykhan Velshi, a spokesman for Immigration Minister Jason Kenney, wouldn't comment on any of the cases Wednesday, but noted pointedly that Canadian law bars the entry of foreign nationals with terrorist ties.

"Our No. 1 focus is to protect the safety and security of Canadians," said Velshi.

The Guantanamo prisoner currently making the strongest bid for admission to Canada is Djamel Ameziane, a 41-year-old native of Algeria who lived in Montreal from 1995 to 2000.

"We think Canada would be an ideal place for him," said Wells Dixon, Ameziane's lawyer at the New York-based Center for Constitutional Rights.

"He doesn't present any security risk to Canada and he never has... We see nothing that would prohibit him, as a legal or a practical matter, from being resettled in Canada."

The Anglican diocese of Montreal, backed by a number of human rights groups, applied to the federal government nearly three months ago to sponsor Ameziane as a refugee. There has been no response since then from the Conservative government.

Kenney did observe, in a letter to the Canadian Council for Refugees in December, that Canada has "a long history of responding generously" to people in need. He refused, however, to discuss the specific case of Ameziane, much to the dismay of Janet Dench, executive director of the refugee council.

"He's already been in arbitrary detention for a very long time and Canada should be processing the case on an expedited, urgent basis," Dench said Wednesday.

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“Every day is a day too many.”

The other two Guantanamo inmates with past ties to Canada appear to have a much slimmer chance of winning the government’s ear.

Mohamedou Slahi, a Mauritanian by birth, expressed interest in resettling in Canada during a 2004 review of his case at Guantanamo.

Slahi acknowledged he wasn’t sure he could still claim the landed immigrant status he once held in Canada, because he’d been gone so long. But if that issue could be ironed out, he said, “just turn me over to Canada.”

Slahi spent only two months in Montreal in late 1999 and early 2000 after immigrating from Germany. He left after the Canadian Security Intelligence Service and the RCMP started questioning him on his ties to Ahmed Ressam, the so-called millennium bomber who plotted unsuccessfully to blow up Los Angeles International Airport.

Slahi also faces allegations that while in Germany he recruited some of the al-Qaida operatives who later participated in the 9-11 attacks. But an attempted prosecution at Guantanamo was called off when questions arose about whether key evidence had been obtained by torture.

The third man at Guantanamo, Algerian-born Ahcene Zemiri, spent five years in Canada in the late 1990s before losing a refugee claim and leaving for Afghanistan. His wife, who holds Canadian citizenship, and their six-year-old son, still live in Montreal.

But Zemiri has a history of arrests for credit card fraud, shoplifting and other thefts, as well as security concerns arising from his own ties to millennium bomber Ressam.

“I think in a perfect world he would love to return to Canada (but) that’s probably not a realistic or a likely possibility,” said Nicole Moen, Zemiri’s Minneapolis-based lawyer.

The allegations by U.S. prosecutors against Ameziane are vaguer than those against the other Canadian-connected inmates.

They include assertions that he accepted money from a shadowy Tunisian in 2000 to travel from Montreal to Afghanistan, that he later stayed at a guest house frequented by Taliban fighters, and that he was in the company of Taliban when he was nabbed trying to cross the border into Pakistan in 2001.

But there are no allegations that Ameziane actually took military training or fought against western forces. Nor is there any evidence to link him to the millennium bomb plot, said lawyer Dixon.

Court hearings have been set for Washington in February and March at which Ameziane’s counsel will argue for his release. But he fears detention and torture if he goes back to Algeria, because he’s been tainted by his time at Guantanamo.

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