

**Canada's Coastlines:
The Longest Under-Defended Borders in the
World**

Standing Senate Committee on
National Security and Defence

VOLUME 1

October 2003

MEMBERSHIP

37th Parliament – 2nd Session

STANDING COMMITTEE ON NATIONAL SECURITY AND DEFENCE

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(There are two volumes to the report)

Nightmares for a New Millennium

Suppose ten people, acting in common ideological cause, spread out into dry woods across Canada on a hot summer day. How much damage could they do, armed with nothing more than penny matches?

How much damage could five people do - using explosives with components available at any garden centre – if they decided to cripple North America's common electricity grid by knocking out five high transmission lines?

It is common knowledge that only a small percentage of containers entering North American ports currently are searched. Consider the immense potential for devastation if just one of the unsearched contained a dirty bomb.

Many modern terrorists do not mind killing themselves if they can do enough damage in the process. Suppose someone inoculated a group of people with smallpox in some far off land just before they flew to North America. Their symptoms would be unlikely to appear until hours after they – and their vulnerable and unknowing fellow passengers – deplaned. Might epidemics be this century's main weapons of war?

All those scenarios sound bizarre. Some would call them alarmist. But who expected the waves of suicide bombings that the world has witnessed in recent years? How many Canadians

thought they would ever see passenger planes being plunged into skyscrapers on North American soil?

September 11, 2001 will not go down in history because 3,000 unarmed and innocent people were killed in an unprovoked attack. History is littered with massacres. September 11, 2001 will go down in history as the day that the most powerful nation in history learned a devastating lesson: it was vulnerable to extreme assault inside its impregnable fortress. How easy it was for trickery to outflank power, right on power's own turf!

For most North Americans, the horror has dissipated over the past two years. People tend to get on with their lives. But only the naïve among us assume that this was a one-off disaster; that there aren't plans for more. Which leaves decision-makers in the world's wealthiest and most powerful nations to ponder: *How do we defend against the unfamiliar and the unforeseen?*

The answer is, we cannot defend against the unforeseen. We simply must foresee. And we simply must defend. The alternative does not befit any society worth saving.

Terrorism Takes Centre Stage

The past decade and a half has seen one of the most dramatic shifts in the long history of human conflict. The symmetry and predictability of the Cold War between the United States and the Soviet Union, which ended with the fall of the Berlin Wall in 1989, has given way to the asymmetry and unpredictability of international terrorists active on every continent.

Terrorism itself is by no means a new phenomenon. Codes of honour for waging war have been more the exception than the rule throughout history. The mythical chivalry of the Middle Ages and international conventions of war of the twentieth century have never seemed particularly noble to underdog warriors with passionate causes. The side with fewer resources often comes to the conclusion that there are more successful ways to engage in mortal combat than head-to-head confrontation with more powerful forces.

The American Revolution succeeded partially because the revolutionaries realized that when troops are facing superior firepower, they have a better chance fighting from ragged positions behind trees than from straight lines in open fields. The Viet Cong were later to succeed against the Americans using the same tactics: *hide and surprise, hide and surprise*. Three decades later, suicide bombers have pushed the element of surprise to a grisly new level with their focus on civilian victims.

It is obviously more difficult for a combatant to defend against an assailant employing unfamiliar tactics than it is to defend against what one has been trained to respond to.

Asymmetrical warfare is simply warfare that lacks the "predictability" of traditional military thinking. It is the greatest man-made physical threat to industrialized societies. How seriously do U.S. decision-makers take this threat since September 11, 2001, In *The Right Man: The Surprise Presidency of George W. Bush*, David Frum (who served briefly on President Bush's speech-writing team), describes the atmosphere at the office of Tom Ridge, Assistant to the President and Homeland Security Advisor:

"Occasionally, I would do some writing for Ridge and his team. I'd arrive with my notepad, and they would detail the appalling list of ways that America was vulnerable to terror and mass murder. . ."

"I don't know why they sent the anthrax through the mail," one of them said to me. "It would have been much more effective if they had just doused themselves with penicillin, put the anthrax in a salt shaker, and emptied it out the back of a New York subway train..."

"Just hijack a dozen trucks and fill 'em with explosives."

"Or a ship and then sail it into the middle of Seattle."

"I still think the shopping mall suicide bombers would work best."

The End of Cold War Certainty

If asymmetrical warfare tactics have been around for a long time used with painful regularity over the twentieth century in places like Cuba, Ireland, Sri Lanka and Peru what makes the past decade and a half so dramatically different?

It is that international terrorism has now become the primary threat to world stability, supplanting the danger that someone would finally push the button in the long standing U.S.-Soviet nuclear standoff.

The motives for terrorists to wreck the lives of comfortable people living in prosperous societies include xenophobia, religious fanaticism, embittering poverty and revenge for past humiliations. These phenomena are increasing, not decreasing.

Add a mindset advantage to terrorists' destructive motivations: comfort with the prospect of death. By contrast, death has become an increasingly terrifying prospect in well-to-do societies. Cosmetic surgery, anti-aging creams and personal fitness instructors have become mainstream in the western world. Families of military enlistees have come to dread — and even protest — situations in which their sons and daughters are put in harm's way.

The United States now possesses weaponry unfathomed even a few decades ago. Even the military capabilities of its most well armed traditional allies seem outmoded in comparison. But breathtaking military capacity cannot negate one truism. In any battle of irrationally unafraid underdogs versus rationally

fearful overdogs – with the underdogs aided by the Internet and other inexpensive modern communication technologies – the most powerful side is not *always* going to win. It may win every time on the battlefield, but unconventional attacks have changed the nature of warfare. North America needs a new security focus: defending against what was once the unthinkable.

What can the countries on the terrorists' target list — including Canada — do to lessen the possibility of catastrophes on their own turf? We can do more to mitigate some of the causes of terrorism through diplomacy and foreign aid, but nobody should pretend that generosity and understanding alone will win the day. Canadians must also defend ourselves. In this relatively narrow examination of one of our greatest vulnerabilities — our long, rugged coastlines — the Senate Committee on National Security and Defence argues that, to optimize our chances of survival, the Government of Canada must focus on three imperatives:

- 1. An increased emphasis on intelligence as the key to Canada's security;**
- 2. A rationalization of Canada's national security resources, making optimal use of resources through better command and control structures, coordination and mandating of personnel;**
- 3. The expansion of military resources to a level commensurate with Canada's Gross National Product and the country's international responsibilities (in conjunction with a more credible foreign aid program and upgraded diplomatic representation abroad).**

In this report, the Committee will focus on expanding and rationalizing Canada's military and other national resources with respect to maritime security.

Canada's Coastlines: The Longest Under-Defended Borders in the World

Canada's southern border with the United States is affectionately known as "*the longest undefended border in the world.*" But Canadians have even longer borders: our coastlines with the Pacific, Arctic and Atlantic Oceans. These stretch nearly a quarter of a million kilometers, looking out on more than ten million square kilometers of ocean territory. No country has longer seacoasts than Canada.

After considerable study over the past year, the Committee believes it is fair to define these coastlines on the Atlantic, on the Pacific, and in the Arctic as *the longest under-defended borders in the world.* They are vast, they are vulnerable, and, unfortunately, they are largely unattended.

Committee members understand that the enormity of the territory demands risk assessment. Triage is essential because Canada cannot defend every spot on every coast all the time. But it can be more intelligent about assembling its resources to offer a less penetrable defence.

Lack of appropriate coastal security and defence is a problem for Canadians, and for our American allies. The United States remains very much a target for international terrorists; it is

clearly the bull's eye. Canada, it is fair to say, is on the next ring out. We are so positioned because of our military bonds with America, our similar lifestyles, and our integrated markets.

Furthermore, as the U.S. government is very aware, Canada is a potential conduit for those wishing to strike at the heart of America. The fact that Canada and the United States have the largest trading partnership in the world, with more than 85 per cent of Canadian exports going to the United States, makes attempts to trans-ship terrorist personnel and weaponry through Canada to the United States more a question of "when" than "if." The likelihood of a direct attack on Canada itself falls within the same realm of probability.

By definition, surprise attack is essential to the type of asymmetrical warfare practiced by terrorists. The use of commercial aircraft as weapons in the attacks of September 11, 2001, was a stunning surprise. As a result of that shock, security at world airports has been tightened (although not, in Canada, to the degree that the Committee has recommended).

Battling the Unknown

Where will the next shock come from? It may again descend from the air, but it is just as likely to come from the sea. Perhaps from a container given that only a small percentage of containers are searched at U.S. or Canadian ports. Or, through the hijacking of a commercial vessel. Or, loaded onto small vessels the kind that smugglers have used successfully for centuries to unload in remote coves and the neglected smaller ports that dot Canada's coastlines.

Again, the Committee is not so naïve as to believe it possible to put up an impenetrable “Meginot Line” along Canada’s coastlines that would seal them off from unwanted visitors. The cost would be unfathomable. The Committee believes, however, that the Government of Canada could make much more effective use of its resources in offering Canadians and our American neighbours a more reasonable and effective system of coastal security and defence.

Awakening Canadians

This report represents a continuation of the Committee’s long-term evaluation of Canada’s ability to contribute to North American security and defence. It comes in the wake of four other reports published by the Committee over the past two years related to Canada’s capacity to defend itself and contribute to continental security.

If it seems strange for a Senate committee to continue to expend so much time and energy pursuing this issue, we offer two very good explanations:

- We hold that the first priority of any national government should be the security of the nation and the physical protection of its citizens – that is why nations were invented.
- We are convinced that Canadians’ peace-loving nature is a double edged sword: Canadians’ distaste for violence too often makes us turn our backs on the threat of

violence, rather than seeking remedies to lessen its probability.

In the words of **Dr. Danford W. Middlemiss, Professor of Political Science at Dalhousie University**, in a recent appearance before the Committee:

"Canadians and their governments do not take national defence or national security seriously, in part because, first, they have historically been blessed with good luck, and, second, because of their fortuitous geostrategic position alongside our friendly superpower to the south."

Canada's geostrategic position, however, is not *completely* fortuitous (especially considering that a key terrorist objective is to wreak destruction on our next-door neighbour). Furthermore, living right next to the world's only superpower entails responsibilities. All of North America must be defended if people anywhere in North America are to be defended. That means that Canada has a serious role to play. We Canadians do not have to join the United States on every security initiative that country decides to take. But helping to secure the perimeter of North America makes extremely good sense in terms of our own survival. It is not just the American way of life that is at stake, but also the *Canadian* way of life.

For both moral and practical reasons, Canada cannot afford to be the weak link in the security of North America.

Focus on Maritime Security

This report focuses on Canada's ability to defend its territorial waters and help police the continental coastline. In some respects it takes up where *Defence of North America; a Canadian Responsibility* (September, 2002) left off. It will be followed by future Committee reports on emergency preparedness, intelligence and other aspects of Canada's security capabilities. These reports are designed as interlocking building blocks in the construction of a national security policy founded on the optimal use of Canada's resources.

The report occasionally takes note of the federal government's responses to the recommendations of earlier reports. But its main thrust is to address maritime security issues that the Committee has not specifically addressed before. The focus will be on Canada's littoral – our coastal waters. We need to determine how Canada can best plug the gaps in the surveillance, policing and defence of these waters.

The Issues We Address

The main issues addressed by the Committee in this report are:

1. CANADA'S LACK OF SECURITY RESOURCES ON ITS COASTS
2. THE NEED TO IMPROVE SURVEILLANCE
3. THE NEED TO IMPROVE INTELLIGENCE
4. THE NEED TO IMPROVE CANADA'S INTERDICTION CAPABILITY
5. THE NEED FOR A NEW STRUCTURE AT THE TOP
6. THE NEED FOR ENHANCED INTERNATIONAL COOPERATION

The general concern of the report was well expressed by one of our many insightful witnesses:

"I am glad I do not have to sit down with my former colleagues, the United States Navy, and have them say to me, "Our Coast Guard looks over the first 200 miles and then the Navy takes over. How does it work in Canada?" I would say "I can tell you about outside 200 miles, but you do not want to hear about it inside 200 miles." **Rear Adm. (Retired) Bruce Johnston, Former Commander, Canadian Maritime Forces Pacific**

CHAPTER ONE:

Canada's

LACK OF RESOURCES

in its Coastal Waters

"At the national level, virtually all of the organizations involved directly or indirectly in maritime security appear to have significant capacity problems. The escalator phenomenon prevailed during the 1990s fewer and fewer dollars chasing greater and greater responsibilities." **John F. Thomas,**
Partner, BMB Consulting Services, Former Coast Guard Commissioner

The Committee's third report in this series, *For an Extra 130 Bucks... Update on Canada's Military Crisis* (November, 2002), outlined in detail the lack of hardware and personnel available to Canadian Forces after more than a decade of cutbacks in Canada's military spending. Since the focus of this report will be on new approaches and new roles, we will keep this chapter on resource deficiencies to minimum. However, to put the later chapters of the report in context, the Committee decided to begin with this brief sketch of some of the resource problems our Navy and other departments and agencies are faced with in attempting to secure our coasts.

It will not take readers long to recognize that Canada is not in the same league as countries like Japan, which uses 130 maritime patrol aircraft for surveillance of a land mass equal to

38 per cent of the province of British Columbia.¹ Or the United States, whose Coast Guard is generally regarded as the third-largest navy in the world. Or Australia . . . the list goes on.

In January, 2003 Transport Minister David Collenette announced a five-year package of initiatives of up to \$172.5 million to enhance the security of Canada's marine transportation system and maritime borders. This was an encouraging initiative but, at an average of \$34.5 million a year, it is only a modest down payment on what is required if Canada's maritime defences are going to be shored up to a reasonable level.

Improved policy, coordination and deployment of resources will take Canada a long way toward this end, but all the improved structuring in the world is incapable of countering inadequate resources.

Inadequacy of Funding: The Canadian Coast Guard

The Canadian Coast Guard (CCG) is rusting out. Although the CCG possesses 107 ships (see appendix IX, Volume 2), the majority of them are reaching the end of their useful lives and the federal government must make a decision soon as to whether to replace many of these vessels or reduce their tasks.

Charles Gadula, Director General, Fleet Directorate, Marine

¹ Testimony of Dr. James A. Boutilier, Special Advisor (Policy), Marine Headquarters, Department of National Defence.

Services, CCG told the Committee that it will cost an estimated \$350 million to replace those vessels that need to be replaced now. This resource issue is of particular interest to the Committee, since this report will be recommending an *increase* in CCG tasks, not a decrease.

When the Chair of the Committee cited a report that the CCG was forced to break off an exercise with U.S. counterparts on the West Coast, **Sylvain Lachance, Acting Director of the General Fleet**, acknowledged that money is short:

Mr. Lachance: "We certainly have a capital problem."

Sen. Kenny: "You cannot buy new ships, is that right?"

Mr. Lachance: "Not enough, that is correct."

The Canadian Coast Guard now falls under the jurisdiction of the Department of Fisheries and Oceans. Regarding the replacement of CCG vessels, the Departmental written response was that "the Department of Fisheries is going through a reassessment and realignment" process from which will flow a capital plan for ship replacement. As of July, 2003 that plan was several months from completion. Taking into account the need for government approval, plus the process of issuing requests for proposals and tendering contracts, plus the time it takes to build vessels, it is the Committee's assessment that given current government priorities, it is likely to be 2010 at the earliest before the Canadian Coast Guard sees any new vessels.

John Adams, Commissioner of the Canadian Coast Guard, acknowledged that the CCG is currently "hurting" for funds. *"Immediately after 9/11, we were given an injection of funds to help us keep our vessels out longer, but that money has now dissipated."* A reference to reports that there have been shortages of both equipment and clothing for Coast Guard personnel elicited the following response from Mr. Lachance: *"There may be cases, but it is not widespread."*

Although it is not properly funded for the role, the Canadian Coast Guard has begun to conduct security surveillance upon the request of other government agencies such as the RCMP and the Canadian Navy. Turning surveillance into intelligence, of course, requires the capacity to report the results of surveillance. Unfortunately, the Canadian Navy is currently better able to communicate with the U.S. Navy than it is with the Canadian Coast Guard:

Sen. Banks: "A Canadian frigate . . . can join an American task force, or vice versa, and immediately be plugged into everything and there is no communications problem at all, but the Canadian Navy cannot do the same thing with the Canadian Coast Guard."

Capt. Larry Hickey, Asst. Chief of Staff, Plans and Operations (for Maritime Forces Atlantic, DND: "Right."

Sen. Banks: "That is just really stupid."

Capt. Hickey: "That is a function of investing the hardware and the systems need to pass the information."

While the Canadian Coast Guard is now being asked to play a surveillance (but non-constabulary) role in the furtherance of national security, it clearly does not have the resources it needs, let alone those required for a more muscular role envisioned by the Committee. In fact, the Auditor General reported in December, 2000 that the Canadian Coast Guard is trying to perform five different sets of duties without proper funding from the government departments and agencies that are benefiting from CCG tasking.

Inadequacy of Funding: The Canadian Navy

The Committee was told by a number of senior naval officers that it is *not* Canadian Forces policy to continually patrol Canadian waters, nor to play more than a support role (primarily surveillance and intelligence) in defending Canadian waters through interdiction of undesirable vessels.

During World War II Canada's Navy played a vital role in sinking German submarines and protecting Canadian ships in and around Canada's east coast and the Gulf of St. Lawrence. To the Committee's knowledge, no Canadian government has ever instructed the Navy to do away with its patrol of the country's home coasts. Nevertheless, such patrols were largely abandoned over the years. Nor have they been restored now that new threats have emerged.

This is partially a matter of attitude as the mindset in the Canadian Forces has generally been that naval vessels are best

put to sea defending Canadian interests in other parts of the world, rather than defending Canadian shorelines. It is also a matter of practicality; naval vessels are often too big and some are too slow to conduct efficient interdiction roles close to Canada's coastlines. But it is also a matter of funding.

Whether the Canadian Navy continues to play the role it now plays in defending coastal waters - largely one of surveillance - or whether it is called upon to become more involved in interdiction, the Navy is under-funded. If the Navy were called upon to upgrade its interdiction capabilities, it would need new ships, such as cutters that can move quickly and far less expensively than frigates.

Sunken Fortunes

On June 30, 2003, **Rear Admiral Glenn Davidson, Commander of the Maritime Forces in the Atlantic (MARLANT)**, stated that the Navy was "taking a pause" for a year to try to put its house in order. The Navy has finally been forced to come to grips with a lack of funding and of rested personnel. Sixteen of its eighteen sea-going vessels and 97 per cent of its personnel have done service in the Persian Gulf since September 11, 2001. Canada is down to one active ship in the Persian Gulf and has informed NATO that it will not rejoin the NATO Standing Naval Force until the latter part of 2004.

The 12 frigates owned by Canada's Navy are middle-aged and will soon require their major midlife refits to perform their duties. Moreover, given the extremely high usage rate of the frigates in the Persian Gulf and elsewhere since September 11,

2001 the Navy's ability to react to national and international crises has become severely limited.

The Committee has already commented on the sad state of the *Sea King* helicopter fleet. During the height of Canadian participation in the war on terror, two Canadian ships (*HMCS Regina and Algonquin*) sailed without helicopters on board. Recently, Canada's Air Force has informed Canada's Navy that it will be unable to provide more than one serviceable *Sea King* on each coast for deployment on board ship at any given time. Helicopters, of course, are the eyes and ears of a fleet, and can often be used to deal with potential threats before they get near a combat ship.

