

Partners in Security

By Sheema Khan, April 11, 2006

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As we enter into an era of unprecedented security amidst fears of terrorist attacks, let us acknowledge that we are all in this together. Security agencies and citizens need to work together to ensure the safety of all Canadians.

This should be our plan for the future. Since 9/11, Muslim and Arab communities have felt the burden of suspicion. This in turn has left Muslims and Arabs distrustful of our agencies due to a number of recent events which will be elaborated upon shortly. However, Muslims and Arabs should not be seen as part of the problem, but as part of the solution.

On the other hand, the warnings of former CSIS Director Ward Elcock of “it’s not a matter of if, but when” have not fully registered in the minds of many; the real threat of terrorism has not fully sunk in.

We need to work on these and other challenges together.

As we discuss national security in multicultural societies, it is important to be cognizant of the experiences of new immigrants. I would first like to take this opportunity to share my personal experience with Canada’s multiculturalism policy.

At the age of three, I left civil strife between Hindus and Muslims in India, and came with my parents to settle in Montreal. While growing up, my best friend was Hindu. Our neighbours were from all types of backgrounds – Chinese, Canadian, Brazilian, etc. You could travel the world without leaving Montreal. In the public school system, I had friends from all over the world and of different faiths – Jews, Christians, Hindus, Sikhs, etc. By living, playing and working with people from different backgrounds, I recognized the common bonds of humanity that we shared. Living in a pluralistic society can only broaden your horizons.

Let us not forget that many immigrants who come to Canada do so to escape civil strife. They have no desire to live the nightmare of hatred and tensions they left behind. Canada, in her generosity, offers people access to education, employment and health care.

There is another unique aspect to our Canadian society – our Charter of Rights and Freedoms. We may take it for granted, but the highest law of the land guarantees certain rights simply because one is human. For many immigrants, this may be a novel concept, as their lands of origin may not have such guarantees.

Let us also remember that in many countries of origin, there is very little trust of the police. There is often a lack of real, viable political participation as well. Many newcomers who come from such environments will need time to adapt, and build trust with their new surroundings and civil institutions.

All of the above – the opportunities, the foundation of Canadian civil society – make this a truly great nation. Many recognize this – especially if they have other nations to compare to. Leaving civil strife, police states, institutionalized discrimination, lack of opportunity, for the relative peace and openness of Canadian society is a boon for many.

It is very possible that the second generation may not appreciate these aspects, since they have not had the same experiences of their parents. As others have advocated, we need to foster 'smart' integration, so that this, and subsequent generations do not feel alienated from the larger society.

There is one other important aspect of Canadian immigration policy that cannot be overlooked. We do not have a history of colonization, so that immigrants who do come to our shores, are not looked upon as former subjects who may wind up as second-class citizens. Just look at the dysfunctional immigration policies of many European nations. However, it must be mentioned that we do have a two-tiered system with regards to Canada's aboriginal peoples. Our policies towards this land's indigenous population have been shameful.

The 'normal' state of affairs changed, of course, after 9/11. However, it should have changed even before that, with the arrest of Ahmed Ressam. And perhaps even before that – with the terrorist bombing of the Air India airliner. In each of these cases, as with other less 'spectacular' events – these acts of terrorism were rooted in conflicts overseas. As such, the importation of foreign grievances is not new. What is new, however, is the use of violence to kill as many people possible to achieve political ends. We have seen it in Madrid and London. We see it in Palestine/Israel. We see it daily in Iraq.

Today's reality is as follows: there are conflicts in Iraq, Palestine/Israel, Kashmir, Chechnya and Afghanistan. All of these conflicts involve Muslims. With the advent of the internet and satellite television, Muslims in Canada, can now be kept up to date on all of these issues – often with gruesome footage. Grievances rooted in overseas conflict are no longer distant memories, but are now real, living realities for many here. And, given the lack of political savvy or mobilization by a relatively young community, there is much frustration of not being able to help alleviate the suffering and injustice in these areas of conflict.

Challenges

What are some of the challenges within the Muslim/Arab community?

There is a lack of acknowledgement of the gravity of the terror threat facing Canada. Note however, that such a lackadaisical attitude is also part of the wider Canadian society.

Some in the community play upon the politics of grievance, and reinforce a victimization mentality. While there are legitimate issues to be dealt with, some seek to use these for their own purpose.

