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## **Walking the Talk? Implementation of the 2004 National Security Policy**

By/par Captain(N) Peter Ellis

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## **ABSTRACT**

This paper examines Canada's 2004 National Security Policy (NSP); establishing that four years after its release, it is a sound and relevant policy whose implementation is progressing, albeit slowly.

The paper details how the NSP filled the gaps which were left by the 1994 Defence White Paper, focusing on the key NSP elements of the definition of the scope of national security within the security continuum and the definition of a broadened set of threats.

It then compares the NSP to the equivalent policies of the US and UK which were published in October 2007 and March 2008, respectively, examining how threat, scope and structures are defined, organized and integrated. It focuses on the theme of establishing an integrated security system and compares the three nations' approaches to implementing their respective policies.

In examining Canada's implementation, the paper highlights major developments which have been achieved and underscores the key impediments to the progress of the implementation. It concludes that the NSP is sound and relevant, as a policy document, but that much still remains to be done to implement it.

## **Walking the Talk? Implementation of the 2004 National Security Policy**

*The gauge by which we choose to measure the effectiveness of an emergency response to a given situation is not, "This is what the government asked us to do," or "This is the resource upon which we had to rely to do this." It is: "Did we put out the fire?"*

*- The Honourable Tommy Banks*

### **Introduction**

Prior to 11 September 2001, national security was far from a central concern of Canadians or their national government.<sup>1</sup> Although the attacks on the World Trade Center clearly demonstrated some vulnerability and provoked a wave of popular solidarity with the United States, Canada's federal government was slow to develop its response to the terrorist act.<sup>2</sup> Once it did, however, the period from 2001 until the publication of the National Security Policy (NSP) saw the implementation of a significant number of major initiatives to bolster the security of Canadians and increase Canada's cooperation with the United States in strengthening the borders of the continent.<sup>3</sup> In 2005, Reg Whitaker, professor of political science at York University, made the point that the NSP was well grounded, timely and decisive: "The Paul Martin Government has often been criticized for dithering and indecision. One exception has been the national security policy area where major organizational changes were made, and new policy

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<sup>1</sup> Margaret Purdy, "Canada's Counterterrorism Policy," in *How States Fight Terrorism: Policy Dynamics in the West* (Boulder, Colo.: Lynne Rienner Publishers, 2007), 106,108.

<sup>2</sup> Kim Richard Nossal, "Canadian Foreign Policy After 9/11: Realignment, Reorientation, or Reinforcement?" in *Foreign Policy Realignment in the Age of Terror* ( Toronto, ON: Canadian Institute of Strategic Studies, 2003), 22.

<sup>3</sup> Reg Whitaker, "Made in Canada? The New Public Safety Paradigm," in *How Ottawa Spends 2005-2006: Managing the Minority* (Montreal. McGill-Queen's University Press, 2005), 78.

directions set, in a series of decisive actions early in the life of the government.”<sup>4</sup> The publication of *Securing an Open Society: Canada’s National Security Policy* in April 2004 was a major milestone in the government’s response to the new security environment.

Given that four years have elapsed since the publication of Canada’s NSP, an analysis of its current relevance; and a review of progress made in its implementation are timely and warranted.

This paper will examine the relevance of the NSP by establishing the extent to which it met the shortcomings of the 1994 Defence White Paper to adequately address the post-Cold War strategic environment which emerged through the late 1990s to the terrorist attacks of 11 September 2001. The NSP will then be compared in turn with the 2007 National Homeland Defence Strategy of United States of America (US) and the 2008 National Security Strategy of the United Kingdom (UK).<sup>5</sup> This comparison will establish the extent to which the NSP is sound and relevant in the current context. The policies will be compared in how they: define the scope of national security; articulate the threats; and direct the integration and coordination of the national security effort. The analysis of integration will examine how, in broad terms, the respective governments’ departments and agencies are structured to implement the policies.<sup>6</sup> Given how recently

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<sup>4</sup> *Ibid.*, 77.

<sup>5</sup> The US and UK have published national “strategies” equivalent to what Canada terms “policy”, therefore the two terms are used interchangeably in this paper.

<sup>6</sup> As the implementing elements of any policy, the government agencies are herein treated as integral elements of the policy, whether or not the organization is explicitly named in the policy or strategy.

the US and UK policies have been released, the comparison will also provide a measure of the currency of the NSP.

The progress which Canada has made in implementing the NSP will be examined thematically by considering the principle of integration and the six functional areas identified in the NSP. This analysis will consider the major initiatives in each area and will rely primarily of self-reporting of the agencies concerned, proceedings and reports of the Standing Senate Committee on National Security and Defence (SCONSAD), and reports of the Auditor General of Canada (OAG). It will then review some of the common impediments to implementation.

In reviewing the NSP and its major initiatives, no distinction will be made between initiatives which were underway before the policy was released and those whose origin is found in the policy itself. The rationale for this treatment is simply that the policy captured these initiatives and incorporated them as they were in progress. Thus, all measures which were initiated after 11 September 2001 are treated as integral to the NSP, whether the NSP explicitly mentioned them or not.

This paper will establish that the 2004 NSP is a sound and relevant policy whose implementation is progressing, albeit slowly.

### **The post-Cold War Policy Gap**

In the decade leading up to the publication of *Securing an Open Society*, the defence policy of Canada was embodied in the 1994 Defence White Paper. As the first post-Cold War defence policy, the White Paper was an effort to establish direction in a time of uncertainty. It is clear from the Minister's introduction that the paper had two

key drivers: the changes to the international order arising from the end of the Cold War; and the efforts to reduce government expenditures.<sup>7</sup> It essentially directed the maintenance of deployable, combat-capable, multi-purpose forces, while at the same time underscoring that “the direct military threat to the continent is greatly diminished.”<sup>8</sup> It addressed in very broad terms “International Security Concerns”<sup>9</sup> and did not anticipate the threats which have arisen since its publication.<sup>10</sup>

In the 2001 report, *To Secure a Nation: The Case for a New White Paper*, Jim Fergusson, Director of the University of Manitoba’s Centre for Defence and Security Studies, Frank Harvey, then-Director of Dalhousie University’s Centre for Foreign Policy Studies, and Rob Huebert of the University of Calgary acknowledged that the 1994 White Paper was based on a sound interpretation of the state of the world at the time that it was published.<sup>11</sup> They went on to underscore that the severe budgetary cuts of the 1990s; increased operational tempo of CF deployments in new kinds of operations in what would now be termed failed and failing states; and the attacks of 11 September 2001, which awakened a sense of the vulnerability of North America, combined to make the 1994 White Paper “increasingly irrelevant in its specifics, even if argument can be sustained that its overall strategic view remains valid.”<sup>12</sup>

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<sup>7</sup> Department of National Defence, *1994 Defence White Paper* (Ottawa: Canada Communications Group, 1994), 1.

<sup>8</sup> *Ibid.*, 49.

<sup>9</sup> *Ibid.*, 4-8.

<sup>10</sup> Jim Fergusson, Frank Harvey, and Rob Huebert, *To Secure a Nation: The Case for a New Defence White Paper* (Calgary: Centre for Military and Strategic Studies, University of Calgary, 2001), 3.

<sup>11</sup> *Ibid.*, vii.

<sup>12</sup> *Ibid.*, viii.

Fergusson, Harvey and Huebert proposed a review of Canada's Defence Policy to encompass the changes in the strategic environment since the 1994 White Paper (which were in large part characterized by the attacks of 11 September 2001).<sup>13</sup> They recognized that the CF had frequently played a vital role in domestic security, responses to natural disasters, and other national issues such as the preparations for assistance during Y2K.<sup>14</sup> The report provided a detailed rationale for the examination of a wide range of topics, culminating in 25 recommendations to government on areas to be addressed through a defence review.<sup>15</sup> Two of those recommendations stand out as a reflection of the new environment. In stark contrast to the 1994 White Paper, the recommendations called for significant consideration of domestic concerns, including a review of the threats to national security, and consideration of the vulnerabilities of Canada's critical infrastructure.<sup>16</sup> Thus, despite taking a Defence-centric view of national security (making national security fit into defence policy), it is clear that the authors perceived a significant change in the environment, with potential impacts on the CF and its roles and linkages to the security of the nation and continent.

Fergusson, Harvey and Huebert were not alone in identifying gaps and calling for a broader review of defence policy. Douglas Bland of Queen's University and Sean Maloney of the Royal Military College of Canada also took a Defence-centric view in

*Defence Policy for the World Order Era: The First Steps - Reconstitution And*

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<sup>13</sup> *Ibid.*, 1.

<sup>14</sup> *Ibid.*, 2.

<sup>15</sup> These recommendations are summarized at pages 33-37 of *To Secure a Nation: The Case for a New Defence White Paper*.

<sup>16</sup> *Ibid.*, 2.



*Transformation*. They were more explicit in terms of recognizing Defence as a key element of national security<sup>17</sup> and advocated moving from an ad hoc approach to national security to a coordinated approach in both planning and operations.<sup>18</sup> They also highlighted the need for the development of an integrated governmental approach to national security: “It would be very useful for the federal government to spell out a broad definition of national security and to table an overarching national security policy composed of subordinate policies for national defence, foreign affairs, economic security, environmental issues, and internal security.”<sup>19</sup>

In addition to their advocacy of an integrated approach to policy, Bland and Maloney elaborated on the need for cooperation between many federal departments and agencies, along with other levels of government, to prepare for and respond to threats to national security. They proposed the appointment of a minister responsible for the national security policy and its oversight; and they suggested the implementation of other measures such as the need for a national operations centre, surveillance and reporting of the air and sea approaches to North America,<sup>20</sup> and “a national intelligence organization, a national territorial surveillance assessment centre, a national operations centre, a council on national security affairs, and an enhanced national police information

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<sup>17</sup> Douglas L Bland and Sean M. Maloney, “Defence Policy for the World Order Era: The First Steps — Reconstitution and Transformation,” in *Campaigns for International Security: Canada’s Defence Policy at the Turn of the Century*, (Montreal: McGill-Queen’s University Press, 2004), 199.

