Chapter 5

Security Threats in Immigration and Refugee Policies

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It seems self-evident that Canada's immigration and refugee policies have a direct bearing on our nation's security concerns. But despite the horrific Air India bombing by Sikh terrorists in 1985 that killed 329 Canadians, despite the common knowledge that the Liberation Tigers of Tamil Eelam (LTTE) have been operating actively in Canada for years, and despite numerous examples of Muslim extremists planning terrorist strikes or using Canada as a safe haven for fund-raising and other terrorist operations, many of our political leaders seem unwilling to accept that Canada's immigration and refugee policies present security concerns.

Their refusal to accept this reality while determining Canada's security strategy has weakened our efforts to play an effective role in the war against Islamist extremists. Moreover, this failure has led senior political leaders and bureaucrats in the United States to look upon Canada as the weak link in North American security concerns. They see us as an uncertain and uncommitted ally. This perception persists despite evidence that the anti-terrorist measures taken by Canada in the wake of 9/11 closely matched those taken by the United States.

Unfortunately, these impressive first steps were neutralized by hesitation and ambivalence on the part of Canada's political leaders.

Furthermore, these measures did not include any review of or changes to our immigration and refugee policies. Consequently, it may be argued that Canada is more vulnerable to a terrorist attack today than it was in the months following 9/11. To understand how this has come about, it is necessary to understand the nature of Canada's immigration and refugee policies.

Background

Political parties have always solicited support from ethnic or religious groups and have offered rewards of one sort or another in return for votes. Block voting by new immigrant groups is an old phenomenon—these groups tend to vote for the party that promises them the most benefits. This tradition of "pork barrel" politics lives on, but the modern version has become far more ominous than the old practice of exchanging votes for free beer, a new road, or a turkey at Christmas. The new "spoils" system, which has now become institutionalized, is the direct result of multiculturalism and a sustained high volume of new immigrants.

In the 1970s, political parties discovered that they could gain and maintain the allegiance of ethnic voters by formalizing the concept of multiculturalism. Multiculturalism became a formal policy of the government, and multicultural institutions were created within the framework and structure of the bureaucracy. This was a revolutionary step and it transformed Canadian politics. It was no longer necessary to use party funds to entice ethnic voters. Once in power, a party was able to expend large sums of the taxpayers' money in support of ethnic organizations, including newspapers and media outlets, and ethnic or religious celebrations and related events. All of this was done in the name of multiculturalism—and with the expectation of block voting from ethnic groups.

After multiculturalism was implemented, all of the political parties realized that more immigrants meant more votes, and frequently, these votes could be manipulated. Consequently, it was in their interest to increase and maintain a high level of immigration. Canada's former policy of adjusting immigration levels to accommodate the ups and downs of the labour force was ended. It was decided that one percent of the Canadian

population should become the annual target.[1] The decision to implement this policy had no rationale, apart from the notion that more immigrants meant more potential voters for the party in power.

In 1977, the *Citizenship Act* was passed, reducing the waiting time for citizenship eligibility from five to three years. Voting patterns show that new immigrants often vote for the party that was in power at the time the immigrant was admitted to the country. In return for the immigrants' votes, the party in power will usually become a powerful advocate for large scale immigration.

Immigration policy is no longer about the costs or benefits of immigration, or whether immigration is needed to sustain our economy. Now, it is only about maintaining high levels of immigration, and it seems that all political parties in Canada do their best to ensure that there is no open or public debate about this important issue of public policy. Immigration is seldom, if ever, discussed in Parliament, and all parties ensure that their members who sit on the House of Commons Standing Committee on Citizenship and Immigration are frequently those who come from strongly ethnic ridings and who are in favour of immigration. In addition, witnesses who are called before the Committee often represent organizations or groups that support high immigration levels.