While it is not a widespread practice, there are a few who give Friday sermons (khutbas) that are hateful. These are not to be confused with speech that deals with legitimate criticism of conflicts elsewhere. The community must exercise constant vigilance against those who seek to foment hate towards others under the guise of faith.

The bombings that took place this summer in London have alerted us to the nightmare scenario of Muslim youth, born and/or raised in the West, carrying out domestic acts of terrorism. While we must work on a comprehensive policy to ensure that such acts do not occur here, we may look at some of the factors that play a role in shaping the lives of Muslim youth raised in the West. Many feel alienation within the Muslim community, as they cannot relate to community leaders who are not attuned to the youth experience. Some youth also feel alienation within Canadian

society as they may experience a 'clash of values' during their teen and young adult years. Contemporary Western youth culture heavily emphasizes alcohol, entertainment and sexual activity; while it ignores spirituality – whereas Islamic values emphasize quite the opposite. Another factor that is important for Muslim youth is the condition of their fellow Muslims elsewhere in the world. There is much anger about the oppression/occupation of Muslims in Iraq, Palestine, Chechnya and Kashmir. With the advent of the internet and satellite TV, these conflicts are brought closer to home.

Many immigrants come from places where the security apparatus/police are feared. Such fear and distrust have been ingrained to such an extent that cooperation with Canadian authorities is a challenge. Yet, it is in the very aftermath of 9/11 that Canadian Muslims and Arabs relied on our police agencies to protect them, their institutions and houses of worship from physical attacks. We truly are in this together.

It should be noted, that in spite of widespread condemnation by Muslim and Arab community leaders of 9/11, the Madrid and London bombings, these very communities are still regarded as silent on terrorism. It is almost as though Muslims and Arabs face a higher litmus test of loyalty and citizenship than others.

There is also a lack of civic engagement, as many do not fully participate in the Canadian political system. Again, many have come from places where meaningful civic engagement does not exist.

Perhaps the biggest challenge is that today, Muslims/Arabs live with a double fear – fear of an attack on Canadian soil, and fear of the ensuing backlash. They know that if a terrorist act occurs here, they will bear the brunt of the fallout. This may be a selfish view – but it is an honest appraisal. On the flip side, it is in the best interest of the Muslim/Arab community to make sure no such attack occurs.

Despite the above, the community is gaining its voice. Numerous local and national organizations have emerged – even before 9/11. Many condemned the London bombings this summer, and an unprecedented number of 120 imams from across Canada signed a national statement condemning terrorism and violence in the name of Islam. Such an act was recognized by former Prime Minister Paul Martin, who met with representative imams to forge goals for the future safety of all Canadians.

Osama bin Laden has divided the world into two camps, those who oppose the oppression of the Muslim people and those who aid in that oppression. President Bush has divided the world into two camps: those who support terrorism, and those who fight terrorism.

One can stand against both oppression and terrorism. One can stand for both justice and security.

What are some of challenges faced by Muslims/Arabs with regards to our security agencies?

Since 9/11, there has been a tremendous loss of confidence and trust in the RCMP, CSIS and a few local police forces – due to many highly publicized events.

The deportation and torture of Maher Arar is foremost in people's mind, of how our own security agencies may have been complicit in Mr. Arar's horrific ordeal. The emerging stories of four other Canadian men detained and tortured by Syrian officials in the post 9/11 era paints a very

disturbing picture of the role of our security agencies in the coordination of such unlawful and inhumane practice of rendition.

Another deeply disturbing issue is that of security certificates. Five Muslim men have been detained and imprisoned indefinitely [one is now out on bail] in Canada without charge, and without the right to see the evidence against them.

In the aftermath of 9/11, a Chalk River nuclear engineer was dismissed from his job after visits from the RCMP. His name resembled that of one of the 9/11 hijackers. He sued, and the case was settled out of court.

Then there is the story of 19 Pakistani immigrants living in Toronto who were rounded up and touted to be part of a sleeper cell. They were summarily deported for immigration violations. It turned out that they had no terrorist connections, yet the reputations of these men have been irreparably damaged.

In 2005, a group of Ontario Police Chiefs traveled to Israel to learn about security measures. This upset Canadian Muslims and Arabs deeply, since Israeli security policies and procedures towards the Palestinians are seen as racist, brutal and oppressive. Recently, the Israeli Supreme Court outlawed the IDF practice of using Palestinian “human shields” in its security operations.