<sup>18</sup> *Ibid.*, 200.

<sup>19</sup> *Ibid.*, 201.

<sup>20</sup> *Ibid.*, 205.

system.”<sup>21</sup> The examination of the NSP will consider how it addresses the gaps and recommendations identified in this section.

**Solution: The 2004 National Security Policy**<sup>22</sup>

*Securing an Open Society: Canada’s National Security Policy* (NSP) clearly establishes the first priority of the government as ensuring the security of Canadians. As the policy states: “there can be no greater role, no more important obligation for a government, than the protection of its citizens.”<sup>23</sup>

In exploring the NSP, it is useful to recognize that the document is a collage of what can be called true policy elements and a broad range of what can be termed supporting measures. These supporting measures include major initiatives such as significant structural changes to the machinery of government and a menu of more “tactical” measures which are integral parts of the programme to implement the policy.<sup>24</sup>

The NSP’s eight chapters can be divided into two broad thematic sections. The first section, consisting of the first two chapters, provides the overarching strategy and contains an appreciation of the strategic environment. It articulates the threats to Canada’s security and establishes Canada’s national security interests. It also describes, for the first time, the elements of an integrated security system for the nation.

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<sup>21</sup> *Ibid.*, 201.

<sup>22</sup> The majority of this section is a synopsis and analysis of the NSP, thus attribution is only made for direct quotes or where the reference is another source.

<sup>23</sup> Privy Council Office, *Securing An Open Society: Canada’s National Security Policy* (Ottawa: 2004), vii.

<sup>24</sup> Distinction between true policy and supporting measures, and the qualification of measures as “tactical” are those of the author.

The second part of the NSP, consisting of six chapters, is subdivided into what it calls “six key security activities.”<sup>25</sup> These activities - intelligence, emergency planning and management, public health emergencies, transportation security, border security and international security – are functional groupings in programme areas where a particular agency may have the lead, but where there are many stakeholders.

A striking feature of the NSP is that it conveys the government’s intent and commitment clearly by articulating Canada’s three national security interests: protecting Canada and the safety and security of Canadians at home and abroad; ensuring that Canada is not a base for threats to our allies; and contributing to international security.

The NSP, also for the first time, defines the scope of national security, outlining the security spectrum as ranging from individual security through national security to international security. It establishes the NSP as the link between the personal and international spheres and, perhaps more importantly, establishes that there is significant overlap between the three spheres. Figure 1, the Venn diagram that follows is drawn from the NSP and provides an intuitive way of representing the issues as threats across a spectrum while also conveying the sense of the level of government and resources required for effective response. The array of threats at each level of government indicates the variety of agencies concerned. It can be inferred that the notional representation is dynamic and that the magnitude of a given event will likely drive the extent of intersection of the spheres (for instance a small flood may be handled at the local level, but an event such as the Red River flood of 1997 will require all levels of government to respond).

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<sup>25</sup> Privy Council Office, *Securing an Open Society...*, 13.

The NSP sees national security, defence and foreign policies as inextricably linked and establishes a general relationship of policies wherein the overarching three national security interests and the related security policy are supported by the foreign and defence policies.<sup>26</sup>

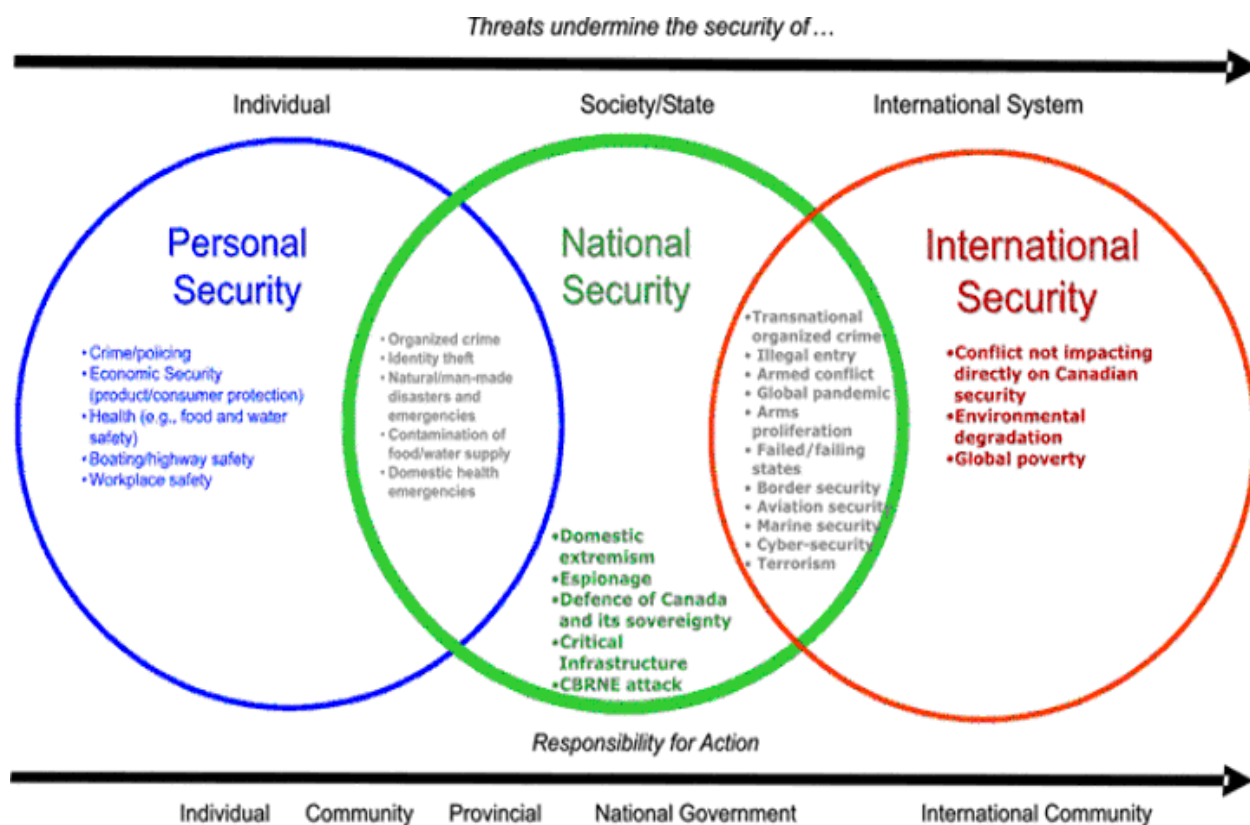


Figure: 1<sup>27</sup>

The NSP details eight major threats to Canada's national security. In identifying these threats, it underscores that they can "...have a serious impact on the safety of

<sup>26</sup> The relationship is explored in more detail in the section on International Security and the relationship with the International Policy Statement of 2005 and its Defence component, commonly referred to as IPS and DPS, respectively.

<sup>27</sup> Privy Council Office, *Securing an Open Society...*, 4.

Canadians and on the effective functioning of our society.”<sup>28</sup> This policy represents an entirely new way to look at threats to national security, recognizing the changes in the strategic environment of the post-Cold War world, and building on the experiences derived from responses to recent natural disasters such as the 1998 Ice Storm, the SARS outbreak of 2003 and Hurricane Juan later the same year.

Of the eight identified threats, terrorism, the proliferation of weapons of mass destruction, failed and failing states, foreign espionage and organized crime have the common link of active hostile intent. In addition to these more traditional threats, the NSP adds natural disasters, critical infrastructure vulnerability and pandemics.

This broadening of the threat spectrum is a fundamental characteristic of the NSP which recognizes the realities of the new environment.<sup>29</sup> Moreover, including pandemics, critical infrastructure vulnerability and natural disasters as threats makes sense on two fronts. First, it acknowledges that they have, in the past, had far more devastating effects in Canada than terrorism;<sup>30</sup> and it accounts for the reality that one of these events, whether occurring naturally or via malfeasance, will provoke most of the same agencies, mechanisms and procedures to respond.<sup>31</sup>

Citing the complexity of the threat, and the requirement to make best use of Canada’s resources, the NSP calls for the establishment of an integrated security system. Making integration a cornerstone of the security policy recognizes three fundamental factors: the emergence of the post-cold war threats; the fact that many agencies are

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<sup>28</sup> *Ibid.* 6.

<sup>29</sup> Margaret Purdy, “Canada’s Counter Terrorism Policy...,” 117.

<sup>30</sup> Reg Whitaker, “Made in Canada?...,” 84.

<sup>31</sup> *Ibid.*, 85.

involved in the collection of intelligence with a security nexus; and the fact that the response to any threat to national security will most likely necessitate the coordination of a broad array of federal agencies and government departments, including liaison and communication with provincial and municipal authorities, and cooperation with international partners. This is implicit in the depiction of the national security sphere at Figure 1, above.

Basing the security system on a model which divides the activities related to national security into the areas of threat assessment, protection and prevention, consequence management, and evaluation and oversight, the NSP sets the stage for the development of structures to harmonize and integrate the resources necessary to respond to the threats.

The policy describes the requirements to integrate the security effort's abilities to detect evaluate and prevent or respond to threats to national security by ensuring a better exchange of information among key stakeholders. It is founded on the concept of fusing information and establishing an intelligence and analysis hub from which to service government departments and agencies.

