



Perimeter Security
and Economic
Competitiveness

PERIMETER SECURITY AND ECONOMIC COMPETITIVENESS

What Canadians told us

A REPORT ON CONSULTATIONS ON PERIMETER
SECURITY AND ECONOMIC COMPETITIVENESS BETWEEN
CANADA AND THE UNITED STATES

Canada 

**WHAT CANADIANS TOLD US: A REPORT ON CONSULTATIONS ON PERIMETER SECURITY
AND ECONOMIC COMPETITIVENESS BETWEEN CANADA AND THE UNITED STATES**

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For more information or additional free copies of this publication,
consult www.borderactionplan.gc.ca or write to:

Enquiries Service

Foreign Affairs and International Trade Canada
125 Sussex Drive, Ottawa, ON K1A 0G2
Tel **1-800-267-8376** (in Canada) or **613-944-4000**
Email: enqserv@international.gc.ca

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A SHARED VISION FOR PERIMETER SECURITY AND ECONOMIC COMPETITIVENESS

On February 4, 2011, Prime Minister Stephen Harper and U.S. President Barack Obama met in Washington, D.C., to announce *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*. This Declaration committed both nations to the pursuit of a shared approach to strengthening perimeter security and accelerating the legitimate flow of people, goods and services between the two countries.

A COMMITMENT TO ENGAGE CANADIANS

A key commitment in the Declaration was to engage with all levels of government and with communities, non-governmental organizations, the private sector and citizens on innovative approaches to security and competitiveness. To fulfill this commitment, the Government of Canada put in place a consultation process to solicit input from a broad cross-section of Canadian stakeholders.

- To ensure that the concerns and priorities of the provinces and territories were taken into account, the Prime Minister asked each jurisdiction to name a senior representative as a principal point of contact with the Government of Canada. This process has facilitated ongoing discussions with these governments on how to improve the functioning of the border.
- To make certain key border users and other interested parties were consulted, the government identified a wide range of interested stakeholders to whom it reached out directly for one-on-one meetings. These

included representatives of the business community (covering both large and small businesses and all aspects of the supply chain), organized labour, border communities, Aboriginal organizations, academic experts and think tanks with an interest or expertise in border issues, and civil society groups.

- Finally, to ensure that all Canadians were provided with an opportunity to participate in the consultative process, a website was established providing information about the Declaration and soliciting the input of citizens. In total, the website received more than 16,000 individual visits, resulting in more than 1,000 submissions from individual Canadians and others.

This report summarizes the input received through these consultative processes.

CANADIANS' VIEWS ON THE SHARED BORDER VISION: OVERVIEW

Throughout the consultation process, the Government of Canada received substantial input on all four areas of cooperation of the Declaration: addressing threats early; trade facilitation, economic growth and jobs; integrated cross-border law enforcement; and critical infrastructure and cyber-security. The groups and associations consulted focused their input on matters related to trade facilitation, economic growth and jobs. Some organizations, such as the Privacy Commissioner of Canada, commented on all four pillars in the context of a specific issue. The input from individual Canadians was relatively evenly distributed across all four areas of cooperation. What follows is a brief synopsis of what the Government of Canada heard on each of the four areas of cooperation.

ADDRESSING THREATS EARLY

This section of the Declaration speaks to the North American security perimeter, and describes how Canada and the United States would work together to protect both countries from natural disasters, man-made threats, health threats and terrorism. The Government of Canada heard from the provinces and territories, businesses, business groups, labour unions and individual Canadians about addressing threats early.

Provincial and territorial input generally touched on the implications for business of new measures to address threats early, and noted the potential for sensitive privacy issues to arise and the challenges associated with information sharing between governments.

Business groups generally agreed that cooperation with the United States in this area was important and supported the alignment of programs to screen travellers.

Individual Canadians who provided input expressed concern about collaboration between governments on information-sharing measures. These concerns centred on issues such as privacy and threats to Canadian sovereignty.

The government received specific input on information sharing with the United States from the Privacy Commissioner of Canada. A detailed submission on the legal and constitutional impact of information-sharing measures was also submitted by the Canadian Civil Liberties Association.

TRADE FACILITATION, ECONOMIC GROWTH AND JOBS

Improving the movement of goods and people across the border was the number one priority for Canada's business, industry and trade sector.

There was overwhelming support from this sector for increasing trade through harmonization and streamlining of border processes, and for expanding the range of benefits from trusted trader and trusted traveller programs for businesses of all sizes.

Input from large national business and trade organizations also called for expanded border pre-clearance programs for both goods and people. Stakeholders recommended moving the inspection of goods away from the border and facilitating the pre-inspection of travellers before they cross the border, so that congestion and delays at all ports—land, air, marine—can be minimized.

Other business stakeholder recommendations advocated border infrastructure improvements such as between Detroit and Windsor, introducing new technology to help traffic flow more smoothly at crossings, and improving data collection through initiatives such as the creation of a “single window” for data requirements from various border enforcement agencies.

For individual Canadians, the focus shifted from trade facilitation, economic growth and jobs to the movement of people across the border. The majority of submissions from individuals in this area supported measures that would expedite the movement of people for tourism or personal travel.

INTEGRATED CROSS-BORDER LAW ENFORCEMENT

When it came to integrated cross-border law enforcement, there was more interest from individual Canadians than from groups and associations. Many of the submissions from individuals expressed concerns regarding joint law enforcement measures between the two countries. Both the Canadian Civil Liberties Association and the Privacy Commissioner of Canada provided detailed submissions that called for measures to ensure that cross-border law enforcement activities and programs respect the legal and privacy rights of Canadians.

CRITICAL INFRASTRUCTURE AND CYBER-SECURITY

Regarding cooperation on cyber-security and critical infrastructure, some industry groups saw the benefits of strengthening the resilience of critical and cyber infrastructure through cross-border cooperation. When it came to cyber-security measures, individual Canadians wanted assurances that measures relating to this area of cooperation would adhere to Canadian law.

MAJOR TRENDS

Trade facilitation was the most important issue for groups, organizations and other levels of government. Canadian businesses noted that they have made significant investments in order to take advantage of programs to expedite the movement of goods and people across the border, and wanted more benefits to flow from such programs. They encouraged the Government of Canada to work with the United States to simplify, expand and harmonize existing trade facilitation programs, and called for further streamlining of the border process.

Concerns about loss of privacy, the impact of greater collaboration between Canada and the United States, and a desire for more information were common themes in the comments submitted online, although many Canadians also expressed support for steps that would expedite the movement of people across the border for tourism or travel.

NEXT STEPS

The Government of Canada, through this consultation process, has identified suggestions and ideas that will contribute to the development of an action plan with the United States. Moving forward, it is important to keep in mind that the results of the consultation described in this report are a reflection solely of the views of those who provided input. This report is not a reflection of the views of all Canadians and is not intended to be representative of all views on these issues.

This report is the beginning of the process, not the end. As the Action Plan is developed and implemented, there will be ongoing discussions with Canadians. Some measures may require further, detailed consultation, including parliamentary oversight. Overall, the Government of Canada believes that the input Canadians have provided will ensure an Action Plan that better aligns with the interests of Canadians, and of Canada. The government thanks Canadians for their input and looks forward to working with its partners in implementing an ambitious Action Plan.

INTRODUCTION

“To preserve and extend the benefits our close relationship has helped bring to Canadians and Americans alike, we intend to pursue a perimeter approach to security, working together within, at, and away from the borders of our two countries to enhance our security and accelerate the legitimate flow of people, goods, and services between our two countries. We intend to do so in partnership, and in ways that support economic competitiveness, job creation, and prosperity.”