Naval Surveillance

The Canadian Navy's main role in coastal defence at the moment - and perhaps far into the future - is coordination of surveillance. Let us assume that the Navy takes on no other significant responsibilities for coastal defence. Does it have adequate resources to perform its current role? It is worth examining the Navy's capacity to coordinate surveillance under seven headings:

1. **Aurora Air Surveillance**
2. **High Frequency Surface Wave Radar**
3. **Satellite Surveillance**
4. **Arctic Surveillance**
5. **Maritime Coastal Defence Vessels**
6. **Drones- Unmanned Aerial Vehicles**
7. **Dirigibles**

1. Aurora Air Surveillance

Canada provided a maritime patrol detachment of Aurora aircraft in the Persian Gulf for 18 months, up to July 2003 reducing the capability of the Canadian Forces' ability to adequately patrol Canadian coastal waters. Aurora patrols off the East and West Coasts were mostly restricted to about one a week. Even the semi annual surveillance and sovereignty flights across the Arctic have not been conducted for at least two years. The Aurora fleet is undergoing a modernization program, but only 16 of 18 aircraft will be upgraded due to financial limitations. Moreover, the three Arcturus aircraft used for training and visual surveillance will be retired in 2005. Ergo, there will continue to be limited resources available for "coastal surveillance flights" in the foreseeable future.

In the Navy's Maritime Command Impact Study for 2003 obtained by the Ottawa Citizen and published on Sept. 27, 2003, the option of hiring private companies to conduct sovereignty patrols along Canada's east and west coasts is put forth. The reason: budget cuts and equipment shortages have hurt the military's ability to do the job: *"Despite excellent working relations with the Air Force, maritime air support is dwindling."*

Here are a few examples of testimony heard by the Committee with regard to lack of Canadian Forces resources for air surveillance off our coasts:

"We have no standing naval patrols on either coast that are capable of keeping watch over our maritime littoral . . . The Canadian Air Force lacks the resources for aerial reconnaissance over any of our major ocean and sea going

areas. When they conduct occasional patrols, they are forced to use antiquated aircraft, the Aurora patrol aircraft. These antiquated aircraft are functioning with obsolete sensor systems and without the latest technology." **Prof. Wesley K. Wark, Assoc. Prof., Dept. of History, Munk Centre for International Studies, University of Toronto**

"I do not have a great deal of difficulty at the moment with ships being deployed in the Middle East. I have a bit of difficulty with Aurora aircraft being deployed in the Middle East when we have few assets to conduct basic surveillance at home." **James C. Kelly, Research Fellow, Centre for Foreign Policy Studies, Dalhousie University**

" . . . One must bring into question the ability of the Aurora fleet to carry out the over-ocean surveillance missions and the cost of doing so. At present, the full capability for this is not being used." **Peter T. Haydon , Senior Research Fellow, Centre for Foreign Policy Studies, Dalhousie University**

2. High Frequency Surface Wave Radar Surveillance (HFSWR)

One of the most positive developments in coastal surveillance is the government's commitment to this new type of radar. High frequency electromagnetic signals are vertically polarized and propagate along the ocean surface. Thus, they can detect low flying aircraft and surface targets beyond the horizon. The HFSWR test models in Newfoundland can operate out to approximately 200 nautical miles virtually unaffected by weather conditions and are operational in all but the most severe of seas. This radar will go a long way to upgrading the

current patchwork system of coastal surveillance, which is too often based on projections of where a vessel appeared to be headed when it was spotted, rather than producing “real time” pictures of where vessels are located at any given time.

The government is currently funding two pilot installations (Cape Bonavista and Cape Race, both in Newfoundland) with what the Committee was told was a government commitment to “five or six more.” The plan is to have these radar installations scanning approaches where vessel traffic is greatest. This exciting world class technology, developed in Canada, is likely to be introduced by other countries, such as the United States and Australia, before Canada has it up and working. As this report went to press, the proposal to put this technology in place had not even gone to Treasury Board.

3. Satellite Surveillance

The Committee was told that Canada has no dedicated satellite surveillance capability, and rarely makes use of satellite images from private companies other than Department of Fisheries and Oceans contracts to track oil slicks from ships. Since satellite surveillance is not a line item in the Navy's budget, any decision to purchase satellite coverage from a private company in any given situation is not a quick and easy response.

Dedicated satellite surveillance appears to be too costly for Canada's military pocketbook, even if funding were increased significantly (see appendix XIII, Volume 2). Obtaining the desired coverage with a commercial imaging satellite would cost about \$140,000 a day, per surveillance area, which works out to \$51 million a year. Satellites have the advantage of being

able to survey a large area with different levels of resolution. However, DND notes that satellites typically only visit an area once every 24 hours, and it might not be possible to refocus on a target the second time around. Given the cost, the Committee is not critical of the Navy's lack of satellite surveillance capacity. It simply notes the lack of this capacity.

4. Arctic Surveillance

Charles Gadula, Director General, Fleet Directorate, Marine Services, Canadian Coast Guard, told the committee that the CCG's deployment for surveillance in the Arctic is limited to six-ship coverage for 90 days each year. He added that, with global warming, *"Our view is that there will be a greater need for Canadian government icebreaker support in the Arctic, and we will need the capital replacement of Coast Guard ships to take this into account."*

Dr. James A. Boutilier, Special Advisor (Policy), Maritime Forces, Pacific Headquarters, Department of National Defence, testified that surveillance of the Arctic by Canada's armed forces is largely a myth:

"Experts on the Arctic predict that commercial trans-arctic shipping may be only a decade away. The Arctic sea route reduces the Northern Europe Northeast Asia voyage by roughly 4,000 nautical miles. We have gone for 45 years without the ability to move major naval assets into the Arctic. My colleagues who work in the Arctic maintain that it is simply a question of time before there will be commercial trans Arctic shipping. All of the evidence I have been able to deduce is that our presence in the Arctic has been largely fictional."

The Committee knows of no government plans to increase surveillance in the Arctic. Presumably, it could eventually decide to do so through the use of unmanned aerial vehicles (UAVs) - strategic drones. The Arctic is unlikely to present a terrorist threat, but there remain issues of sovereignty, safe transport, and oil and mineral rights for which UAVs may prove useful.

5. Coastal Defence Vessels

The Navy's maritime coastal defence vessels (MCDV's) are not, in fact, coastal defence vessels. These ships are used primarily for training naval reserves. The recent purchase of 12 of these vessels, therefore will not add appreciably to Canada's coastal defence capabilities. **Peter T. Haydon, Senior Research Fellow at the Centre for Foreign Policy Studies, Dalhousie University**, told the Committee that the Canadian Navy needs "*a new kind of coastal patrol vessel*" capable of moving as quickly as frigates but able to stay at sea for two to three weeks. **Vice-Admiral Ron Buck** told us that the Navy is contemplating new vessels that could be used for both training and patrol, but not only have they not been built yet, they have not even been designed:

"We have a plan to design other vessels that will be used primarily as training vessels, but they will also do inshore patrol. They will have a higher speed. They are in the defence services program. They are awaiting departmental approval and they will be in the 50 tonne range."

The Navy is currently so overtaxed performing what it believes to be its primary role in blue water engagement far from Canadian shores that it is unlikely to attach any kind of priority to upgrading its coastal defence capabilities.

6. Drones

The Army has acquired a tactical unmanned target acquisition and surveillance drone, the Sperwer UAV. It will be deployed with Operation ATHENA in Afghanistan. Clearly, if the Army finds drone surveillance useful and economic, the Navy would be interested in using them for coastal surveillance.

Drones permit beyond-line-of-sight surveillance, and have been adopted for surveillance by many countries since the Americans first introduced them to the battlefield in the first Gulf War. The Department of National Defence website quotes **Captain Nathaniel Ng, Director Land Requirements:** *"We'll actually be able to see what's over that next hill or on the other side of the wall. It gives the commander a real-time image of what's going on out there."*

Eventually, the tactical UAV system is intended to be one component of Intelligence Surveillance Tactical Air Reconnaissance (ISTAR), a seamless surveillance and communications system linking soldiers and commanders up and down the chain of command. The Army plans to acquire smaller drones for use at the company level and below.

"UAVs are ideal for dull, dangerous and dirty missions," Capt Ng observes. *"Why have a pilot flying over an area for ten*

hours when a UAV can do the job? And why put a pilot at risk when a UAV can gather the information?"

There is a difference between strategic drones and tactical drones. The Committee considered the option of using the recently fielded Global Hawk UAV for potential high level strategic surveillance of Canada's shores. These large UAVs are capable of long hours on surveillance station (up to 24 hours) and from high level can surveil a large area (approximately 40,000 square kilometers). The down side to these UAVs is the present cost, in the neighborhood of US\$20 million - per copy and the support equipment and staff required to operate them. Thus, the Committee has decided to discard the option of strategic drones and will be recommending more cost-effective options for coastal surveillance.

The Committee believes that the use of tactical drones for surveillance should be considered by the Canadian Navy, given their apparent effectiveness and relatively inexpensive cost.

7. Dirigibles

Most Canadians probably associate blimps with aerial shots at sporting events. But, used in conjunction with new optical technology, they can be very useful for security surveillance. The U.S. Border Patrol and Homeland Security agents have begun using a blimp to patrol Pacific Coast waters. It is equipped with a high resolution camera and the Littoral Airborne Sensor Hyper spectral (LASH), an optical system that uses size and colour to identify objects that would otherwise blend in with their surroundings. The LASH system, in itself, cannot assure that an anomaly is a proper target, but it can do so in conjunction with high resolution cameras and drones.

In that the Navy cannot assemble the money or personnel to fully sustain its blue water role over the next year, it is unlikely to even think about investing in dirigibles.

Inadequate Funding: RCMP

The RCMP is supposed to have some policing responsibilities both at major Canadian ports and on the Great Lakes and other internal waters, but testimony showed the agency to be short of resources to carry out its mandates.

Local police and port security personnel have constabulary duties at the ports of Halifax, Vancouver and Montreal, but the RCMP through its national ports project has been reviewing

security gaps at these ports that have been created by the infiltration of organized crime. In 2002 it began to head up intelligence-led integrated teams called National Ports Enforcement Teams at the three ports, working with other key players such as CCRA and the local police force of jurisdiction. Their mandate includes national security, organized crime and other criminality.

With respect to the Great Lakes, while the Canadian Coast Guard has a presence, its primary roles are search and rescue and boat safety. The interdict mandate belongs largely to the RCMP. The RCMP are under-equipped and under-funded to conduct these tasks.

The RCMP at the Three Major Ports

According to **Supt. Ken Hansen, Director of Federal Enforcement**, over the next five years the RCMP will receive \$11.5 million of the federal government's \$172.5 million Maritime Security package announced in January. That amounts to an average \$2.3 million a year, approved in May, 2003.

Some of this funding will pay for enhanced criminal record checks on port employees, and for Armed Ship Boarding Training for RCMP members. The RCMP believes that it has received sufficient funding for these two programs. However, the funding was enough for only eight additional investigators at the three major ports, and the RCMP does not feel that this is adequate.

The third portion will pay for eight investigators spread among the three major ports, new posts for the RCMP who will supposedly manage the undermining of the organized crime that has entrenched itself over the years. The RCMP will therefore help close security gaps. In the words of Supt. Hansen:

"Any organized crime presence in a port will increase the potential for terrorist attack, because there is the possibility of corruption . . . you do not have control over what is in the containers, where the port workers are, where the containers are, and so on."

In other words, when holes are opened for criminals, they are opened for everyone. Closing these holes is to be accomplished in conjunction with personnel from the Canadian Customs and Revenue Agency and local police, with the RCMP taking the lead. Supt. Hansen was bluntly honest with the Committee in saying that the RCMP had recognized that the new government money with which it was supposed to fund this huge new task was insufficient. As a result, the RCMP has been forced to take 16 officers from other assignments and redeploy them at the ports.

This might not constitute a problem if the RCMP were a rich agency with extra personnel and funds to spare. But it is no secret that it is not. For example, Senator Atkins asked **RCMP Assistant Commissioner W. A. Lenton** how many helicopters the RCMP, the agency responsible for interdiction on Canada's coasts, has available to it across the country. Assistant Commissioner Lenton began to count them on one hand.

Sen. Atkins: "That is pretty thin."

A/Commr. Lenton: "Resources are thin, sir."

The RCMP asked for funding for 24 officers for the three major ports. The government funded only eight officers, so the RCMP was forced to make up the difference. Even then, it is clearly understaffed in the ports. An RCMP liaison officer to the Committee sent us a document which states that "*experience has shown that the original estimate of 24 positions was too low. The displacement of crime from major ports to smaller ports such as St-John's, Saint John, Quebec City, Hamilton and Prince Rupert is also a growing concern.*"

The RCMP on the St. Lawrence and on the Great Lakes

While Canada's Atlantic and Pacific coasts receive much of the attention, it is our border waters with the United States the St. Lawrence River, the Great Lakes, and other adjoining waters that some experts see as having the greatest potential for terrorist activities.

"I would think, from a security point of view, the highest threat areas are from Vancouver down to the U.S.; the Great Lakes; and from Nova Scotia and New Brunswick down to the U.S. I am not talking about vessels coming into Canada, but going from Canada

to the U.S." **John F. Thomas, Partner, BMB Consulting Services, Former Coast Guard Commissioner**

When **Supt. Hansen** was asked what he perceived to be the biggest challenges to the RCMP in its role of countering terrorism across the country, the first one he mentioned was *"a lack of capacity to conduct armed ship boarding in the St. Lawrence Seaway, although the new funds will give us the capability on either coast."*

A lack of capability to interdict on the St. Lawrence Seaway constitutes a major hole in Canadian security, as well as in North American security. On the East and West Coasts, the RCMP often uses Canadian Coast Guard vessels for interdiction. But that capacity has not been developed on the Seaway. So a lack of CCG capability amounts to a lack of RCMP capability.

"It is not just a matter of getting a platform. We have done 23 armed boardings in the last five years. All but one have been on either coast. There has never been a need in the past to conduct them. Therefore, we have not built that capacity."

Superintendent Ken Hansen, Director of Federal Enforcement, Royal Canadian Mounted Police (RCMP)

Does the fact that nearly all armed interdictions have been done on Canada's East and West Coasts mean there is no illegal behaviour occurring on the waters between Canada and the United States? Hardly. The amount of smuggling that has taken place on these waters over the years is legend, and if smuggling is easy, other possibilities clearly exist.

John F. Thomas, the former Coast Guard Commissioner, outlined what he perceives to be the problem with small boats essentially behaving as they please on these waters:

"Pleasure boats are driven or sailed from Canada to the U.S., and operation licensing is required. The licensing body is the CCRA, not the Coast Guard. That function will be transferred to the Coast Guard. Currently, those licences are not systematized, they are put in a box on a shelf. If you want to check who is driving a particular boat and confirm that the operator should validly have that boat, there are no systems that allow you to do that right now.

People do come in on the container ships, and so on, but some of the smuggling has been on fairly small boats. Drug smuggling is done on small boats. Pleasure boats could do all of the [terrorist activities] we are talking about. That is the area I see as being missed out . . . We are starting to focus more and more on the larger commercial vessels that are seen as being a primary threat, but we need to focus equally on the smaller vessels because I see them as an even higher risk."

Between them, the RCMP and the Canadian Coast Guard admit that they do not have the resources to even begin to address this higher risk.

This chapter has focused on the shortage of resources at the Canadian Coast Guard, the Canadian Navy, and the RCMP. We encountered many other areas in which government funding has failed to respond to the magnitude of the threat that now faces all North Americans.

We heard evidence that CanMarNet, the information-sharing system between federal agencies and departments that is

supposed to lead to a more coordinated shield against terrorism, is little more than a website where items of possible interest can be posted. A proposal for a more sophisticated information sharing system, called MIMDEX, has only been slowly working itself through the system, and is waiting for approval from Treasury Board.

We heard evidence that no new money has been diverted since September 11, 2001 to intelligence research for graduate students or academics that might direct them into the intelligence field.

These are issues that will be addressed in following chapters. This chapter is here only to remind Canadians that all the new approaches to surveillance, intelligence, cooperation, administration and policy are likely to come to nothing if adequate resources are not made available in the crucial area of national and continental security. So far, north of the Canadian-U.S. border, they have not been.

CHAPTER TWO:

The Need for

BETTER SURVEILLANCE

of Canada's Coastal Waters

"The surveillance problem on our coast . . . is enormous. The areas of responsibility are huge, with the bays along the coastline. Against a determined and clever opponent, we are very vulnerable." **(Retired) Commodore Hans Hendel, Consultant, Canadian Forces Staff College**

"We have no system in place to provide for any kind of systematic surveillance of our maritime area, not on the East Coast, the West Coast, the Arctic, Great Lakes or St. Lawrence Seaway . . . We have no standing naval patrols on either coast that are capable of keeping watch over our maritime littoral. The Canadian Air Force lacks the resources for aerial reconnaissance over any of our major ocean and sea going areas." **Prof. Wesley K. Wark, Assoc. Prof., Dept. of History, Munk Centre for International Studies, University of Toronto**

"You are looking for something that is not quite right and only by looking at everything can you decide what is not quite right." **Peter T. Haydon, Senior Research Fellow, Centre for Foreign Policy Studies, Dalhousie University**

Domain Awareness

Watching our Waters

“Domain awareness” refers to the degree that Canadian enforcement authorities know what is going on in their jurisdiction – both on Canada’s land mass and in its coastal waters. Those coastal waters include:

TERRITORIAL SEA: Canadian territory stretching 12 nautical miles off coastal base lines and charted according to treaties in the Great Lakes and border rivers; (see appendix XII, Volume 2)

CONTIGUOUS ZONE: An additional 12 nautical miles beyond territorial seas; by international law, Canada is allowed to prevent infringement of customs, fiscal, immigration or environmental laws up to 24 nautical miles from its coasts; (see appendix XII, Volume 2)

EXCLUSIVE ECONOMIC ZONE: Areas of the high seas extending beyond the contiguous zone extending out to 200 nautical miles from the coastline in which Canada is allowed jurisdiction over natural resources. Canada can generally only intercept and board vessels with permission of the flag state, if there is a national security concern, or if Canadian authorities are in hot pursuit from territorial waters (see appendix XII, Volume 2)

The Committee made several recommendations in *Defence of North America: a Canadian Responsibility* (September, 2002), to improve surveillance of Canada’s coastal waters

and ships approaching Canada's coastal waters by using a multifaceted "layered approach." The Committee recommended:

- **Adoption of a layered approach of reporting and monitoring to provide timely warning of vessels approaching Canadian waters; (Recommendation #1 page 13)**
- **That Canada negotiate reciprocal arrangements with other maritime nations to provide notice to one another when vessels are departing for each other's territorial waters; (Recommendation #4 page 14)**
- **Mandatory reporting procedures be introduced whereby all vessels (of a displacement to be determined by Canadian regulators) planning to enter Canadian waters be required to report from their departure harbour as to their Canadian destination and estimated time of arrival, with periodic updates during their voyage and upon arrival; (Recommendation #5 page 14)**
- **A requirement that vessels (of a displacement to be determined by Canadian regulators) intending to enter Canadian waters be equipped with transponders to permit electronic tracking of all approaching vessels; (Recommendation #7 page 14)**
- **New security measures on the Great lakes including:**
 - a) **Mandatory reporting for all vessels (of a displacement to be determined by Canadian regulators) to Canadian authorities 24 hours prior to anticipated entry into Canadian Great Lakes ports;**

- b) All vessels (of a displacement to be determined by Canadian regulators) intending to operate in the Great Lakes region be equipped with transponders to permit electronic tracking by Canadian authorities. This requirement would have the added benefit of greatly improving the precision of search and rescue;**
- c) Mandatory daily reporting to Canadian authorities for all vessels (of a displacement to be determined by Canadian regulators) operating in Canadian national waters; and**
- d) Canada's Great Lakes reporting stations be responsible for receipt and coordination of these reports and for communication with policing agencies.**
(Recommendation #8 page 15)

Progress Report

Coastal surveillance is one area in which the government has made some progress, although at a less urgent pace than the Committee would have wished, and with a smaller funding commitment than the Committee believes is necessary.