The notion of the integrated security system aims to enhance the government's ability to safeguard the security interest of Canadians in a paradigm linking together the intelligence functions with those of enforcement and preparedness. It thus explicitly directs a more comprehensive approach to national security, ensuring that the information essential to the detection and response to threats is available and coordinated.

As Reg Whitaker remarked:

If there is one theme that stands out above any other, in *Securing an Open Society*, it is that of *integration*. Canadian policy strives to integrate threat assessment and integrate response to threats. The latter is understood as reducing, through concerted cooperative action, institutional boundaries within the federal government; jurisdictional boundaries within Canada, federal provincial and municipal; and internationally between allies and within the framework of international institutions and multilateral agreements.<sup>32</sup>

## **The Hub**

In order to support this integrated approach and to provide the necessary coordination function, the NSP included a number of reforms, the most important of which, by far, was the October 2003 appointment of the then-Deputy Prime Minister as Minister of Public Security and Emergency Preparedness and the establishment of the Department of Public Security and Emergency Preparedness Canada (PSEPC), now known (and referred to hereinafter) as Public Safety Canada (PSC), to support him. This initiative was characterized by former Deputy Secretary to the Cabinet for Security and Intelligence, Margaret Purdy as “the most dramatic structural shake-up of Canada’s public safety and emergency preparedness sectors in decades.”<sup>33</sup>

The NSP brought together under a single Minister the agencies primarily responsible for the safety and security of Canadians. It grouped the key federal intelligence and law enforcement agencies: the Canada Border Services Agency (CBSA), responsible for border security; the Royal Canadian Mounted Police (RCMP), charged with federal policing and taking the lead in countering terrorism; and the Canadian Security and Intelligence Service (CSIS), the agency charged with gathering intelligence on threats to Canada’s security. Within CSIS, it established the Integrated Threat

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<sup>32</sup> *Ibid*, 83.

<sup>33</sup> Margaret Purdy, "Canada's Counterterrorism Policy...", 109.

Assessment Centre (ITAC), which collates and analyzes intelligence and distributes terrorist threat assessments to a variety of law enforcement agencies, first responders, security agencies, allies and, in some cases, members of industry and the general public.

In addition to these agencies, the Minister of Public Safety also oversees PSC which is mandated to set federal policy on national security issues and has the critical operational role of coordinating the federal government's response to emergencies and threats to national security. PSC houses the Government Operations Centre (GOC), a key facility linking federal government departments, departmental operations centres and provincial emergency management operations centres in order to coordinate responses to emergencies. The GOC is also linked to Marine Security Operations Centres located in Halifax and Esquimalt; and it also houses the Canadian Cyber Incident Response Centre (CCIRC), which is tasked with monitoring threats and coordinating the national response to cyber attacks or incidents.<sup>34</sup>

PSC is the hub of the integrated national security system with the lead for Intelligence, Emergency Planning and Management, and Border Security. In the areas of Public Health Emergencies, Transportation Security and International Security it cedes the lead to the Departments of Health; Transport; and Foreign Affairs respectively.

Recalling the policy gaps detailed by Bland and Maloney, and Fergusson, Harvey and Huebert, it is apparent that the NSP covered most issues. It broadened the definition and nature of the threat, taking into account the new environment, and took a domestic focus to the approach to national security. Moreover, the policy was explicit in defining

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<sup>34</sup> Public Safety Canada, "Canadian Cyber Incident Response Centre," <http://www.publicsafety.gc.ca/prg/em/ccirc/index-eng.aspx>; Internet; accessed 10 May 2008.



the scope of national security and in establishing the three national security interests. Through its elaboration of the integrated security system, it firmly established the intent to move away from an ad hoc approach to national security into a more integrated and cooperative environment. Its intent was clearly to foster the integration of the planning and management of national security issues. Though it did not establish a hierarchy of policies explicitly, it set the foundation for the International and Defence Policy statements which followed it. It also established a single minister as the hub of national security and several of the structures advocated by Bland and Maloney, including the Government Operations Centre, Marine Security Operations Centres and the Integrated Threat Assessment Centre. While it did not cover every suggestion made by Bland and Maloney, it can be argued that the NSP covered all of the critical elements, thus representing a relevant policy in the context of the post-11 September world.

While the NSP generally filled the gap as described above, it would be useful to further qualify its relevance by comparing it to the equivalent policies of Canada's two closest allies, the United States (US) and United Kingdom (UK). The analysis will consider how the three policies define the scope of national security; articulate the threats; and direct the integration and coordination of the national security effort. Notwithstanding that the three nations' governmental institutions differ significantly in the detail, the way in which their departments and agencies are arrayed, in broad terms, will be considered. As the US Strategy is the "most senior," it will be compared first.

## U.S Homeland Security

While Canada expresses a National Security Policy, International Policy and Defence Policy, the United States articulates a National Security Strategy and a National Strategy for Homeland Security. Direct comparison of the policies is complicated because the National Security Strategy is primarily outward looking, focused on pursuing US national security interests abroad,<sup>35</sup> and thus corresponds in the broadest sense in its subject (if not its content) to the International Security Chapter of the NSP and to much of Canada's IPS.

This discussion will focus on the National Strategy for Homeland Security in comparison to the NSP. The sphere in Figure 1 above, which describes graphically what national security represents to Canada, is roughly analogous to what in the United States is termed Homeland Security.<sup>36</sup>

Prompted in large measure by the attacks of 11 September, the US undertook a significant reorganization of its security system, issuing its first Strategy for Homeland Security in September 2002. That policy has since been updated and a new version was published in October 2007. The 2007 edition of the Homeland Security strategy identifies the threats to Homeland Security as "terrorism," including homegrown terrorism; "catastrophic natural disasters," including pandemics; and "catastrophic

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<sup>35</sup> The White House, United States of America, *The National Security Strategy of the United States of America* March 16, 2006 <http://www.whitehouse.gov/nsc/nss.pdf>; Internet, accessed 10 may 2008. ii, 1. The only part of the document with any domestic focus is Section IX "Transform America's National Security Institutions to Meet the Challenges and Opportunities of the 21<sup>st</sup> Century." Also note that the Department of Defense issued a *Strategy for Homeland Defense and Civil Support* in June 2005.

<sup>36</sup> Reg Whitaker, "Made in Canada?...", 83. The discussion is also complicated somewhat by the fact that the US Strategy for Homeland Security defines Homeland Security as "a concerted national effort to prevent terrorist attacks within the United States, reduce America's vulnerability to terrorism, and minimize the damage and recover from attacks that do occur" see National Strategy for Homeland Security, p. 3.

accidents and other hazards,” which includes such events as industrial accidents, power failures and other occurrences threatening the critical infrastructure of the US.<sup>37</sup>

The strategy has three goals: “prevent and disrupt terrorist attacks; protect the American people, critical infrastructure, and key resources; and respond to and recover from incidents that do occur.”<sup>38</sup> In addition to the three goals, the policy also aims for continual improvement to the Homeland Security system.

In preventing terrorism, it focuses on intelligence and intelligence-led policing, securing borders through the screening of passengers and cargo and securing the transportation networks.<sup>39</sup> In supporting the other goals, inter alia, it details strategies to protect infrastructure, ensure the medical preparedness of the population, and coordinate response to and recovery from disasters, all the while stressing the need for the cooperation of all levels of government. These are all very similar to the issues discussed in the NSP, except that the Homeland Security strategy goes into more detail in some areas. It is particularly significant to note that interoperability of communications<sup>40</sup> and the sharing of information<sup>41</sup> are two issues which are highlighted in the chapter on ensuring long term success. These themes also are common to the NSP.

It is clear that there is significant congruence between the NSP (except for the issue of International Security) and the Homeland Security strategy. It should be

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<sup>37</sup> The White House, United States of America, *The National Strategy for Homeland Security of the United States of America*, October 5, 2007, <http://www.whitehouse.gov/infocus/homeland/nshs/NSHS.pdf>; Internet, accessed 10 May 2008, 10-11.

<sup>38</sup> *Ibid.*, 13

<sup>39</sup> *Ibid.*, 15-22.

<sup>40</sup> *Ibid.*, 47.

<sup>41</sup> *Ibid.*, 49.

underscored that there is a difference in emphasis in that while the US Homeland Security strategy is really focused on terrorism, Canada takes a somewhat broader view.<sup>42</sup>

Reform of the security system and adoption of the 2002 policy necessitated changes to some US government agencies. In the "biggest US government reorganization since 1947"<sup>43</sup> the US government created the Department of Homeland Security (DHS) in November 2002. Aimed at streamlining the efforts of securing the homeland from terrorist threats, it amalgamated or assumed control of 22 different agencies throughout 2003.<sup>44</sup>

The DHS can be compared to Public Safety Canada in that it has all of PSC's key responsibilities, but is organized somewhat differently. One of the key similarities is that DHS contains the Federal Emergency Management Agency (FEMA) which is similar to the defunct Office of Critical Infrastructure Protection and Emergency Preparedness (OCIPEP, which was charged with emergency preparedness and response and the protection of infrastructure),<sup>45</sup> now incorporated into PSC.

It is important to highlight some key differences between the two organizations. The first is that the Department of Homeland Security has control of the US Coast Guard, which has an enforcement mandate, while the Canadian Coast Guard belongs to DFO and

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<sup>42</sup> Reg Whitaker, "Made in Canada?...", 83.

<sup>43</sup> Elinor Sloan, *Security and Defence in the Terrorist Era: Canada and North America* (Montreal: McGill-Queen's University Press, 2005), 44.

<sup>44</sup> Department of Homeland Security, United States, "History: Who Became Part of the Department?", [http://www.dhs.gov/xabout/history/editorial\\_0133.shtm](http://www.dhs.gov/xabout/history/editorial_0133.shtm); Internet; accessed 10 May 2008.