— A DECLARATION BY THE PRIME MINISTER OF CANADA AND
THE PRESIDENT OF THE UNITED STATES OF AMERICA, FEBRUARY 4, 2011

On February 4, 2011, Prime Minister Stephen Harper and President Barack Obama met in Washington, D.C., to announce *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*.

This joint Declaration builds on long-standing relationships between the United States and Canada and on ongoing efforts to promote trade and enhance national security. It commits both nations to the pursuit of a secure shared perimeter while accelerating the legitimate flow of people, goods and services between the two countries. The Declaration identifies four areas of cooperation to serve as guiding principles for the development of a renewed border vision:

1. Addressing threats early
2. Trade facilitation, economic growth and jobs
3. Integrated cross-border law enforcement
4. Critical infrastructure and cyber-security

To move forward on the Shared Vision, a Beyond the Border Working Group was created and tasked with developing a joint action plan that would implement specific initiatives to give practical effect to the vision. The Declaration required that as a part of that work, the Government of Canada would conduct consultations with citizens, groups and other levels of government to hear from them about innovative approaches to security and competitiveness. This report describes the results of that process.

BACKGROUND: THE CANADA- UNITED STATES BORDER

Every year, Canadians make almost 40 million trips to the United States. As neighbours, our two countries enjoy one of the world's largest commercial relationships, with more than \$1.6 billion of goods and services crossing the Canada-U.S. border each day. More trade flows across just one crossing—the Windsor-Detroit corridor—than across any other border crossing in the world.

Trade between Canada and the United States has almost doubled since NAFTA's introduction in 1994. Our two economies rely on each other's markets to support millions of jobs. Today, companies and entire industries depend on integrated cross-border supply chains and production processes.

In support of this economic relationship, our two nations have developed trusted traveller and trader programs that streamline the flow of people and goods across the border. For example, almost 500,000 people participate in the NEXUS program, which expedites the border clearance process for low-risk, pre-approved travellers across land, marine and air ports of entry. The Free and Secure Trade (FAST) program is another example of Canada-U.S. cooperation: it is a commercial clearance program that uses dedicated lanes at road border crossings for faster and more efficient border clearance of goods transported by truck.

At land, marine and air borders, the Canada Border Services Agency and the United States Customs and Border Protection service collaborate on measures to enhance border security, and law enforcement agencies from both countries cooperate to protect both nations from potential terrorist threats and the smuggling of people and contraband.

BORDER CHALLENGES AND ISSUES

Canadians and Americans share a commitment to a secure border that is open to trade. And over the last decade, both countries have worked hard to respond to the evolving threat posed by transnational crime and terrorism.

However, while new security procedures have helped to keep our countries safe, the reality is that they have too often increased the compliance burden for our companies, our people and our economy. Today, it is estimated that border rules and regulations cost Canadian exporters billions of dollars per year. U.S. tourism and travel to Canada, a major source of Canadian jobs and prosperity, has declined significantly in recent years.

As North America faces continued competition from overseas manufacturers, and both Canada and the United States seek to recover from the worst financial and economic crisis since the Great Depression, it is imperative for governments to secure our borders from threats while finding ways to reduce the impact on business' ability to trade, sell and innovate.

In this regard, it is worth noting that improving trade is not just a Canadian objective. In 2010, President Obama launched the National Export Initiative, which focuses on the importance of international trade as a creator of jobs and an engine of America's economic recovery. The announcement of the Shared Vision for the border comes at a time when the political leadership of both Canada and the United States is equally focused on the benefits of trade.

CANADA-UNITED STATES COLLABORATION ON BORDER ISSUES

Canada and the United States have a long history of working together on border issues.

In the 17 years since the coming into force of NAFTA, our two countries have devoted considerable effort to working together at the border, first in 1995 through the Canada-United States Accord on Our Shared Border and again in 1999 through the Canada-United States Partnership. Following the terrorist attacks of 2001, Canada and the United States signed the Canada-United States Smart Border Declaration. This declaration committed our governments to work together to address terrorist threats to our people, our institutions and our prosperity. As part of the declaration, both governments identified ways to cooperate in building a smart border for the 21st century. That agreement was then followed by the Security and Prosperity Partnership, signed between Canada, the United States and Mexico in 2005.

Today, Canada and the United States have developed a renewed vision for our shared border, *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*. The new border vision is not the beginning of Canadian-U.S. efforts on border collaboration; rather, it is the next step in an ongoing journey.

CONSULTING CANADIANS ON THE SHARED VISION

“We intend to work together to engage with all levels of government and with communities, non-governmental organizations, and the private sector, as well as with our citizens, on innovative approaches to security and competitiveness.”

— A DECLARATION BY THE PRIME MINISTER OF CANADA AND
THE PRESIDENT OF THE UNITED STATES OF AMERICA, FEBRUARY 4, 2011

Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness committed both nations to meaningful engagement with a broad range of stakeholders and audiences.

Since the Declaration, the Government of Canada has sought to engage directly with Canadians and Canadian industry. To that end, the Government of Canada developed an approach designed to ensure it heard from as many perspectives as possible. The government identified a wide variety of stakeholders whose perspectives could inform the Action Plan as it developed. These perspectives included those of other levels of government, business, labour, civil society, border communities, Aboriginal groups, think tanks, academics and individual citizens. Three main channels were used to ensure the government heard from as many of these stakeholders as possible: provincial and territorial engagement, bilateral meetings and online consultation.

PROVINCIAL AND TERRITORIAL GOVERNMENTS

Shortly after the release of the Declaration, the Prime Minister wrote to all provincial and territorial premiers asking them to identify a representative to be tasked with providing input on border issues as part of the consultation process. Subsequently, the Government of Canada met with all provincial and territorial representatives to listen to and understand their jurisdictions' perspectives on the border. Written submissions were also received from a number of these governments with advice and suggestions on border measures.

BILATERAL MEETINGS WITH KEY STAKEHOLDERS

The government reached out to key stakeholders to solicit bilateral meetings. It held meetings with businesses large and small, from a variety of sectors including, but not limited to, manufacturing, transportation and logistics, and tourism. The government also met with the associations representing these businesses and with major national labour unions. Finally, to ensure a thorough and balanced perspective, the government reached out to individual border communities, Aboriginal organizations, civil society groups, think tanks and academics with an interest or expertise in border issues. Through these meetings, the government received direct input from 110 stakeholders, including 54 written submissions.

ONLINE CONSULTATION

Finally, to ensure that any interested individual or group could provide input on the Declaration, the Government of Canada launched a website, www.borderactionplan.gc.ca. The website was designed to inform Canadians about the Declaration and invite them to share their thoughts on the key areas

of collaboration. Media events were held to launch the website and publicize it to Canadians. When the 41st General Election caused a suspension in online consultations, the government extended the deadline to allow Canadians more time to comment. Overall, the website resulted in more than 16,000 unique visitors and over 1,000 submissions.

CONSULTATION RESULTS BY THE NUMBERS

In sum, the Government of Canada's consultation efforts yielded the following results:

- meetings were held with representatives from Canada's 13 provinces and territories;
- 110 identified stakeholders provided input, including through 54 written submissions; and
- 16,000 unique visitors visited the consultation website, and 1,000 interested individuals submitted written input.

TYPES OF INPUT RECEIVED

The input received varied not only in from whom it came, but also in its scope and depth. Some stakeholders provided very specific input focused on one area of the Declaration or one issue. Other input was broad and took a position on the Declaration as a whole. Certain groups, by virtue of their mandate, were extremely focused and commented only on specific areas that matched their members' interests. Other groups offered views on all aspects of the Declaration.

In terms of depth, the input received from individual Canadians through the website tended to be shorter and more focused on personal experiences with the border, while the input received from groups and associations was more in-depth, depending on their level of direct engagement with the border.