Witnesses informed the Committee that several measures have been taken or will be taken to improve Canada's ability to identify vessels, crew, passengers and cargo that might represent an approaching or arrived threat. Some of the measures that have been introduced or announced include:

Loading in Foreign Ports

Canada is implementing a 24-hour advance notification rule for marine cargo importation. Ocean carriers and freight forwarders intending to ship to Canada will be required to submit data on their cargo to the Canada Customs and Revenue Agency (CCRA) at least 24 hours before loading in a foreign port. The data will be sent electronically, and will be processed by CCRA automated targeting systems. Based on risk assessment, Customs officers will identify certain containers for examination prior to loading.

This rule reflects United States procedures and will provide a consistent reporting requirement for North American marine shipments. It will not be mandatory until April, 2004 to give companies time to prepare their operations and systems for implementation.

Entry into Canadian Waters

Foreign ocean-going vessels entering Canadian waters must obey a 24-hour rule and a new 96-hour rule. These rules relate to the amount of notice that ships must give to the Canadian Coast Guard-Department of Fisheries and Oceans in advance of their entry into Canadian waters. The 24-hour rule is mandatory.

The 96-hour rule is not mandatory, in the sense that there is no legal regulation behind it. The 96-hour rule came into being after the September 11, 2001 terrorist attacks, when the Coast Guard issued a "Notice to Mariners" directing all ships to also report 96 hours before entering Canadian waters.

The 96-hour rule was an initiative of the Interdepartmental Marine Security Working Group. The Group is still discussing co-ordination issues related to the implementation of the rule, whether to make it mandatory, and what type of information ships will have to provide.

Automated Identification System

AIS is a shipboard broadcast system that acts like a continuous and autonomous transponder. Using the VHF maritime band, it broadcasts information such as ship name, course and speed, and registration.

AIS was central to the December, 2002 International Maritime Organization (IMO) Conference that developed maritime security amendments to the *International Convention for the Safety of Life at Sea*. A key change was the requirement that AIS be installed on all ocean-going ships of 300 gross tonnage and more, on cargo vessels of 500 gross tonnage and more not engaged on international travel, and on passenger ships irrespective of size. The agreed to deadline for compliance was December 31, 2004.

Canada supports the IMO decision. Transport Canada is taking the lead in developing new regulations to implement the AIS provision. The Coast Guard will develop the shore-based receiver component of the AIS system. By the end of 2004, the above types of ships entering Canadian waters will be required to have a transmitting AIS on board.

International Ship and Port Security (ISPS) Code

This is one of the most far-reaching amendments agreed to at the IMO conference. Transport Canada notes that the Code “seeks to establish an international framework of co-operation between governments, government agencies and the shipping and port industries in order to detect and take preventive measures against security incidents affecting ships or port facilities used in international trade.” The Code comes into effect on July 1, 2004.

Transport Canada – as the Government’s designated authority – will implement the ISPS Code. The Department has said that its key responsibilities include “approving ship and port facility security assessments and plans, verifying compliance with the ISPS Code’s requirements, and exercising control and compliance measures on foreign ships in Canada.” The Code will impose significant requirements on shipping companies, port operations and governments, including the development of security plans and assessments. Transport Canada will spend \$ 17.7 million over the next five years on the regulatory and inspection costs.

Improved Coast Guard Surveillance

Witnesses told the Committee that the Canadian Coast Guard has become much more cooperative in identifying and tracking suspicious ships on behalf of other agencies, such as the RCMP, Canada Customs and Revenue Agency and the Canadian Navy. Before the Interdepartmental Marine Surveillance Working Group (IMSWG) was created to improve cooperation between government departments and agencies, there had been complaints that the Coast Guard was not always responsive to surveillance requests from policing agencies. Now it reportedly asks enforcement agencies what they require in terms of

providing identification of vessels of interest, tracking vessel progress, and providing helicopter support for surveillance.

High Frequency Surface Wave Radar

Please see discussion in Chapter 1, page 21.

Drones

Please see discussion in Chapter 1, page 25.

Great Lakes Screening

Enhanced security screening procedures for ships entering the St. Lawrence Seaway Great Lakes system (introduced in the aftermath of September 11) have been refined and agreed to by Canadian and U.S. authorities and were introduced at the opening of the 2002 shipping season.

Ships must report to the Canadian and U.S. Seaway management corporations 96 hours before they enter the St. Lawrence Seaway or Great Lakes. The U.S. Coast Guard and the Canada Customs and Revenue Agency special analysis units conduct the initial screening of the ship's information and submit the crew and passenger list to a centralized information centre.

Security boardings may take place before vessels enter the St. Lawrence Seaway or Great Lakes. Security boarding typically take place at Pointe-aux-Trembles or Montreal. But, depending on the case, a boarding could take place at Sorel or perhaps as

far away as Quebec City. A ship can be boarded if it does not report, reports incompletely, or is suspect for some other reason. Based on Transport Canada's assessment of the risk, it decides which Canadian federal government departments and agencies should comprise the boarding team.

If there were no information on the ship, then inspectors from the U.S. St. Lawrence Seaway Development Corporation and the Canadian St. Lawrence Seaway Management Corporation would board the ship and conduct a seaway inspection and risk assessment.

U.S.-Canada Surveillance Planning

Subordinate to the Canada-U.S. bi-national planning group is the Maritime Plans and Surveillance Working Group that will concentrate on bi-national maritime security and surveillance. This group will collaborate with groups like IMSWG and the NORAD Maritime Surveillance Working Group to create joint military plans.

More Funding for Fisheries Surveillance

The federal government has given Fisheries and Oceans Canada funding for additional fisheries surveillance, and requests for proposals have gone out to industry for some 4,000 to 5,000 hours per year of surveillance capability, multi-engined aircraft, radar, IR sensors and computers on board. Presumably fisheries surveillance could be dovetailed with security surveillance, in the manner that Coast Guard planes and vessels are now matching ships against "vessels of interest" lists being provided by other agencies.

Improvements at Ports

While it is the intention of this report to focus on security in Canada's coastal waters rather than at ports, it is worth noting that Canada Customs and Revenue Agency has introduced a number of improvements to its security measures at sea ports, and is cooperating with its counterparts in the United States to introduce improved security practices. Improvements include:

Passport Scanners

Primary inspection lines are now equipped with passport scanners to determine whether or not an arriving person should be referred to security as a high risk.

Ferry Terminal Benchmarks

Canadian and U.S. ferry terminals are now adhering to a series of joint benchmarks designed to improve security and enhance interception of passengers of interest.

Examining Canada-U.S. Vessel Identification System

Customs authorities in both countries are working on systems to capture as much information as possible regarding vessels entering their points, and consideration is being given to creating a joint Canada-U.S. vessel identification system.

Targeting Containers

Canada now has targeters of suspicious containers in two U.S. ports (Tacoma and Newark) and the U.S. has targeters in three Canadian ports: Vancouver, Montreal and Halifax.

Container Scanners

Canada Customs and Revenue Agency has begun using new technologies such as mobile/pallet gamma rays, scanning systems, radiation detection equipment, hand-held ion scans, remotely-operated vehicles, tool trucks, and biological and chemical weapons detectors in Montreal, Halifax and Vancouver. Several ports have Vehicle and Cargo Inspection Systems (VACIS) mobile gamma radiation scanners that can scan a container in five seconds, which officials in Halifax testified have led to the scanning or searching of 8 per cent of incoming containers, instead of the 3 per cent rate of recent years. Officials are also using, hand-held ion scans, pallet x-ray equipment and rolling container X-rays that were designed in Canada. U.S. authorities intend to introduce aspects of this system at American ports.

Sharing Security Tips

Canadian and American customs authorities have been examining each other's security setups to the end of introducing best practices at ports in both countries.

High-Risk Passengers

The two countries are also sharing information about passengers deemed to be high risk attempting to enter either country and have set up joint passenger analysis units in Miami and Vancouver.

But Canada Could Do Much Better

The Committee applauds the increased interest being shown in the crucial area of coastal surveillance. It does, however, have a number of recommendations to make that would further upgrade Canada's coastal surveillance matrix.

1. High Frequency Surface Wave Radar (HFSWR)

Several witnesses expressed enthusiasm to the Committee that this Canadian invention will add significantly to Canada's domain awareness. Two test systems are currently operating in Newfoundland, at Cape Bonavista and Cape Race. In addition to these two pilot projects, a full-fledged capital project is being designed. The Committee was told that the government has committed itself to funding five or six more of these HFSWR installations, which will focus primarily on high traffic areas frequented by commercial vessels, such as the Straits of Juan de Fuca, the Gulf of St. Lawrence, and approaches to Halifax. However, as mentioned earlier, this project has not yet gone to Treasury Board.

HFSWR would be a great boon to the concept of “layered surveillance” that the Committee has been advocating. Current tracking of vessels of interest is sketchy. Spotters such as Coast Guard officers may report a sighting and predict the course the vessel seems to be taking, but intelligence officers’ assessment of where any vessel may be at any given time is often based on information fed into the system as much as 24 hours earlier.

Vice Admiral Ronald Buck, Chief of Maritime Staff, Department of National Defence, extolled the virtues of this radar that “looks 200 kilometres out to sea” and that will help attach Canadian “eyes and ears” to approaching ships:

“We also have many other sources of information, whether it be vessel traffic management reports, reports from a number of our allies it is called white or commercial shipping that would all come into our operational centre, along with this [radar] data. It would be keyed to other information we have so that we would have a real-time picture of what is actually moving. That is a capacity that we do not have today.”

This is not a capacity that Canadian enforcement authorities will have in the majority of Canada’s coastal waters, even if the Treasury Board approves five or six additional installations. The Committee acknowledges that total surveillance of every spot on our coastlines would be beyond Canada’s resources, but believes the government should not restrict its HFSWR surveillance strictly to high-traffic approaches to major ports.

*“Everyone would love to cover off the entire coastline,” said **Mr. Frappier**, “but there are certain trade offs that must be made, in particular, for fiscal reasons. [We] had to ensure that we at least had coverage of the areas where most of the ships are coming in.”*

It is time that the Government of Canada made appropriate HFSWR coverage a reality, and that cost-saving not get in the way of a reasonable amount of coverage. High Frequency Surface Wave Radar has proven itself an effective tool within a coastal surveillance matrix, and it is cost-effective in comparison to satellite surveillance or continuous aerial patrols. (see appendix XIII, Volume 2).

2. Automated Identification System

AIS transponders were originally introduced to ensure that ships traveling at night, in fog, or in other difficult positions have a clear picture of where other ships are in relation to them, to avoid collisions.

In conjunction with High Frequency Surface Wave Radar, AIS receivers will allow surveillance personnel to separate the blips that are acknowledging their presence from those that are not. Those that are not reporting are likely to be of more interest for follow-up surveillance from aircraft or patrol vessels than are those that do report.

Class A transponders capable of both transmitting and receiving location data have come down in price as demand has increased. Such transponders currently cost in the neighbourhood of \$10,000-\$12,000, installed.

The International Maritime Organization has decided that Class A transponders must be installed in the ocean going vessels of all its members by December, 2004. Fishing vessels and other small vessels are not required to install a transponder under the IMO decision. Canada supports both these positions.

A Class B AIS transponder is now being developed. These transponders will be able to transmit, but not receive. The cost is expected to be much lower than that of Class A transponders – perhaps half the price.

3. Use of Transponders

Transponders, of course, require receivers if the data they transmit are to be of any use. In Canada, these receivers would be the responsibility of the Canadian Coast Guard under the Maritime Communications Traffic System (MCTS).

Canada's AIS receivers, according to **Admiral Buck**,

"would largely be focused on the choke points. The additional ones on the East Coast would cover the gulf area and approaches to the gulf. And on the West Coast, the Straits of Juan de Fuca, potentially up to the Queen Charlottes and those kinds of areas."

Again, the layered surveillance system will be confined to high traffic areas. Furthermore, current plans confine it to very large vessels. Again, in the words of **Admiral Buck**:

"Right now, the requirement for AIS will be on IMO-registered vessels of a certain size. As time goes on, we will see whether it is appropriate to apply that to other vessels. This is part of the consultation process that is going on right now. We are not yet sure whether fishing vessels will be required to have AIS."

To Dr. James A. Boutilier, Special Advisor (Policy), Maritime Forces, Pacific Headquarters, Department of National Defence, this presents problems:

"The problems lie in the expectation that these tracking devices will probably be on ships over 300 tons. A number of the ships that we are looking at, illegal vessels that are bought for \$20,000 or \$30,000, which is the amount that one illegal migrant will be charged for passage, could be below that threshold. The ship is completely expendable. It is a one way vessel. These vessels will be more difficult to track because they are small. They do not necessarily follow normal shipping routes, and they will not be subject to international pressure to have these automatic tracking devices."

4. Canada's Presence at Foreign Ports

In her appearance before the Committee, **Maureen Tracy, Acting Director General, Policy and Operations Division, Canada Customs and Revenue Agency**, spoke proudly of a joint Canada-U.S. program under which U.S. Customs officers have been placed at the ports of Halifax, Montreal and Vancouver to try to spot potentially dangerous cargo headed for the United States from Canada, while Canadian customs officers are placed at Newark, New Jersey, and Tacoma, Washington, to try to spot suspicious containers headed for Canada.

"The beauty of having the people in the U.S. and our Canadian ports," said Ms. Tracy, "is that we can use our systems to jointly target containers."

One must question whether terrorists or other types of delinquents wishing to target Canada would try to approach our shores *through the United States*, which has been on various colours of alert since September 11, 2001. Even if they were misguided enough to approach Canada via American ports, would they not prefer, having already arrived in the United States, to do their damage there?

Ms. Tracy acknowledged that the United States *"has a container security initiative where it places people at foreign ports."* However, she said, other than Tacoma and Newark, Canada is not interested in placing spotters at foreign ports in places like Europe or Asia. *"We do not believe that we need people at foreign ports."* She explained that there was no need to place people at foreign ports because, under the 24-hour rule, foreign ports can be advised to either search or stop shipments that Canadian intelligence experts suspect might be dangerous. *"We do not believe it is necessary to have an officer over there when you can do electronic targeting from home."*

When pressed by the Chair and Senator Banks as to whether Antwerp might not make more sense than Tacoma, Ms. Tracy confessed *"in theory I would have to agree with you."*

The Committee believes that CCRA should agree in practice, as well as theory. It suggests that putting people in Newark and Tacoma can only be window dressing to counterbalance the reality that the U.S. government is insisting on installing its agents at Canadian ports.

5. Drones

Drones, used by the United States in the 1991 Gulf War, are being successfully employed for surveillance around the world by far smaller countries than Canada. They are capable of scanning more than 500 kilometres off our coasts.

Drones appear to be a much better option for Canada than satellite surveillance or increased manned patrols. Satellite surveillance is extremely expensive to rent, and is not often used because it cannot be squeezed as a line item into the Navy's budget. **Dr. Wesley K. Wark, Associate Professor of History at the Munk Centre for International Studies, University of Toronto**, pointed out that our *Aurora* patrol aircraft, even if regular patrols were budgeted, are not properly equipped for modern surveillance:

"The Canadian Air Force lacks the resources for aerial reconnaissance over any of our major ocean and sea-going areas. When they conduct occasional patrols, they are forced to use antiquated aircraft, the Aurora patrol aircraft. These antiquated aircraft are functioning with obsolete sensor systems and without the latest technology."

(In fairness, while Mr. Wark is correct that the *Auroras* have been flying with outdated surveillance equipment for some time, the Department of National Defence has now addressed this issue. The Aurora Incremental Modernization Project has begun upgrading 16 of the 18 *Auroras* with new avionics, navigation and communications equipment.)

6. Advance Passenger Information

In the wake of 9/11, U.S. and Canadian authorities introduced a regime under which no aircraft leaves one country's territory destined for the other country's territory without forwarding a manifest identifying the persons scheduled to fly. This is known as the Advance Passenger Information/Personal Name Record.

Maureen Tracy told the committee that this system *"will broaden out into the marine cruise ship mode and ferry terminal mode at a later date."* She also said that part of the problem with expanding the system from air to sea has been that *"I understand that cruise ship lines have much more limited information."*

But a cruise ship *should* have as much information as airlines do, and advance information on passengers should be forwarded to Canadian authorities in a similar manner that flight information is forwarded.

7. RCMP Surveillance at Ports

The Committee noted earlier that surveillance at Canadian ports has been improved in a number of ways, most notably in the use of improved scanning technology.

The Committee regrets, however, that the Government of Canada has clearly under-funded new RCMP contingents at the ports of Vancouver, Montreal and Halifax that are supposed to deal with security gaps caused by the presence of organized crime. The RCMP originally asked for 24 officers to staff

investigative units at these three ports, and was funded for only eight officers. *It now realizes that even its original request for 24 was insufficient.* Furthermore, there is the danger that organized crime will fan out to Canada's smaller ports if the focus is on the three large ports alone.

Port surveillance is not the only area in which the RCMP is under-funded with regard to its maritime duties. RCMP helicopters are also scarce, according to the testimony of

ASSISTANT COMMISSIONER W. A. LENTON, FEDERAL SERVICES DIRECTORATE, RCMP: "Through the marine security memorandum to cabinet, we have requested more resources, In reality, from an investigative perspective, we received eight in total. Therefore we have now redeployed internally 16 to make up 24 investigators, so that we have a team of eight for each of the three major ports that are of concern at this time. An additional three are dedicated toward the intelligence side of things."

CHAIR: The so-called post 9/11 budget gave you eight additional people for ports in total, and you have reallocated since then?

A/Commr LENTON: " . . . our ultimate goal is to have eight dedicated permanent people in each of the three ports, Halifax, Montreal and Vancouver.

CHAIR: By what date?

A/Commr: That probably would be in place by the fall, I would expect."

SEN. ATKINS: How many helicopters are there for Canada?

A/Commr: There is at least one in Moncton and I think that they still have one in Newfoundland. I do not believe that they have one at "H" division. I believe the one in Moncton services both Nova Scotia and New Brunswick . . . "

SEN. ATKINS: That is pretty thin.

A/Commr: "The resources are thin, sir."

Recommendations

With respect to security SURVEILLANCE on Canada's coasts, the Committee recommends that:

- 2.1 At least eight and possibly more High Frequency Surface Wave Radar sites be installed to monitor areas of heavy traffic on Canada's coasts, plus other coastal sites that terrorists might target as alternates to high-traffic ports.
- 2.2 Tactical drones (Unmanned Aerial Vehicles (UAVs)) be introduced as surveillance aids off both coasts.
- 2.3 The government conduct a study to ascertain whether the use of higher-cost strategic drones should be introduced into Canada's surveillance matrix in the Arctic, as well as the east and west coasts.
- 2.4 The Department of Transport require all vessels of more than 15 tonnes to be equipped with transponders of at least Class B² capacity by 2008.
- 2.5 The Royal Canadian Mounted Police (RCMP) be designated as the lead police force at all Canadian air and sea ports with adequate funding to combat security breaches caused by the presence of organized crime at those ports.

² A Class B transponder is able to transmit but not receive.

- 2.6 Canada Customs & Revenue Agency (CCRA) personnel be relocated from the U.S. ports of Newark and Tacoma to major world ports where the likelihood of terror-related embarkations is much more likely.
- 2.7 Significant numbers of Canadian Security and Intelligence Service (CSIS) personnel be posted to major world ports to gather maritime intelligence.
- 2.8 All cruise ships, ferries and other vessels approaching Canadian ports be required to provide information on passengers and crew comparable to that provided to immigration officials at Canadian airports under the Advance Passenger Information/Personal Name Record Program.
- 2.9 Canada Customs & Revenue Agency (CCRA) ensure that there are adequate trained personnel to operate the new technology introduced at Canadian ports.
- 2.10 Goods confiscated by Canada Customs & Revenue Agency (CCRA) and Royal Canadian Mounted Police (RCMP) in conducting their normal duties be auctioned off and the funds raised be reinvested in the upgrading of policing capabilities.³

³ Parks Canada's revenues for entry fees at Canadian parks went up considerably after it was decided to partially reimburse parks for fees collected. Park wardens had previously been less than vigilant about staffing entry posts, since all revenues went directly to Ottawa.