<sup>45</sup> Elinor Sloan, *Security and Defence in the Terrorist Era* ...,55.

has no enforcement mandate.<sup>46</sup> The other key difference is in the area of intelligence and enforcement, where the FBI and CIA are separate entities both outside of DHS, whereas in Canada the RCMP and CSIS are agencies lodged within PSC.<sup>47</sup>

In concluding the comparison of the NSP and the Homeland Security strategy, it is clear that although different in their definitions of national security and of the national security interests, the policies are similar in describing the threats to national security, underscoring the importance of intelligence and in applying a coordinated approach through all levels of government. In terms of how their concerned departments and agencies are arrayed and responsibilities bundled, the similarity between PSC and DHS is very strong. The comparison yields that the NSP is roughly analogous to the Homeland Security Strategy, indicating clearly its relevance in the current context.

It is not surprising, given the close alliance between Canada and the US, the similarities in their cultures, proximity to each other and the economic interdependence which exists between the two, that Canada might independently evolve a policy and structure similar, in broad terms, to that of the US. Although also a close ally, the relationship between the UK and Canada is different. The UK is a distant nation and the importance of the trade relationship is not comparable to Canada's relationship with the US. Nonetheless, a comparison of the National Security Strategy of the UK reveals an even closer alignment of policy with Canada, albeit with lesser similarity in governmental organization.

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<sup>46</sup> *Ibid.*, 45.

<sup>47</sup> *Ibid.*, 52.

## National Security Strategy of the United Kingdom

In March 2008, the United Kingdom issued its first National Security Strategy. Although organized quite differently from the NSP, it is remarkably similar in its outlook and intent and, like the NSP, it captures many government activities, some reaching back as far as 2002, and places them in the context of the nation's vision on national security.

The UK's strategy identifies the maintenance of security as the government's top priority.<sup>48</sup> Like the NSP, it describes the scope of national security as encompassing the range from individual security (NSP personal security) to the security of the state (NSP international security).<sup>49</sup> The strategy aims to coordinate the government's approach to security, describing a "single, overarching strategy bringing together the objectives and plans of all departments, agencies and forces involved in protecting our national security."<sup>50</sup> It stresses the need for government to adopt an integrated approach to safeguarding national security.<sup>51</sup>

With minor variation in detail and nuance, the UK strategy identifies the same threats to national security as does the NSP: terrorism; weapons of mass destruction; trans-national organized crime; global instability and failed and failing states; and civil emergencies (including pandemics and natural disasters). While the NSP is silent on

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<sup>48</sup> Cabinet Office, United Kingdom, *The National Security Strategy of the United Kingdom. Security in an interdependent world*. March 2008, [http://interactive.cabinetoffice.gov.uk/documents/security/national\\_security\\_strategy.pdf](http://interactive.cabinetoffice.gov.uk/documents/security/national_security_strategy.pdf); Internet, accessed 10 May 2008, 3.

<sup>49</sup> *Ibid.*, 3.

<sup>50</sup> *Ibid.*, 4.

<sup>51</sup> *Ibid.*, 8.

state military threats to Canada, the UK strategy explicitly states that there is no state-led military threat to the UK. Like the NSP, however, it recognizes espionage as a threat.<sup>52</sup> It goes beyond the NSP in describing some of the drivers behind those threats: climate change, poverty, the competition for energy and poor governance.<sup>53</sup>

Recognizing that there are significant differences between the structures and institutions of the governments of the UK and Canada,<sup>54</sup> it should be underscored that the similarity between the appreciation of threats and the underlying need for integrated preparation and response is compelling. Like the NSP, the strategy places marked emphasis on the importance of intelligence in the detection of threats and indicates the intent for security and intelligence agencies to cooperate more closely. The UK has also established in 2003, the Joint Terrorism Analysis Centre,<sup>55</sup> with a mandate and function analogous to Canada's Integrated Threat Analysis Centre.<sup>56</sup> In 2007 it established the Centre for the Protection of National Infrastructure. Both of these are located in MI5 – an agency overseen by the Home Office; whereas in Canada, both equivalents are located in PSC.

As far as the international aspects of national security are concerned, the UK strategy is again similar to Canada's. It advocates a multilateral approach and sees the promotion of democracy and the ideals of peace, order, and good government as keys to

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<sup>52</sup> *Ibid.*, 15.

<sup>53</sup> *Ibid.*, 17-24.

<sup>54</sup> Government of the United Kingdom; "Guide to Government," <http://www.number-10.gov.uk/output/Page30.asp>; Internet; accessed 10 May 2008.

<sup>55</sup> Cabinet Office, United Kingdom, *The National Security Strategy of the United Kingdom...*, 4.

<sup>56</sup> MI5 –Security Service, United Kingdom; "Joint Terrorism Analysis Centre," <http://www.mi5.gov.uk/output/Page63.html>; Internet; accessed 10 May 2008.

stability and hence security. Much like Canada's approach, it underscores the need to strengthen international institutions such as the UN and NATO (and the EU).<sup>57</sup>

The final similarity is in the area of coordination and centralization of emergency planning and management, or what the UK terms "planning for civil emergencies," under a single responsible entity. In this case, the coordination is established at the Cabinet Office<sup>58</sup> (roughly equivalent to the Privy Council Office in Canada). Again, it highlights the need for coordination and cooperation across government and industry in both preparation and response at a senior level of government.

While the UK's intent to coordinate planning and response is very clear and remarkably similar to Canada's, the most significant difference between the two strategies is that in the UK, the responsibilities of PSC are divided between the Home Office and the Cabinet Office. The coordination function rests with the Cabinet Office (PCO) and its secretariat. It should be underscored that the Home Office regroups the equivalent enforcement and intelligence agencies including the new UK Border Agency established in 2007.<sup>59</sup> The Home Office is analogous to Public Safety Canada insofar as PSC regroups CSIS, RCMP and CBSA.

At first glance, the UK's division of PSC's mandate between the Home Office and the Cabinet Office seems a major difference; however, the grouping to each of these ministries parallels the organization of responsibilities within PSC. It should also be

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<sup>57</sup> Cabinet Office, United Kingdom, *The National Security Strategy of the United Kingdom...*, 47.

<sup>58</sup> *Ibid.*, 41.

<sup>59</sup> Home Office, United Kingdom; "UK Border Agency," <http://www.bia.homeoffice.gov.uk/>; Internet; accessed 10 May 2008.



noted that the UK strategy indicates the intent to review the structure of the Cabinet Secretariats to provide better integration and effectiveness.<sup>60</sup>

While there are some differences between the NSP and the UK National Security Strategy, the similarities in scope, vision, perspectives on the threat, intent and emphasis on integrated preparation and response are compelling. It is significant to note the parallel between concentration of intelligence, law enforcement and counter-terrorism functions in the Home Office and Public Safety Canada. That the UK arrives at a strategy so similar to that which was articulated by the Canadian government four years earlier is an indication of the enduring validity of the NSP.

Given that the NSP adequately filled the void created by changes in the strategic environment which rendered much of the 1994 White Paper obsolete, and given that it expanded the notion of national security to encompass a broader spectrum of threats and responses, it appears that the policy was sound, relevant and well-suited to its environment. That comparison with two other policies published three and four years later should reveal such similarities is further indication of its soundness and relevance.

Another (albeit less tangible) measure of the policy's true relevance is the fact that it has endured the change of government in the wake of the 2006 federal election. The fact that the Conservatives have not strayed from the NSP's core path is a significant indication that the policy is a sound, non-partisan initiative. In their 2006 election platform document, their intended major initiatives such as arming CBSA, establishing the Coast Guard as a "stand-alone agency" and other initiatives are entirely consistent with the intent of the NSP. In fact, the key criticism which the document levels at the

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<sup>60</sup> Cabinet Office, United Kingdom, *The National Security Strategy of the United Kingdom...*, 58.

previous government is its inaction on the NSP initiatives. In its treatment of the CF, the election platform is also consistent with the renewed focus on the domestic dimensions of security contained in the NSP.<sup>61</sup>

Given that the NSP fills most of the gaps identified as having been created by the changes in the environment since the publication of the 1994 Defence White Paper and considering the policy's similarity to the latest equivalent strategies of two of our closest allies, it can be concluded that the NSP was a sound policy which is still relevant today. Although the approach to establishing a national security system remains valid, arriving at an assessment of its effectiveness also requires an analysis of the extent to which the supporting measures have been implemented – the theory (NSP) must be put into practice. The progress made to date on the NSP's major initiatives will be considered in the areas of integration and of the six functional areas of intelligence, emergency planning and management, public health emergencies, transportation security, border security and international security.

In addition to the implementation of the key initiatives already introduced– the establishment of PSC and its attendant reorganization of government agency mandates, and the creation of ITAC and the Government Operations Centre – much progress has been made in implementing the direction contained in the NSP. In considering how the theory has been put into practice, selected measures in each of the six activity areas will be examined. The list is not exhaustive, but covers the major initiatives in each area.

Before proceeding, it must be underscored that the source of the evaluation of progress is primarily based on the self-reporting through published reports and statements

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<sup>61</sup> Conservative Party of Canada, *Stand Up for Canada. Conservative Party of Canada Federal Election Platform 2006*, <http://www.conservative.ca/media/20060113-Platform.pdf>; Internet, accessed 10 May 2008, 25-26.

of the various government agencies and departments; evidence and reports of the Standing Senate Committee on National Security and Defence (SCONSAD); and observations drawn from reports published by the Office of the Auditor General of Canada (OAG).