In Canada, it has become politically incorrect to suggest that immigration may have negative aspects. To question the wisdom of adding 250,000 newcomers each year (Singer, 2002, Dec. 6) to the already swelling populations of Canada's three major cities—Toronto, Montréal, and Vancouver—is to risk the accusation of being racist or xenophobic. Immigration has been accepted, automatically, as being essential for nation building and for strengthening two recently created pillars of the new Canadian society: diversity and multiculturalism. For many Canadians, immigration has

1 The notion that one percent of the Canadian population should become the annual target for immigration intake came out of the Liberal Party's "Red Book" in 1993. The "Red Book" stated, "we should continue to target immigration levels of approximately one percent of the population each year, as has been the case for more than a decade." The fact was, however, that annual immigration intake reached one percent only once in the four decades prior to 1993. This happened in 1967, when it was 1.1 percent.

acquired an almost mythical status. Given the current state of popular opinion in Canada, it is not surprising that many Canadians and politicians do not want to recognize that there may be an adverse security dimension to immigration and refugee policies.

Tough anti–terrorist measures passed

In the weeks following the tragic events of 9/11, the Canadian government responded immediately with a series of tough anti-terrorist measures which gave the impression that Canada was serious in its determination to combat the terrorist threat. Canadian troops were sent to Afghanistan to help fight Taliban insurgents. Bill C-36, a controversial anti-terrorist bill similar to the *USA PATRIOT Act*, was rushed through Parliament, giving police and intelligence forces extraordinary powers normally used only in a time of war.

The government created a new Department of Public Safety and Emergency Preparedness closely resembling the United States Department of Homeland Security. It possessed the similar aim of achieving better coordination of security agencies and improved information sharing. The government quickly set up a National Security Plan, a Threat Assessment Centre, and four Integrated National Security Teams, which were designed to identify and prevent terrorist attacks. Only two months after 9/11, Canada signed a Smart Border Declaration with the United States, which was aimed at making the border more secure while facilitating cross-border traffic and trade.

The rapid and vigorous response following the attacks in New York and Washington signaled to Canadians and our allies in the war against Islamist extremists that Canadian political leaders understood that Canada was a potential target. This response also suggested that the government had a strategic plan to ensure the safety and security of its citizens.

Essential measures not enacted

However, these impressive first steps soon came to an inexplicable halt. Some of the key elements necessary to implement and give life to the

anti-terrorist legislation were not enacted. Bill C-36 called for the prosecution of people identified as active terrorists, and provided for the "listing" of organizations that the government identified as "terrorist." However, months passed before the government placed any of the most obvious terrorist groups on the list. It was only after pressure from the media and Jewish organizations that terrorist organizations such as Hamas, Hezbollah, the Al Aqsa Martyrs' Brigade, and the Armed Islamic Front were finally listed as terrorist organizations. The government offered no explanation as to why the implementation of this provision of the bill had been delayed. The fact that the Canadian Security Intelligence Service (CSIS) had reported that there were 50 terrorist groups operating in Canada—as early as 1998—suggests a curious disinclination to place such groups on the terrorist list (Duff-Brown, 2005, July 15).

One of the more obvious terrorist groups not placed on the list was a Sikh terrorist group known as Babar Khalsa. This organization was held responsible for the 1985 Air India bombing. The reason for this omission is easy to understand, but difficult to excuse. There are thousands of Sikh Canadians residing in British Columbia and Ontario, and they are known to be supporters of the federal Liberal Party. It is likely that the Liberal Party did not wish to alienate Sikh supporters by placing one of their organizations on the terrorist list. Eventually, in June 2003—18 years after the Air India bombing—Babar Khalsa was designated as a terrorist organization, but only because it became publicly known that CSIS had named the group as one of the 50 terrorist organizations operating in Canada. Because of this revelation, it was impossible to keep it off the terrorist list.

Another obvious terrorist organization that was not immediately put on the list was the Liberation Tigers of Tamil Eelam. The Tamil Tigers were acknowledged to be one of the most notorious terrorist groups in the world and yet they were operating openly in Canada, raising millions of dollars for the organization each year (Collacott, 2006). Again, the notorious Tigers were not listed because the government feared it would lose the support of the more than 250,000 Tamil Canadians residing in Canada. The Tamil Tigers were finally designated a terrorist organization in April 2006 (*CBC News*, 2006, Apr. 10).