CHAPTER THREE:

The Need to Improve Security

INTELLIGENCE

“Intelligence, in this world of security, is like the blood of our bodies. It is the essential nutrient that keeps the whole body impact moving. Information is like that blood. Intelligence is like that blood. We need a system of collection that continues to pump that intelligence and to put it forward before decision makers where it should be known.” **Dr. Thomas Axworthy, Chairman, Centre for the Study of Democracy, Queen's University**

“The real key is knowing that there is something abnormal in one of those ships.” **Vice-Adm. Ronald Buck, Chief of Maritime Staff, Department of National Defence**

Indeed, the key to coastal defence is having some knowledge that a vessel approaching Canada may have abnormal intent. Such knowledge is primarily based on good intelligence.

Intelligence has always been essential to national security. But it becomes vital when the threat is asymmetrical, meaning unpredictable. Canada is never likely to be a country of more than modest military capability, but if there is one area in which Canada could better contribute to the defence of North America and global stability, it is in the area of military intelligence.

To date, the federal government's focus has been on improved surveillance and communications between departments and agencies, rather than on improved intelligence and interdiction.

"I believe that security on the coasts and the Great Lakes has been close to non-existent. There were, and still are, large voids. The efforts have been moving toward improving communications in intelligence gathering. However, I do not think we have focused on what we would do with that intelligence." **John F. Thomas, Partner, BMB Consulting Services, Former Coast Guard Commissioner**

Gathering information, analyzing it, and putting it to quick and effective use depends on people, resources and systems.

Canada's intelligence community needs:

- Skilled line officers with an understanding of other cultures, good language abilities and training in the fine art of making connections to sources in the field;
- Sophisticated technical equipment;
- Intelligent leadership;
- Smooth coordination with police and military interdiction units;
- Clear pipelines to a broad range of intelligence sources in other countries.

Getting the Right Thinkers

One witness who is most critical of the federal government's failure to recruit the right people to analyze intelligence particularly outside government is **Professor Wesley K. Wark, Associate Professor, Dept. of History**, at the Munk Centre for International Studies, University of Toronto. His point: *"Until you get the analytical picture straight, all the money and time you spend on collection (of information) can be for nothing. You will not have anything of value to pass on to senior decision-makers."*

Dr. Wark told the Committee that part of the government's problem in building a good intelligence capacity is that it does not cultivate potential recruits from Canada's universities: *"Even in the aftermath of September 11, and with new money available to it, it does not really have a process in place for recruiting from outside the government."* Over the past two years, he points out, even those intelligence officers recruited from inside the government have been extremely overworked.

Historically, said Dr. Wark, Canada has not devoted adequate resources to intelligence. A vicious cycle has emerged in which decision-makers – inadequately, served by intelligence advisors – lose respect for the value of intelligence. It is particularly unfortunate, he said, that decision-makers undervalue the need for intelligence at a time when asymmetrical warfare has lessened the value of countries' fighting capacity and increased the value of its intelligence capacity.

" . . . We have an analytical system that is too diffused and dispersed, it exists in silos, it is too small, too uncoordinated and too haphazardly constructed in terms of the talent that is distributed throughout. I do not think it has really had the opportunity, or perhaps even the will, to stop and think about what the new requirements for intelligence analysis really are post September 11 . . . I believe that small analytical community was probably one of the most over-stretched and over-stressed resources in government . . . It is time to give it the tools it needs and to rethink its function from the bottom up."

Dr. Wark states that government decision-makers lack confidence in their intelligence advisors. Canada's intelligence personnel are too often perceived by decision-makers to be guessing, rather than knowing. This should not come as a surprise . Recent Canadian governments have not treated intelligence with the priority it deserves, have not done thorough searches for talented people outside government to upgrade the quality of analysis, and have not dedicated sufficient resources to keep personnel fresh and well-informed.

Getting the Right Thinkers Working in Unison

"Intelligence must be collected, analyzed and disseminated; good intelligence informs emergency planning which improves, in turn, performance in crisis management. At present we have gaps in every phase of this intelligence-preparedness security

continuum. " **Dr. Thomas Axworthy, Chairman, Centre for the Study of Democracy, Queen's University**

Under the current attempts to better share information that needs to be analyzed by intelligence personnel, the government has deemed it adequate that 17 departments and agencies are being encouraged to share maritime security information through the Interdepartmental Maritime Security Working Group using a simple system for alerting one another known as CANMARNET.

According to the Department of National Defence, CANMARNET is an unclassified website which it manages. CANMARNET provides a geo-spatial depiction of the Canada's unclassified Recognized Maritime Picture by showing where all known vessels could be found at a recent point in time. The website also includes windows that display information posted by other governments departments (Canadian Customs and Revenue Agency, the RCMP, Department of Fisheries and Oceans, and Citizenship and Immigration Canada) that might be useful for security purposes. There is no integrated email nor chat capacity. Information for the CANMARNET site is sent from departments voluntarily and separately, and must be compiled by DND.

The Interdepartmental Maritime Security Working Group (IMSWG) has recognized the inadequacy of this methodology, and commissioned a study to analyze the information requirements and holdings of the various government security partners in order to develop a better system.

This study, entitled *Maritime Information Management and Data Exchange Study (MIMDEX)*, was conducted by Montage DMC, a division of ATT Canada. It found *"the various departments and agencies concerned with maritime security lack the requisite information infrastructure and procedures required to bring together relevant security information, so that this information can be collectively analyzed."*

As a result of the study, IMSWG submitted a proposal to the Treasury Board in the fall of 2003 recommending a new information management model with new IT architecture to support it. MIMDEX would provide a "common repository of data that is strictly controlled through authentication and access control." MIMDEX is superior to CANMARNET because it is a stand-alone web-based network with dedicated operators who can pass information, communicate in real time, and maintain awareness of other departments' concerns.

In its first iteration, says DND, the MIMDEX system will operate at the "PROTECTED" level of security and it will have the capability to emigrate into a "SECRET level" government network sometime in the future. This system will have many advantages including: displaying geo-spatial information in close to "real time," allowing updates by members on-line, and email and chat. Reference material in a shared on-line database will be available for participating government departments and a system will be put in place to allow each member to "flag" or alert others about particular concerns. This is a novel system that allows interdepartmental collaboration while remaining within Canadian Privacy and Charter Laws.

In short, MIMDEX is superior to CANMARNET because it is a two way (or multi-way) system that allows the marine

community to interact in real time to better share information and alert each other to possible challenges or threats to marine security.

MIMDEX was "approved in principle" by the Interdepartmental Marine Security Working Group in July, 2003. The selected contractors ("All Stream" Company) briefed the IMSWG on the Implementation Plan at the end of August and received direction to move ahead with the project. The funding for MIMDEX will be in place if the Treasury Board submission for the IMSWG Coordination Fund (from which MIMDEX funds will be drawn) is approved.

There is no doubt in anyone's mind that MIMDEX offers a much more sophisticated system of sharing intelligence than CANMARNET and that a new system is badly needed. Two years after September 11, 2001 IMSWG described by Transport Minister David Collenette as the "the centrepiece" of improved Canadian maritime security, is still communicating through a clumsy, outdated system.

Thinking in Unison – Beyond the Technology

But the problem with assembling information for analysis goes far beyond second rate technology. The problem lies with multiple jurisdictions – any one of which might be assigned the "lead" during any crisis – trying to create a cohesive security structure when nearly all of the components of that loose

"structure" are mandated with other priorities. This is ad hocery at its Canadian best.

In fact, this multi-headed Hydra is still wrestling with the question of whether it is constitutionally permissible to share vital intelligence across jurisdictional boundaries:

"Several [IMSWG] subcommittees have been put in place. With the diverse departments and their mandates, they have an ability to collect various amounts of information on vessels and on people in those vessels coming into Canada or within Canada. We are looking at the ability to share that information between departments. The Department of Justice is helping us extensively with that activity. We must ensure that the information gathered was gathered for an appropriate reason, and, if it is shared, that it is permissible to be shared." **Capt. Peter Avis, Director, Maritime Policy, Operations and Readiness, Department of National Defence**

Not only has this assembly of various mandates and interests not yet overcome the hurdle of whether or not it can always share sensitive information, there are components of this network who are not always sure they *want* to share information, or are confined by statute *not* to share information:

"There is a downside to sharing information unless you know what you are sharing. The intelligence system can quickly feed upon itself. Before you start sharing something, the first thing you must do is ensure that your data is accurate, that it has been independently confirmed, and that it is not confirmed independently by someone else feeding information into the loop. That is very important. Then, depending on the scenario, it is a question of whom you share the information with so that

you can respect the integrity of the ongoing investigation. In the area of national security, the technique and the sharing and the persons involved will be somewhat different than in the case of an organized crime investigation, because the interests of Canada are at stake." **Assistant Commissioner W. A. Lenton, Federal Services Directorate, RCMP**

Even if the diverse group of interests represented by the Interdepartmental Maritime Security Working Group does some day manage to overcome the difficulties of sharing information, there will always be a time lag as the various parties decide which of its many components should take the *lead* during a given crisis. Perhaps that lag time will only be measured in minutes, but perhaps it will be measured in hours that should not be wasted during a crisis.

It is the Committee's belief that the federal government's general methodology for attempting to assemble intelligence through committees like IMSWG resembles the use of voluntary fire brigades. Voluntary fire brigades are made up of people who generally have other priorities in their lives - people who may, or may not, be available when the alarm goes off. They are useful in small communities where no full time emergency resources are available. Canada is not a small community. Canada must be able to assemble and coordinate the full time resources needed to focus on threats to the security of its people in minutes. It must be able to act quickly in times of crisis.

Canada has or should have access to sophisticated thinkers capable of acting quickly and intelligently, in harmony, under strong leadership, when crises arise.

The Committee believes that the Government of Canada should listen to the words of some wise observers who testified before us on this issue:

"The key things are centralized command and control, and centralized intelligence analysis. Those things are fundamental . . . Somehow you have to transform that interdepartmental committee, which does not sit at a terribly high bureaucratic level, into something with teeth, so that someone can say "This is bad." There has to be an avenue by which such urgent matters can be taken into cabinet, decisions made and directives given." **Peter T. Haydon, Senior Research Fellow, Centre for Foreign Policy Studies, Dalhousie University**

"Given that intelligence is the most important aspect of security, we cannot afford to nickel and dime the infrastructure that will process the information." **(Retired) Vice-Adm. Gary L. Garnett, National Vice-President for Maritime Affairs, Navy League of Canada**

"Until we can break down that sense that Canadian government operations consist of separate compartments that link, for better or worse, with others, and [adopt] a coherent system of cooperation, clearly defined roles and a broadly spread sense of the value of intelligence, I do not think we will get very far." **Prof. Wesley K. Wark, Assoc. Prof., Dept. of History, Munk Centre for International Studies, University of Toronto**

The Committee's recommendations in *Defence of North America: a Canadian Responsibility*, included the following:

- **The Coordination of all Canadian resources including Navy, Coast Guard, Air Force, Army, Citizenship and Immigration Canada, Canada Customs and Revenue Agency, police forces and agencies responsible for intelligence and satellite surveillance to improve defence of Canada's coastlines. (Recommendation #2 page 13)**
- **Effective coordination and utilization of the numerous monitoring resources such as: Shipping position reporting system, Canadian Navy assets to include the Maritime Coastal Defence Vessels and Canadian Patrol Frigates, satellite tracking resources, routine Aurora flights, Department of Fisheries and Oceans patrols and intelligence, the Canadian Coast Guard patrols and intelligence and the Royal Canadian Mounted Police patrols and intelligence. (Recommendation #2 page 14)**
- **Establishment of multi-departmental operations centres at Halifax and Esquimalt capable of collecting and analyzing shipping intelligence to provide a combined operational picture for all government agencies that deal with incoming vessels; to address coastal threats to North America, while designing procedures to deal with all anticipated threats. (Recommendation #3 page 14)**

The emphasis in these recommendations is on:

- fusing Canada's surveillance and intelligence resources
- centralizing command and control for quick action during times of crisis

These two imperatives - consolidation and centralization - are particularly crucial in the field of intelligence. It is essential that our decision makers, during crises, have as complete a picture as possible of the threat they face, and that this picture is transmitted to them from one command and control centre in a timely fashion.

The RCMP and the Canadian Navy both maintain operations centres on Canada's East and West Coasts. In terms of intelligence gathering, this makes no sense. The Committee believes that

There is a need for one Canadian security operations centre on each coast that fuses information gained from surveillance and by other means and funnels it to a command centre in Ottawa, where intelligence experts can analyze this information and correlate it with information gained elsewhere from CSIS, from our international allies, from every credible source.

This testimony epitomized Canada's fragmented approach to security operations:

Chairman:

"Has the Navy been entrusted with operational coordination at Esquimalt and Halifax?"

Gerry Frappier, Director General, Security and Emergency Preparedness, and Chair of Interdepartmental Marine Security Working Group, Transport Canada:

"With respect to information and understanding of the current state of play of vessels and vessels in the system, yes. However, with respect to operational aspects, the answer would be 'not completely.' For instance, customs would be doing their own set of things and the RCMP would be doing their own activities ... "

This testimony supported the Committee's belief that reform is badly needed:

Vice-Admiral (Ret'd) Gary L. Garnett, National Vice-President for Maritimes Affairs, Navy League of Canada:

"It is our view that the picture should be completed locally on each coast and then provided to a national centre, which will have many additional roles, such as commanding deployed Canadian Forces, operations beyond that of pure domestic security."

A maritime security centre or operations centre or whatever we want to call it must have intelligence, fusion and decision-making components, giving it the ability to identify and evaluate threats and implement an appropriate response. These centres would most logically be managed by the navy but must include permanent officers or officials from other government departments, such as DFO, RCMP, CCRA, Environment, Customs, etc. Those officers would coordinate intelligence efforts and advise the command structure as subject-matter experts for their field of expertise.

When important responses or threats or crises are being considered, higher level officials from their respective departments would move into this maritime operation centre, and these officers would then act as their staff officers. We see great benefit in integrating maritime security centres with the existing naval operational centres and command structure. Technology enables the real time sharing of information, and it is certainly possible to add additional strategic level intelligence nationally without hampering the operational effectiveness obtained by close coordination at the coastal level."

Dr. James A. Boutilier, Special Advisor (Policy), Maritime Forces, Pacific Headquarters, Department of National Defence:

“Earlier testimony embraced a debate as to whether there should be bicoastal operations centres collecting data or one inter agency centre in Ottawa. My own feeling is that there should be both. The two environments are different, but complementary. Halifax and Esquimalt have a feel for regional maritime conditions that a centre like Ottawa is unlikely to have. Conversely, an operations centre in Ottawa will operate in a “political” environment, able to bring together information from both coasts, assemble it, analyze it and disseminate it at the highest levels.”

Recommendations

In addition to repeating the three recommendations listed above, from our report *Defence of North America: a Canadian Responsibility*, the Committee recommends that:

- 3.1 The government expand its cadre of intelligence analysts in the wake of reports that too few people have been assigned to do too much critical work.
- 3.2 The government move immediately to upgrade its recruitment of intelligence officers from Canadian universities and other institutions outside the public service and that those universities and institutions make wider use of instructors from outside Canada with insights into other cultures.
- 3.3 The government increase funding for the training of people with the kinds of language and cultural skills that the Canadian intelligence community needs to draw from.
- 3.4 The government treat the quick introduction of the Maritime Information Management & Data Exchange Study (MIMDEX) information-sharing system as a priority.
- 3.5 The government expand information-sharing among departments, agencies, police forces and the military, recognizing some potential limitations required by the Charter of Rights and Freedoms as well as confidentiality guarantees sometimes required by foreign intelligence sources.

CHAPTER FOUR:

The Need to Improve Canada's

INTERDICTION CAPABILITY

in its Coastal Waters

Who defends our coasts?

The Committee concluded that it isn't the Canadian Navy. The Navy appears to be primarily a "blue water" fleet, mandated to fight Canada's battles away from Canada's shores.

The Navy does own a fleet of what are known as maritime coastal defence vessels (MCDVs), but their primary use is training naval reserves. As Vice-Admiral Ronald Buck, Chief of Maritime Staff pointed out, the navy sees its role in coastal defence as largely one of surveillance.

Does the Canadian Coast Guard defend our coasts? Not really. Neither our Coast Guard vessels nor the personnel on board are armed. Most Canadians probably assume that their Coast Guard is out there protecting our coasts in the manner of the U.S. Coast Guard (often called the third-largest Navy in the world). Not so.

The Canadian Coast Guard, like the Canadian Navy, sees its security role as supportive – an extra chore thrown on top of its more clearly defined roles of search and rescue, ice-breaking,

charting navigable waters, setting out buoys, checking for fisheries and pollution violations, checking for vessel safety, etc.

The Canadian Coast Guard comes under the jurisdiction of Fisheries and Oceans Canada. Coast Guard vessels do, upon request, conduct security surveillance and will carry officers from Customs, Immigration, the RCMP, Fisheries and Transport Canada on possible interdiction missions, but this is a tertiary responsibility. The Coast Guard is not funded to perform this role in a regular way.

During the so called Turbot War of 1995, 50 calibre guns were mounted on two Coast Guard vessels and Coast Guard personnel were given some basic training and sent out to the 200 mile limit to interdict a Spanish fishing vessel. Did Coast Guard personnel enjoy playing a constabulary role in this confrontation? Not according to the testimony of **John Adams, Coast Guard Commissioner**: *"It scared the living daylights out of the Coast Guard. I think they fired on them once over the bow, but I am not sure. They could not get the guns off the boats fast enough."*

The Committee was told by more than one witness that it might take decades to change the Canadian Coast Guard's culture from one of ship hands going about their various observatory and regulatory functions to a Coast Guard with a more constabulary role.

The Committee stated earlier in this report that we believe it is essential that Canada, a country of limited military capacity, find ways of squeezing the maximum out of the resources it *does* possess in the interest of countering all types of illicit behaviour on our coasts, particularly terrorism-oriented.

This isn't happening. Canada has a number of agencies playing a variety of supportive roles such as surveillance and ferrying, for the most part but it is largely left to the RCMP to provide the teeth in times of emergency.

The RCMP, of course, has a multitude of other duties, most of them on land. RCMP officers play a useful role on our coastal waters, as they do on land, but coastal patrol is not the focus of the RCMP. The agency's capacity to interdict on the Great Lakes, is almost non-existent, for example, in terms of armed boarding of ships: *"We do not have the resources, equipment or training in the central region as opposed to either coast,"* acknowledges **Supt. Ken Hansen** of the RCMP's federal services directorate.

The RCMP's capacity to interdict vessels on Canada's east coast is not what anyone would describe as muscular. In Nova Scotia, for example, **Chief Superintendent Ian Atkins, of the Criminal Operations Branch, Province of Nova Scotia, Royal Canadian Mounted Police**, told the Committee that the RCMP has exactly 13 officers dedicated specifically to the coast of Nova Scotia, backed up as required by 32 other officers who are emergency response trained for armed boarding of ships. Chief Supt. Atkins described the RCMP's watch over the coasts that it is mandated to police as essentially volunteer-based, with RCMP officers sent out to encourage the public to recognize and report unusual behaviour. In his words:

"The RCMP has 13 resources dedicated to marine security. This is leveraged by additional resources from partner agencies, Halifax Regional Police, Canada Customs and National Defence. The

coastal policing by the RCMP is essentially a volunteer-based coastal watch program. The RCMP has two full-time coordinators and utilize local RCMP detachment personnel to educate the public and help them to recognize and report unusual coastal occurrences."