### **Integration**

Since its inception, PSC has grown into an organization with 52,000 members and an annual budget of \$6 billion.<sup>62</sup> It plays a pivotal role in the coordination of the federal government's policies in the areas of security and emergency management, establishing policy in consultation with the provinces, key industries and with the US and other allies. This integration function is critical because while the response to most emergencies is fundamentally a provincial or municipal responsibility, the magnitude may dictate a need for federal assistance. PSC's role is to coordinate that response.<sup>63</sup>

PSC has accomplished a great deal.<sup>64</sup> It is apparent that it and its member agencies are succeeding in inculcating a culture of cooperation between the police and intelligence communities. Moreover, there is compelling anecdotal evidence that the culture of cooperation at the tactical level across the country is flourishing as intended in the NSP.<sup>65</sup> In June 2006, RCMP Commissioner Giuliano Zaccardelli indicated

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<sup>62</sup> Evidence given by William J.S. Elliott, Associate Deputy Minister, PSEPC in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>63</sup> *Ibid.*

<sup>64</sup> Margaret Purdy, "Canada's Counterterrorism Policy...", 118.

<sup>65</sup> Evidence given by Commissioner Giuliano Zaccardelli of the Royal Canadian Mounted Police in Proceedings of the Standing Senate Committee on National Security and Defence Issue 2 – Evidence,

satisfaction with the progress made thus far at the federal level, noting that cooperation continues to improve. In his words: “A great deal of progress has been made and one of the best examples is the relationship between CSIS and the RCMP.”<sup>66</sup>

There is also anecdotal evidence that cooperation between federal and provincial police agencies is progressing. As Mike McDonell, Assistant Commissioner, National Security Criminal Investigations, Royal Canadian Mounted Police has said: “With the OPP, I do not think you will find a better example of mature integration, which has evolved from our work over the years.”<sup>67</sup>

The increased cooperation within the community of agencies involved in national security is exemplified by the increased cooperation at the national and regional levels between the members of Canada Command, the Canadian Forces’ domestic operational command, and their counterparts in PSC, its member agencies and provincial authorities across the country.<sup>68</sup>

It is difficult to measure objectively the spirit of cooperation indicated above; however, a more concrete means of measuring the progress on developing the integrated

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Monday, May 29, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>66</sup> Evidence given by Commissioner Giuliano Zaccardelli of the Royal Canadian Mounted in Proceedings of the Standing Senate Committee on National Security and Defence Issue 17 - Evidence - Meeting of June 18, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/17evb-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/17evb-e.htm?Language=E&Parl=39&Ses=1&comm_id=76) ; Internet; accessed 10 May 2008.

<sup>67</sup> Evidence given by Mike McDonell, Assistant Commissioner, National Security Criminal Investigations, Royal Canadian Mounted Police in Proceedings of the Standing Senate Committee on National Security and Defence Issue 17 - Evidence - Meeting of June 18, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/17evb-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/17evb-e.htm?Language=E&Parl=39&Ses=1&comm_id=76) ; Internet; accessed 10 May 2008.

<sup>68</sup> Evidence given by Vice-Admiral. J.C.J.Y. Forcier, Commander, Canada Command in Proceedings of the Standing Senate Committee on National Security and Defence Issue 1 - Evidence, May 8, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/01evb-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/01evb-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

security system is to examine the structures and legislation which have been put in place since 11 September 2001. In addition to the establishment of integrated structures and overarching policy, the government must provide the legal authorities and mandates for people to act. The following laws were enacted in support of national security as defined in the NSP:

- 2001: Anti-Terrorism Act
- Immigration and Refugee Protection Act
- 2002: Public Safety Act
- Canadian Air Transport Security Act
- 2004: Security of Information Act
- 2005: Canada Border services Agency Act
- 2007: Emergency Management Act

The integrating the national security effort can certainly be termed a dramatic change from the pre-11 September environment. There is evidence of much progress in focusing on the coordinating enablers such as PSC and its integral agencies, as well as the legislative framework supporting the effort.

### **Intelligence**

While the NSP indicates clearly the importance of good intelligence to decision-makers in deciding on priorities and courses of action, it underscores that the advent of the modern terrorist threat, which may consist of individuals or loose networks of people who have never before been terrorists, greatly complicates the problem.<sup>69</sup> As Elinor

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<sup>69</sup> Privy Council Office, Canada, *Securing An Open Society...*, 15.

Sloan, Associate-Professor of International Relations at Carleton University said, “today the first line of defence is to develop a robust intelligence network that can warn the government of an attack so that it can be stopped before it is launched.”<sup>70</sup>

The problem with intelligence is not only obtaining it, but piecing together fragmented information and ensuring that it is assessed and shared with the right decision makers in a timely way.<sup>71</sup> As Sloan related, the Commission of Inquiry into 9/11 found that “the two key factors behind the failure to prevent the 9/11 attacks were a lack of intelligence-sharing among government agencies and the fact that individual agencies did not rate specific information important enough to pass up the chain.”<sup>72</sup>

The most important NSP initiative in the area of intelligence is the establishment of ITAC. It was established in October 2004 and has been fully operational since 2006. ITAC’s director has indicated that all of Canada’s major allies now have similar capabilities.<sup>73</sup> From an intelligence perspective, moving the RCMP, CSIS and CBSA together under the PSC umbrella was viewed as beneficial by Reed Morden, former Director of CSIS.<sup>74</sup>

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<sup>70</sup> Elinor Sloan, *Security and Defence in the Terrorist Era* ...,134.

<sup>71</sup> Privy Council Office, Canada, *Securing An Open Society*..., 16.

<sup>72</sup> Elinor Sloan, *Security and Defence in the Terrorist Era* ...,47.

<sup>73</sup> Evidence given by Daniel Giasson, Director, Integrated Threat Assessment Centre in Proceedings of the Standing Senate Committee on National Security and Defence Issue 16 - Evidence Monday, May 28, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/16ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/16ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>74</sup> Evidence given by Reed Morden, former Director of CSIS and Deputy Minister of Foreign Affairs, in Proceedings of the Standing Senate Committee on National Security and Defence OTTAWA, Monday, March 26, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

The integration of CSIS and the RCMP is also reported to be working quite well in terms of exchanging intelligence information, as Giuliano Zaccardelli stated: “As Commissioner of the RCMP, I am entirely pleased with our relationship with CSIS. It is a model that I would put before that of any other country in the world.”<sup>75</sup> This assertion was supported by Martin Rudner, Director of the Canadian Centre for Intelligence and Security Studies, Carleton University, who opined that CSIS and the RCMP have a good working relationship, but indicated that he considers ITAC to be too small.<sup>76</sup>

In December 2001, the Financial Transactions and Reports Analysis Centre of Canada (FINTRAC)’s mandate was expanded to include the detection of terrorist activity,<sup>77</sup> thereby providing another means of investigating potential terrorist activity.

The RCMP established four Integrated National Security Enforcement Teams (INSET) which are comprised of RCMP, CBSA, CSIS, provincial and municipal police, to enhance intelligence and information sharing in the national security role.<sup>78</sup>

The many new structures and mandates initiated to facilitate the analysis and evaluation of intelligence across government and with Canada’s allies are tangible evidence of progress in this area.

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<sup>75</sup> Evidence given by Commissioner Giuliano Zaccardelli of the Royal Canadian Mounted Police in Proceedings of the Standing Senate Committee on National Security and Defence Issue 2 – Evidence OTTAWA, Monday, May 29, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>76</sup> Evidence given by Martin Rudner, professor, Norman Paterson School of International Affairs Carleton University in Proceedings of the Standing Senate Committee on National Security and Defence Issue 16 - Evidence Monday, May 28, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/16ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/16ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>77</sup> Financial Transactions and Reports Analysis Centre of Canada, “Who We Are,” <http://www.fintrac-canafe.gc.ca/fintrac-canafe/1-eng.asp>; Internet; accessed 10 May 2008.

<sup>78</sup> Royal Canadian Mounted Police, “Backgrounder: National Security and the RCMP” and “Backgrounder: Integrated National Security Enforcement Teams,” [http://www.rcmp-grc.gc.ca/news/2006/2006\\_06\\_03\\_e.htm#insets](http://www.rcmp-grc.gc.ca/news/2006/2006_06_03_e.htm#insets); Internet; accessed 10 May 2008.

## Emergency Planning and Management

The NSP directed the reform of the nation's Emergency Management regime in response to its perceptions of a changing threat environment, the increasingly complex array of responders and stakeholders through the various levels of government and the importance of swift, effective responses to emergencies. It went on to describe a system wherein authorities and responsibilities are decentralized and it stressed the need for interoperability, cooperation and integration.<sup>79</sup>

The establishment of PSC was the most significant initiative directed by the NSP and the department has been handling its emergency planning and management responsibilities well, developing the Federal Emergency Response Plan in conjunction with other federal departments and the National Emergency Response System<sup>80</sup> in cooperation with the provincial emergency management organizations. Both plans are expected to be released later in 2008. It also introduced the National Chemical Biological Radiological and Nuclear (CBRN) Strategy in 2005; and has circulated to key stakeholders for comment a draft *National Strategy and Action Plan for Critical Infrastructure*. Stakeholders have been asked to comment by 30 June 2008.<sup>81</sup>

The previously-mentioned Government Operations Centre (GOC), which includes the Canadian Cyber Incident Response Centre (CCIRC), is operational on a 24/7 basis.

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<sup>79</sup> Privy Council Office, Canada, *Securing An Open Society...*, 21-22.

<sup>80</sup> Evidence given by William J.S. Elliott, Associate Deputy Minister, PSEPC in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>81</sup> Public Safety Canada, "Critical Infrastructure Protection," <http://www.publicsafety.gc.ca/prg/em/cip-eng.aspx>; Internet; accessed 10 May 2008.