One issue raised by some Canadians and stakeholder groups was the need for additional information. Many of the individual Canadians who provided input felt the Declaration did not contain enough information. Some organizations, in particular the Council of Canadians, believed that the Declaration did not provide sufficient detail for consultation purposes. In addition, some individuals and groups commented that the consultation period was not long enough, and that the process could have been more comprehensive. The Assembly of First Nations and the Haudenosaunee Documentation Committee

of the Six Nations Confederacy called for a separate consultation process with First Nations.

Provinces and territories, in contrast, did not raise the format of the consultations as an issue.

The Government of Canada is committed to continuing its consultation and engagement with Canadians as the Action Plan now under development is announced and moves into implementation. The government will continue to consult with stakeholders to ensure that Canada's goals are achieved and the best interests of Canadians are served.

“There is much work to do. The Declaration marks the start of this endeavour, not the end—an ambitious agenda between two countries, sovereign and able to act independently, when we so choose, according to our laws and aspirations.”

– THE RT. HON. STEPHEN HARPER, PRIME MINISTER OF CANADA

1

Addressing Threats Early

AREAS OF COOPERATION

Addressing threats early is the first area of cooperation in the Declaration, and refers to the development of collaborative methods for identifying and responding to threats and hazards faced by our two nations before they reach our shores. This section of the Declaration speaks to the North American security perimeter, and describes how Canada and the United States would work together to protect both countries from natural disasters, man-made threats, health threats and terrorism.

Some of the initiatives the Declaration mentions under this area of cooperation are:

- formulating joint privacy protection principles to inform and guide efforts;
- developing a common understanding of the threat environment through improved intelligence and information sharing;
- conducting joint threat assessments in support of informed risk management decision making;
- developing an integrated strategy for identifying and responding to threats;
- extending existing collaborative programs and developing new measures to help detect threats earlier;
- establishing agreements and policies that support the timely sharing of information;
- developing ways to work together to establish and verify the identities of travellers;
- working toward common technical standards for the collection, transmission and matching of biometrics; and
- working toward an integrated entry-exit system.

“The Privacy Commissioner... recommended that Canadian legal safeguards governing the use and protection of personal information apply to information shared between Canadian, U.S. and international agencies and officials.”

TYPES OF INPUT RECEIVED ON ADDRESSING THREATS EARLY

The government heard from provinces and territories, businesses, business groups, labour unions and individual Canadians about addressing threats early. The main areas of discussion in the input received were as follows:

- a. enhancing information sharing on travellers and travel;
- b. protecting personal information;
- c. using biometrics to facilitate border crossing and entry into the North American perimeter;
- d. working toward an integrated entry-exit system; and
- e. developing a common strategy for border management in the event of a disruption.

a) Enhancing information sharing on travellers and travel

Enhanced information sharing between Canada and the United States can facilitate a more efficient border by ensuring that as much screening as possible is done away from the border, and by increasing confidence in both countries that threats will be detected and dealt with early. However, enhanced information

sharing also raises issues, such as privacy protection. Enhanced information sharing was a common topic for input from groups and associations as well as from individual Canadians.

The bulk of submissions on information sharing came from the National Airlines Council of Canada, the tourism associations of the United States and Canada, the Greater Toronto Airports Authority and the Air Transport Association of Canada. They recommended that Canada and the United States align their advanced passenger-screening programs and also recommended that this process include the sharing of passenger data. The Customs and Immigration Union, whose members work at Canada's borders, as well as inland, recommended that joint Canada-United States information databases be made available to border personnel and be used to support enhanced screening at Canada's points of entry.

In support of expediting border crossing times, it was suggested that advanced passenger-screening programs be expanded to common carriers on land such as buses and trains. The Air Transport Association of Canada proposed merging Canada's Passenger Protect Program with the United States' Secure Flight program into a single North American “no-fly” list as a way to standardize the application of such lists within the North

American perimeter. The Tourism Industry Association of Canada also promoted visa sharing between Canada and the United States as a way to encourage continental travel. It was suggested that under this type of arrangement, holders of a valid visa to Canada or the United States would face a simpler entry process when travelling to either country from abroad.

Individual Canadians voiced concerns about enhanced sharing of traveller and travel information. These concerns centred on the loss of sovereignty, the protection of personal information shared between the two countries, and a general sentiment that not enough was known about the proposed measures.

Submissions from individuals who supported information sharing pointed to the benefits of harmonizing the sharing of information. Suggestions included development of, and access to, a shared database for customs officials. A small number of those making submissions indicated a belief that Canada's immigration and refugee practices were lax and therefore a threat to national security, and proposed the integration of these policies with those of the United States. Most of those who supported information-sharing efforts also sought assurances that the kind of information shared and its use would be reasonable, and in accordance with operational requirements.

b) Protecting personal information

Related to the topic of enhanced information sharing is the concern about protection of personal information. This was a key theme that emerged in the consultations across all four pillars of the Declaration, but it was most prevalent in input received on the issue of addressing threats early. Groups and associations spoke on this topic, but it was individual Canadians who provided the most commentary. Their submissions generally questioned the need to share more information, and they

sought assurance that any information sharing would be governed by Canadian privacy laws and that practices and procedures would respect the due process of law and Canada's civil liberties.

Both the Privacy Commissioner of Canada and the Canadian Civil Liberties Association (CCLA) provided detailed input on the issue of information sharing. Both expressed thorough views on the protection of personal information, and provided considerable detail about their concern that Canadians' personal information be protected.

The Privacy Commissioner, in discussions and her written submission, recommended that Canadian legal safeguards governing the use and protection of personal information apply to information shared between Canadian, U.S. and international agencies and officials. She expressed the view that the proposed measures must be implemented in accordance with Canadian privacy rights and protections, and called for ongoing transparency and openness by governments concerning the collection, sharing and use of personal information obtained from travellers.

The CCLA expressed similar views, calling for effective and clear appeal and redress procedures for persons placed on watch lists, such as “no-fly” lists. Both the Privacy Commissioner and the CCLA recommended that the Government of Canada consider international law on privacy when developing measures that involve information sharing and entry-exit controls at the border.

c) Using biometrics to facilitate border crossing and entry into the North American perimeter

Biometrics are methods of identifying people based on physical traits, such as fingerprint analysis; facial recognition; DNA, palm print or hand geometry analysis; and retina or iris recognition. While there was not a significant

“The Canadian Council of Chief Executives... recommended that both nations develop a joint collection and sharing approach for data that would accommodate commercial interests and respect constitutional and legal obligations.”

amount of input relating to biometrics, those organizations that did comment on this topic supported using biometrics to expedite border crossing.

The Customs and Immigration Union called for the deployment of an enhanced lookout system with face recognition biometric technology. The Canadian Council of Chief Executives, a national association of business leaders, called for Canada and the United States to work to accelerate international efforts toward the adoption of common global standards for biometric data. In their joint submission, the Tourism Industry Association of Canada and the U.S. Travel Association called for the collection of biometric data for travellers from key emerging markets such as Brazil, India, China, Russia and Mexico, because of the promise of this technology to simplify and expedite the travel experience for legitimate travellers. The small number of Canadians who provided input in this area approved of using biometric data to expedite automated border processing.

The Privacy Commissioner provided detailed input on issues associated with the increased use of biometrics. Recognizing that biometrics can support early detection of threats, she recommended that in order to minimize the risk of any secondary uses of biometric information, the Government of Canada develop

a robust governance structure and avoid the use of centralized databases that could lead to abuse of personal data. The Privacy Commissioner also suggested that Canada consider the long-term effects of biometric screening in a networked age.

d) Working toward an integrated entry-exit system

Canada and the United States currently cooperate on traveller screening, immigration controls and refugee screening. Integrated entry-exit controls at the land border would involve sharing entrance information about visitors to one country as a way of indicating exit from the other. In other words, Canada's entry data would serve as the United States' exit system, and vice versa. If integrated entry-exit systems were developed, both countries would not only have a record of when individuals entered, but when they left. This would help with enforcement of visas, for example, or with ensuring that visitors did not overextend their stay. At present, there is no exit record for visitors to Canada.

