SECURITY, FOREIGN POLICY AND TRADE

More secure, but not safer

A review of national security policy from 2008 to the present

Monia Mazigh

IN THE LAST seven years, the federal government has introduced and enacted a range of new laws dealing with anti-terrorism, national security, surveillance and related areas. In general, we can say these new policies have provided Canada's police forces, customs and border agents, and intelligence agencies with additional powers and funds to address perceived weaknesses in the state's current security capacities. The $400 million allotted for national security in the 2015 federal budget contrasts noticeably with the cuts, since 2008, in many other departments, as described elsewhere in this book.

At the same time, there has been virtually no movement on recommendations made in the 2006 Arar Commission report for more effective public and political oversight and review of national security activities. The result of the new Harper-era security legislation is, as exposed in this chapter, a dangerous imbalance between the ability of the state to collect large amounts of personal information and to define, monitor and attempt to neutralize perceived threats, on the one hand, and the public's ability to hold state agents accountable for their decisions — and mistakes — on the other.

The policy choices of this government do not make Canada a safer place to live, but they have undermined privacy protections and civil liberties to a very worrying extent.

Recent context for new security measures

After the September 11, 2001 terrorist attacks in New York City and Washington, D.C., Canada promptly followed the United States in introducing new anti-terror legislation, including Bill C–36, the *Anti-Terrorism Act*. The governments of both countries claimed the legislation — the PATRIOT Act in the U.S. — would be necessary to safeguard against future terrorist attacks. Canadian business lobbies also feared economic losses if Canada failed to reciprocate the U.S. policy response. Very little time was given in either country to voices that questioned this logic or raised concerns about the impacts of the new security measures on privacy and human rights.

Despite opposition in Canada among some politicians and several civil liberties groups, Bill C–36 went through Parliament and became law within three months. The legislation was to be reviewed after three years, and it included a five-year sunset clause on two specific provisions, the first granting police new powers of preventative arrest, the second permitting investigative hearings in cases where the state believes a terrorist act is about to be committed. In both cases, issues of privacy and Charter rights were secondary to greater public safety. The International Civil Liberties Monitoring Group (ICLMG) formed in 2002 to make sure these rights would be top of mind in any public discussion related to the "war on terror."

Many events unfolded in the post-9/11 years that would push the Canadian national security debate in this direction. Almost immediately, the case of Maher Arar — a Canadian citizen who was detained in September of 2002 at a New York airport then rendered to Syria where he was tortured — seized the attention of the Canadian public.[1] His case was followed by troubling reports that at least three other Canadians — Abdullah Almalki, Ahmed El Maati and Muayyed Nureddin — had been detained and tortured abroad with the knowledge and participation of Canadian security agencies (see Box).

Two public inquiries ensued: the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar (the Arar Commission), and the Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad AbouElmaati and Muayyed Nureddin (the Iacobucci Inquiry). The first, which completely exonerated Arar in 2006, would produce a long list of recommendations for how the government might avoid national security blunders by

Information Extracted Through Torture

In 2008, Supreme Court Justice Frank Iacobucci released the final report from his commission of inquiry into the jailing and alleged torture of three Canadians: Abdullah Almalki, Ahmad El Maati and Muayyed Nureddin. After the results of the Arar Commission were released, Justice Iacobucci was asked to review the nature of Canadian intelligence sharing with countries including the U.S., Syria and Egypt. His commission also sought to determine if Canadian officials were complicit in furthering the alleged abuse.

In 2009, Parliament passed a motion, moved by NDP MP Don Davies, calling on the Canadian government to issue an apology to the three men, compensate them, and correct the misinformation the government and security agencies had spread about them and their families. The Canadian government never acted on this motion.

The parliamentary public safety committee report on which Davies's motion was based also calls on the government to urgently implement the recommendations made by Justice Dennis O'Connor in the December 2006 Arar Commission report, which called for a new system of checks and balances for the agencies tasked with national security investigations in Canada.