This reluctance to designate internationally recognized terrorist organizations for fear of losing ethnic votes reveals a frightening degree of irresponsibility and cynicism on the part of Canadian political leaders. On the one hand, these politicians are prepared to send Canadian troops to risk their lives fighting Taliban and al-Qaeda terrorists in Afghanistan, but on the other hand, they are prepared to permit terrorist organizations to operate freely in Canada. There is something seriously wrong with this tolerance of terrorist groups. Either our elected representatives are not taking the terrorist threat seriously, or they are willing to trade the safety and security of their fellow citizens in exchange for voting support from those who may be sympathetic to the terrorist cause.

Immigration security concerns

As noted above, for the past 17 years, Canada has received approximately 250,000 immigrants each year. Many thousands of these newcomers have come from Muslim countries whose populations are known to contain significant numbers of Islamist radicals. For example, between 1996 and 2005, Canada accepted over 118,000 immigrants from Pakistan, 62,000 from Iran, and 25,000 from Algeria (Citizenship and Immigration Canada, 2006). It would be foolish to suggest that the majority of these immigrants or their families represent a security threat, but it would be equally wrong to assume that there are no potential radicals among them, who would be willing to support or engage in terrorist activities.

The experience of other countries that receive a high volume of Muslim immigrants has shown that some of these migrants or their children—even those born in the new country—are susceptible to the radical Islamist cause. The bombings in London and Madrid, the rioting of young Muslims in France, and the murder of Theo Van Gogh in Amsterdam have clearly demonstrated that there is a connection between Islamic immigration and security. Although, so far, Canada has been fortunate enough not to have experienced an Islamist terrorist strike, our security service has warned us that it may only be a question of time before an attack occurs.

In March 2004, a Canadian Muslim was charged in connection with a planned bomb attack in England (*CBC News*, 2006, Oct. 24). He has been

in custody since that time, but because of numerous appeals and a constitutional challenge, his case has not yet come to trial. There have been a number of instances of Canadian Muslims fighting for or supporting al-Qaeda activities outside Canada. It is obvious that the terrorist threat is real and that it involves Muslims in Canada, whether they immigrated to Canada or were born here.

In June 2006, 18 Canadian-born Muslims were arrested and charged with planning a series of terrorist attacks against selected targets, including the Canadian Parliament buildings and Prime Minister Stephen Harper. It has recently been disclosed that these suspects were part of a larger group of almost 50 Muslims who were under investigation (Bell, 2006, June 2). Some of the members of the group were known to have received training overseas. Security officials have explained that only those with a reasonable chance of being convicted were charged, and the remaining suspects are still under investigation.

In April 2007, an Environics Poll showed that over 80% of the approximately 700,000 Muslims living in Canada "were satisfied with their lives here" (Corbella, 2007, Feb. 18). Alarmingly, however, the poll also indicated that 12% of Muslims polled thought that the terrorist plot for which 18 Canadian Muslims were arrested was justified. In other words, the poll showed that approximately 84,000 Canadian Muslims believed that blowing up the Parliament buildings and beheading the Canadian Prime Minister was justified. Not surprisingly, this portion of the poll received little publicity in the Canadian media and the issue was not raised in Parliament.

Considering that the evidence available suggests that Canada is on Osama bin Laden's hit list (Bell, 2006, June 3) and that there are Muslim terrorists operating here—including people born and raised among their fellow Canadian citizens—it would be prudent, from a security point of view, for Canada to review its immigration policy in relation to the admission of immigrants from Muslim countries that are known to produce terrorists. But such a review has not happened. Immigrants from these countries are admitted under the same criteria and selection systems as any other immigrants. Many of those who are issued visas never meet a Canadian visa officer. They are not asked questions about whether they

will be comfortable living in a secular society, whether they can accept the principle of equality for women and homosexuals, whether they will be tolerant of other religions, and whether they will be willing to accept the principle of free speech, even if it may be considered offensive to Islam. These types of questions are not raised. If these migrants meet the normal economic or sponsorship admission requirements, they are issued visas.

The priority of immigration officers is to issue visas and to do so as quickly as possible. Positive decisions are never challenged, but a rejection frequently ends up in Canadian courts, where the officer is required to defend the negative decision. The emphasis on numbers and the litigious nature of the immigration process make it difficult for visa officers to refuse applicants. At one time, officers were able to use their discretion to override the selection system if they believed an applicant possessed negative personality traits or attitudinal problems that demonstrated it was likely that he would not be able to become integrated satisfactorily into Canadian society. Unfortunately, visa officers no longer have this discretionary power.