The Government of Canada received input on border entry-exit systems from representatives of Canada's airlines industry, the Canadian Council of Chief Executives and the Privacy Commissioner of Canada. Individual Canadians

and other levels of government did not provide significant input on this point in their submissions.

The National Airlines Council of Canada expressed concern that the institution of exit controls at airports might result in new costs and procedures. The Canadian Council of Chief Executives supported the implementation of an integrated automated entry-exit system at the perimeter. Under this system, they recommended that both nations develop a joint collection and sharing approach for data that would accommodate commercial interests and respect constitutional and legal obligations.

The Privacy Commissioner suggested that instituting an entry-exit program would represent a major shift from the current Canada-U.S. data-sharing regime. An entry-exit system would involve the sharing of personal information about Canadians with the United States. The Privacy Commissioner recommended that information shared be limited to specific alerts, incidents and lookouts. Visitors to Canada and the United States should also be informed of the program goals and the extent of the collection, use and sharing of their personal information.

e) Developing a common strategy for border management in the event of a disruption

The Declaration envisioned the development of a common strategy for border management in the event of a threat or disruption, which would allow for quick response to and recovery from natural disasters or public safety incidents. The strategy would help both countries avoid costly and disruptive closures.

The Canadian Chamber of Commerce, the Canadian Council of Chief Executives and the Air Transport Association of Canada all provided input in support of this measure, and

called for the development of a joint border management contingency plan in the event of future disruptions. For example, the Canadian Council of Chief Executives called for a “comprehensive, well tested border contingency plan,” which could ensure the border would remain open in the event of a future health emergency, pandemic or security threat. The Canadian Chamber of Commerce recommended that a joint contingency plan to address partial or complete closure of the border be put in place immediately. The suggested plan would include a process for reopening North American airspace and resuming maritime commerce on the Great Lakes system. It was also suggested that governments consider developing a common regulatory framework that would enable emergency services from one country to assist the other in the event of an emergency. Comments were framed in terms of the cost of a closed border to business and trade.

Individual Canadians did not touch on this point in their submissions.

2

Trade Facilitation, Economic Growth and Jobs

AREAS OF COOPERATION

Trade facilitation, economic growth and jobs was the second area of cooperation presented in the Declaration. This section focuses on existing and new measures that support the movement of goods and people across the Canada-United States border.

Initiatives under this area of cooperation include:

- expanding trusted traveller and trusted trader programs;
- investing in modern infrastructure and technology at our busiest land ports of entry;
- ensuring that border crossings have the capacity to support anticipated volumes of commercial and passenger traffic;
- establishing binational border committees tasked with coordinating border infrastructure projects and local issues;
- implementing common practices and streamlined procedures for customs processing and regulatory compliance;
- working toward developing a cargo security strategy that would ensure compatible screening methods for goods and cargo before they depart foreign ports bound for Canada or the United States; and
- acknowledging the importance of coordinated, cooperative and timely border management decision making to mitigate the impacts of disruptions on our citizens and economies.

“One specific proposal... is the development of an electronic ‘single window’ that would enable businesses to submit needed customs information and documentation on importation to relevant government agencies.”

TYPES OF INPUT RECEIVED ON TRADE FACILITATION, ECONOMIC GROWTH AND JOBS

The government heard a great deal from businesses, business groups, national labour unions, and provincial and territorial governments on this area of cooperation. Comments centred on efforts to facilitate trade and the movement of goods across the border, with less concentration on the flow of people. Labour unions supported the emphasis on trade facilitation and recognized the importance of initiatives that would enhance benefits to the Canadian economy. Limited input was received from individual Canadians on this pillar. Where individual Canadians did express specific views, their comments were generally about facilitating the flow of people.

The main areas of discussion in the input received were:

- a. simplifying and harmonizing practices and procedures at the border;
- b. expanding and harmonizing trusted trader programs;
- c. expediting the movement of people across the border;
- d. enhancing and expanding pre-inspection initiatives for goods crossing the border; and
- e. prioritizing border infrastructure upgrades.

a) Simplifying and harmonizing practices and procedures at the border

The suggestions the government received on simplifying and harmonizing practices at the border included eliminating or updating personal exemption duties for travellers with goods crossing the border, modernizing cabotage, publicizing border crossing and processing times, and focusing customs officials’ efforts away from collecting tariffs and taxes and toward managing the flow of people. For example, the Frontier Duty Free Association proposed setting traveller allowances at a level that would reduce the administrative burden and facilitate the flow of traffic at border checkpoints.

Border wait times were a preoccupation of shippers of goods and cargo. Submissions from other levels of government as well as from business groups representing importers and exporters, manufacturers, and the transportation and tourism sectors agreed on the need for simplifying and harmonizing practices and rules governing the flow of people and goods across the border. The governments of Nunavut and the Northwest Territories expressed general support for the perimeter security approach and for facilitating traffic at the land border, given their economies’ reliance on exports.

Major manufacturing, exporting and transportation associations consistently called for simplification and alignment of Canadian and

U.S. border practices. One specific proposal recommended by a number of firms and associations, such as the Canadian Chamber of Commerce, the Canadian Association of Importers and Exporters, the Canadian Manufacturing Coalition, and the Saskatchewan Trade and Export Partnership, is the development of an electronic “single window” that would enable businesses to submit needed customs information and documentation on importation to relevant government agencies, provided that implementation is carried out in a manner that facilitates trade and does not impose additional data and other requirements on the trade community.

Businesses and people engaged in cross-border shipping, including UPS Canada, the Canadian Courier & Logistics Association, and the Canadian Federation of Independent Business, suggested simplifying the administrative processes governing the shipment of low-value goods across the border.

The Assembly of First Nations, the Buffalo Point First Nation and the Haudenosaunee Documentation Committee of the Six Nations Confederacy called for recognition of the treaty rights of indigenous peoples to conduct transborder trade. They also called for the Government of Canada to avoid measures that would interfere with existing Aboriginal employment, economic activity and trade patterns.

Also of note were comments and input recommending alignment between Canadian and American regulations and regulatory reporting processes. Work in this area is the mandate of the Regulatory Cooperation Council, a binational exercise currently ongoing. There was consistent support from business and industry groups for the work of the Regulatory Cooperation Council.

b) Expanding and harmonizing trusted trader programs

The United States and Canada have a number of programs in place that facilitate and expedite the flow of goods across the border. These programs, referred to as trusted trader programs, allow participants (people and companies) to enjoy expedited border processing. Applicants are required to submit detailed background information in support of their applications to become a trusted trader. Once approved, the person or organization becomes “trusted,” and this designation offers an expedited process for crossing the border.

Canadian manufacturing and transportation associations and firms indicated that significant effort and resources have been invested in meeting the requirements of trusted trader programs. Suggestions for improvements to trusted trader programs were included in input from almost all manufacturers, exporters and business organizations. Many submissions called for the streamlining and harmonization of data requirements for release and reporting of transported goods. The Canadian Association of Importers and Exporters proposed reducing the transactional data requirements for trusted traders and having traders and shippers provide advance data about goods crossing the border through a registered profile rather than on a transactional basis. To ensure maximum participation, British Columbia believes that costs to participate in these programs should be reduced.