Although it is not fully staffed, it does contain personnel from several federal government agencies and is able to function in response to emergencies.<sup>82</sup>

PSC has also progressed other initiatives to help build the cooperation and integration required of the new security environment. These activities include hosting a forum of provincial ministers responsible for emergency preparedness,<sup>83</sup> expanding the Canadian Emergency Management College, in Ottawa, conducting exercises and training, and responding to potential and real emergencies.

The department has increased its liaison functions across government and with the provinces. Lieutenant-General Marc Dumais, Commander, Canada Command described the CF/PSC working relationship as “hand and glove.”<sup>84</sup> Moreover, David Hodgins the Managing Director, Alberta Emergency Management Agency offered that “the current structure is strengthened by the presence of Public Safety Canada within the provincial and territorial regions...”<sup>85</sup>

Progress has been made in terms of the CF’s ability to respond to emergencies. The Canada Command construct is now well established and regional task force commanders are cultivating relationships with provincial EMOs and with PSC. The

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<sup>82</sup> Evidence given by William J.S. Elliott, Associate Deputy Minister, PSEPC in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>83</sup> *Ibid.*

<sup>84</sup> Evidence given by Lieutenant-General Marc Dumais, Commander of Canada Command in Proceedings of the Standing Senate Committee on National Security and Defence Issue 5 – Evidence OTTAWA, Monday, October 2, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/05ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/05ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>85</sup> Evidence given by David Hodgins, Managing Director, Alberta Emergency Management Agency in Proceedings of the Standing Senate Committee on National Security and Defence Issue 5 - Evidence - Meeting of February 11, 2008 [http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/defe-e/05eva-e.htm?Language=E&Parl=39&Ses=2&comm\\_id=2](http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/defe-e/05eva-e.htm?Language=E&Parl=39&Ses=2&comm_id=2); Internet; accessed 10 May 2008.

primary framework remains that if a community requires assistance, it requests assistance from the provincial EMO. If the requirement is beyond the province's capabilities, then the provincial minister responsible must make a request to the Minister of PSC who will liaise and determine the level of federal response and which of the federal resources should be committed. In the event of a time sensitive emergency, the local task force commander has the authority to draw on the resources in his or her assigned region to intervene.<sup>86</sup> The aim of developing continual relationships between the CF and authorities in the regions is to ensure that the CF can provide "the right resources, at the right place, at the right time."<sup>87</sup> David Hodgins went on to observe that "the establishment of Canada Command is an excellent illustration of the federal government's commitment in support of linking provinces and territories and their communities to emergency management resources as may be required."<sup>88</sup> Rear-Admiral Roger Girouard, Commander of Joint Task Force Pacific termed his staff's daily relationship with the provincial EMO as "superb.... We have a daily link, and when events such as you describe occur, we check in on the as-required basis. Most importantly they know our phone number."<sup>89</sup>

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<sup>86</sup> Evidence given by Lieutenant-General Marc Dumais, Commander of Canada Command in Proceedings of the Standing Senate Committee on National Security and Defence Issue 5 – Evidence OTTAWA, Monday, October 2, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/05eve.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/05eve.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>87</sup> *Ibid.*

<sup>88</sup> Evidence given by David Hodgins, Managing Director, Alberta Emergency Management Agency in Proceedings of the Standing Senate Committee on National Security and Defence Issue 5 - Evidence - Meeting of February 11, 2008 [http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/defe-e/05eva-e.htm?Language=E&Parl=39&Ses=2&comm\\_id=2](http://www.parl.gc.ca/39/2/parlbus/commbus/senate/Com-e/defe-e/05eva-e.htm?Language=E&Parl=39&Ses=2&comm_id=2); Internet; accessed 10 May 2008.

<sup>89</sup> Evidence given by Rear-Admiral Roger Girouard, Commander, Maritime Forces Pacific in Proceedings of the Standing Senate Committee on National Security and Defence Issue 9 - Evidence, January 29, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/09eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/09eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

It is clear that since its establishment, PSC has grown and made much progress. Further examples of progress are detailed in its 2006-2007 Departmental Performance Report, which lists 42 different outcomes on which progress has been made in enhancing emergency preparedness and the security of Canadians,<sup>90</sup> including specific mention of interventions during floods on the prairies and support to the evacuation of Canadians from Lebanon.<sup>91</sup>

### **Public Health Emergencies**

In the wake of the SARS outbreak of 2003, the gaps in Canada's ability to respond became readily apparent. Issues of coordination and leadership arose during the crisis and many lessons were learned. Based in part on that experience, the NSP directed improvements to Canada's readiness to counter pandemics and other threats to the health of Canadians, whether occurring naturally,

preparedness training, health surveillance and the maintenance of national emergency stock of medicines.<sup>93</sup>

Although the PHAC has grown and made inroads since its founding, the Auditor General of Canada reported in May 2008 some shortcomings in PHAC's surveillance of infectious diseases. The report states: "Despite some important accomplishments, the Agency has not satisfactorily addressed many of the concerns raised in our previous audits, some of which were evident during the SARS crisis."<sup>94</sup> It is clear that while establishing the required structures is an important step in fielding capability, there is still work to be done in this area.

### **Transportation Security**

In the area of transportation, the NSP aims to enhance the security of the air land and surface transportation systems in Canada. Because of Canada's reliance on trade and the greater mobility of people in a modern globalized world, this invariably engenders cooperation with the international community and especially in the US.<sup>95</sup>

The policy aims to improve the overall security of the system through the implementation of background checks for employees in all sectors of the transportation system. Moreover, it articulates specific goals in each of the marine, land and air

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<sup>93</sup> Public Health Agency of Canada, "Report on Plans and Priorities, 2008-2009 Section II," [http://www.tbs-sct.gc.ca/rpp/2008-2009/inst/ahs/ahs02-eng.asp#\\_Toc184879383](http://www.tbs-sct.gc.ca/rpp/2008-2009/inst/ahs/ahs02-eng.asp#_Toc184879383) ; Internet; accessed 10 May 2008.

<sup>94</sup> Office of the Auditor General of Canada, *2008 Report Of The Auditor General Of Canada To The House Of Commons. Chapter 5: Surveillance of Infectious Diseases—Public Health Agency of Canada. May 2008*; [http://www.oag-bvg.gc.ca/internet/docs/aud\\_ch\\_oag\\_200805\\_05\\_e.pdf](http://www.oag-bvg.gc.ca/internet/docs/aud_ch_oag_200805_05_e.pdf); Internet; accessed 10 May 2008, 29.

<sup>95</sup> Privy Council Office, Canada, *Securing An Open Society...*, 35.

transportation sectors. In addressing the air and land sectors, the policy focuses on increasing the security of air passengers and cargo, and the security of the inter-modal cargo, mass transit and rail systems.<sup>96</sup>

While the NSP directs implementation of measures in each of the three sectors, it is clear from its elaboration of a “six point plan” to improve marine security that the marine transportation system is a particularly complex environment, owing in large measure to the number of agencies holding jurisdiction or interests in the sector. The first of the six points in the plan involves clarifying the mandates of the respective agencies operating in marine security. The plan goes on to detail aims to increase surveillance, deterrence, interoperability and cooperation between the various concerned agencies, both in Canada and abroad.<sup>97</sup> The policy establishes the Minister of Transport as being responsible for the development and coordination of marine security policy. Policing and enforcement remain the task of the Minister of Public Safety, while the MND is identified as the lead coordinator for on-water response.<sup>98</sup>

The presence of organized crime is one of the key issues threatening security in Canada’s ports.<sup>99</sup> The implementation of background security checks and increased policing are viewed as essential to increase the level of security. Though the number of police officers engaged in the policing of ports has increased, there is still room for

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<sup>96</sup> *Ibid*, 39.

<sup>97</sup> *Ibid*, 38-39.

<sup>98</sup> *Ibid*, 38.

<sup>99</sup> Evidence given by Reed Morden, former Director of CSIS and Deputy Minister of Foreign Affairs, in Proceedings of the Standing Senate Committee on National Security and Defence OTTAWA, Monday, March 26, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

improvement.<sup>100</sup> The requirement for personal security background checks into port workers was commenced in 2005.

The most significant initiative to support security of the marine transportation system is the establishment of the Marine Security Operations Centres (MSOCs) on the Atlantic and Pacific Coasts and in the Great Lakes. These centres, modeled on the Joint Rescue Coordination Centres, are manned by staff from the CF, CBSA, the Coast Guard, RCMP and Transport Canada.<sup>101</sup> The centres in Halifax and Victoria are at initial operational capability. While the project was originally planned to reach full operational capability in 2010, difficulties in resolving legal issues related to the sharing of information between agencies and an increase in construction costs have engendered delays to that date.<sup>102</sup> A third MSOC is operating at interim capability in the Great Lakes since July 2005.<sup>103</sup>

While the MSOC has progressed, albeit more slowly than originally intended, two other important marine security initiatives have not fared as well. The project to deliver secure communications to Canada's marine fleets, a key interoperability issue which was

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<sup>100</sup> Evidence given by Commissioner Giuliano Zaccardelli of the Royal Canadian Mounted Police in Proceedings of the Standing Senate Committee on National Security and Defence Issue 2 – Evidence OTTAWA, Monday, May 29, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>101</sup> Privy Council Office, Canada, *Securing An Open Society...*, 38.

<sup>102</sup> Department of National Defence, *Report on Plans and Priorities, 2008-2009*, <http://www.tbs-sct.gc.ca/rpp/2008-2009/inst/dnd/dnd-eng.pdf>; Internet; accessed 10 May 2008, 63.

