

Canadian security post 9 11

[Law](#), [Security](#)



Canada's Response to Security post-9/11: An Introduction

The events of September 11th, 2001 have impacted the whole world however within North America these affected a deep reassessment of continental security. The first concern that needed to be addressed was the structural capacity of the governments in both Canada and the United States to act quickly to cope with a future security crisis. The U. S. president set up a Department of Homeland Security (DHS) and incorporated all important agencies within it. This organization of governmental change has had a deep impact within the American administration, as various organizations, with their own cultures and histories fused together.

At the same time as Canada looked at the DHS model, the Canadian Prime Minister thought, in view of her parliamentary system, it was more suitable to act in a mutual and less institutionalized mode. An informal committee of Cabinet was instituted to handle public security matters. Rather than amalgamation of different organizational structures like the DHS model, the Canadian solution ensured that crucial organizations were integrated on security matters in a suitable manner, at the same time employing available structures and human resources.

The Canadian government copied rather from the DHS model by combining some undertakings under one minister; however crucial agencies namely the Coast Guard and the Canadian Air Transportation Security Agency (CATSA) were left within their existing departments. Many thought this type of model to be unsuccessful. The Task Force considers Canadians must re-examine the matters of public safety coordination and return to the previous model

with the policy coordinating and decision making being the realm of cabinet and leaving operations to be executed by line departments.

Yet, much has been done in the sphere of aviation security- screening of passengers, airport workers/suppliers and securing airport perimeters. Nevertheless air cargo security has mostly been overlooked leaving a notable susceptibility. Technologies do exist which can deal with maritime security although the cost is high.

On the other hand, the land border between Canada and the USA has come under improved inspection by American legislators, unaware to the fact that all of the of the 9/11 hijackers were lawful resident of the USA and that border agents for both countries have been successful in arresting some engaged in terrorist operations.

Thus Canadian and United States governments urgently made public safety and national security their highest priorities, promptly passing broad anti-terrorism laws and initiatives that radically increased police and inspection powers. New rules on physical movement and identity authentication were applied at border crossings and airports. Besides, the prospects of introducing compulsory identity cards and biometrics focused on public policy discussion.

In that time of crisis, Canadian security became the dominant deliberation, albeit privacy and civil liberties had to be surrendered. Nevertheless, the Canadians have started to consider to the idea of national security at all costs.

The Office of the Information and Privacy Commissioner/Ontario (the IPC) has an authorization to propose, monitor government legislation and programs, to investigate matters affecting access and privacy, and to perform public education. In view of that authorization, the IPC examined the national security measures started since the 9/11 attacks, regarding the impact they have had, and will continue to have, if left abandoned.

Yet the Canadian response to 9-11 was multifaceted, considering the four major options for fighting global terrorism; the options include intelligence, law enforcement, military warfare, political activities. However these actions can be perceived between domestic and global actions, between defensive and confrontational actions. Canada took many post 9-11 measures in direct response to US apprehensions and in an effort to support Canadian efforts with the USA at the domestic level. The Canadian government dispelled misinformation concerning that the 9-11 hijackers arrived in the US from Canada.

Canada's instant response to 9-11 attacks was to help passengers trapped at Canadian airports, when their flights were rerouted following the 9/11 attacks on New York and Washington, D. C. Many Canadians welcomed those air passengers who had been stranded far-off their destinations in the USA and elsewhere. 30 In addition, on September 14, 100, 000 people gathered in Canadian capital to express their sympathy with the USA and those people who died following in the attacks of September 11. On the contrary, the Canadian government seemed to response indifferently and reluctant to support any military action (Richter, 2004).

Canada's Domestic Response

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Some of the domestic programs directed at terrorist acts of 9-11 - especially border issues. Both USA & Canada share the longest border worldwide - almost 9, 000 kilometers. Generally, it is possible to determine a shift of emphasis from ' border security' to ' national security'.

Securing the Border

On December 12, 2001, Canada's Deputy Prime Minister and Director of U. S. Homeland Security signed the ' Smart Border Declaration' drawing a 30-point Action Plan upon which both Canada and the USA continue to work on. Its key aim was to secure the flow of people and trade, the transportation, in addition to the harmonization and sharing of information in the achievement of these goals.

Moreover, on December 3, 2001, both Canada and the USA signed a ' Joint Statement of Cooperation on Border Security and Regional Migration Issues'. Canadian and American efforts from now on have concentrated on prevention, identification and analyzing of security threats, the disruption of unlawful immigration and the competent managing of lawful travel through the border, however have become less important due to a shift to ' national security'.

Border Security

The consideration to have an open society with the need to deal with security issues raised by international terrorism created Canada's new ' National Security Policy' (Government of Canada, 2004).

Canada's National Security Policy' states three important Canadian national security interests namely protecting Canada and the safety and security of

Canadians; ensuring that Canada is not a base for terrorist to her allies; and contributing to international security (See Government of Canada (2004), op. cit: vii). The document broadly focuses on threats to security from a broader perception. Most remarkably, it suggests the setting up of a ‘ Cross-Cultural Roundtable on Security, that include members of ethno-cultural and religious communities from across Canada; it is mean to “ engage in a long-term dialogue to improve understanding on how to manage security interests” (Government of Canada, 2004), op. cit: 2).