Asked whether the RCMP might be somewhat short-staffed to act as the "teeth" of Canada's coastal security, **Chief Supt. Atkins** had to agree:

"We identified the impediments to marine security. One of the most significant is the lack of perhaps dedicated resources, as I said, 13 RCMP resources for a 7,400 kilometre coastline. We rely on the consent of the public to assist in the identification of unusual activities."

Pretending to Defend

When Canadian Navy witnesses tell us that their role in defending our coasts is supportive, when Canadian Coast Guard witnesses tell us their role in defending our coasts is supportive, and when an RCMP witness tells us that he has 13 officers to police 7,400 kilometers of the Nova Scotia Coastline and no dedicated resources to board a vessel in the Great Lakes and in the St. Lawrence Seaway, it is not difficult for the Committee to come to this conclusion:

Canada's coasts are virtually undefended.

What to do? The need for additional resources and personnel is obvious.

But the Committee does not believe that Canada is using the resources it does have – most notably the Canadian Coast Guard – in a way that would better secure Canada's coastal waters. Nor does it accept the two explanations we heard most often as to why it cannot play a more muscular role:

- that current Coast Guard personnel and their union would rebel against the requirement that officers or ships bear arms
- that it would take decades to transform the Canadian Coast Guard into a constabulary force

Those are the messages we heard most often from Canadian Coast Guard officials, who, not surprisingly, defended their institution's current role and its performance in the face of obvious under-funding. While Coast Guard officials made no complaints about funding in their statements to the Committee, when questioned, they did not deny the existence of a serious problem:

Sen. Forrestall: "As I understand it, your organization is in need of funds."

Mr. John Adams, CCG Commissioner: "The Coast Guard is hurting right now."

When Committee members probed other witnesses as to whether the Canadian Coast Guard currently has the resources to play a constabulary role on Canada's coasts, the replies were uniform "no". There has been a severe depletion of vessels and personnel in recent years. More than half of CCG vessels are past their half life, and it would cost an estimated \$350 million just to bring them up to strength to perform the roles that they are mandated to play now.

In the words of **Dr. James A. Boutilier, Special Advisor (Policy), Maritime Forces, Pacific Headquarters, Department of National Defence**: *"It strikes me that, for the moment, the Canadian Coast Guard is unable to fulfill even its existing mandate, let alone take on additional roles."*

And yet Dr. Boutilier, an expert on what other countries around the world are doing, believes that the possibility of expanding the CCG's capacity in order to give it a constabulary role could be the best route to go:

"That is certainly the way in which more and more governments in the Asia-Pacific region are heading. In the Australian context, there was mounting concern about the utilization of the Navy, in the words of one observer, to 'punch holes' in the ocean in search of illegal migrants . . ."

The Australians are currently pumping \$500 million into a stand alone Coast Guard, distinct from the Australian Navy. Which brings us to consideration of the Canadian Navy's responsibilities. Requiring and funding the Canadian Navy to fulfill its primary mandate of defending Canada's borders, would, of course, be an alternative to bolstering the role of the

Canadian Coast Guard. But several witnesses have argued that the Navy's ships are generally too big, too slow and too expensive to efficiently deal with threats in our littoral waters.

Navy officials and advisors have certainly made it clear that they believe their primary responsibilities lie far from Canadian shores. In the words of **Dr. Boutilier**:

"... increasingly, our Navy's strength lies in long-term deployments ... we can no longer denominate our national security in purely parochial terms. More and more we will be obliged to utilize such highly sophisticated vessels in such a way. It is probably inappropriate to utilize such highly sophisticated vessels [for coastal security]."

The Navy's coastal defence vessels could be used to patrol, rather than train, reserves. But then training would suffer, and the training capacity of Canada's armed forces is already inadequate because personnel who should be training have been pushed to the limit serving overseas. Furthermore, as **Vice Admiral Ron Buck** pointed out:

"The Navy's maritime coastal defence vessels are not optimal to do interdiction: their top speed is 16 knots. They are beamy. They were designed for patrol and mine warfare."

The truth is that even if funding for the Canadian Navy were to be increased dramatically – an unlikely eventuality – the Navy would resist taking on a new coastal role simply because it has so many other priorities to fill after years of under-funding, to the point that Navy officials have announced that the Navy is

essentially taking a pause for a year off in an attempt to regenerate the institution.

With respect to mandating the Canadian Coast Guard to take on constabulary responsibilities to fill the clear gap in Canada's coastal defence, the Committee was particularly impressed with the testimony of **John F. Thomas**, now a partner in a company known as BMB Consulting Services, but formerly commissioner of the Canadian Coast Guard. Mr. Thomas told us that earlier testimony suggesting that Coast Guard personnel were uncomfortable with their role in the Turbot War intervention in 1995 were untrue "*there was a great deal of pride about what was happening*" and that Coast Guard personnel that he had spoken with before testifying told him they would not be opposed to operating as armed peace officers:

"Each of those five agreed wholeheartedly with me that the resistance would not occur. If it were a question of trying to do it with the existing funding, then resistance would occur."

As Mr. Thomas pointed out, carrying a side arm is high risk venture, but so is search and rescue, which is repeatedly conducted by the Canadian Coast Guard. He called on the Canadian government to set up the Coast Guard as an independent agency, rather than as an adjunct of Fisheries and Oceans Canada, and saw it operating somewhat like this:

"It is likely that all of the watch-keeping officers would be peace officers, and that a cadre of maybe ten people would be trained for each of the larger vessels . . . at the other end of the scale, currently these SAR vessels are manned with three people, a very small crew who would deal with smaller "target" vessels.

You are not talking about an armed commercial vehicle. As they [the Coast Guard vessels] are usually close to the coast, I do not know that targeting a large commercial ship would happen very often, but if a suspicious situation arises, you need to be able to stop the vessel and conduct an investigation. If there is a requirement to call in a larger vessel, they can do that within the Coast Guard or, depending on what they find, within the Navy."

The Truth About the Coast Guard's Potential

During the summer of 2003, the Chair and officials of the Committee met informally with a number of Coast Guard union officials representing officers and other ranks and discovered that the overwhelming reaction was just what John Thomas had described: a willingness even an eagerness to operate as peace officers along Canada's coasts and on the Great Lakes, as long as they were provided with adequate personnel and resources to perform that role, on top of their multitude of other roles, and as long as they were trained and compensated in accordance with their new responsibilities.

In late September the Committee heard testimony from CCG union officials in Halifax. Considerable bitterness was voiced concerning the Coast Guard's treatment under the jurisdiction of the Department of Fisheries and Oceans:

"When we were with Transport, we were part of the air-surface-marine transportation safety and security network. I remember that. I joined the Coast Guard when we were with Transport. The Treasury Board study on fleets in 1990 really was pointing in the right direction for many of the Coast Guard services.

We took that hard left turn in 1995, and we have been paying for it ever since. We were nothing but a cash cow to DFO. Major monies, \$200-million I believe in 1997 or 1998, diverted to DFO programs. That is what happens today. We are merely a trucking service. " **John Fox, Regional Representative, Nova Scotia, Union of Canadian Transport Employees**

"The Canadian Coast Guard is stretched, stressed and insolvent. That is the good news. The bad news is the DFO is mortgaging Coast Guard's future to pay for its present. We should ask that this Committee have the courage to stand up and confront the deluded senior managers of DFO who continue to claim that all is well, while those in the front lines know this not to be true. Chronic under-funding, over-commitment, and government neglect is causing irreversible damage to the Coast Guard. The service is poised on the brink of a downward slope towards irrelevancy, if someone does not step in and say, enough is enough. We ask you to give serious consideration to re-building the Canadian Coast Guard to its once proud level, and that it be given a major position in ensuring maritime security in Canada." **Michael Wing, National President, Union of Canadian Transportation Employees**

The union representatives generally agreed that it would be a formidable endeavour to transform the Canadian Coast

Guard from an unarmed civilian agency to a constabulary agency. But they acknowledged that it could be done, provided that personnel were adequately compensated for carrying arms and provided that adequate resources were provided for them to expand their duties:

Sen. Smith: Do you believe that the Coast Guard should be changed so as to have some degree of armed vessels and armed staff?

Mr. Wing: Senator, we do not have any problem with the mandate of Coast Guard changing to take on those additional responsibilities and that includes the arming of those vessels.

Sen. Smith: We understand there would be cost ramifications.

Mr. Wing: Right.

Sen. Smith: I do not know that they are prohibitive, so you are okay with that.

Mr. Wing: Yes.

The Committee believes that the Canadian Coast Guard should take on constabulary responsibilities.

Since the Coast Guard will need new vessels in the near future at any rate, there should not be a problem in providing it with

cutters capable of carrying adequate personnel and equipment, and of pursuing at a speed of 20+ knots, to carry out this additional mandate. Another option, recommended by Mr. John Dewar, was for a new cutter. Mr. Dewar testified to the Committee on June 2, 2003 that an adequate replacement cutter could cost \$55 – 100 million each (see appendix X, Volume 2). The final cost would depend on the sophistication and density of the sensor and communications technology selected for installation. Mr. Dewar argued that the vessel should be about 75 meters long and have a minimum speed of 25 knots. It should also be able to accommodate a maritime helicopter (cost of the helicopter is not included in the cost for the vessel mentioned above), deploy boarding parties in high sea states, and stay out to sea for 30 days at a time.

The Canadian Coast Guard is a valuable Canadian resource, with more than 4,400 employees, supported by 5,100 auxiliary volunteers, operating 107 vessels, 27 helicopters and two fixed wing aircraft. It operates out of 11 bases, with 1,000 personnel on the Pacific Coast, 550 in Central and Arctic Canada, 780 in the Quebec region, 860 in Newfoundland and about 960 in the Maritimes (see appendix IX, Volume 2). No institution is more familiar with Canada's coastal waters.

The Canadian Coast Guard could become an even more valuable Canadian resource. The Committee faced no shortage of witnesses who agreed with the Committee's consensus that the CCG is an underutilized resource:

"An armed Coast Guard is a much more cost efficient means of interdicting vessels of interest close to our shores than the more costly destroyer or frigate . . . We heard in your previous testimony that if a Coast Guard cutter happened to come across

an illegal act, it would be impotent to do anything about it, and that is a shame. I do not think Canadians are aware of that.

There must be a policy, a policy that in part provides our Coast Guard a new mandate, a mandate worthy of the name "Coast Guard." **Commodore (Ret'd) Hans Hendel, Consultant, Canadian Forces Staff College**

" . . . Granting the Canadian Coast Guard policing powers on the sea would allow, I humbly submit, the RCMP to concentrate its resources more on the terrestrial domain . . . Many coast guards around the world possess a policing role. As matter of fact, the majority of coast guards throughout the world have a policing role. They are most often defined in this respect and thus have the necessary equipment and trained personnel to do that kind of work. What would it take to equip our own Canadian Coast Guard with a law enforcement role? I am thinking specifically of drug interdiction, illegal immigration and anti smuggling. Not only could such a determination reduce the degree of the politicization that I mentioned a moment ago that is often associated with defence operations, but it could also spell some economic advantages in the deployment of smaller, more cost effective platforms such as fast rescue craft and patrol boats with smaller crews. It could also lessen the already heavy workload of our federal police force and our Navy." **James C. Kelly, Research Fellow, Centre for Foreign Policy Studies, Dalhousie University**

"In the military, when we conduct operations involving more than one area of expertise let us say with Army and Air Force and Navy we create a command and control system that respects the individual capabilities and expertise of those various components. We call those who control the operation

'component commanders.' Conceptually, there is nothing wrong with the Coast Guard being an additional component commander within a command system that is mandated by a policy that says, yes, under certain circumstances, the Coast Guard component commander will respond to the needs of the particular mission. In fact, when you think about it today with the search and rescue mission." **Commodore (Retired) Hans Hendel, Consultant, Canadian Forces Staff College**

To repeat, it is the view of the Committee that the Canadian Coast Guard should play a constabulary role on Canada's coasts. Not every Coast Guard officer would have to be a peace officer, but all watch officers certainly would be. Rather than thinking of a new Canadian Coast Guard as "paramilitary" a description that fits the U.S. Coast guard the Canadian Coast Guard would perform its traditional roles, but have the weaponry to intervene when criminal behaviour is transpiring, or appears that it will transpire. The role would be constabulary.

While the Canadian Coast Guard would continue to perform duties for various departments and agencies, it would be an independent agency, reporting to Parliament through its own Minister. However, national security would take precedence over the Coast Guard's other duties. Coast Guard assets would be on call, and responsible to, coastal operations centres at Trinity and Athena in situations threatening national security.

Other countries around the world are beefing up their coast guards to defend against the new realities of an increasing unstable world. So should Canada.

Reinventing the Coast Guard

Here is the Committee's proposed structure for the Canadian Coast Guard:

1. The Canadian Coast Guard would have an independent headquarters.

2. Finance the organization as follows:

National Security Tasks	Directly by Appropriation
Search and Rescue	
Boat Safety	
Canadian Coast Guard Auxiliary	
General Administration	
Fish	Charge backs to Fisheries and Oceans
Environment	Charge backs to Environment
Navigation Aids	Charge backs to Transport
Ice Breaking	Charge backs to Transport or contract out as required
Customs	Charge back to CCRA
Immigration	Charge back to Immigration

3. Coast Guard assets would be on call and responsible to coastal operations centres (Trinity and Athena)

4. It would have constabulary powers, all watch keeping officers and an appropriate number of crew members to have peace officer status.
5. Coast Guard vessels would be provided with appropriate armament, including:
 - a) Side arms and protective equipment in all vessels
 - b) 50 calibre machine guns or similar equipment on mid-sized vessels
 - c) Bofors or similar guns on larger vessels
 - d) Necessary boarding equipment
 - e) Equipment necessary for self-defense and personal protection.
6. Training and Pay
 - All officers and crew who have police powers and those who may conduct boarding should receive training at Coast Guard College in Sydney (this type of training has been provided at RCMP Training Academy, Regina).
 - Personnel would also receive training in specialized fields such as enforcement of federal laws relating to environment, fisheries, customs and immigration.
 - Remuneration for Coast Guard personnel undertaking new responsibilities would be increased accordingly.
7. Vessel Renewal Program
 - Older vessels should be replaced
 - New fleet design should take into account new responsibilities
 - Initially two new cutters would be required for each coast

- According to DND (see appendix XIII, Volume 2), the most critical maritime surveillance areas are the high-traffic 'choke points' on each coast. Essentially, these areas comprise 200-nautical mile square zones (102,400 square kilometers) around the entrance to the Straits of Juan de Fuca (west coast), the entrance to Halifax Harbour (east coast), and the Cabot Strait entrance to the Gulf of St. Lawrence.

8. Canadian Coast Guard Auxiliary

- The Canadian Coast Guard Auxiliaries (CCGA) is made up of almost 5,000 dedicated volunteers and 1,600 enrolled vessels. The six Auxiliaries that have been federally incorporated as non-profit associations are: CCGA National, CCGA Pacific, CCGA Central & Arctic, CCGA Quebec, CCGA Maritimes, and CCGA Newfoundland.
- The CCGA contributes significantly to search and rescue and the promotion of safe boating activities. This work should be continued encouraged and continued.

Canada also needs a more robust interdiction capability on the Great Lakes and other inland waterways. The Canadian Coast Guard will take some time to reorganize, and even when it is, it should not be the sole agency responsible for policing Canada's coastal waters.

Resurrecting the RCMP Marine Division

No One in Charge

The Members of the Committee have been struck that no one federal government department or agency appears to be responsible for marine security in the St. Lawrence Seaway, the St. Lawrence River, the Great Lakes, and the Fraser and Skeena Rivers. **Rear-Admiral (retired) Bruce Johnston, a former Commander of Canada's Pacific fleet**, touched on the need for a lead marine security organization when he appeared before the Committee on April 28, 2003. During a discussion on surveillance, Admiral Johnston testified that the real challenge is to use existing resources as effectively as possible. *"Short of that," he commented, "there is not a lot that we can do. Without the change in mandate to actually put someone in charge, there is not a lot we can do"*

John F. Thomas, a former Commissioner of the Canadian Coast Guard, also noted that no organization was dedicated to the policing and surveillance of the Great Lakes, inland waterways, and coasts. He told the Committee on June 9, 2003, that *"in the Great Lakes, the navy would not do that work."* The Coast Guard, on the other hand, does not have the training or mandate for law enforcement. Mr. Thomas said that the issue is *"what do we need from the point of view of our own policing security. It is a matter of making the best use of the capacity that you have."*

There is a fairly extensive capacity within the Coast Guard that needs training, and that would need a mandate."

To Mr. Thomas, there is an obvious need for an institution that is focussed on marine security and policing. *"I believe,"* he argued, *"that security on the coasts and the Great Lakes areas has been close to non-existent. There were, and still are, large voids."*

The Committee is of the same view. Significant vulnerabilities currently exist along Canada's maritime approaches and major inland waterways that are undermining national security. It is regrettable that these areas are being overlooked. The situation at the southern Canada-United States border, in contrast, is more encouraging. The RCMP is involved in the multi-agency Integrated Border Enforcement Teams that are doing excellent work targeting cross-border crime and enhancing border integrity.

The Threat

The Committee believes that the St. Lawrence Seaway, St. Lawrence River, Great Lakes, and the major inland waterways such as the Fraser and Skeena Rivers are insecure. A wide variety of threats could come from these high-traffic areas. For example, a vessel carrying a bomb could travel up the Seaway, or disembark terrorists somewhere along the St. Lawrence River, or bring a weapon of mass destruction into Canada while travelling up a major river. The Committee is also aware that smuggling is a problem in the Cornwall / Akwesasne Reserve area.

The Committee has long been concerned about the prevalence of organized crime at Canada's ports and the inadequate level of policing. This, it has noted, can lead to insecurity and heighten the country's vulnerability to terrorism. The Committee's first report, *Canadian Security and Military Preparedness* (February, 2002), stated that **the RCMP lacked the funding to deal with crime and terrorism at the ports**. The report determined that the problem of port crime, because of its implications for national security, needed to be addressed publicly and immediately.

The Committee therefore recommended, in February, 2002,

that a public inquiry, under the Inquiries Act, into significant ports be established as soon as possible, with a mandate that would include:

a. a major review of overall security at the ports and the development of a national approach to recruiting, training, and the retention of security personnel;

b. examination of the degree of control that organized crime has over Canadian sea port operations, as well as the relationship between such control and threats to national security; [and]

c. an assessment of the potential for the use of Canadian ports to further terrorism.

(Recommendation #8 page 129)

Unfortunately, the Government has not implemented this important recommendation by calling a public inquiry.

The Committee therefore reiterates its recommendation that a public inquiry be struck under the Inquiries Act to look into the vulnerabilities to crime and terrorism at Canada's ports.

The Committee also saw that the RCMP needed a bigger role not only at ports, but also airports. *Canadian Security and Military Preparedness* recommended that

a federal agency be created that will be responsible for selection, training, and supervision of persons and systems responsible for passenger and baggage screening at airports and that this agency report to the RCMP. (Recommendation #13 page 130)

This RCMP-managed agency still does not exist. **Captain Don Johnson, the President of the Air Canada Pilots Association**, recently commented on this. In a letter that was copied to the Committee, he said that *"our Association has been consistent in highlighting the requirement for one federal government agency, subject to public oversight, to oversee all aspects of the aviation security network."*⁴

⁴ Don Johnson, "Letter to David Collenette," (25 September 2003): 1. For the complete text, see Appendix XIV, Volume 2 to this report.

The Committee was disappointed to learn that, when the Canadian Air Transport Security Authority began operations in 2002, it was as a crown corporation that reported to the Minister of Transport, rather than to the Solicitor General through the RCMP.