Perhaps the most disturbing revelation has been the B. Liddar story. His security clearance (for a diplomatic posting in India) was delayed due to his connections with Arab groups and causes, according to media reports. SIRC found no basis to deny Mr. Liddar the requisite security clearance, and also found that CSIS had tried to cover its tracks in a dishonest manner. These public findings do little to build trust with Arab and Muslim communities. The impression left is that if someone is associated with Arab causes, they are immediately suspect, and subject to added scrutiny. It also implies that such an individual will have difficulty obtaining any required security clearances for the purposes of immigration or employment. Remember, many who support, for example, the Palestinian cause, do not believe in suicide bombings. They, like many throughout the world, seek social justice for ordinary Palestinians living under a brutal occupation. The Liddar incident has done much harm towards bridge building with Muslims and Arabs, as it implies that there is entrenched discrimination against these groups. On the other hand, the role of SIRC in this affair shows that a system of accountability does exist with regards to oversight of CSIS.

In the wake of the above incidents, there is a perception that the RCMP and CSIS operate outside of the law, and have little accountability or oversight for their actions. The forthcoming recommendations by Justice Dennis O’Connor will play a key role in determining the types of checks and balances further needed in an era where our security agencies have unprecedented powers. And the Supreme Court will issue further directives on the security certificates when it hears the cases of three Muslim detainees in June.

It has been frustrating for Muslims and Arabs to have their claims of racial/religious profiling dismissed. At first, former Public Safety Minister Anne McClellan denied the practice – as if the real-life experiences of ordinary Canadians didn’t really matter. In response to the numerous complaints of these practices, the Canadian Council on American-Islamic Relations (CAIR-CAN) sent out a questionnaire to Muslims throughout the country, asking about visitations by RCMP and CSIS. Their findings were released last June, and pointed to a few troubling practices (see www.caircan.ca for the report) by RCMP and CSIS agents – including visits to a minor (without knowledge of the parents), veiled threats against immigrants who refused to cooperate, improper

identification of officers, dissuading people from having a lawyer present during interviews and showing up at the workplace unannounced to conduct interviews. At the time, a CSIS spokesperson immediately dismissed the results, while the RCMP and the Deputy PM's office did look further into the findings. The CSIS reply was telling, and simply confirmed that the agency is unwilling to address legitimate concerns from the very community it needs cooperation from.

More recently, CAIR-CAN has received reports of Muslims receiving a request from the "Solicitor General's" office to meet for "outreach" discussions. According to the complainants, a CSIS agent was attempting to interview Muslims under the guise of this fictitious office, along with the bogus claim of "outreach." Such misrepresentation does little to foster trust.

Issues in the near future

In the near future, several key issues will shape the relationship between our security agencies and the domestic Arab/Muslim communities. As mentioned, both the Arar Inquiry Report and the Supreme Court ruling on the security certificates will shed light on government practices, and perhaps the need for more oversight.

As public grievances filter their way to the SIRC and Commission for Public Complaints (CPC), decisions by each of these oversight committees will help to debunk the myth that CSIS and the RCMP are accountable to no one. In addition, their decisions will help to clarify to the public the legitimacy (or lack thereof) of complaints. For example, some claimed racism in the deportation of the 19 South Asian immigrants. Following an investigation into the role of the RCMP in this matter, the CPC recently concluded that the RCMP did not unfairly target the students, stating "The RCMP members involved were not motivated by racism or racial profiling in their handling of the investigation."

A further challenge will lie in the relationship between current Public Safety Minister Stockwell Day, and the Arab/Muslim community. While as a member of the opposition, Mr. Day was perceived to be less than sympathetic towards Arabs and Muslims, due in part to some of his public comments regarding these communities, and due to his strongly pro-Israel stance.

Canada's actions in Afghanistan will reverberate throughout the world – especially amongst the domestic Muslim population, and most notably, its youth.

Finally, the upcoming trial of Momin Khawaja in Ottawa may or may not shed more light on the threat of domestic terrorism. The charges against Mr. Khawaja are very serious, and should not be discounted lightly.

Recommendations

Let us remember that what is at stake is our common security. Let us remember that our common enemy is extremism. Partnership between security agencies and Arab/Muslim communities must be a two-way street.

We must continue to remind ourselves that human rights include the right to security – people should feel safe and secure when riding the subway to work, without fear of a bomb going off.