<sup>103</sup> Royal Canadian Mounted Police, "Marine and Ports Branch Great Lakes and StLawrence Seaway Interim Marine Security Operations Centre," [http://www.rcmp-grc.gc.ca/fio/marine\\_faq\\_e.htm](http://www.rcmp-grc.gc.ca/fio/marine_faq_e.htm); Internet; accessed 10 may 2008.

identified as a priority in 1977,<sup>104</sup> has not advanced;<sup>105</sup> and, owing to the inability to obtain the license for the use of the radio frequencies it requires to operate, the High Frequency Surface Wave Radar has not progressed.<sup>106</sup>

On-water presence has also increased with the implementation of the CF's ship sovereignty patrol programmes on each coast; CP-140 Aurora Maritime Patrol sovereignty flights in the Atlantic, Pacific and Arctic.<sup>107</sup>

The Marine Transportation Security Regulations, requiring 96-hour advance notification of arrival at Canadian ports, came into effect in July 2004.

In the area of air transportation, the Canadian Air Transportation Security Authority was established in April 2002.<sup>108</sup> Several other measures such as requiring locking cockpit doors and the RCMP's Canadian Air Carrier Protective Programme which places "air marshals" on board some commercial flights, have also been implemented.<sup>109</sup>

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<sup>104</sup> Gordon F. Osbaldeston, P.C., Q.C. *All The Ships That Sail: A study of Canada's Fleets*. Report Of The Study On The Utilization Of The Federal Government's Marine Fleets. Report prepared for the President of the Treasury Board of Canada. Ottawa 15 October 1990, 31.

<sup>105</sup> Commander Jim Day, former MSOC Project Director (2004-2007) and current Section Head, Marine Security in the Directorate of Maritime Requirements (Sea) at NDHQ, telephone conversation with author, 23 April 2008. While the secure voice communications project has not advanced, progress has been made on the Interdepartmental Maritime Integrated Command, Control and Communications System project which will provide 44 Coast Guard vessels and 12 CF Kingston Class ships with a common tactical information exchange system linked to the MSOCs.

<sup>106</sup> DND 14 August 2006 response to SCONSAD quoted in Standing Senate Committee on National Security and Defence, *Canadian Security Guide Book 2007-COASTS, March 2007*; <http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/rep-e/rep10mar07-4-e.pdf>; Internet; accessed 10 May 2008, 18-19.

<sup>107</sup> Department of National Defence, *Report Performance Rreport for the Period ending 31 March 2007*, <http://www.tbs-sct.gc.ca/dpr-rmr/2006-2007/inst/dnd/dnd-eng.pdf>; Internet; accessed 10 May 2008, 58.

<sup>108</sup> Canadian Air Transport Security Authority, "Mandate," [http://www.catsa-acsta.gc.ca/english/about\\_propos/mandat.shtml](http://www.catsa-acsta.gc.ca/english/about_propos/mandat.shtml); Internet; accessed 10 May 2008.

## Border Security

The NSP focuses the aims of the border security effort on developing a system which balances security with the need to maintain the flow of goods and passengers in and out of Canada. This dictates a risk management approach, centered on preventing “high-risk travelers and cargo from entering Canada.”<sup>110</sup> The implications of such an approach are clear: cooperation with allies and intelligence is required to identify these “high risks” before they arrive.

Before 11 September 2001, the threat of cross-border terrorism was not generally held as a significant concern in Canada.<sup>111</sup> The impact of the attacks on the World Trade Center prompted the US response of stopping air traffic and increasing enforcement at the borders, thereby causing significant disruption of the \$1.2 Billion daily trade between Canada and the US.<sup>112</sup>

The disruption of trade made it clear that border security was perceived as a key vulnerability by the US. In response, Canada has made much progress in enhancing the security of its borders. In December 2003, the Canadian Border Services Agency was established, consolidating the responsibility for control and screening at Canada’s borders in one agency, under PSC.<sup>113</sup>

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<sup>110</sup> Privy Council Office, Canada, *Securing An Open Society...*, 41.

<sup>111</sup> Margaret Purdy, "Canada's Counterterrorism Policy...", 108.

<sup>112</sup> *Ibid.*, 111.

<sup>113</sup> Canada Border Services Agency, “About Us,” <http://www.cbsa-asfc.gc.ca/agency-agence/who-qui-eng.html>; Internet; accessed 10 May 2008.



Canada has also entered into some strategic initiatives with the US, participating in the Western Hemisphere Travel Initiative<sup>114</sup> and Smart Border Declaration of December 2001.<sup>115</sup> In addition, Canada and the US implemented a Safe Third Country Agreement whereby the two nations recognize each other as safe countries for purposes of handling refugee claimants, thus enabling each to deny entry to refugee claimants entering via the border with the other.<sup>116</sup> In June 2005, Canada joined the US and Mexico in founding the Security and Prosperity Partnership of North America,<sup>117</sup> for which the minister of Public Safety Canada is the national principal on the security dialogue.

In addition, a large number of tactical and technical improvements have been brought to the security of Canada's borders such as commencing to arm the CBSA officers manning border posts; establishing data connectivity with all border stations to provide CBSA officers with timely access to the CBSA data bases; and commencing to eliminate the practice of having border posts manned by only one person.

### **International Security**

The NSP committed the government to complete reviews of its Defence and International policies, indicating the link between the NSP and the other two. Stopping short of articulating a hierarchy between the three policies, it was unequivocal in

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<sup>114</sup> Canada Border Services Agency, "About the WHTI," <http://www.cbsa-asfc.gc.ca/whti-ivho/menu-eng.html>; Internet; accessed 10 May 2008.

<sup>115</sup> Public Safety Canada, "Smart Border Declaration Action Plan," <http://www.ps-sp.gc.ca/prg/le/bs/sbdap-en.asp>; Internet; accessed 10 May 2008.

<sup>116</sup> Canada Border services Agency, "Canada-US Safe Third Country Agreement," <http://www.cbsa-asfc.gc.ca/agency-agence/stca-etps-eng.html>; Internet; accessed 10 May 2008.

<sup>117</sup> Canada Border Services Agency, "Security And Prosperity Partnership of North America," <http://www.cbsa-asfc.gc.ca/agency-agence/spp-psp-eng.html>; Internet; accessed 10 May 2008.

establishing that the NSP would be a key driver of both the International and Defence policies.

Although the Defence Policy Statement of May 2005 contained large capability initiatives which have not progressed<sup>118</sup> and the current government has shifted some of the capability focus back to more domestic concerns such as the Arctic, it can be argued that the decision to remain in Afghanistan until 2011 and the formation of an Afghanistan Task Force in Ottawa are entirely consistent with the NSP's assertions regarding international security. The NSP clearly established the intent to focus on improving global stability by promoting the growth of peace, order and good government in failed and failing states. It made the link between security abroad and security at home it asserting the notion that security, diplomacy and development are inextricably linked. The acceptance of the recommendations of the Independent Panel on Canada's Future Role in Afghanistan for Canada to remain in Afghanistan (melding the military, diplomatic and development efforts) are consistent with the view of international security expressed in the NSP.<sup>119</sup>

Finally, the NSP also stressed the value that Canada places in multilateral organizations such as NATO and the UN, and underscored Canada's continuing efforts to contain the proliferation of weapons of mass destruction through participation in the Proliferation Security Initiative.

The list of the major initiatives which have been achieved or are underway as an embodiment of the NSP is impressive. In addition to the creation of major new

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<sup>118</sup> The SCTF concept is being held in abeyance.

<sup>119</sup> John Manley et al, *The Independent Panel On Canada's Future Role in Afghanistan*. Ottawa: 2008; [http://www.independent-panel-independant.ca/pdf/Afghan\\_Report\\_web\\_e.pdf](http://www.independent-panel-independant.ca/pdf/Afghan_Report_web_e.pdf); Internet; accessed 10 May 2008, 37-38.

organizations - PSC, ITAC, CBSA, CATSA, GOC, MSOCs, PHAC, Canada Command and the regional Joint Task Forces, seven major laws have been enacted which bear directly on the NSP. Added to these structural changes, many tactical level initiatives have been implemented or are under development to enhance Canada's national security.

### **Issues of implementation**

It has been established that the policy is sound and relevant (the talk is good), that its major pieces have been assembled, but what has not been determined is how this is translating into the tactical effects which enhance national security. The two sources of analysis and criticism of the NSP are the Auditor General of Canada (OAG) and the Standing Senate Committee on National Security and Defence (SCONSAD). The OAG produces aperiodic reports dealing with selected topics, which do not necessarily cover NSP areas, whereas SCONSAD holds public hearings, publishes its proceedings and produces the *Canadian Security Guidebook* series of reports. It must be underscored that not all areas of the NSP's implementation have been scrutinized or even reviewed; however, the criticisms noted below paint an unflattering picture of how the intent of the NSP is being translated into reality. It is also significant to note that there is no mechanism which reviews the NSP as a system. The last time such an effort was undertaken was in 2005 when the government produced: *Securing an Open Society: One Year Later*. The Auditor General has issued overall reports in 2004 and 2005, and intends an update on national security in February 2009.<sup>120</sup>

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<sup>120</sup> Office of the Auditor General, *2008–09 Estimates Report on Plans and Priorities*; <http://www.tbs-sct.gc.ca/rpp/2008-2009/inst/aud/aud-eng.pdf>; Internet, accessed 10 May 2008, 22.

In March 2007, SCONSAD released its most recent reports concerning security problems which have not been addressed. The four volumes, covering seaports, border crossings, coasts and airports paint a bleak picture of the gaps in Canada's national security network. Together they tally 48 problem areas to be addressed.<sup>121</sup> These observations and recommendations are more than one year old and thus are unlikely to reflect precisely the current state of Canada's national security initiatives; however, they give strong indication that much remains to be done. It must be underscored that the NSP is not the meter against which progress is measured by SCONSAD. Rather, the Committee identifies tactical gaps and makes recommendations to the government, which departmental programme managers ostensibly evaluate and address and/or respond to the Committee. Departmental appreciations of the issues frequently diverge from the Committee's views, thus the reports can best be taken as informed opinion indicating the state of the real world manifestation of the NSP.