Changes to Transport Canada's Role

The Committee is of the view that Transport Canada has the capacity to be a regulatory body, but does not have the resources for an operational role.

Transport Canada should continue to monitor and provide regulatory oversight of air traffic control, vessel registration, air and sea worthiness, and other similar matters.

Security, however, should fall under the Solicitor General's mandate. The Committee believes that the necessary amendments should be made to legislation to make this so.

The RCMP performs a valuable policing and security function along the Canada-US land border, and the Committee is therefore convinced that its role should be expanded to the St. Lawrence Seaway, St. Lawrence River, Great Lakes, and the Fraser and Skeena Rivers.

The Committee pointed to the Solicitor General because it believes that responsibility for airport and port security belongs with the RCMP. In this report, the Committee once again urges the Government to allow the RCMP to become more heavily involved policing Canada's major inland waterways and ports. The Members are struck by the need for a unified marine policing system, and for an expansion to the RCMP's mandate so that it can better provide Canadian security.

RCMP Marine Division

To enable the RCMP to do so, the Committee believes that a recognized marine picture of the Great Lakes must be created and maintained. A multi-departmental information fusion centre should be established somewhere in the region, to be operated by a re-established RCMP Marine Division. This centre should be linked with the Canadian Forces intelligence fusion centres on the east and west coasts (Trinity and Athena). The RCMP centre should be focussed on the St. Lawrence Seaway, the St. Lawrence River, the Great Lakes and the Fraser and Skeena Rivers because the Committee is seized of the fact that this area requires a higher level of scrutiny, and this capability is currently absent. The Committee's call for a RCMP centre reflects its earlier report, *Defence of North America: A Canadian Responsibility* (September, 2002), which recommended the

Establishment of multi-departmental operations centres at Halifax and Esquimalt capable of collecting and analyzing shipping intelligence to provide a combined operational picture for all government agencies that deal with incoming vessels; to address coastal threats to North America, while designing procedures to deal with all anticipated threats. (Recommendation #3 page 14)

The Committee said that then, and is even more convinced of the need for such centres today. The present report expands on this recommendation by noting that a centre is needed not only for each coast, but also the Great Lakes region and the coastal rivers.

In order for the RCMP to create and maintain the recognised marine picture, extensive patrolling will be required. In particular, light fixed-wing aircraft are required to do surveillance work. Aerial policing is quick and cost-efficient. Regular monitoring of the St. Lawrence Seaway and River, from the Great Lakes to Tadoussac / Trois Pistoles, could strengthen Canadian maritime security. And yet, the routes – the most obvious ones are from Thunder Bay to Sault Saint Marie, Sault Saint Marie to Sarnia, Sarnia to Windsor, Windsor to Niagara, Niagara to Kingston, Kingston to Montreal, and Montreal to Rimouski – are not being flown.

The Committee believes that this is because the RCMP does not have the resources. Some of the RCMP's needs are obvious. Fixed wing aircraft should be purchased or leased for the RCMP. Helicopters are part of the RCMP maritime policing picture. The recently announced cuts to the RCMP helicopters in Nova Scotia and Newfoundland & Labrador should therefore be reversed, and the RCMP should receive funding to expand its aircraft fleet. The RCMP should have vessels that are appropriate to its different tasks and operational locations. In short, the RCMP's material requirements must be determined, and met.

In order to undertake these tasks, the RCMP needs to be restructured and receive additional personnel. The first step in addressing this is to re-establish the RCMP Marine Division, which was shut down in 1970 because it was deemed to be an inefficient use of resources. The Committee is convinced that times have changed. The Division should be recreated, have responsibilities that go beyond its former mandate of enforcing federal statutes, to also include physical security of all major ports. This, however, will not include duties currently held by local police services but will include maritime policing on the east and west coasts, St. Lawrence Seaway, Great Lakes and inland waterways identified as high risk. Each geographic area should have control of the RCMP officers stationed in its various ports. These members would replace the former Ports Canada Police, a service that numbered 324 at its peak in 1972. The Committee believes that the new Marine Division should be equivalent in size. Indeed, it is clear this number should be exceeded. The Netherlands has roughly 350 police in the port of Rotterdam alone!

RCMP Funding

The Committee is convinced that the RCMP needs more funding. Its view is that the Government can either pay now, or through a costly post-disaster recovery phase and then pay later. This should be a straightforward decision.

Some of the testimony heard from the RCMP is therefore disturbing:

The RCMP asked the Treasury Board for 24 full-time equivalent positions for the ports of Halifax, Montréal, and Vancouver.

The RCMP received 8 total. It redeployed 16 persons internally to make up the 24 investigators, so that there is a team of eight for each of the three ports.

There are 3 additional personnel dedicated to conduct record checks on port employees on behalf of Ports Canada.⁵

⁵ Source: Assistant Commissioner W.A. (Bill) Lenton, Federal Services Directorate, Royal Canadian Mounted Police, "Testimony", Proceedings of the Standing Senate Committee on National Security and Defence, Issue 19, (June 9, 2003)

Recommendations

The Committee recommends that:

- 4.1. The federal government take immediate steps to transform the Canadian Coast Guard from an agency that reports to the Department of Fisheries and Oceans to an independent agency responsible to Parliament and carrying out its duties – search and rescue, ice-breaking, navigational aids, buoy tending, boat safety, fisheries and environment protection – plus new responsibilities for national security. For national security matters, Coast Guard assets would be temporarily directed by coastal operations centres (Trinity and Athena).
- 4.2. The Committee reiterates its recommendation that a public inquiry be struck under the Inquiries Act to look into the vulnerabilities to crime and terrorism at Canada's ports.
- 4.3. The Committee recommends that the Royal Canadian Mounted Police (RCMP) conduct a risk / threat assessment to determine what personnel, equipment, and financial resources it needs to re-establish the Marine Division and to police the St. Lawrence Seaway, St. Lawrence River, Great Lakes, the Fraser and Skeena Rivers, and inland waterways identified as high risk.
- 4.4. The Committee recommends that the Royal Canadian Mounted Police (RCMP) report its findings to the public by March 31, 2004 and have an operational plan ready

for March 31, 2005, and that the Government be prepared to fund the stated requirements.

In addition to the recommendations in the above text, the Committee recommended *in Canadian Security and Military Preparedness* (February, 2002) that:

- a federal agency be created that will be responsible for selection, training, and supervision of persons and systems responsible for passenger and baggage screening at airports, and that this agency report to the RCMP. (Recommendation #13 page 130)

On top of the recommendation cited in the text above, the Committee recommended *in Defence of North America: A Canadian Responsibility* (September, 2002) that:

- The Coordination of all Canadian resources – including Navy, Coast Guard, Air Force, Army, Citizenship and Immigration Canada, Canada Customs and Revenue Agency, police forces and agencies responsible for intelligence and satellite surveillance – to improve defence of Canada's coastlines. (Recommendation #2 page 14)
- New security measures on the Great Lakes including:
 - i. Mandatory reporting for all vessels (of a displacement to be determined by Canadian regulators) to Canadian authorities 24 hours prior to anticipated entry into Canadian Great Lakes ports;
 - ii. All vessels (of a displacement to be determined by Canadian regulators) intending to operate in the Great

Lakes region be equipped with transponders to permit electronic tracking by Canadian authorities. This requirement would have the added benefit of greatly improving the precision of search and rescue;

- iii. **Mandatory daily reporting to Canadian authorities for all vessels (of a displacement to be determined by Canadian regulators) operating in Canadian national waters;**
- iv. **Canada's Great Lakes reporting stations will be responsible for receipt and coordination of these reports and for communication with policing agencies. (Recommendation #8 page 15)**

In *The Myth of Security at Canada's Airports* (January, 2003) the Committee recommended:

- **All airport policing directly related to air travel security be removed from the airport authorities and assigned exclusively to the RCMP under contract to CATSA. [The Committee's intention was to state that the contracts may be with CATSA, but the RCMP is the sole authority to which it reports.] (Recommendation #VII.1 page 147)**
- **Local police forces and security guards contracted by airport authorities be responsible for criminal offences that are not related to air travel security. (Recommendation #VII.2 page 147)**
- **CATSA should be given the authority to contract the RCMP to supervise all policing at airports as it relates to passenger, cargo, aircraft and airside security. [The**

**Committee's intention was that the RCMP, through CATSA, should supervise policing at airports.]
(Recommendation #VIII.2 page 148)**

CHAPTER FIVE:

The Need for a

NEW STRUCTURE

at the Top

"It is very clear that there is a policy vacuum in the maritime security area." **(Retired) Vice-Adm. Gary L. Garnett, National Vice-President for Maritime Affairs, Navy League of Canada**

"If we had a Prime Minister and a Privy Council Office that made emergency preparedness, security and intelligence critical functions by making them the primary focus of the Privy Council machinery, with extensive resources for assessment and with some ability to help man operation centres, then there would be a clear signal to the entire system of the importance of security preparedness in the eyes of senior leadership. " **Dr. Thomas Axworthy, Chairman, Centre for the Study of Democracy, Queen's University**

Several of the witnesses who appeared before the Committee during the last six months called for a replacement of *ad hoc* decision-making across the broad spectrum of security issues facing the federal government. Many of them would like to see a national security policy underpinned by a national security structure.

While this report focuses on Canada's coastal security, the same policy and structural flaws that undermine Canada's maritime security undermine Canada's national security across the board.

The Neglect of Our Coasts

Although the Canadian Navy's first traditional responsibility has been the defence of Canada, in truth, the potential for assaults on any of our three coasts or threatening activity on the Great Lakes has not been taken seriously since World War II. Canada's Navy's "blue water" theory quite rightly has always been that it makes more sense to contain threats to Canada as far away from Canada as possible.

That approach once made sense. With a few exceptions – most notably Pearl Harbour – North America has been a haven from war over the years. But the dynamics of combat have clearly changed.

As Vice-Admiral Ronald Buck, Chief of Maritime Staff, Department of National Defence, told the Committee: *"the terrorist has changed the battle space . . . the terrorist has altered the way we think about domestic security."*

Admiral Buck's "battle space" now includes North America. Except . . . the Canadian Navy is still not defending Canada's littoral waters in any meaningful way. As we pointed out earlier, the Navy's so-called "coastal defence" vessels are not used to defend Canada's coasts. They are primarily used for

training for naval reserves, with limited underwater mapping and minesweeping capability.

The Canadian Coast Guard, in itself, is not defending Canada's coasts either. Excepting rare incidents like the Turbot War, its ships are unarmed and so are its crews. Unlike the U.S. Coast Guard the Canadian Coast Guard is not a constabulary force. Its primary roles include search and rescue, icebreaking, maintaining navigational aids, enforcing fisheries regulations and offering its vessels up as taxis to other departments and agencies.

The vast majority of suspect vessel boardings (there have only been 23 in the past five years) have been conducted by RCMP officers, either from their own limited fleet of vessels, (see appendix X, Volume 2) or by hitching a ride on Coast Guard vessels. If this seems like scant protection of Canada's massive Western and Eastern coastlines, the situation gets worse in the St. Lawrence Seaway and Great Lakes, where RCMP witnesses acknowledge they have virtually no capacity to deal with vessels that might represent a threat to Canadians in particular and North Americans in general.

The Arctic is clearly less of a terrorist threat, but it is increasingly vulnerable to legal territorial challenges as the Northwest Passage becomes a potentially lucrative trade route because of global warming and mineral exploration becomes more feasible. Producing Arctic oil is economically feasible at between \$US 30-\$35 a barrel, and drilling for Arctic gas is already feasible at current market rates.

The threats to both Canada's security and Canada's sovereignty have increased dramatically in recent years. How has the federal government responded at the top in the areas of policy,

operational coordination, and expenditures on maritime defence?

Response at the Strategic Level to Maritime Security

In the wake of 9/11, as we reported earlier, the government established the **Interdepartmental Maritime Security Working Group (IMSWG)** *"to coordinate federal response to marine security, analyze our marine systems for security gaps, and develop possible mitigation initiatives to address these gaps."* Seventeen federal departments and agencies are members of this working group. It is chaired by Transport Canada.

Transport Minister David Collenette outlined his vision for IMSWG in a letter to Senator Colin Kenny, Committee chair, on June 17, 2003: *"Effective coordination is paramount for the success of all marine security activities. Up to \$16.2 million will be split among the departments for enhanced coordination and collaboration."* Mr. Collenette described the Interdepartmental Maritime Security Working Group as *"the centrepiece of Canada's marine security coordination."*

If IMSWG is indeed "the centrepiece" of improved Canadian Maritime security, a number of questions come to the fore.

The first pertains to the attention span of any arrangement among government departments and agencies to address major problems. What happens to the arrangement when crises are perceived to have abated? The history of IMSWG is a textbook

example. In reality, IMSWG is simply the resuscitation of the Interdepartmental Program and Review Committee, which was founded in 1991 in the wake of the Osbaldeston Report to enhance the efficiency and improve the delivery of federal marine fleet programs.

Captain Larry Hickey, Assistant Chief of Staff, Plans and Operations for Maritime Forces Atlantic, Department of National Defence, told the Committee that an opportunity was missed:

"It seemed as though we were on the way to cracking the code for real interdepartmental coordination and effective employment of our maritime resources. That was not to be the case. The 1990s saw the stagnation of interdepartmental relationships . . . the "Interdepartmental Concept of Maritime Operations fell into disuse. Budgetary constraints were the main culprit . . . The Interdepartmental Program Coordination and Review Committee (IPCRC) was disbanded in September, 2001."

In fact, that Committee – surprisingly – was disbanded on September 17, 2001 six days after the twin towers of the World Trade Centre went down. According to information the Committee received from the Department of National Defence, the IPCRC purpose was "to act as the federal forum for identifying government program requirements for ship support, for coordinating related interdepartmental activities at sea and for facilitating the employment of the government's fleets of vessels and aircraft." However, our DND explanation added, as time passed "interdepartmental communication and cooperation matured to such a degree that IPCRC oversight was no longer necessary."

That Committee, so fragile in nature that it was neglected for years and then abandoned, is the so-called "centrepiece of Canada's maritime security coordination."

The security of Canada's coastal waters is clearly going to remain problematic for Canadians – and all North Americans – for many years to come. Under the rules of asymmetrical warfare, the more relaxed Canadians become about threats from the sea, the more likely they are to become victims of a terrorist initiative. In times of fiscal restraint and perceived lack of urgency on any given issue, departmental bureaucracies that have been cooperating on that issue tend to turn their attention to priorities in their own bailiwicks. That is what happened before. That is what could easily happen again.

A number of our witnesses, while applauding the gesture of attempting to improve security communications within the Canadian government through the Interdepartmental Marine Security Working Group, expressed doubts as to how significant a role IMSWG is playing even now, and how likely it is to sustain any degree of momentum into the future.

As Dr. Peter T. Haydon, Senior Research Fellow at the Centre for Foreign Policy Studies at Dalhousie University, testified:

"I believe [IMSWG] is working, but I am not convinced that it is working at all the problems that need to be worked at. It does not have the authority to direct that things happen. It is a staff committee that produced a memorandum to cabinet back in, I believe, November or early December that made some changes. Again, there is no sense of urgency or importance to that committee."

Dr. Danford W. Middlemiss, of the Department of Political Science, also from Dalhousie University, also had good things to say about IMSWG, but pointed out that it is powerless either to create policy or direct reform: *“If we simply rely on the very good work from these interdepartmental groups that are working to find the gaps, they will, and then nothing more will happen because nothing has ever happened again in the past. We need policy.”*

An End to Silos

The Committee believes that it is important to emphasize that one basic problem with turning to committees composed of a variety of departments and agencies for direction on security is that *each of these departments and agencies has its own legislation and its own mandate, and the security of Canadians is rarely the primary mandate.* Not only is it doubtful that IMSWG will ever create policy, or gain the authority to “direct that things happen,” it is doubtful that it *should* create security policy, given unfocused scope of priorities of its members.

On the question of authority, consider this exchange between Senator Day and **Gerry Frappier, Director General, Security and Emergency Preparedness, Transport Canada,** and Chair of IMSWG:

Sen. Day: “Your working group is ensuring that the regulations are developed but they are not then ensuring that they are implemented.”

Mr. Frappier: “You are correct. Each minister has that responsibility . . . if there are issues between ministers, they will be handled through the cabinet and cabinet committees.”

Unfortunately, at the level of cabinet and cabinet committees to which Mr. Frappier refers, another flaw emerges. Former Prime Minister Kim Campbell dissolved the Cabinet Committee on Security and Defence in 1993. **Dr. Thomas Axworthy**, once principal secretary to another Prime Minister –Pierre Elliott Trudeau – told the Committee that the dissolution of this committee had been a “terrible decision,” and he called for its restoration with a muscular support staff in the Privy Council Office:

“ . . . we need a major increase in our central capability to manage the emergency preparedness file. We need to have a major political buy in. We should have the cabinet committee reappointed, chaired either by the Deputy Prime Minister or the Prime Minister, to have a major increase in the Privy Council resources. In my paper, I call for a preparedness committee – National Security Council in the United States and Preparedness Council in Canada. Those organizational steps would begin to have a major impact.

The National Security Council in the United States has a staff of about 200. They have 25 to 30 who man the situation room in the basement of the West Wing, which was put in place by former President Kennedy in 1961-62. We need something similar in Canada. We need a body of that magnitude to, daily, collect intelligence, prepare intelligence briefings for ministers and for the Prime Minister, disseminate the intelligence throughout the system and participate in joint exercises."

Muscle Where It Matters

The Committee believes that **Dr. Axworthy** was exactly right when he testified that, while government generally needs to operate vertically – so that various departments and agencies can focus on their own priorities – there are issues that are of such importance that they demand horizontal treatment. These issues, said Dr. Axworthy, will not get the attention they deserve unless they are handled at the very centre of the power structure:

"There are one or two or three horizontal issues where you can get the whole system to understand this is a priority, but that takes the muscle of the Prime Minister's Office and the Privy Council Office at the centre."

At the moment, policy and strategy development is in the hands of a committee composed of borrowed bureaucrats from various departments and agencies, with no powerful cabinet minister to report to. The Interdepartmental Marine Security Working Group is doing its best, but, ask yourself, "Is this the way Canadians want an issue as vital as maritime security handled?"

"In respect of what we have been trying to do to bring this together in a more formal way, the IMSWG put together a memorandum to cabinet entitled "Addressing Vulnerabilities in Canada's Maritime Security." This had an interdepartmental plan based on a risk management strategy and gives an excellent basis for the foundation of a strategy. There is currently a bit of a problem in that it is within this memorandum to cabinet, which is covered by cabinet confidentiality. We are working on that. We will bring the text out. However, once it is out, it is very important that it be brought forward as a national Maritime security plan and that we work hard to get some experts together to put it forward as a marine strategy." **Captain Peter Avis, Director of Maritime Policy, Operations and Readiness, Department of National Defence**

Gerry Frappier, Chair of IMSWG, was not certain that the memorandum would ever be approved as government policy: *"As to whether we will produce a document that is the policy, we have not decided on that."*

Put a Strong Hand on the Tiller

Members of the Committee believe that, on an issue as vital as maritime security, trying to direct from the circumference rather than the centre is a recipe for the continuation of the two most desperate problems at the operational level: under-funding and uncoordinated responses.

Without a National Maritime Security Policy, inadequate funding will persist. An earlier section of this report dealt specifically with the lack of resources currently available to the Navy, the Canadian Coast Guard, the RCMP, and other key components of Canada's marine defence. There is no shortage of evidence that they are all under-funded, and they will continue to be under-funded without a National Maritime Security Policy.

Captain Larry Hickey, Assistant Chief of Staff, Plans and Operations for Maritime Forces Atlantic, described the problem when various departments and agencies are forced to decide on an *ad hoc* basis who will take the lead to deal with a problem:

"One of the things that we have learned from these exercises that we have done is that establishment of the lead agency for any event tends to be somewhat problematic. People do not want to make eye contact when talking about this because usually, if you are the lead agency, you end up paying."