The Netherlands and France have adopted a more realistic approach to the security problems associated with Muslim immigrants. Both countries recognized the connection between immigration and security, and were concerned that multiculturalism was not working with many of their Muslim newcomers. The Netherlands has changed course from its formerly tolerant approach to the Muslim population. Citizenship classes for Imams in charge of Mosques are now mandatory (Pereira, 2002, Nov. 28). Before being accepted for entry, Muslim immigrants are tested about their knowledge and familiarity with Dutch society and values (*Fox News*, 2006, Mar. 16). As well, the Prime Minister has proposed a law that would outlaw the wearing of the burka in some public places. Moreover, they have instituted a "zero tolerance" policy towards those who preach violence and hatred.

In 2007, Brice Hortefeux, the head of France's Ministry of Immigration and National Identity, announced a policy of controlling the inflow of immigrants and protecting French values and cohesion. He reiterated President Nicolas Sarkozy's goal of expelling 25,000 illegal entrants by the

end of 2007, and expanding the system through which illegal immigrants are paid to return home voluntarily (Gangley, 2007).

However, the realization that millions of Muslims in France have not been willing to integrate into French society may have come too late. Now that Muslims account for an estimated 10% of France's population (United States Department of State, 2008), there are more Muslim voters added to the electoral roll each election. Since 2005, three million new voters have been qualified to vote in France, and at least-one third of these voters are Muslims (Trifkovic, 2007). Only 1% of Muslim voters voted for Sarkozy in the recent election, while 90% cast ballots for his left-wing competitors who are not nearly as forceful on immigration and security issues (Trifkovic, 2007).

Nevertheless, too late or not, France and some other European countries have now accepted that immigration is a legitimate topic for public debate for mainline political parties. They have accepted the reality that, in a very short amount of time, high volumes of immigrants of a different culture, who hold strongly to a different value system, can not only change the demographic landscape of a host country, but can also present a threat to many of its traditional beliefs and principles. This is the challenge of large-scale Muslim migration into Western societies. The challenge becomes more complicated when even a tiny proportion of the Muslim population is sympathetic to the mission of al-Qaeda and other extremist groups because this creates a security problem of major proportions.

Canada's asylum system

Countries that have experienced a terrorist attack have been forced to acknowledge that immigration has a bearing on security. In Canada, that realization has not occurred. Nothing illustrates this more than our refusal to reform our refugee asylum system. Few Canadians know the difference between a "refugee" and an "asylum seeker" and, as a result, there is a great deal of confusion and misunderstanding regarding refugee issues. Frequently, the media will describe someone who is seeking asylum in Canada as a refugee. By doing so, they elicit, whether deliberately or not, sympathy and compassion for the individual concerned.

An asylum seeker is a person who claims to have been persecuted in his own country and asks a host country for protection. A refugee is a person who has been accepted by an authorized body—in Canada, the Immigration and Refugee Board (IRB)—as meeting the definition of a refugee set forth by the United Nations Refugee Convention. A refugee is given the protection from persecution that is needed and a guarantee that he will not be sent back to the country to which he fears to return. Most refugees can be found in refugee camps in developing countries. They are cared for and protected by the United Nations High Commissioner for Refugees (UNHCR). In the past, Canada has selected many thousands of refugees for permanent resettlement: Hungarians, Czechs and Slovaks, Poles, Ugandan Asians, Vietnamese, Chileans, and others. In 1986, Canada was awarded the prestigious Nansen Medal by the United Nations for its contribution to helping to resolve global refugee problems. Canada is the only country that has received this honour (Citizenship and Immigration Canada, 2007).

But since that time, Canada has not been able to accept large numbers of genuine refugees or to contribute significantly to world refugee problems because of the large number of asylum seekers entering the country and claiming to have been persecuted. The numbers are large—more than 600,000 asylum seekers have entered in the past 20 years (Citizenship and Immigration Canada, 2006). And Canada continues to receive many asylum seekers each year—28,300 in 2007 alone (*BBC News*, 2008, Mar. 18).