Since the details of the issues and recommendations may be in dispute, they will not be considered in this paper. However, in the reports, the Committee expresses several areas of dissatisfaction with the progress of the national security initiatives of which three are particularly relevant to this discussion: changes are not occurring swiftly enough; a bureaucratic attitude permeates the departments and agencies; and the government does not make security a high enough priority. SCONSAD's expression of exasperation at the slow pace of progress in *AIRPORTS* is representative of many of the

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<sup>121</sup> Details are contained in each of the Guidebooks. *AIRPORTS* details 15 problem areas, summarized at pages 91-94; *COASTS* indicates 8 problem areas, summarized at pages 51-53, *BORDER CROSSINGS* details 18 at pages 77-80, *SEAPORTS* describes 7 problem areas pages 49-51.

criticisms which it has leveled at the government in all four volumes of *The Canadian Security Guidebook*:

Why does the whole process keep shuffling along at such a snail's pace?...why do bureaucrats find it necessary to go to such extraordinary lengths to argue that meaningful change is underway, when in most cases it is clearly not?<sup>122</sup>

The criticisms are interrelated in that both the bureaucratic attitude and the government's lack of priority can contribute to slowing progress.

The bureaucratic attitude engenders resistance to change and complicates arriving at consensus. Given the focus on an integrated approach described in the NSP, the requirement for consultation (if not cooperation) is significant, thus bureaucratic inertia will have adverse effects. In addition to attitudes, the processes of the government bureaucracy also create delays; for instance, the procurement process which government departments and agencies must follow in delivering capability is time-consuming.<sup>123</sup>

The government's lack of focus on national security really means that the resources required to implement change expeditiously may not be available. While some sectors have received significant infusions of money, in some cases these budget increases only manage to compensate for the reductions in government organizations which occurred through the 1990s. In the case of CSIS, for example, although the agency

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<sup>122</sup> Standing Senate Committee on National Security and Defence, *Canadian Security Guide Book 2007-AIRPORTS, March 2007*; <http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/rep-e/repmar07-e.pdf> ; Internet; accessed 10 May 2008, 3.

<sup>123</sup> Evidence given by Alain Jolicoeur, President, Canada Border Services Agency (CBSA) in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008

received substantial budget increases after 11 September 2001,<sup>124</sup> from a personnel perspective, it has only managed to bring its staffing levels back to what they were in 1990.<sup>125</sup>

Another aspect which makes change slow to implement is the personnel recruiting and training process required to develop suitably-qualified people to work in the area of national security. It is important to consider that many will require specialized skills and training. For instance, due to capacity issues, in 2006 CBSA estimated that it would take three years to train sufficient personnel to eliminate the 138 “work alone” border posts.<sup>126</sup> The lack of resources to conduct the training was also identified by SCONSAD.<sup>127</sup>

There are also important legislative impediments to implementing the NSP’s intent of an integrated approach. Given that the integrated approach relies on the need for intelligence and enforcement agencies to share information, fully implementing it requires a suitable legal framework. This has been a problem which has had an adverse

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<sup>124</sup> Evidence given by Margaret Bloodworth, National Security Advisor to the Prime Minister and Associate Secretary to the Cabinet, Privy Council Office. in Proceedings of the Standing Senate Committee on National Security and Defence, OTTAWA, Monday, March 26, 2007 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/13ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>125</sup> Evidence given by Jim Judd, Director of the Canadian Security Intelligence Service (CSIS) in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>126</sup> Evidence given by Alain Jolicoeur, President, Canada Border Services Agency (CBSA) in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>127</sup> Canada. Senate. Standing Senate Committee on National Security and Defence, *Canadian Security Guide Book 2007-BORDER CROSSINGS, March 2007*; <http://www.parl.gc.ca/39/1/parlbus/commbus/senate/com-e/defe-e/rep-e/rep10mar07-e.pdf>; Internet; accessed 10 May 2008, 7.

effect on the development of the MSOC, where five core departments are still struggling with the legal authority to exchange information.<sup>128</sup> The legislation is also a factor affecting the exchange of information between CSIS and the RCMP, particularly when it comes to the sharing of information to be used as evidence in a criminal prosecution. Both the director of CSIS<sup>129</sup> and the Commissioner of the RCMP<sup>130</sup> have indicated that this is an important issue. The legislative environment surrounding the exchange of information is being examined by a variety of federal government departments, in collaboration with the department of Justice.

Finally, the last issue which must be addressed in terms of the legal framework is the balance between civil rights and security. The fact that Canada is a free, democratic state where civil liberties are entrenched in the Canadian Charter of Rights and Freedoms and where other legislation provides safeguards to personal privacy, means that there are constraints on surveillance, intelligence and enforcement activities which may constitute weaknesses in the security system. There is a tension between the desire for the ideal of fully-assured security and both the preservation of Charter Rights and the unencumbered freedoms of trade and business activity. This implies that a risk-managed approach to

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<sup>128</sup> Commander Jim Day, former MSOC Project Director (2004-2007) and current Section Head, Marine Security in the Directorate of Maritime Requirements (Sea) at NDHQ, telephone conversation with author 23 April 2008.

<sup>129</sup> Evidence given by Jim Judd, Director of the Canadian Security Intelligence Service (CSIS) in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

<sup>130</sup> Evidence given by Commissioner Giuliano Zaccardelli of the Royal Canadian Mounted Police in Proceedings of the Standing Senate Committee on National Security and Defence Issue 2 – Evidence OTTAWA, Monday, May 29, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/02ev-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.

security is required. That balance invariably shapes policy,<sup>131</sup> and strikes at the heart of the long title of the NSP: *Securing an Open Society*.

## **Conclusion**

In evaluating the NSP in the context of the post-11 September world, it is clear that it filled the gaps which the 1994 Defence White Paper did not address. Its publication was an appropriate response to dealing with a changed environment and signaled a new, integrated approach to national security. Its definition of the scope of national security, articulation of the three national security interests, detailing of the threats to Canada and direction on the implementation of an integrated national security system reflect a clear, relevant and appropriate intent. The comparison with the equivalent policies of the US and UK, issued three and four years later respectively reflect a large measure of congruence. Notwithstanding that the organizations of the respective government agencies differ somewhat between these allies, it is apparent that the approaches to integrating government preparedness are quite similar. These similarities confirm that the NSP is still relevant today.

It has been shown that the NSP embodied tremendous change to the structures of many Canadian government agencies and brought a new focus on integrating the government's planning for and response to threats to national security. The

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<sup>131</sup> Evidence given by Louis Ranger, Deputy Minister of Transport, Infrastructure and Communities in Proceedings of the Standing Senate Committee on National Security and Defence Issue 4 - Evidence, June 19, 2006 [http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm\\_id=76](http://www.parl.gc.ca/39/1/parlbus/commbus/senate/Com-e/defe-e/04eva-e.htm?Language=E&Parl=39&Ses=1&comm_id=76); Internet; accessed 10 May 2008.



organizational and institutional changes required to implement the policy are generally in place and much progress has been made; however, much still remains to be done to improve the national security system's effectiveness in meeting the intent of the NSP.

While this paper has established that the 2004 NSP is a sound and relevant policy whose implementation is progressing, albeit slowly; its scope was restricted to assessing the relevance of the NSP and observing on its implementation, highlighting key impediments. From the preceding discussion, it is apparent that some areas could benefit from more detailed study.

Although the legislative impediments to exchanging information between government agencies are currently being examined by several government departments, this area could be studied, perhaps in a comparative analysis of some of our allies' processes.

Another area which should be investigated is that of the issues arising from an integrated approach. Given SCONSAD's criticism of the slow pace of change in security matters (undoubtedly complicated by the need to achieve the consensus of many agencies and organizations) and that the NSP had at its core an integrated approach; it follows that an examination of the efficiency of the integrated approach and its attendant requirements for collaboration and consensus should be undertaken.

In addition to the additional areas suggested for study, it must be underscored that independent scrutiny such as that provided by SCONSAD and the OAG should continue in order to provide external assessments of how the implementation progresses and to identify gaps in Canada's security umbrella. It is clear that expectations are necessarily high that the NSP should translate into enhanced security for Canadians. The notion of

measuring performance in relation to gaps in the real world (as is the practice of SCONSAD and the OAG) rather than from the perspective of compliance with policy is particularly important in the area of national security where, as Frank P. Harvey, professor of Political Science at Dalhousie University underscored:

...perfection will be the standard upon which the public will judge the utility of the programs and investments. Failure to prevent any attack will convince Canadians and Americans that the security measure [sic] put in place since 9/11 need to be improved and expanded. Unfortunately, whatever the government does will fall short, not because the investments accomplished little, but because the accomplishments, no matter how great, will never overcome the impact of subsequent failures.<sup>132</sup>

Harvey's stark observation reinforces that while the policy may be sound and relevant, it is what occurs in the real world which will matter in the end - what's left to do is to walk the talk.

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<sup>132</sup> Frank P Harvey, "Canada's Addiction to American Security: The Illusion of Choice In the War on Terrorism" in *American Review of Canadian Studies*, Summer 2005, 35, no. 2: 265-294; <http://web.ebscohost.com/ehost/detail?vid=3&hid=104&sid=381d9150-2f6a-4a1b-a53f-93fa6695a3bb%40sessionmgr104>; Internet; accessed 10 May 2008. 278. Although the thrust of Harvey's article is that there is a paradoxical futility to spending vast sums on security (somewhat antithetical to spending on the NSP), his observation is a succinct expression of the importance and difficulty of the issue.

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