Not only does this create an overall lack of resources, but Captain Hickey pointed out that it can lead to delays in decision making in times of crisis:

"There can be a lot of time wasted at the beginning of an incident because the departments go in with a very narrow perspective, generally speaking. I am talking about a reactive situation, not one where we have had a few days to think about it. It is happening now, and we have to deal with it."

Captain Hickey cited one example in particular: *"About a year ago, we had an incident with a container vessel coming into Halifax with a suspicious container on board. Three or four different agencies*

knew about the container, but each reacted differently. As a result, we realized that there was a need to formalize a process to react to intelligence. The RCMP took that lead."

The Committee appreciates the attempts of the Interdepartmental Marine Security Working Group to bring different players together to improve responses to crises, learning from each mistake. But without centralized direction, this is likely to be a slow learning curve, which could prove deadly.

If IMSWG continues to be "the centrepiece of Canada's marine security coordination", neither the resources nor the systems required for cohesive responses to maritime security crises are likely to be put in place.

Security analysts who appeared before the Committee offered various suggestions as to how a National Maritime Security Policy could best be developed and managed. It was proposed that a separate department for security be created, that a parliamentary committee take charge, or that a cabinet committee of ministers with some responsibility for defending our borders (such as the defence minister, the solicitor general, and the minister for national revenue) take the helm.

No witnesses outside the government, and few within the government were willing to argue that Transport Canada should continue to run the show. Transport Canada has become largely a regulatory department in recent years, with far fewer resources and heft than it once possessed. The only reason it seems to be chairing a committee charged with marine security coordination has to do with bureaucratic jurisdiction: *The Marine Transportation Security Act* is a Transport Canada

administered act that provides it with the authority to take charge of marine security.

Unfortunately, the department does not have the assets any longer to perform this role. Transport Canada should be a regulatory department like the Department of Finance and refrain from trying to run things like IMSWG and the Canadian Air Transport Security Authority (CATSA). The fact that Transport Canada has none of the resources or coordinating capacity to defend Canada's coastlines seems to be irrelevant to decision makers.

The Committee does not believe that Transport Canada should be in charge of efforts to fill the huge gaps in Canada's maritime security, nor does it believe that IMSWG has the authority or the structure to lead to meaningful change.

Nor does the Committee believe that a parliamentary committee or a cabinet committee of security related ministers would hold sufficient sway to provide adequate momentum to solving our problems with coastal security.

Prof. Haydon's quote bears repeating

" . . . somehow you have to transform that interdepartmental committee, which does not sit at a terribly high bureaucratic level, into something with teeth, so that someone can say "This is bad." There has to be an avenue by which such urgent matters can be taken into cabinet, decisions made and directives given."

From Coastal Security to the Big National Picture

It had not been the intention of our Senate Committee to deal with national security architecture at this point in our work. This report is focusing on coastal security as part of a set of reports intended to serve as building blocks toward building a better Canadian security structure for all Canadians.

- *Canadian Security and Military Preparedness* (February, 2002) was an overview of defense and national security issues
- *Defence of North America: A Canadian Responsibility* (September, 2002) addressed air and sea defences of the continent.
- *For an Extra 130 Bucks... Update On Canada's Military Financial Crisis –A View From The Bottom UP* (November, 2002) described the lack of political will to fund Canada's security and defence and the need for military leaders to have the freedom to be more assertive in dialogue with Parliamentarians.
- *The Myth of Security at Canadian Airports* (January, 2003) detailed the inadequate security at Canadian airports which was only exceeded by Canadian ports.

So, if the Committee's focus in this report is coastal security, why raise the issue of the need for a national security infrastructure? Because the superstructure that would work

to implement improved coastal security will also work as an umbrella for federal crisis management generally. Terrorist attacks, the U.S. File, intelligence coordination, ice storms, power outages, coastal defence – these kinds of top-drawer issues and events deserve their own crisis management portfolio. This issue will be further examined in a later report, but the Committee brings it up now because coastal defence is important enough to fit into the package of responsibilities included in the portfolio.

It would also be fair to say that timing is perfect for the introduction of this concept. Major changes at the centre are not made at the end of the mandate. It takes the prospect of a new administration to bring these issues to play, and that time is now.

Proposal for a New National Security Structure

Background

Conventional wisdom dictates that one should first have a clear national security policy before creating a national security structure. Structure is always supposed to follow policy. In the case of national security, that doesn't necessarily apply.

National security is a core issue for Canadians right now, the way national unity was for the better part of two decades. The nature of the major threat to Canada's security and the security

of our continent have clearly changed, and Canada needs to move quickly to respond.

The Committee believes that the Government of Canada should prioritize national security as an issue the way Prime Minister Trudeau prioritized Federal Provincial Relations as an issue in the 1970s, when the Prime Minister gave that file a separate bureaucracy in the Privy Council Office (PCO).

Our current approach epitomizes the muddle through, ad hoc response to crises in which Canadians almost seem to take an inordinate pride.

The departments currently contributing to Canada's national security framework, such as it is, operate under mandates defined by legislation, written or enacted at different times, with different objectives. The current attempt to improve one aspect of national security – through the committee called IMSWG – is indicative of the government's general approach to national security: call fiefdoms together every now and then to discuss the issue.

That might do if national security were a back burner issue, but it is not. We cannot make Canada a safe house. But we must optimize the use of our scarce, middle power resources if we are to do the best job we can at making Canadians safe today and their children and grandchildren safe in the future.

This cannot be accomplished through the use of ad hoc committees, and it cannot be accomplished under the direction of junior ministers.

We need a crisis centre, for both man-made and natural disasters, and we need it close to the centre of power. We do not want it in the Prime Minister's hands, as such, because he/she has many fish to fry. But we want it close enough so the Prime Minister can be briefed regularly and get involved when necessary.

What kind of crises require a strong hand at the centre? Issues such as the Air India Bombing, the ice storm, the floods in Manitoba and Quebec, SARS, West Nile Virus, the Ontario Power failure, 9/11 and the B.C. forest fires come to mind. Not to mention the F.L.Q. crisis, the OKA crisis, the attack on the Turkish Embassy, mad cow disease, and the terrorist threat that could, if not well handled, kill a lot of Canadians, undermine our economy, and erode our relationship with our closest political and economic ally.

Generally speaking, response to natural disasters flows to the departments of National Defence and Health Canada, while man-made disasters tend to become the responsibility of the Solicitor General. In both cases, a myriad of other departments and agencies become involved depending on the nature of the incident.

Most existing action charts indicate that the Minister of National Defence or the Solicitor General are the lead Ministers, but experience has shown that as the incident reaches a certain size the Privy Council Office and the Prime Minister, out of necessity, assume the lead because:

- The problem has become too big and involves too many departments

- The responsible Ministers are too junior
- The appropriate lead department is reluctant because assuming the lead means assuming much of the cost
- The lead department does not have sufficient influence to ensure cooperation of others
- The politics of the situation require the Prime Minister to be seen to be in charge

The problem is actually far more complex than the foregoing but it is sufficient to say that PCO/PMO is the only organization with a pan-governmental outlook, understanding and clout.

Having said that, there are only ten analysts in the Security and Intelligence Secretariat at the PCO, the Prime Minister's department. There is no national operations centre, with the necessary backup facility although several departments do have operations centres of one sort or another.

Communications facilities out of PCO/PMO lack sufficient redundancy and rudimentary things like independent generating power do not exist at the very centre of our government.

Properly equipped and organized facilities are difficult to locate, expensive to build, hard to appropriately staff and successive governments, when they have considered the question at all, have concluded that "the time was not quite right."

The time now is right. We have a record of recurring 'incidents' and know that the world is getting smaller, more

complex and dangerous. Ad hockery is seen as mismanagement and lack of caring. If governments are going to retain power, they should understand that Canadians want their tax dollars, assets and resources utilized effectively and efficiently in times of crisis. History rewards prime ministers and presidents who are prepared.

Proposed New Central Architecture for Government Priorities

In the early 1970's when the Quebec file was the central concern facing the Federal Government, Prime Minister Trudeau moved Gordon Robertson, the Secretary to the Cabinet and Clerk of the Privy Council to the position of Secretary of Cabinet for Federal Provincial Affairs and appointed Michael Pitfield Clerk and Secretary to Cabinet. This allowed a bureaucrat with wide experience and a good understanding of the government's needs, to focus on issues related to keeping the country together and freed the new clerk to handle the difficult job of acting as the Prime Minister's Deputy Minister and administer the Public Service.

Issues of national security are now assuming a magnitude similar to that of the Quebec file in the 1970's and a similar solution merits consideration. We need someone very senior, with a senior bureaucracy, to deal with issues like national security.

Among the issues to be dealt with is the United States file, with complex inter-relationships like border security

intelligence sharing, military cooperation, homeland defence and a range of trade issues.

The management of national disasters, terrorist attacks, SARS, electrical blackouts etc. all require attention from a structure used to emergency response with the ability to analyze, coordinate, command, and communicate.

Currently, the Deputy Prime Minister, with a very small staff in PCO, about 55 persons, and an ad hoc Cabinet committee is handling the American file and border issues. This is a good basis to expand from to create a structure that moves Canada from a form of ad hoc management to one better suited to deal with the asymmetrical threats of the 21st century.

The Committee believes that Canadians would be best served if a strong deputy prime minister (such as Don Mazankowski in the Brian Mulroney government or Allan MacEachen in the Pierre Trudeau government) were to be appointed to handle key issues on a day-to-day basis, briefing the Prime Minister regularly and bringing him in at crunch time. We recommend the components of the National Security Structure would be as follows:

- A permanent Cabinet committee chaired by the Deputy Prime Minister
- An additional Secretary to the Cabinet as its senior official
- A permanent Secretariat within PCO dedicated to **national security issues**
- A restructuring of current procedures

The Cabinet Committee would include the following Ministers:

- Foreign Affairs
- Defence
- Solicitor General
- Health
- Finance
- Justice
- Immigration
- Others as required

The Secretariat within PCO would include sufficient senior officials who have a good understanding of government capabilities, together with a grasp of issues and interests of importance to Canada.

More specifically Canada needs to centralize its capability to coordinate the collection of intelligence from various Canadian intelligence agencies and from allies; to analyze and fuse this intelligence ensuring its appropriate dissemination to client agencies; and to prepare a daily, or more frequent, intelligence appreciation for the Prime Minister, Deputy Prime Minister and others, as required.

Canada needs the capacity to ensure that all government departments are working in concert on national security issues.

Canada needs the ability to provide clear articulation of the Prime Minister's, Deputy Prime Minister's and Cabinet Committee's wishes in a manner that specifies desired outcomes and rules of engagement on national security.

Canada needs to be able to communicate quickly and effectively through preemption of the airways, if necessary, and in an oral or written manner. It must ensure that the government is clearly understood in times of emergency and that the government, in turn, has a clear understanding of the concerns and needs of the people.

A National Operations Centre (NOC) should be created together with a duplicate backup facility at another location.

The principal features of the NOC would be space for the cabinet committee to meet in a secure facility close to Parliament Hill. The facility would also include space for representatives from up to fifty government agencies to meet face to face and receive the same information in a variety of modes. The facility would include sufficient space for meetings of sub groups, offices, limited food preparation and sleeping.

All communication facilities would have multiple redundancies to transmit and receive information and for power and water.

This facility is where planning, ongoing analysis, and regular exercises would take place and it would be a location where government leadership would be exercised in emergencies.

The facility would include a media component where media could receive briefings and have available alternative communication facilities in the event theirs became inoperative.

1. Special emphasis would be placed on communication with parliamentarians and other levels of government.
2. The permanent senior staff of the facility would include an official in charge of deputy minister rank together with 30 or so recently retired senior public servants.

The latter is a new concept to address the difficulty of attracting people with the appropriate qualifications to work in the field of emergency preparedness. Operations Centres are not usually seen as attractive postings in bureaucracies because the focus is on doing a job rather than building a career. Managers often delegate junior or less promising employees to operations centres. In this case, more is needed.

What is required is a group of people with a good cross section of experience, particularly in previous crises, who have a current understanding at the most senior levels of the capabilities of the various government departments, and their personnel. They would be responsible for developing plans, co-ordinating exercises and supervising the National Operations Centre and its necessary support staff.

The senior staff would be appointed on retirement from the public service (or elsewhere) for a period from 2-4 years.

3. The Political head of the operation would be the Deputy Prime Minister. This person would be selected with National Security concerns in mind and would have additional responsibilities for the US file. A structure of this nature would be particularly advantageous to the Prime Minister.

Frequently a Prime Minister may want to distance herself or himself from an issue but because the staff are all in a division of PCO, the PM would be confident that his or her interests were taken into account and it would also simplify the PM's integration into the issue if that was considered necessary.

4. The National Security staff and the National Operations centre would provide for a closer integration of the officials such as the Chief of Defence staff, the Commissioner of the RCMP, the Director of CSIS, who seldom meet collectively or individually with the Prime Minister or Deputy Prime Minister. We would have more effective crisis management if they did. And emergency leadership could proceed in a seamless manner.

Recommendations

The Committee recommends that:

- 5.1. The position of Deputy Prime Minister become a permanent component of the federal political structure.
- 5.2. The Deputy Prime Minister be given permanent responsibility for Canada's U.S. File, borders, national security issues, natural and man-made disasters and coasts.⁶
- 5.3. The Deputy Prime Minister be provided with adequate bureaucratic support within a branch of the Privy Council Office to fund and direct a structure for maritime security in addition to other responsibilities listed in 5.2.
- 5.4. This national security structure containing the following be set up within 60 days:
 - A permanent Cabinet committee chaired by the Deputy Prime Minister
 - The Cabinet Committee would include the following ministers:
 - o Foreign Affairs
 - o Defence

⁶ The Committee will prepare, in the future, reports on first responders, the intelligence community and other security matters. While arguments have been made in this report why coastal defence should be under the Deputy Prime Minister, the rationale for including intelligence fusion and the Office of Critical Infrastructure Protection and Emergency Preparedness (OCIPEP) will be provided in subsequent reports.

- Solicitor General
 - Health
 - Finance
 - Justice
 - Immigration
 - Others as required
 - An additional Secretary to the Cabinet as its senior official
 - A permanent Secretariat within PCO dedicated to national security issues
 - The Secretariat within PCO would include sufficient senior officials who have a good understanding of government capabilities, together with a grasp of issues and interests of importance to Canada.
 - A restructuring of current procedures to permit this Secretariat to address issues of national security and common US/Canada security issues.
- 5.5. The permanent secretariat to support the Deputy Prime Minister be formed within two months, and that they set up operations in a temporary government facility until the permanent national operations centres are built.
- 5.6. A national operations centre complete with a senior level "situation room" be constructed that would permit a permanent secretariat to continuously monitor international and national events that might

affect the national security of Canada. This operations centre should be located within easy physical access to the Privy Council Office, with complete and redundant power and national level communications.

- 5.7. An alternate, mirror image operations centre be designed and constructed utilizing different sources of power and communications than the primary facility.
- 5.8. The design and construction schedule be such that these operations centres are fully operationally capable by 1 February, 2005.

CHAPTER SIX:

The need for Enhanced

INTERNATIONAL COOPERATION

The Committee's main focus with regard to improved international cooperation in past reports has been on Canada-U.S. coordination. The Committee made several recommendations in *The Defence of North America: a Canadian Responsibility*. These included:

1. Greater cooperation and coordination with U.S. counterparts.
2. The establishment of a Canadian-U.S. joint operational planning group that would include representatives of the Canadian Navy, the Canadian Coast Guard, the U.S. Navy and the U.S. Coast Guard. This unit of approximately 50 people should be located at Colorado Springs, in proximity to NORAD planning staff.
3. Establishment of multi-departmental operations centres at Halifax on the East Coast and Esquimalt on the West Coast that would be capable of collecting and analyzing shipping intelligence to provide a combined operational picture for all government agencies that deal with incoming vessels; to address coastal threats to North America and design procedures to deal, with all anticipated scenarios, with representatives from the U.S. Coast Guard, the U.S. Navy and the Canadian Navy.

In this report, the Committee will consider the government's response to those recommendations. It will also address other aspects of the need for Canada and the United States to cooperate in the defence of North America.

Finally, the Committee will examine the need to better coordinate surveillance and intelligence with countries *other than the United States* – particularly those countries with large ports through which a majority of Canada-bound vessels embark.

U.S.- Canadian Cooperation

"There is a lot of dialogue and understanding [with the U.S.], but there is definitely room for more. There is always a need for more discussions. They certainly have a different approach from ours."

Gerry Frappier, Chair, Interdepartmental Marine Security Working Group (IMSWG)

With reference to the three Committee recommendations listed above, it is fair to say that there has been at least marginal progress on the first – better cooperation with U.S. counterparts – although there is no evidence that either country has appreciated the degree of importance that should be attached to establishing and implementing a joint plan for defence of the continent.

One example of marginal, undramatic improvement in this direction has been the establishment of the Canada-U.S. bi-national planning group with a two-year mandate to enhance military cooperation for the protection of North America – a laudable response to our second recommendation listed above

(that such a joint operational planning group should be set up in proximity to NORAD headquarters at Colorado Springs).

Any excitement Committee members felt initially at the establishment of this planning group has been muted by slow progress in turning the group into anything meaningful. The Committee may be wrong here, but if this group is going to play an important role in harmonizing the defence capacity of the two countries, the pace at which this imperative is being approached does not reflect any great sense of urgency.

First the good news: **Vice-Admiral Ron Buck** told the Committee that not only had the overall planning group been established and was in motion: *"In January, the Canada-U.S. bi-national planning group completed its mission analysis session in Colorado, and will soon embark upon the production of bi-national plans to improve our ability to work in the domestic bi-national context from the national perspective."*

Admiral Buck testified that a subsidiary planning group focusing on coastal defence had also been established – the Maritime Plans and Surveillance Working Group. He said this group will concentrate on bi-national maritime security and surveillance, working in collaboration with groups like Interdepartmental Maritime Security Working Group (IMSWG) and the NORAD Maritime Surveillance Working Group. This group, he said, is "coordinated" with the Canadian Navy's operations centres in Halifax and Esquimalt:

"the planning group is structured to report any plans jointly through the Deputy Chief of Defence Staff and me, and ultimately to the two coastal formations. That is consistent and cohesive."

The Committee, of course, in our third recommendation listed above, had called for the establishment of Canadian multi-departmental operations centres at Halifax on the East Coast and Esquimalt on the West Coast, with desks for personnel from the U.S. Coast Guard, the U.S. Navy. As discussed earlier in this report, that recommendation has been ignored. The Canadian Navy, the RCMP, the Canadian Coast Guard, and other agencies involved in coastal security continue to maintain separate operational headquarters, without U.S. liaison personnel, without any fusion centre.

The Bad News

It is one thing to establish a Canada-U.S. bi-national planning group. It is another thing to inject some sense of urgency that it could play a very useful role in the defence of North America.

For instance, the Committee recommended that a contingent of about 50 Canadians should staff the planning group at Colorado Springs. Admiral Buck told us that Canada envisioned sending 30 instead. That is, at least, within the realm of what the Committee had in mind. When he testified in April, Admiral Buck acknowledged that only seven Canadian representatives were on site at the time, but added that he expected the full contingent would be there by summer, when the group would begin its work “in earnest.”

Furthermore, U.S. representatives on the planning group are “double-hatted” – that is, they hold other positions in the U.S. military or U.S. government. **Admiral Buck** interpreted this as being a good thing – “We need to ensure that the U.S. personnel tied

to the planning group have the right operational links inside the U.S. government departments and agencies. It is not only Homeland Security."