And we must also remember that human rights include the right to due process – no one should be jailed indefinitely without charge on the basis of secret evidence.

While there is a tremendous amount of distrust, we cannot wallow in it, and we must move forward. Let's put tools in place for cooperation.

There needs to be further outreach by CSIS and the RCMP. With regards to CSIS, recent meetings with community leaders and activists in various Ontario cities have had mixed results. That CSIS is actively recruiting in the Arab/Muslim community is promising, as is the move by the RCMP to hire a liaison officer with the Arab/Muslim community.

While it is not the perfect example, the FBI has made a concerted effort to reach out to Muslims and Arabs in the US. There have been town hall meetings where citizens have been allowed to vent their frustrations, and the FBI has patiently listened. When the FBI has made mistakes – as in the case of Brandon Mayfield, who was erroneously charged with being an accessory to the Madrid bombings based on faulty fingerprint analysis – it has issued an apology. Mistakes will happen. That is why redress is so important in moving forward. In addition, the Department of Homeland Security has issued statements from time to time about the helpful role played by American Arabs and Muslims in the common fight against extremism. There have been no similar public statements issued by our Canadian security agencies.

It is important for our government and security agencies to take the concerns of Muslims and Arabs seriously. Racial and religious profiling, problems with CSIS/RCMP visitations, use of secret evidence and detention without charge in the case of security certificates, and perceived lack of transparency and accountability of RCMP/CSIS should not be summarily dismissed. These are red flags raised by a community that feels very vulnerable in the post 9/11 era. The recent establishment of a Roundtable comprised of members from various ethnic groups affected by security legislation has served as a vehicle to convey concerns to the government.

Within Muslim/Arab communities, there needs to be a balance between the concerns above, and their own role in the partnership for a safe, secure Canada. Islamic teachings emphasize security as a foundation of civil society, along with the directive to stand up for justice, even if it is against oneself, one's family, the rich or the poor. With the unrelenting focus on the 'war on terror', the wider role played by our law enforcement agencies is often forgotten. For example, these agencies are at the forefront of fighting crime (e.g. drugs, child pornography, etc) and maintaining law and order. In addition, there needs to be education about the role of CSIS and the RCMP in Canadian security, along with the institutional mechanisms available to the public to address instances of injustice [e.g. SIRC, etc.]. Complaints of behaviour by security agencies should not be left to fester, or left to create urban myths, but should be directed towards appropriate investigative branches and dealt with.

In particular, authorities should seriously consider the recommendations for reform put forth jointly by the Canadian Arab Federation (CAF), the Canadian Council on American Islamic Relations (CAIR-CAN) and the Canadian Muslim Lawyers Association (CMCLA) during recent testimony before the Senate subcommittee on Public safety and National Security in its review of the Anti-terrorism Act:

1. Get the facts on profiling – work co-operatively with Muslim and Arab Canadians to determine whether racial and religious profiling is being used in national security operations and eliminate it where it is being used.

2. Build real trust – involve Muslim and Arab Canadians in a substantive way in the development of national security law, policy and operations, and more broadly, in the civic life of Canada.
3. Develop intelligent intelligence – recruit qualified Muslim and Arab Canadians as judges, security-cleared counsel, policy-makers, decision-makers and intelligence staff.
4. No more secrecy – abolish security certificates and other proceedings that use secret evidence and processes. Restore the rule of law and the adversarial process to ensure that justice is done, and seen to be done.
5. Prevent future abuses – initiate a comprehensive investigation in to the disturbing pattern of conduct that appears to arise from the cases of Maher Arar, Ahmed El Maati, Abdullah Almalki and Muayyed Nurreddin, in order to prevent those patterns being replicated under the *Anti-terrorism Act*.
6. Build better oversight and accountability – design and implement a unified, comprehensive, robust, accessible and effective system of oversight for all national security agencies and their operations. Provide timely, accessible and commensurate remedies for individuals and communities who suffer harm as a result of the actions of our national security agencies.

In the end, let us remember that Canadian Muslims and Arabs are *Canadians*, who share in this country's prosperity and security. As Karen Armstrong wrote in *The Guardian* (July 11, 2005):

“Precise intelligence is essential in any conflict. It is important to know who our enemies are, but equally crucial to know who they are not. It is even more vital to avoid turning potential friends into foes.”

Let us include Canadian Muslims and Arabs as partners in our common security.