Though anyone can claim to be a refugee, not all claims are genuine. Thousands of asylum seekers who claim to have been persecuted are refused refugee status because their claims are found to be unfounded or fraudulent. Many deliberately claim to be persecuted in order to avoid having to meet normal immigration requirements. Seeking asylum is the primary method of gaining entry into Western countries by those who have little chance of legal admission. Those coming to Canada are no exception.

Canada's asylum system is recognized as the most generous in the world. The IRB's acceptance rate is quite high by international standards. In 2004, citizens of 152 different countries applied for asylum in Canada, including citizens from the United States, Costa Rica, Brazil, Portugal,

Pakistan, India, Hungary, Mexico, Turkey, Barbados, Germany, Sweden, Switzerland, France, Spain, and the Netherlands. Many of those who seek asylum in Canada come from terrorist producing countries such as Iran, Iraq, Afghanistan, Pakistan, Algeria, and Morocco.

Because most people who come to Canada require visas, with the exception of those coming from the United States and Western Europe, many asylum seekers arrive in Canada without documents or with fraudulent documents. Asylum seekers who are unable or unwilling to apply for a visa at a Canadian Embassy pay to be smuggled into the country by international criminal gangs who sell them documents that enable them to board aircraft destined for Canada. Afterwards, these documents are usually picked up by a member of the gang who is aboard the aircraft to be recycled and resold later.

Upon their arrival in Canada, these smuggled individuals claim asylum. After being fingerprinted and photographed, they are released and asked to show up at a refugee hearing which may be scheduled months after their arrival. Few asylum seekers are detained, even if very little is known about their background. None of them are initially screened for health, criminality, or security. There is no system for keeping track of them and they are free to travel anywhere in Canada. Many asylum seekers do not attend their refugee hearing. Those who do appear and are found not to be genuine refugees are asked to leave, but many do not go home. In 2003, the Auditor General found that a "large gap" of 36,000 existed between the number of removal orders issued and the number of departures confirmed (Jimenez, 2005, Apr. 16). Today, insiders estimate that that figure is likely to be close to 50,000 or more. Yet our government does little to address this problem.

In December 2004, a Safe Third Country Agreement was put into place as part of the Smart Border Declaration signed by Canada and the United States. The agreement prevents certain categories of people in the United States from applying for asylum in Canada at the land border. The agreement also prevents people in Canada from applying at the border for asylum in the United States (Canada, 2004). Those entering either country by sea or air are still able to submit asylum claims, but this discrepancy has never been explained.

But after signing the agreement, Canadian officials feared that it would prevent individuals in the United States who had been charged or convicted of an offense that might result in the death penalty from finding refuge in Canada. To ensure that such individuals could find refuge in Canada, the government—quietly and without publicity—passed a law in December 2004 which exempted those individuals from the terms of the agreement (Canada, 2004). Consequently, any person in the United States who has been charged or convicted of a capital offense and applies for asylum at the border must be permitted entry by our officers. Essentially, such a policy "lays out the welcome mat" for murderers. This policy also indicates that our government is not taking the terrorist threat seriously.

Almost all of the known or alleged terrorists who have been apprehended in Canada have entered as asylum seekers. Ahmed Ressam, the Algerian who tried, unsuccessfully, to blow up the Los Angeles airport, entered Canada in this fashion. Six of the eight alleged terrorists who were held in custody under security certificates until recently entered the country as asylum seekers. Since Canada cannot prevent the entry of anyone who claims asylum, and is obliged to give anyone who is physically in the country Charter of Rights protection (*Singh* v. *Minister of Employment and Immigration*), it is, in effect, impossible to keep undesirables out. Moreover, once these people enter the country, it is almost impossible to remove them.

Since Canada is a signatory to the United Nations Convention Against Torture, it cannot deport anyone to a country where they may be mistreated or tortured. Most suspected or known terrorists come from countries that are known to mistreat prisoners and, consequently, Canada cannot deport them. Among the members of the United Nations committee that is responsible for overseeing the Torture Convention are Egypt, Morocco, Russia, China, and Senegal. Canada would be unlikely to deport anyone to any of these are countries. Thus, Canada now finds itself in a position where it cannot keep terrorists from getting into the country, and it cannot remove them once they get in.

