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October 27, 2009

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MONTREAL—He defied the authorities and avoided deportation for nearly four years by taking refuge at a Montreal Catholic Church, but Abdelkader Belaoui's gamble has finally paid off.

The government has told him he can stay.

Hemmed in, literally, by the walls of the St. Gabriel Catholic Church presbytery, Belaoui, an Algerian national, scarcely left the building, which had become his *de facto* jail.

Yesterday, Belaoui, who is blind, was still not used to the idea he was free to roam about as he pleased.

"I'm shaking," he said, as he made his way outside with his coffee. He swore it wasn't the caffeine.

"I'm shaking because I am so happy."

The federal government decided to grant Belaoui permanent residency status, made official on Oct. 22, despite ordering him deported in late 2005, when his application to stay on humanitarian and compassionate grounds was rejected. His application for refugee status had been turned down the year prior.

His lawyer, Jared Will, called it a bittersweet victory.

"This is a huge victory not just for Mr. Belaoui but for all those involved in the struggle for migrant justice," Will said. "But it comes three years, nine months and 22 days too late."

Citizenship and Immigration Canada wouldn't say why the reversal, but spokesperson Danielle Norris said that "in reaching this decision all the factors in the case were weighed and given careful consideration."

St. Gabriel parish priest Father Jim McDonald wasn't available yesterday, but during a demonstration last January he said if Belaoui were granted amnesty it would create a precedent in which people like American anti-war activists can also seek safe haven in Canada.

There are about 50 Iraq war resisters in Canada, according to a Toronto-based support group. One sought refuge in a B.C. church last month.

Asked whether Belaoui's case might encourage others to seek refuge in churches and expect a positive outcome, Norris said all decisions are on a case-by-case basis.

"The government does not condone individuals hiding in places of worship to avoid removal from Canada," she said.

"There are ways to come to this country and they're there to make sure people don't jump the queue. Once you're through with due process we expect you to leave the country. That's a fair expectation."

Belaoui, now 42, fled civil war in Algeria in his 20s for the United States. He left the U.S. as life for Muslims became tougher following 9/11, he said. Deportation to Algeria was a daunting prospect because the country remains unstable and there are terror attacks on civilians. It's even worse for someone who's blind, he said.



Algerian-born Abdelkader Belaoui enjoys a coffee outside for the first time in years.

ANDREW CHUNG/TORONTO STAR

Belaouni said he woke up at 2 a.m. two nights ago to touch the temporary visa the government placed in his passport "just to make sure I wasn't dreaming." (His permanent residency card is coming soon.)

Belaouni took up sanctuary in the presbytery on Jan. 1, 2006 and has lived in a small bedroom with a twin bed on the second floor. Since then he has tried to keep busy.

Despite being a practising Muslim, he attends Sunday mass and even Bible study. "Catholics, Muslims, Jews, these are human beings. I have to love them," he said.

With the help of a friend, he has also been playing, even recording, music. His newest song, fittingly, is called "Freedom."