Harmonization of the two countries’ flagship trusted trader programs—Canada’s Partners in Protection (PIP) and the United States’ Customs-Trade Partnership Against Terrorism (C-TPAT)—was the most frequently cited suggestion to improve the effectiveness of trusted trader programs. It was suggested that a single set of requirements, acceptable to both border administrations, would make it easier for companies to focus on the business

“Many submissions called for the streamlining and harmonization of data requirements for release and reporting of transported goods.”

of trading and would reduce border processing times. The harmonization of trusted trader programs was supported by many provinces, including Newfoundland and Labrador, Nova Scotia, Ontario and British Columbia.

Submissions from the Canadian Manufacturing Coalition, Businesses for a Better Border and the Canadian Trucking Alliance called for the addition of more dedicated border lanes for trusted trader participants. The Canadian Trucking Alliance recommended adding additional FAST lanes at the Windsor-Detroit crossing, and the Canadian Manufacturing Coalition recommended dedicated primary inspection lanes at all appropriate border crossings for PIP and C-TPAT registered companies.

Canada’s small business sector commented on the challenges small businesses face with current trusted trader programs. The Canadian Federation of Independent Business commented that current programs are not designed with small businesses in mind. Significant hard costs and compliance burdens were cited as barriers to use and participation by small businesses. In a joint submission, the Canada and United States Chambers of Commerce called for the creation of a trusted shipper program addressing the specific needs of small and medium-sized enterprises.

There was no significant input from individual Canadians on expanding and harmonizing trusted trader programs; individual Canadians who provided input on the trade facilitation pillar instead focused on the movement of people.

c) Expediting the movement of people across the border

To help streamline the movement of people across the border, Canada and the United States created NEXUS, the trusted traveller program. The Canada Border Services Agency (CBSA) and the U.S. Customs and Border Protection (CBP) service cooperate on NEXUS to expedite the border clearance process for low-risk, pre-approved travellers into both Canada and the United States. Participants are able to speed their passage across the border because they have made their personal information and travel history accessible to both CBSA and CPB border personnel.

Individual Canadians focused their input in the second area of cooperation on the development of measures that would make it easier for people to cross the border. The most common suggestions focused on calls for an open border, with some individuals pointing to the European Union as a model. Individual Canadians also commented on their frustrations over crossing the border with work visas, the effectiveness of NEXUS, and their treatment by both Canadian and American border personnel, and called for simplification in the processing of travellers. A few individual submissions called for more leniency with respect to allowing those with old criminal records to cross the border, and offering more pardons.

Submissions from small and large businesses, as well as business groups, called for enhanced benefits under trusted traveller programs. In

particular, it was suggested that NEXUS be extended beyond the current roster of participating airports, the benefits of the program be expanded, and marketing efforts targeting Canadians and Canadian businesses be increased. The Government of British Columbia and some border communities also recommended more use of NEXUS or of existing Enhanced Driver’s Licences (EDL) and the increased use of advanced electronic passenger data (e.g. for cruise passengers) as a way to reduce wait times and ease traffic congestion.

A related request from the Haudenosaunee Documentation Committee of the Six Nations Confederacy was that Canada and the United States recognize its identity cards for travel across the border.

The Government of Canada also heard from business groups, and from individuals who travel to the United States for business, about delays and challenges related to crossing the border as a business traveller. Individual Canadians and business groups called for simpler, clearer standards and requirements for persons entering the United States with work visas. This issue was also recognized by a number of provinces, including Alberta and British Columbia, where trade in services and the cross-border movement of professionals and skilled workers is a significant priority.

Canadian and U.S. manufacturers often require the services of technicians based in the other country for short-term work on specialized equipment. For employers, delays in the processing of these visas add to the cost of production. Input suggested that a common Canada-United States approach to work visas would result in fewer bottlenecks and disruptions, and that expanding NEXUS to include visa information would help with the processing of business travellers.

A related issue was the call to improve cross-border movement of skilled and professional workers. The Building and Construction

Trades Department, AFL-CIO, Canadian Office, recommended that Canada adopt a pre-screening program for temporary foreign workers from the United States, streamlining the entry process for temporary skilled workers into Canada in response to cyclical labour shortages in the construction trades. The Canadian Council of Chief Executives and the Canadian Employee Relocation Council proposed measures to facilitate the movement of professional and skilled workers between Canada and the United States.

d) Enhancing and expanding pre-inspection initiatives for goods crossing the border

Pre-inspection programs facilitate the flow of goods across the border by moving customs inspections away from the border to major transportation hubs or manufacturing plants in the country of origin. Under this type of approach, cargo would be cleared at the factory or depot by customs personnel, would be sealed for transport, and would then cross the border with minimal interruption.

Input in this area was received mostly from groups and organizations, with little input from individual Canadians. Rail companies and national business associations recommended that more pre-inspection be done at factories or transportation facilities, such as Canadian air cargo hubs or ports, prior to their arrival at the land border. The Provinces of Quebec and British Columbia also recommended expanding rail pre-clearance along passenger rail transportation corridors, such as at Montréal and Vancouver. British Columbia called for border inspections for the movement of goods and people to take place away from the border wherever possible, as well as the elimination of cost-recovery fees for border inspection, and the elimination of duplicative border inspections through joint or shared border inspection facilities and programs. The Canadian Chamber of Commerce and

“Harmonization of the two countries’ flagship trusted trader programs—Canada’s Partners in Protection (PIP) and the United States’ Customs-Trade Partnership Against Terrorism (C-TPAT)—was the most frequently cited suggestion to improve the effectiveness of trusted trader programs.”

“...it was suggested that NEXUS be extended beyond the current roster of participating airports, the benefits of the program be expanded, and marketing efforts targeting Canadians and Canadian businesses be increased.”

the Canadian Council of Chief Executives called for the expansion of existing pre-clearance programs and the establishment of new pre-clearance programs.

Representatives from Canada’s agriculture and agri-food sector, as well as the provinces of Manitoba and Saskatchewan, expressed concern with delays and challenges moving agricultural products across the border. For example, Canadian shippers of meat products into the United States market have their products inspected at packing plants and again at the border. These repeated inspections cause delays and border congestion. The Government of Canada received a joint submission from American and Canadian meat sector stakeholders recommending pilot programs with innovative approaches to eliminating re-inspections at the border in order to reduce border delays and congestion.

e) Prioritizing border infrastructure upgrades

Robust, modern infrastructure—the basic physical structures and technology needed for the smooth and efficient operation of the Canada-United States border—is critical to both countries’ economic prosperity.

The Government of Canada received significant input from industry, other levels of government and individual Canadians calling for upgrades to border infrastructure. Infrastructure suggestions focused on construction of the Detroit River International Crossing at the Detroit-Windsor border, the busiest border in the world. Many contributors, including the City of Windsor, the Province of Ontario, and national business and labour organizations, referred to the building of the new Detroit River International Crossing as a national infrastructure priority.

Stakeholders also recommended other technological, service or physical improvements to border crossings. One such recommendation, supported by the Canadian Chamber of Commerce, the Frontier Duty Free Association, the Canadian Trucking Alliance and others, is to expand the use of radio frequency identification (RFID) technology to speed up the movement of goods through data exchange between a reader and an electronic tag.

Many provincial governments, including Alberta, Saskatchewan, Manitoba, Quebec and Yukon, discussed hours and staffing at smaller ports of entry. Efficient and modern border infrastructure and appropriate levels of service were also concerns heard from border communities, such as from the cities of Vancouver, Windsor and Montréal and from the town of Stanstead, Quebec, reflecting the degree to which their local economies rely on ports of entry, whether land, air or sea.

Quebec, as well as numerous business organisations, also recommended increased cooperation and planning with Americans on border infrastructure projects. The Canadian Chamber of Commerce and the Frontier Duty Free Association also called for the development of a binational group or committee to oversee work on border projects and programs.

3

Integrated Cross-border Law Enforcement

AREAS OF COOPERATION

Integrated cross-border law enforcement is the third area of cooperation presented in the Declaration. Integrated cross-border law enforcement refers to cooperative law enforcement operations involving personnel and resources from both countries and targeting organizations and people involved in transborder and transnational crime.