Other countries that are signatories to the United Nations Convention Against Torture have taken a proactive approach to this problem. For example, Britain will deport failed asylum seekers to countries known to

practice torture after it has signed an agreement with the country concerned that permits British consular officers to have access to prisons where persons deported from Britain are held. Consular officers ensure that the individuals are not being mistreated or tortured. Germany follows a similar practice. This would appear to be a suitable compromise, but it requires forceful political direction which, sadly, has been lacking in Canada's approach to the war on terror.

Canada's wide open asylum system was made even more generous only two months after the tragic events of 9/11 when the government passed the new *Immigration and Refugee Protection Act*. The asylum provisions of the new legislation made it easier for people to apply for asylum and even more difficult to remove those who do not qualify as refugees. A small group of former diplomats and retired senior public servants tried to persuade the Senate to send the bill back to the House of Commons, but these attempts were summarily dismissed.

The motivation of our political leaders to maintain a dysfunctional and dangerous asylum system cannot be a desire to act in a humane and compassionate manner towards potential refugees because the current system does not effectively aid genuine refugees. The asylum system prevents Canada from donating any substantial funding to help the UNHCR aid millions of genuine refugees who live in sordid and unhealthy camps around the world. At all levels of government, there are enormous financial costs associated with the current asylum system. These costs prevent our government from providing the UNHCR with anything other than a token annual contribution.

The government continues to support the present system, not to aid those in need, but to placate and meet the vociferous demands of special interest groups. In Canada, there is a powerful refugee lobby, consisting of immigration lawyers, consultants, religious denominations, academics, activists, and subsidized non-governmental organizations that are entrusted with caring for and looking after the thousands of asylum seekers who enter Canada each month.

The asylum system is a multi-million dollar industry. The groups that profit from it are highly organized and influential. In fact, the immigration department and some Members of Parliament consider them

"stakeholders" rather than lobbyists, and they are treated accordingly. These groups also receive favourable media coverage of their attempts to help asylum seekers.

No other country allows universal access to their asylum system. European Union countries will not accept refugee claims from people who come from countries that are signatories to the United Nations Refugee Convention, are democratic, and follow the rule of law. They also screen out obvious, unfounded claims, and detain claimants who enter with false documents until they have verified the claimant's identity and that the claimant does not present a security threat. There is nothing to prevent the government of Canada from adopting a similar policy except the risk that such a policy would alienate special interest groups.

Canada's asylum system is a threat to North American security. It undermines every other measure that has been taken by Canada and the United States to strengthen and bolster our respective defences against a terrorist strike by al-Qaeda or other Islamist radicals. Canada's is no longer able to control its borders, and this inability presents a threat to our southern neighbour. When a nation gives up its right to decide who may or may not enter its territory, and compounds this folly by forfeiting its right to remove dangerous criminals and terrorists, it has effectively abandoned its sovereignty. In an age of terrorist attacks, there is no excuse for such a dereliction of duty and a loss of common sense.

Conclusion

There is a strong argument to be made that Canada and the United States should form a common security shield against the threat of a terrorist attack. While both sides should strengthen their common border, it is folly to believe that a stronger border will stop determined terrorists from striking either country. The terrorist attacks in Madrid, London, and the United States were carried out by native-born Muslims or by Muslims who had entered the country legally. Today, radical Islamism can be found among Muslim communities in every Western country.

A fortified border and a tough border crossing policy between Canada and the United States is the wrong way to combat terrorism. Such actions

may be expedient for political leaders, by serving as evidence that something tangible is being done, but this will not prevent terrorists from entering the United States or Canada. Few terrorists have criminal records and suicide bombers are seldom on the watch lists of our security forces. Consequently, it is easy for them to enter Canada or the United States as legal visitors, students, or temporary workers.

Furthermore, there are enormous costs associated with a fortified border. These costs are not just the cost of electronic surveillance, drone aircraft, "smart cards," and hundreds of additional border guards. The real costs are the obstacles a fortified border creates, which prevent the swift and easy flow of tourists and commercial trade. As well, a more serious long-term cost may be the deterioration of the "good neighbour policy" that has been the hallmark of Canada-United States relations. When we consider that almost all border traffic between Canada and the United States is clean and does not present any real threat, it is clear that the benefits of a fortified border do not outweigh the costs.