The CNSP also applies to the ‘ Anti-terrorism Act’ whose creation was the most immediate response to terrorism post-9-11. The bill was proposed in October 2001 and supports four objectives: 1) to stop terrorists from getting into Canada and shield Canadians from terrorist acts; 2) to propose tools to find out, impeach, punish and penalize terrorists; 3) to stop the Canada-US border from being held hostage by terrorist and impacting on the Canadian economy; and 4) to work with the world community to bring terrorists to justice and deal with the main causes of such hatred.

In short, the ‘ Anti-Terrorism Act’, conditional on a five-year-review, included procedures to identify, impeach, sentence and penalize terrorists. Most notably, it provides for approval of two UN anti-terrorism agreements viz., the ‘ International Convention for the Suppression of the Financing of Terrorism’ and the ‘ International Convention for the Suppression of Terrorist Bombings’, in addition to the ‘ Safety of the United Nations and Associated Personnel Convention’.

Moreover, the law gave law enforcement and national security agencies new analytical tools to collect intelligence about and impeach terrorists and

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terrorist groups, and protect Canadians from terrorism: The ' Anti-Terrorism Act' helps the use electronic surveillance against terrorists, forms new offences targeting illegal disclosure of particular data of national interest and regulates existing legal documents to explain the directive of the Communications Security Establishment (CSE) to collect foreign communications. Moreover, it establishes meticulous checks and balances with the aim of supporting the civil liberties and freedoms of Canadians, for instance a regular Parliamentary evaluation process within a period of three years.

Immigration

In June 2002, a new ' Immigration and Refugee Protection Act' was introduced. It was intended to modernize Canada's immigration and refugee programs and also to ensure that Canada will not be a ' safe haven' for persons who imperil national security. The new law support removing persons who may create a risk to security; institutes severe penalties for criminals found guilty of human trafficking and smuggling or for using or selling counterfeit documents; it prohibits access to Canada through the refugee system to persons who may create a security threat; it presents new means for leading officers at Canada's borders and suspends refugee claims for persons charged with serious criminal offences and reduce hurdles in removing severe criminals from the country; it sanctions punishing refugee applicants for falsification of material facts in trying to get entry to or a stay in Canada (See Immigration and Refugee Protection Act (2001), 2006).

In theory, the law guarantees for traditional efforts by Canadian authorities to respond to the country's ' bad image' in the US in respect of alleged weak

security standards in immigration. Before 9-11, the Royal Canadian Mounted Police forewarned that Canada was turning into a hub of Organized Crime, and stated that “ Canada is [...] quickly becoming one of the most important bases for the globalization of organized crime in recent years, and criminals are increasingly attracted to the weak laws governing their activity and the lower risk of detection than is found in the United States or Europe” (Royal Canadian Mounted Police, 2000).

Public Safety & Emergency Preparedness On December 12, 2003, the government instituted the ‘ Public Safety and Emergency Preparedness’ department, which follows somewhat to the U. S. Department of Homeland Security (Charters, 2004). The department was under the command of the Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness. The Department and its different agencies advocate policy leadership, organization, and present programs and services in the areas of national security and emergency management, intelligence, law enforcement and borders, corrections and crime deterrence.

As well promoting coordination, the department brings a stronger national security focus to the operations of main agencies, which include the RCMP, Canadian Security Intelligence Service, Canada Border Services Agency, Canada Firearms Centre, Correctional Service of Canada, and National Parole Board. Public Safety and Emergency Preparedness frequently organize national and international counter-terrorism drills involving various departments and agencies. These drills concentrate on intergovernmental management and cooperation and deal with both disaster and effect management.

Canadian Security post-9/11 and Technology: An Analysis The Canadian security policies mainly hinges upon the technology at hand.

Surveillance systems for instance accesses everywhere making it practically impracticable to keep things confidential as by locking the door, pulling the shades, erecting a fence, sealing an envelope, or communicating by telephone or e-mail (Law Reform Commission, 1983).

Surveillance technologies are connected to modern information technology systems with huge integrated computer databases and dynamic systematic software. Data in varied forms, from broadly alienated geographic areas, organizations and time periods simply can be merged and scrutinized. Improved capabilities and decreased costs allow large data to be stored permanently in law enforcement databases. Thus the result is that one's past is always present. As one author observed: " No fact unrecorded, nothing neither forgotten nor lost, nothing forgiven" (Stone and Warner, 1969).

Surveillance systems greatly improve law enforcement's capability to collect data without the involvement or even knowledge of the person. It no longer identifies just what somebody says or does knowingly. Involuntary or autonomic behavior can now be strongly observed. This type of " biological surveillance" engage technology that collects and examines body evidences, for instance pulse, eye movements, voice, blood, urine, and saliva.