Some of the initiatives the Declaration mentions under this area of cooperation are:

- building on existing bilateral law enforcement programs, such as Shiprider;
- developing the next generation of integrated cross-border law enforcement operations;
- seeking new and additional opportunities to pursue national security and transnational crime investigations together; and
- improving the sharing of relevant information among our law enforcement agencies.

TYPES OF INPUT RECEIVED ON INTEGRATED CROSS-BORDER LAW ENFORCEMENT

Individual Canadians focused on this area of cooperation more than other stakeholders. Individual submissions were divided on this topic: almost half of individual submissions opposed further collaboration on cross-border law enforcement operations, while other individual submissions called for an open border, more enforcement powers for the Canada Border Services Agency, and joint enforcement and cooperation in support of a common perimeter. Submissions received from groups, associations and other levels of government on this area of cooperation discussed the expansion of existing law enforcement efforts, measures to combat the importation of counterfeit goods, and the privacy and civil liberties implications of possible cross-border law enforcement measures.

“Some submissions from both individuals and groups expressed support for including other partners in the cross-border law enforcement process.”

The main areas of discussion in the input received were:

- a. building on the success of current efforts;
- b. working collaboratively to stop the importation of counterfeit goods;
- c. including other partners in cross-border law enforcement measures;
- d. ensuring that measures respect Canadian civil liberties and privacy laws; and
- e. concerns about cross-border law enforcement measures.

a) Building on the success of current efforts

The Canada-United States Shiprider program and Integrated Border Enforcement Teams (IBETs) are examples of Canada-U.S. cooperation on cross-border law enforcement.

The Shiprider program involves law enforcement officials from both countries operating together in integrated teams on shared waterways, such as the Great Lakes. Royal Canadian Mounted Police (RCMP) and United States Coast Guard vessels are both used, to allow joint teams to more effectively combat criminal activity in shared waterways. This prevents smugglers and criminals from fleeing across the border, leaving law enforcement officials unable to pursue them into the other country's jurisdiction.

The IBETs program is a partnership that enables the RCMP, Canada Border Services Agency, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement and the U.S. Coast Guard to share information and work together daily with local, state and provincial enforcement agencies on issues relating to national security, organized crime and other criminal activity transiting the Canada-United States border between ports of entry.

The Government of Canada received input relating to this pillar from both the Canadian Council of Chief Executives and the Customs and Immigration Union, which represents customs, immigration and food inspection personnel. Both groups called for the expansion of existing intelligence sharing and law enforcement partnerships. Suggestions included expanding the Canada-U.S. Shiprider program and IBETs program to include participation by the Canada Border Services Agency and local law enforcement officials. The Canadian Council of Chief Executives also suggested that joint law enforcement programs be introduced on land with a similar mandate.

The Canadian Civil Liberties Association's submission called for amendment of the current protocols to include a prohibition against secondary use of information obtained in the context of a cross-border law enforcement operation.

b) Working collaboratively to stop the importation of counterfeit goods

The Government of Canada heard from representatives of business and manufacturing groups about working collaboratively to stop the import of counterfeit goods. These groups spoke about the negative economic consequences of the importation of counterfeit goods into Canada. Submissions proposed that Canadian customs officials be granted the authority to search and seize shipments of counterfeit goods. The government also received input from groups recommending the development of a border enforcement strategy with the United States in response to the movement of counterfeit goods. Individual Canadians' input did not discuss the issue of counterfeit goods.

c) Including other partners in cross-border law enforcement measures

Some submissions from both individuals and groups expressed support for including other partners in the cross-border law enforcement process. The Federation of Canadian Municipalities, border communities and provinces such as Saskatchewan and Ontario recommended a deeper level of engagement with municipal police forces in the development of joint enforcement programs. In their submission, the Assembly of First Nations recommended that Canadian First Nations and U.S. tribal police forces be included in cross-border law enforcement activities. Finally, the Railway Association of Canada noted that large railways such as CN and CP operate rail police and that these companies could play a role in security and cross-border law enforcement efforts.

d) Ensuring that measures respect Canadian civil liberties and privacy laws

The issue of privacy and civil liberties came up in the context of this pillar, with the most focused and detailed submissions coming from the Privacy Commissioner and the Canadian Civil Liberties Association. The Privacy Commissioner called for the highest levels of privacy protection to be applied to cross-border law enforcement activities.

The Canadian Civil Liberties Association cautioned that cross-border law enforcement measures must fully respect both Canadian policing standards and individual rights and freedoms. The CCLA proposed that cross-border law enforcement activity be limited to inter-jurisdictional crime and that wholly domestic crimes remain the responsibility of Canadian police. In its submission, the CCLA called for the creation of independent oversight over the conduct of all integrated joint law enforcement activities in Canada and the United States, as a safeguard to ensure accountability and protect individuals from abuses resulting from the sharing of information or joint law enforcement activities.

A number of submissions from individual Canadians, as well as the CCLA, called for the establishment of redress mechanisms for persons unjustly or negatively affected by cross-border law enforcement activities, including early screenings and risk assessments.

e) Concerns about cross-border law enforcement measures

Individual Canadians voiced concerns about greater collaboration between Canada and the United States on cross-border law enforcement issues. Concerns were noted about information sharing and the potential for loss of sovereignty or protection of civil liberties from joint programs.

4

Critical Infrastructure and Cyber-security

AREAS OF COOPERATION

Critical infrastructure and cyber-security is the fourth and final area of cooperation presented in the Declaration. Critical infrastructure refers to processes, systems, facilities, technologies, networks, assets and services essential to the health, safety, security or economic well-being of Canadians and the effective functioning of government. Cyber infrastructure refers to the technical environments, institutions and structures that support advanced data storage, management and acquisition, and other computing and information-processing services distributed over the Internet.

“...individual Canadians commented that collaboration between Canada and the United States on cyber-security must adhere to Canada’s privacy laws and the laws governing electronic surveillance by government and police.”

“Alberta noted the importance of securing critical infrastructure such as pipelines and transmission lines from possible attack, and Ontario noted the importance of security elements when developing border infrastructure projects, such as the new Detroit River International Crossing.”

Canada and the United States both benefit from shared critical and cyber infrastructure. Examples of critical infrastructure shared by Canada and the United States include our highway systems, the air navigation system, the food supply system, our electricity generation and transmission systems, and our telecommunications systems.

The initiatives the Declaration mentions under this area of cooperation include:

- working together to strengthen cyber-security and to protect vital government and critical digital infrastructure of national importance;
- developing a cross-border approach to strengthening the resilience of critical and cyber infrastructure;
- improving the capacity to defend and protect the use of air, land, sea, space and cyberspace; and
- enhancing the security of integrated transportation and communications networks.

TYPES OF INPUT RECEIVED ON CRITICAL INFRASTRUCTURE AND CYBER-SECURITY

Cyber-security and critical infrastructure issues did not generate a significant amount of interest from groups, associations or other levels of government; individual Canadians offered more input. Overall, this was the least discussed pillar of the Declaration during the consultation process. Three main areas of discussion arose:

- a. deepening Canada-United States collaboration on cyber-security matters;
- b. ensuring that cyber-collaboration conforms to Canadian privacy and criminal laws; and
- c. protecting critical infrastructure.

a) Deepening Canada-United States collaboration on cyber-security matters

The Canadian Council of Chief Executives recognized the current success of collaboration efforts with the United States on these issues and called for a binational cyberspace defence strategy developed in collaboration with the private sector and end-users in both countries.