The point seems to be that the new U.S. Department of Homeland Security is involved in enough jurisdictional wrangles within the U.S. government that representatives of those many jurisdictions are needed on deck when any meaningful planning is done. This smacks of the kind of thinking that created Canada's Interdepartmental Maritime Security Working Group – gather people together with other priorities together in common cause and hope for the best.

How seriously is the planning group's mission really being taken?

Consider that neither Canada nor the United States provided immediate dedicated resources to the planning group. Instead, for the most part, they simply "rearranged" the responsibilities of existing personnel in NORAD and Northern Command in Colorado Springs.

In fact, only a handful of additional Canadian personnel were posted to Colorado Springs until this summer, and the U.S. has yet to dedicate any full time resources to this venture. Could it be that Northern Command is so busy trying to establish a viable position within the American military structure that it doesn't have much time for the U.S.-Canada planning group?

On August, 2003, a Department of National Defence website stated that "To date, the group has 22 people, 18 of whom are

Canadians.”⁷ It is bad enough that, a third of the way through the group’s mandate, Canada only had 18 out of an announced 30-person staff in place. For its part the U.S. government had dedicated only 4 part-time personnel to the mission.

Canadian Army Col. David Fraser, co-director of the Binational Planning Group provided a progress report to the Binational Military Coordination Committee. In this report, he stated that, with these 18 Canadians and four Americans, the group was *“almost fully staffed right now so I think it’s very fair to say that they’re just beginning their work.”*

It is probably also very fair to say that this may be a good idea going nowhere – slowly.

Canada-U.S. Intelligence Coordination

Ward Elcock, Director of the Canadian Security Intelligence Service, told the Committee that there is extensive and on-going intelligence co-operation between Canada and the United States. Mr. Elcock noted that **Louis Freeh, a former director of the Federal Bureau of Investigation**, told a conference in Whistler in March, 2002 that *“With respect to the Canadian and US partnership . . . in the areas of terrorism, cross-border crime, espionage, there is actually no stronger relationship that exists in the world, at least in my experience, than between the law enforcement [and] intelligence services of both countries, and I know from a first-hand position.”*

⁷ Inside Washington Publishers, “Inside the Pentagon: Sorting Through 50 Years Of Military Agreements... U.S.-Canadian Planning Group Eyes Enhanced Defence Cooperation,” (14 August 2003). Available at: www.forces.gc.ca/site/focus/canada-us/pentagon2_e.asp. Visited 7 October, 2003.

Canada-U.S. Customs and Immigration Coordination

Several examples of efforts to improve coordination between U.S. and Canadian customs and immigration operatives were noted in Chapter 3 – The Need for Better Surveillance.

We have already said that one of these efforts – the In Transit Targeting Initiative – makes little sense to the Committee, in that it places U.S. targeters at Halifax, Montreal and Vancouver in an effort to target dangerous cargo headed for the United States, but it also places Canadian targeters at Newark and Seattle. These Canadian targeters are apparently looking for containers that would wreak havoc in Canada but are passing through the United States en route to their northern target. This seems unlikely: terrorists have been accused of being venal, but they have never been accused of being as stupid as this. The Committee suggests that these Canadian officers be relocated to more likely terrorist embarkation points.

Other initiatives by the Canada Customs and Revenue Agency (CCRA) – such as the Canada-U.S. initiative designed to enhance Canadian and U.S. border security at ferry terminals through the adoption of a series of benchmark security measures – make far more sense. The truth is that despite allegations in some U.S. circles that Canadian border security is weak, until recently Canadian customs and immigration placements at Canada-U.S. border points were more generously staffed than U.S. locations. Furthermore, Canadian training appears to be superior.

As Denis Lefebvre, Assistant Commissioner, Customs Branch, Canada Customs and Revenue Agency, told the Committee:

"The Canada Customs and Revenue Agency has a school in Halifax to teach officers how to search ships. There are only a couple of customs administrations in the world that have that. We have an excellent reputation. We have students from other customs administrations. We would love to have U.S. customs officers attend there to follow the course. They do not have anything close to it. In that regard, I think that we are ahead."

It is the Committee's belief that the two main problems with Canada's customs and immigration placements – which applies not just to U.S. border points, but at other locations as well – are lack of trained personnel to operate new scanning equipment, some of which sits idle, and lack of advance information on ship passengers similar to that provided on air passengers under the Advanced Passenger Information (API) agreement.

However the Canada Customs and Revenue Agency and its U.S. counterparts do deserve credit for undertaking initiatives that serve as models for Canada's shipping agreements with other countries. For instance, CCRA and the U.S. Customs Service have recently implemented a program whereby data on in-transit shipments is sent electronically into the United States Automated Targeting System. This enables officers to do an automated first sort of manifest information. This electronic sort saves valuable time for the targeters and allows them to concentrate their work on the highest risk shipments.

Canada and the World

When **Ms. Maureen Tracy of the Canadian Customs and Revenue Agency** appeared before the Committee, she acknowledged that targeting shipments arriving from other ports is not always easy, because officers are not always sure as to the actual origin of various components of any shipment. In her words: *"There are containers that have a somewhat limited history."*

A ship loads at one port . . . arrives at another . . . partially unloads . . . picks up more cargo . . . proceeds to the next port . . . repeats the routine . . . and the cycle goes on.

Containers that appear to come from, say, Rotterdam, may actually be from, say, Algeciras. Some shipping companies are more reliable than others in chronicling a shipment's voyage.

Canada is currently attempting to increase the percentage nationally of arriving shipments that are scanned or searched by one means or another from three per cent to six per cent. [The Committee received testimony that in Halifax the rate is eight per cent.] Those low percentages are not unusual – no country can afford to inspect all, or even a majority, of arriving or outgoing shipments.

However, the Committee believes that countries of good will can enter a symbiotic relationship to reduce the odds of failing to inspect dangerous cargo. Through bilateral agreements, we believe that these countries can achieve the end sought through the use of the United States Automated Targeting System (see above): to save valuable time for targeters, allowing them to concentrate on high risk shipments.

To do this, customs officers need to have a better sense of which shipments are low-risk.

A Web of International Maritime Colleagues

Different methods of searching vessels and containers are more thorough than others. In modern ports around the world, a variety of search and scanning methodologies are used. The most thorough, of course, is taking a container to a warehouse and destuffing it manually. Such searches are time-consuming, expensive and rare, for obvious reasons.

Other technologies, of varying efficacy in different situations, include the Vehicle and Cargo Inspection Systems (VACIS) machine (stationary gamma radiation equipment capable of scanning a container in five seconds), mobile/pallet gamma rays, radiation detection equipment, hand-held ion scans, remotely operated vehicles, tool trucks, and biological and chemical weapons detectors.

What Canada needs to pursue are bilateral agreements whereby ports in other signatory countries advise our customs officials of two things before a vessel departs for Canada:

- Details pertaining to ship, crew and cargo
- Information on how thoroughly items on a full list of cargo were scanned

Details pertaining to ship, crew and cargo are supposed to be sent electronically to customs officials in countries belonging to the International Maritime Organization starting in 2004. Ocean carriers and freight forwarders are responsible for sending this

information. How reliable are shippers and forwarders? Very few containers are loaded right at ports, and police and customs auditing of the companies responsible for shipments is negligible. The Committee believes that a more reliable and trustworthy system could be established under reciprocal agreements whereby port officials forward details on crews and shipments.

At the same time, port officials could – through a numbers or letters rating system – indicate which pieces of cargo had been searched, and how thoroughly. For instance, a manual destuffing might rate a 10, a Vehicle and Cargo Inspection Systems (VACIS) machine scanning a 7, and so on. Various combinations and permutations are possible, of course. Higher numbers might be assigned to containers searched in two or three signatory ports before they arrived in Canada. If Canada signed agreements with a number of countries, it could lead to much more effective targeting when cargo vessels arrive at our ports.

Much to Learn

Canadian security officials should be doing some scanning themselves – overseas. We have plenty to learn from other countries. The United States, for instance, has security and intelligence officials at many ports abroad. Why aren't Canada's CSIS officials abroad collecting intelligence in foreign ports that regularly load vessels bound for Canada? The Committee learned that the CSIS officer at the Canadian Embassy in The Hague never went to the Port of Rotterdam on business, focusing her attention instead on the International Court at The Hague. The latter is a commendable initiative, but

so is assessment of what kind of suspicious vessels might be departing the Netherlands for Canada.

There is much to learn in Rotterdam. The Dutch port is far better policed than Canadian ports, and has introduced a system whereby its police no longer focus on incidents. Rather, they have introduced a problem-oriented system with a project-style approach to solving those problems. Officials no longer rely on companies to report crime – their teams determine what kind of crime is taking place, and send teams out to engage in thorough investigations.

These are just a few examples of how Canada could learn from a thorough study of how other countries are using their coast guards, to how they are scrutinizing their ports, to what methodology works best for them in remote areas.

Recommendations

The Committee recommends that:

- 6.1. Both U.S. and Canadian governments address the work of the planning groups seriously and provide the necessary personnel to do it.
- 6.2. The Government of the United States be invited to place liaison officers at East Coast, West Coast and Great Lakes multi-departmental operations centres where intelligence is fused and analyzed if and when the Government of Canada sees fit to establish those centres.
- 6.3. The Government of Canada enter into reciprocal bilateral agreements with major shipping countries that outline ways that these countries will assist each other on advance information on vessels, crews, cargo and indicators of which cargo items have already been inspected in various ways.
- 6.4. The Government of Canada commission a report on how other countries are upgrading their maritime security, with particular reference to the use of coast guards and anti-crime and anti-terrorism methodology at sea ports and airports.

Conclusion

When Dr. Thomas Axworthy, Chairman of the Centre for the Study of Democracy, Queen's University, appeared before the Committee, this keen student of Canadian history pointed out that Canada was unready for the First World War, unready for the Second World War, unready for the Korean War, and even, if you went back far enough, unready for the 1885 rebellion in the northwest.

"We have this tradition of unpreparedness. Ethelred the Unready should be the patron saint of Canada. At the same time, we have this enormous accelerating rate of threat."

The Committee could not agree more. Never has a combined physical and economic threat to the Canadian homeland been more palpable, but rarely have Canadians been more sanguine about their well-being.

This Committee is not composed of alarmists. Many of our earlier proposals have proven to be sound – in some cases, such as the need for a pause in Canada's military activity abroad, even prescient.

Not only are our proposals generally sound, under the circumstances we believe them to be moderate. We do not expect, nor want, Canada to become a militaristic country.

But we must be prepared. We must defend ourselves. We must defend our coastlines with more than a handful of RCMP officers. We must reorganize our security and intelligence apparatus at the centre.

RECOMMENDATIONS

Chapter Two

With respect to security SURVEILLANCE on Canada's coasts, the Committee recommends that:

- 2.1 At least eight and possibly more High Frequency Surface Wave Radar sites be installed to monitor areas of heavy traffic on Canada's coasts, plus other coastal sites that terrorists might target as alternates to high-traffic ports.
- 2.2 Tactical drones (Unmanned Aerial Vehicles (UAVs)) be introduced as surveillance aids off both coasts.
- 2.3 The government conduct a study to ascertain whether the use of higher-cost strategic drones should be introduced into Canada's surveillance matrix in the Arctic, as well as the east and west coasts.
- 2.4 The Department of Transport require all vessels of more than 15 tonnes to be equipped with transponders of at least Class B⁸ capacity by 2008.
- 2.5 The Royal Canadian Mounted Police (RCMP) be designated as the lead police force at all Canadian air and sea ports with adequate funding to combat

⁸ A Class B transponder is able to transmit but not receive.

security breaches caused by the presence of organized crime at those ports.

- 2.6 Canada Customs & Revenue Agency (CCRA) personnel be relocated from the U.S. ports of Newark and Tacoma to major world ports where the likelihood of terror-related embarkations is much more likely.
- 2.7 Significant numbers of Canadian Security and Intelligence Service (CSIS) personnel be posted to major world ports to gather maritime intelligence.
- 2.8 All cruise ships, ferries and other vessels approaching Canadian ports be required to provide information on passengers and crew comparable to that provided to immigration officials at Canadian airports under the Advance Passenger Information/Personal Name Record Program.
- 2.9 Canada Customs & Revenue Agency (CCRA) ensure that there are adequate trained personnel to operate the new technology introduced at Canadian ports.
- 2.10 Goods confiscated by Canada Customs & Revenue Agency (CCRA) and Royal Canadian Mounted Police (RCMP) in conducting their normal duties be auctioned off and the funds raised be reinvested in the upgrading of policing capabilities.⁹

⁹ Parks Canada's revenues for entry fees at Canadian parks went up considerably after it was decided to partially reimburse parks for fees collected. Park wardens had previously been less than vigilant about staffing entry posts, since all revenues went directly to Ottawa.

Chapter Three

In addition to repeating the three recommendations listed above, from our report *Defence of North America: a Canadian Responsibility*, the Committee recommends that:

- 3.1 The government expand its cadre of intelligence analysts in the wake of reports that too few people have been assigned to do too much critical work.
- 3.2 The government move immediately to upgrade its recruitment of intelligence officers from Canadian universities and other institutions outside the public service and that those universities and institutions make wider use of instructors from outside Canada with insights into other cultures.
- 3.3 The government increase funding for the training of people with the kinds of language and cultural skills that the Canadian intelligence community needs to draw from.
- 3.4 The government treat the quick introduction of the Maritime Information Management & Data Exchange Study (MIMDEX) information-sharing system as a priority.
- 3.5 The government expand information-sharing among departments, agencies, police forces and the military, recognizing some potential limitations required by the Charter of Rights and Freedoms as well as confidentiality guarantees sometimes required by foreign intelligence sources.

Chapter Four

The Committee recommends that:

- 4.1. The federal government take immediate steps to transform the Canadian Coast Guard from an agency that reports to the Department of Fisheries and Oceans to an independent agency responsible to Parliament and carrying out its duties – search and rescue, ice-breaking, navigational aids, buoy tending, boat safety, fisheries and environment protection – plus new responsibilities for national security. For national security matters, Coast Guard assets would be temporarily directed by coastal operations centres (Trinity and Athena).
- 4.2. The Committee reiterates its recommendation that a public inquiry be struck under the Inquiries Act to look into the vulnerabilities to crime and terrorism at Canada's ports.
- 4.3. The Committee recommends that the Royal Canadian Mounted Police (RCMP) conduct a risk / threat assessment to determine what personnel, equipment, and financial resources it needs to re-establish the Marine Division and to police the St. Lawrence Seaway, St. Lawrence River, Great Lakes, the Fraser and Skeena Rivers, and inland waterways identified as high risk.
- 4.4. The Committee recommends that the Royal Canadian Mounted Police (RCMP) report its findings to the

public by March 31, 2004 and have an operational plan ready for March 31, 2005, and that the Government be prepared to fund the stated requirements.

In addition to the recommendations in the above text, the Committee recommended *in Canadian Security and Military Preparedness* (February, 2002) that:

- **a federal agency be created that will be responsible for selection, training, and supervision of persons and systems responsible for passenger and baggage screening at airports, and that this agency report to the RCMP. (Recommendation #13 page 130)**

On top of the recommendation cited in the text above, the Committee recommended *in Defence of North America: A Canadian Responsibility* (September, 2002) that:

- **The Coordination of all Canadian resources – including Navy, Coast Guard, Air Force, Army, Citizenship and Immigration Canada, Canada Customs and Revenue Agency, police forces and agencies responsible for intelligence and satellite surveillance – to improve defence of Canada’s coastlines. (Recommendation #2 page 14)**
- **New security measures on the Great Lakes including:**
 - i. **Mandatory reporting for all vessels (of a displacement to be determined by Canadian regulators) to Canadian authorities 24 hours prior to anticipated entry into Canadian Great Lakes ports;**

- ii. All vessels (of a displacement to be determined by Canadian regulators) intending to operate in the Great Lakes region be equipped with transponders to permit electronic tracking by Canadian authorities. This requirement would have the added benefit of greatly improving the precision of search and rescue;
- iii. Mandatory daily reporting to Canadian authorities for all vessels (of a displacement to be determined by Canadian regulators) operating in Canadian national waters;
- iv. Canada's Great Lakes reporting stations will be responsible for receipt and coordination of these reports and for communication with policing agencies. (Recommendation #8 page 15)

In *The Myth of Security at Canada's Airports* (January, 2003) the Committee recommended:

- All airport policing directly related to air travel security be removed from the airport authorities and assigned exclusively to the RCMP under contract to CATSA. [The Committee's intention was to state that the contracts may be with CATSA, but the RCMP is the sole authority to which it reports.] (Recommendation #VII.1 page 147)
- Local police forces and security guards contracted by airport authorities be responsible for criminal offences that are not related to air travel security. (Recommendation #VII.2 page 147)
- CATSA should be given the authority to contract the RCMP to supervise all policing at airports as it relates to

passenger, cargo, aircraft and airside security. [The Committee's intention was that the RCMP, through CATSA, should supervise policing at airports.] (Recommendation #VIII.2 page 148)

Chapter Five

The Committee recommends that:

- 5.1. The position of Deputy Prime Minister become a permanent component of the federal political structure.
- 5.2. The Deputy Prime Minister be given permanent responsibility for Canada's U.S. File, borders, national security issues, natural and man-made disasters and coasts.¹⁰
- 5.3. The Deputy Prime Minister be provided with adequate bureaucratic support within a branch of the Privy Council Office to fund and direct a structure for maritime security in addition to other responsibilities listed in 5.2.
- 5.4. This national security structure containing the following be set up within 60 days:
 - A permanent Cabinet committee chaired by the Deputy Prime Minister

¹⁰ The Committee will prepare, in the future, reports on first responders, the intelligence community and other security matters. While arguments have been made in this report why coastal defence should be under the Deputy Prime Minister, the argumentation for including first responders and the Office of Critical Infrastructure Protection and Emergency Preparedness (OCIPEP) will be provided in subsequent reports.

- The Cabinet Committee would include the following ministers:
 - o Foreign Affairs
 - o Defence
 - o Solicitor General
 - o Health
 - o Finance
 - o Justice
 - o Immigration
 - o Others as required
 - An additional Secretary to the Cabinet as its senior official
 - A permanent Secretariat within PCO dedicated to national security issues
 - The Secretariat within PCO would include sufficient senior officials who have a good understanding of government capabilities, together with a grasp of issues and interests of importance to Canada.
 - A restructuring of current procedures to permit this Secretariat to address issues of national security and common US/Canada security issues.
- 5.5. The permanent secretariat to support the Deputy Prime Minister be formed within two months, and that they set up operations in a temporary government facility until the permanent national operations centres are built.

- 5.6. A national operations centre complete with a senior level "situation room" be constructed that would permit a permanent secretariat to continuously monitor international and national events that might affect the national security of Canada. This operations centre should be located within easy physical access to the Privy Council Office, with complete and redundant power and national level communications.
- 5.7. An alternate, mirror image operations centre be designed and constructed utilizing different sources of power and communications than the primary facility.
- 5.8. The design and construction schedule be such that these operations centres are fully operationally capable by 1 February, 2005.

Chapter Six

The Committee recommends that:

- 6.1. Both U.S. and Canadian governments address the work of the planning groups seriously and provide the necessary personnel to do it.
- 6.2. The Government of the United States be invited to place liaison officers at East Coast, West Coast and Great Lakes multi-departmental operations centres where intelligence is fused and analyzed if and when the Government of Canada sees fit to establish those centres.
- 6.3. The Government of Canada enter into reciprocal bilateral agreements with major shipping countries that outline ways that these countries will assist each other on advance information on vessels, crews, cargo and indicators of which cargo items have already been inspected in various ways.
- 6.4. The Government of Canada commission a report on how other countries are upgrading their maritime security, with particular reference to the use of coast guards and anti-crime and anti-terrorism methodology at sea ports and airports.

SENATE OF CANADA

National Security and Defence,
Standing Senate Committee
2nd Session, 37th Parliament

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