A much more effective approach to the terrorist threat for Canada and the United States would be to enter into an agreement to establish a common security shield for the protection of both countries. Such an idea has been proposed before. In October 2000, the former United States Ambassador to Canada, Gordon Giffen, made such a proposal, arguing that it was a sensible and logical move to coordinate and improve the efficacy of the security of both countries. This concept has also been endorsed by the Canadian Council of Chief Executives, which represents 150 of Canada's leading corporations.

A common security perimeter would not entail dismantling the Canada-United States border. Instead, it would make border crossing between the two countries easier. The possible structure of such a perimeter can already be found in the Smart Border Declaration, which was signed by both countries in December 2001. That declaration provides for a number of common security measures including: the removal of people who were ordered deported from either country; the designation of terrorist groups; the sharing of intelligence and advanced travel information; freezing the assets of organizations suspected of financing terrorist groups; and, joint training of personnel from both countries. The United States already has

its customs officers located in Canada to conduct pre-screening of United States-bound passengers and inspection of sea going containers.

A common security border already exists in Europe where a number of European Union countries in the Schengen Accord have effectively done away with internal borders, allowing free movement of people between member states. This was done by creating an external perimeter that provides immigration control for all member countries. This has allowed them to devote more funding to internal security and to anti-terrorist operations in their own countries.

From an operational point of view, expanding the Smart Border Declaration into an effective security perimeter would not require very much. Canada and the United States would need to have a common policy for designating countries visa-free for visitors and other temporary entrants. Common guidelines regarding the types of questions to ask visa applicants would be necessary, as would a common agreement on reasons to refuse admission. Canada would have to reform its current asylum system by denying access to people who come from countries considered "safe" by the United Nations High Commissioner for Refugees. Canada would also have to enforce a policy of detaining people who arrive without documents until their identities are verified and they are believed not to be dangerous. Canada would also have to improve its capacity to apprehend and remove people who are in the country illegally. Though it would be possible to meet these requirements and establish such a perimeter, both Canada and the United States lack the political will to seriously consider the idea. In the meantime, both countries will have to deal with the terrorist threat in their own fashion.

Since 9/11, Canada has dismantled two of the most effective anti-terrorist clauses of Bill C-36, which related to preventative arrest and investigative hearings, and the courts have neutralized the one remaining useful instrument for detaining and removing foreign terrorists: the immigration security certificate. The anti-terrorist measures that are still in place are constantly being attacked by lawyers, the courts, civil rights activists, and privacy advocates.

Canada's security forces have not been given the financial and personnel resources needed to conduct adequate counterterrorist activities. The

British security agency MI5 estimates it takes 50 intelligence operatives to trail one suspect (Nelson, 2007, May 2). Moreover, following the Maher Arrar affair,[2] the reputation and status of the police and CSIS have been badly tarnished. If Canada suffers a terrorist attack, these organizations will be blamed rather than their political heads.

None of Canada's political parties are willing to admit that our immigration and refugee policies are in any way a security concern. However, in Canada, there is little attempt to screen prospective immigrants from terrorist producing countries. Our asylum system presents a clear and present danger to both Canada and the United States, but it is not likely to change. Canadian citizenship is easy for anyone to obtain and little effort is made to stress that citizenship entails obligations and duties as well as benefits. We fail to keep criminals and terrorists out of Canada, and when they do get in, we cannot remove them.

Considering the state of Canada's policies, it would appear that the prospect of dealing with the threat of Muslim terrorism in Canada is pretty grim. Perhaps Canada will be lucky and will not experience a catastrophic event. If so, our political leaders should not take credit for this good fortune.

2 In 2002, Maher Arar, a Syrian-born immigrant who came to Canada in 1987 and became a Canadian citizen, was detained by US officials who claimed that he had links to al-Qaeda. They deported him to Syria, even though he was carrying a Canadian passport. When Arar returned to Canada a year later, he claimed he had been tortured while in Syria. After a long investigation, in 2007, the Canadian government issued an apology to Arar and offered him a multi-million dollar settlement.

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