They noted that such initiatives should include information technology suppliers and end-users, all of whom share responsibility for preventing, responding to and recovering from physical and cyber disruptions of critical infrastructure.

b) Ensuring that cyber-collaboration conforms to Canadian privacy and criminal laws

Through website submissions, individual Canadians commented that collaboration between Canada and the United States on cyber-security must adhere to Canada’s privacy laws and the laws governing electronic surveillance by government and police.

The Canadian Civil Liberties Association noted there are differences between Canadian and American laws on electronic surveillance and the sharing and use of information obtained electronically. Given these differences, it was recommended that the Canadian government extend Canada’s legal protections to any joint cyber-security efforts.

Similarly, the Privacy Commissioner called for carrying over traditional privacy protections and fundamental legal principles into the online environment. Collaboration on cyber-security measures, it was suggested, should not impinge on or lessen individual privacy rights or civil liberties. She also suggested that any shared efforts at enhancing cyber-security be supported by public awareness, education and consultation programs.

c) Protecting critical infrastructure

Critical infrastructure protection was an issue raised primarily by other levels of government, including the governments of Ontario and Alberta, and major border communities. Alberta noted the importance of securing critical infrastructure such as pipelines and transmission lines from possible attack, and Ontario noted the importance of security elements when developing border infrastructure projects, such as the new Detroit River International Crossing.

CONCLUSION/ NEXT STEPS

Canadians are aware of the impact the Canada-United States border has on their lives. Seventy-five percent of Canadians live within 200 kilometres of the longest open border in the world. Three quarters of Canada's trade is with the United States. For over 140 years, our nations have enjoyed the benefits of a well-managed border and have shared a successful history of working together on border issues. Today, more than ever, Canadians understand that a safe, secure and streamlined border is of critical importance to Canada's social, economic and cultural prosperity.

When the Declaration of the Shared Vision was presented jointly by Prime Minister Harper and President Obama, it featured a stated commitment to consulting people, groups, communities, organizations and other levels of government. Democracy and openness are two of the most important values Canadians share with Americans.

This consultation has provided the Government of Canada with well-developed and valuable contributions on our security and competitiveness. The consultation has also helped the Government of Canada understand Canadians' concerns regarding the Shared Vision. With this in mind, the Government of Canada wishes to thank the Canadians who have taken the time to learn about the Shared Vision and provide their thoughts and ideas for the future of the Canada-United States border.

The Declaration committed Canada to the creation of a joint Action Plan that will guide the development of measures that facilitate trade across the Canada-U.S. border and enhance our collective security. As the Government of Canada moves forward on the development of the Action Plan, it will seek to incorporate the many innovative and well-informed ideas that were shared through this consultation.

The creation of the joint Action Plan marks the beginning, not the end, of a process. Most initiatives set out in the Action Plan will themselves be the subject of further consultation. In all cases, the government will continue to listen to the views of Canadians. Together, a new vision for our border will be realized that responds to the needs and aspirations of Canadians embracing the opportunities of the 21st century.

ANNEXES

ANNEX A:

DECLARATION ON A SHARED VISION FOR PERIMETER SECURITY AND ECONOMIC COMPETITIVENESS

4 February 2011
Washington, D.C.

Canada and the United States are staunch allies, vital economic partners, and steadfast friends. We share common values, deep links among our citizens, and deeply rooted ties. The extensive mobility of people, goods, capital, and information between our two countries has helped ensure that our societies remain open, democratic, and prosperous.

To preserve and extend the benefits our close relationship has helped bring to Canadians and Americans alike, we intend to pursue a perimeter approach to security, working together within, at, and away from the borders of our two countries to enhance our security and accelerate the legitimate flow of people, goods, and services between our two countries. We intend to do so in partnership, and in ways that support economic competitiveness, job creation, and prosperity.

We have advanced our prosperity through the Canada-U.S. Free Trade Agreement and the North American Free Trade Agreement. Over \$250 billion of direct investment by each country in the other, and bilateral trade of more than half a trillion dollars a year in goods and services create and sustain millions of jobs in both our countries. At the Canada-U.S. border, nearly one million dollars in goods and services cross every minute, as well as 300,000 people every day, who cross for business, pleasure, or to maintain family ties.

Canada and the United States share a long history of cooperation in defending our values

and freedoms. We stand together to confront threats to our collective security as partners in the North Atlantic Treaty Organization. We work shoulder-to-shoulder in the defence of both our nations through the North American Aerospace Defence Command (NORAD).

We share responsibility for the safety, security, and resilience of Canada and of the United States in an increasingly integrated and globalized world. We intend to address security threats at the earliest point possible in a manner that respects privacy, civil liberties, and human rights.

I. PRINCIPLES

We intend to work together in cooperation and partnership to develop, implement, manage, and monitor security initiatives, standards, and practices to fulfill our vision. We recognize that our efforts should accelerate job creation and economic growth through trade facilitation at our borders and contribute directly to the economic security and well-being of both Canada and the United States.

We intend to strengthen our resilience – our ability to mitigate, respond to, and recover from disruptions. Success depends on readiness at all levels of our governments, within our communities, and among private sector owners and operators of our infrastructure, systems, and networks. We rely on secure communications and transportation networks, including our civil aviation system, and we intend to work together to make them resilient enough to continue operating in the face of a natural disaster or attack.

We expect to use a risk management approach where compatible, interoperable, and – where possible – joint measures and technology should proportionately and effectively address the threats we share. Effective risk management should enable us to accelerate legitimate

flows of people and goods into Canada and the United States and across our common border, while enhancing the physical security and economic competitiveness of our countries.

We build on the efforts of many partners – from police and other emergency workers to our armed forces – who continue to safeguard us from the complex threats we face.

We also recognize that cooperation across air, land, and maritime domains, as well as in space and cyberspace, our enduring binational defence relationship, and military support for civilian authorities engaged in disaster response efforts and critical infrastructure protection, have all contributed significantly to the security of our populations.

We recognize that greater sharing of information will strengthen our ability to achieve the goals of this vision.

We intend to work together to engage with all levels of government and with communities, non-governmental organizations, and the private sector, as well as with our citizens, on innovative approaches to security and competitiveness.

We value and respect our separate constitutional and legal frameworks that protect privacy, civil liberties, and human rights and provide for appropriate recourse and redress.

We recognize the sovereign right of each country to act independently in its own interest and in accordance with its laws.

We expect to work together with third countries and with international organizations, and intend to facilitate security sector reform and capacity building around the globe, to enhance standards that contribute to our overall security.

KEY AREAS OF COOPERATION

Addressing Threats Early

Collaborating to address threats before they reach our shores, we expect to develop a common understanding of the threat environment through improved intelligence and information sharing, as well as joint threat assessments to support informed risk management decisions.

We intend to develop an integrated strategy that would enable us to meet the threats and hazards that both our nations face, including natural disasters and man-made threats, including terrorism.

We expect to continue strengthening our health security partnership, through existing mechanisms for cooperation on health emergencies, and by further enhancing our collective preparedness and response capacity to a range of health security threats, including influenza pandemics.

We intend to work together to uncover and disrupt threats that endanger the security of both Canada and the United States and to establish those agreements or policies necessary to ensure timely sharing of information for combined efforts to counter the threats. We intend to ensure we have the ability to support one another as we prepare for, withstand, and rapidly recover from disruptions. We intend to make the Agreement Between the Government of Canada and the Government of the United States of America on Emergency Management Cooperation, updated in 2008, a cornerstone of these efforts.

To increase security, counter fraud, and improve efficiency, we intend to work together to establish and verify the identities of travellers and conduct screening at the earliest possible opportunity. We intend to work toward common technical standards for the collection, transmission, and matching of biometrics that enable the sharing of information on travellers in real time. This collaboration should facilitate combined Canadian and United States screening efforts and strengthen methods of threat notification.

In order to promote mobility between our two countries, we expect to work towards an integrated Canada-United States entry-exit system, including work towards the exchange of relevant entry information in the land environment so that documented entry into one country serves to verify exit from the other country.

We intend to cooperate to identify, prevent, and counter violent extremism in our two countries. By working cooperatively on research, sharing best practices, and emphasizing community-based and community-driven efforts, we will have a better understanding of this threat and an increased ability to address it effectively.

We intend to formulate jointly Canada-United States privacy protection principles that should inform and guide our work in relation to facilities, operations, programs, and other initiatives contemplated by this Declaration.

We intend to work together to promote the principles of human rights, privacy, and civil liberties as essential to the rule of law and effective management of our perimeter.

Trade Facilitation, Economic Growth, and Jobs

We intend to pursue creative and effective solutions to manage the flow of traffic between Canada and the United States. We will focus investment in modern infrastructure and technology at our busiest land ports of entry, which are essential to our economic well-being.

We will strive to ensure that our border crossings have the capacity to support the volume of commercial and passenger traffic inherent to economic growth and job creation on both sides of the border.

To enhance our risk management practices, we intend to continue planning together, organizing bi-national port of entry committees to coordinate planning and funding, building, expanding or modernizing shared border management facilities and border infrastructure where appropriate, and using information technology solutions.

We intend to look for opportunities to integrate our efforts and where practicable, to work together to develop joint facilities and programs – within and beyond Canada and the United States – to increase efficiency and effectiveness for both security and trade.

We aim to build on the success of current joint programs by expanding trusted traveller and trader programs, harmonizing existing programs, and automating processes at the land border to increase efficiency.

We will look for ways to reduce the cost of conducting legitimate business across the border by implementing, where practicable, common practices and streamlined procedures for customs processing and regulatory compliance.

We intend to work towards developing an integrated cargo security strategy that ensures compatible screening methods for goods and cargo before they depart foreign ports bound for Canada or the United States, so that once they enter the territory of either we can, together, accelerate subsequent crossings at land ports of entry between our two countries.

We recognize the importance of the Canada-U.S. Framework for the movement of Goods and People across the Border During and Following an Emergency, agreed to in 2009. It underscores the importance of coordinated, cooperative, and timely border management decision making to mitigate the impacts of disruptions on our citizens and economies.

Integrated Cross-border Law Enforcement

We intend to build on existing bilateral law enforcement programs to develop the next generation of integrated cross-border law enforcement operations that leverage cross-designated officers and resources to jointly identify, assess, and interdict persons and organizations involved in transnational crime.

We intend to seek further opportunities to pursue national security and transnational crime investigations together to maximize our ability to tackle the serious security threats that these organizations and individuals present.

We intend to improve the sharing among our law enforcement agencies of relevant information to better identify serious offenders and violent criminals on both sides of the border.

Critical Infrastructure and Cybersecurity

We intend to work together to prevent, respond to, and recover from physical and cyber disruptions of critical infrastructure and to implement a comprehensive cross-border approach to strengthen the resilience of our critical and cyber infrastructure with strong cross-border engagement.

Canada and the United States benefit from shared critical and cyber infrastructure. Our countries intend to strengthen cybersecurity to protect vital government and critical digital infrastructure of national importance, and to make cyberspace safer for all our citizens.

We intend to work together to defend and protect our use of air, land, sea, space, and cyberspace, and enhance the security of our integrated transportation and communications networks.

II. IMPLEMENTATION AND OVERSIGHT

Canada and the United States intend to establish a Beyond the Border Working Group (BBWG) composed of representatives from the appropriate departments and offices of our respective federal governments.

Responsibility for ensuring inter-agency coordination will rest with the Prime Minister and the President and their respective officials.

We intend for the BBWG to report to their respective Leaders in the coming months, and after a period of consultation, with a joint Plan of Action to realize the goals of this declaration, that would, where appropriate, rely upon existing bilateral border related groups, for implementation.

The BBWG will report on the implementation of this declaration to Leaders on an annual basis. The mandate of the BBWG will be reviewed after three years.

ANNEX B:

LIST OF GROUPS, ORGANIZATIONS AND OTHER LEVELS OF GOVERNMENT CONSULTED

PROVINCES AND TERRITORIES

Alberta
British Columbia
Manitoba
New Brunswick
Newfoundland and Labrador
Northwest Territories
Nova Scotia
Nunavut
Ontario
Prince Edward Island
Quebec, including the Delegation from the Province of Quebec in New York
Saskatchewan
Yukon

BORDER COMMUNITIES

City of Montréal
City of Prince Rupert
City of Saint John
City of Sarnia
City of Sault Ste. Marie
City of Toronto
City of Vancouver
City of Windsor
Federation of Canadian Municipalities
Medicine Hat and District Chamber of Commerce
Town of Stanstead, QC

THINK TANKS

Atlantic Provinces Economic Council
Border Policy Research Institute
Canada West Foundation
Canadian Centre for Policy Alternatives
C.D. Howe Institute
Conference Board of Canada
Fraser Institute
Institute for Research on Public Policy

FEDERAL GOVERNMENT ORGANIZATIONS

Cross-Cultural Roundtable on Security
Prime Minister's Advisory Council on National Security
Privacy Commissioner of Canada

FIRST NATIONS

Assembly of First Nations
Buffalo Point First Nations
Haudenosaunee Documentation Committee
Indigenous World Association

GROUPS AND ASSOCIATIONS

Air Transport Association of Canada
Assembly of First Nations
Association of Canadian Port Authorities
Association of Equipment Manufacturers
Association of International Automobile Manufacturers of Canada
Automotive Parts Manufacturers' Association
Blue Water Bridge Commission
Building and Construction Trades Department, AFL-CIO, Canadian Office
Businesses for a Better Border (B3)
Canadian Airports Council
Canadian Association of Importers and Exporters
Canadian Association of Petroleum Producers
Canadian Auto Workers
Canadian Business Aviation Association
Canadian Chamber of Commerce
Canadian Civil Liberties Association
Canadian Consumer Products Association
Canadian Council of Chief Executives
Canadian Courier & Logistics Association
Canadian Employee Relocation Council
Canadian Federation of Independent Business
Canadian Generic Pharmaceutical Association
Canadian Grains Council
Canadian International Freight Forwarders Association
Canadian Labour Congress
Canadian Manufacturers & Exporters
Canadian Manufacturing Coalition
Canadian Meat Council
Canadian Oilseed Processors Association
Canadian Shipowners Association
Canadian Snowbird Association
Canadian Society of Customs Brokers
Canadian Steel Producers Association
Canadian Trucking Alliance
Canadian Vehicle Manufacturers' Association
Can/Am Border Trade Alliance (Jim Phillips)

Certified General Accountants Association of Canada
Chamber of Shipping of British Columbia
Council of Canadians
Customs and Immigration Union
Food & Consumer Products of Canada
Food Processors of Canada
Frontier Duty Free Association
Greater Toronto Airports Authority
Haudenosaunee Documentation Committee
Indigenous World Association
Information Technology Association of Canada
Japan Automobile Manufacturers Association of Canada
National Airlines Council of Canada
National Citizens Coalition
North West CruiseShip Association
Pacific Northwest Economic Region
Port Metro Vancouver
Port of Halifax
Port of Montréal
Prince Rupert Port Authority
Public Border Operators Association
Railway Association of Canada
Rx&D
Saskatchewan Trade and Export Partnership
Teamsters
Tourism Industry Association of Canada
United Steelworkers

INDUSTRY – FIRMS

Amtrak
Bombardier Aerospace
CN Rail
CP Rail
GS1 Canada
Imperial Tobacco Canada
Mitsubishi Electric Sales Canada
UPS Canada
VLM Foods Inc.
Wild Bird Trading Company