Despite these tragic cases, which highlight the risks to innocent people of the unfiltered sharing of information (some of it tainted by torture), in September 2011, the Canadian government issued directives to the RCMP and CBSA to use and share information extracted through torture.[26]

addressing accountability and transparency deficits, and through additional checks and balances on when and how information on Canadian residents is shared with foreign governments.[2] The Iacobucci Inquiry similarly found, in 2008, that the actions of Canadian state agencies had indirectly contributed to the detention and torture of the three men listed above.[3]

As all this was happening, technological advances continued to change how we communicate — and how the state collects information on those communications. Smartphones and social media use became widespread during this time, creating privacy issues related to who (beyond ourselves and our friends) was reading our emails, Facebook postings or tweets. As the Edward Snowden revelations confirmed (see Box), we also had to ask who was listening to our phone conversations, monitoring our Skype calls, watching what we download, and maintaining large databases of personal information that may or may not be useful to national security agencies.[4]

Further context is provided by the ongoing Canada–U.S. perimeter security talks, launched officially in a February 2011 joint report called *Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness*. Under the plan, the two countries would further integrate their border security, law enforcement and counter-terrorism operations, conduct joint investigations to target security threats, and jointly determine what constitutes a threat to begin with. The agreement includes a plan to share biographical information on citizens, permanent residents and others when they enter one country and thereby exit the other.[5]

Considering all of this, we will now review developments in Canada's national security policy since 2008, specifically recent anti-terrorism legislation, and the extent to which it ignores lessons learned in the last decade by tilting the balance even further away from proper oversight and privacy protections.

The anti-terrorism legislation

Bill S–7: *Combating Terrorism Act*

As mentioned, the preventative arrest and investigative hearings provisions in the first *Anti-Terrorism Act* in 2001 were allowed to expire on March 1, 2007, based on a five-year sunset clause built into Bill C–36. The minority Conservative government urged that these provisions be renewed, but all three opposition parties were against the idea. On February 27, 2007, the House of Commons voted 159–124 to let these post-9/11 judicial experiments end.[6]

In early 2012, now with a majority of seats in the House of Commons, the Harper government introduced Bill S–7, the *Combating Terrorism Act*, in the Senate. The bill proposed to restore the expired provisions of Bill C–36 and introduced new crimes for leaving Canada to join or train with a designated terror group. "It is highly likely that these provisions, while unnecessary, could target innocent individuals, lead to violations of rights and freedoms and bring into disrepute the administration of justice in Canada," warned the ICLMG in a press statement.[7]

Bill S–7 moved to the parliamentary committee stage in late 2012 and was sent back to Parliament, without any amendments, for a final vote on April 24, 2013 — mere days after the Boston Marathon bombing. The legislation passed with 183 votes for and 93 opposed.

CSE, the G20 and the Snowden revelations

In early 2014, CBC reported on a leaked document from former NSA analyst turned U.S. whistleblower Edward Snowden showing that the Communications Security Establishment Canada (now CSE) used information from the free Internet service at certain Canadian airports to track the smartphones and laptops of thousands of passengers for days after they had left the terminal.[30] Theoretically, CSE is bound by law to only collect foreign intelligence and not to target Canadians.

The Canadian government vehemently denied that CSE collected the data, but later admitted they were collecting metadata (e.g., the location and telephone numbers someone has called), claiming the authority to do so. The CBC article was one of a series on the Snowden revelations. Another, from November 2013, described how Canada had spied on the G8 and G20 summits in Toronto in 2010 on behalf of the U.S.[31] In December that year, CBC reported Canada had conducted further espionage for the NSA in 20 countries, including Canadian trading partners.[32]

Bill C–24: *Strengthening Canadian Citizenship Act*

Until recently, a Canadian citizen could be stripped of his or her citizenship on the basis of crimes that were considered threats to Canada's national security (e.g., terrorism or espionage) or demonstrations of disloyalty to Canada such as treason.

With the royal assent of Bill C–24 in June 2015, Canadian citizenship can now be revoked from dual citizens if the person: served as member of an armed force or organized armed group engaged in an armed conflict with Canada; was convicted of treason, high treason, spying offences and sentenced to imprisonment for life; or was convicted of a terrorism offence or an equivalent foreign terrorism conviction and sentenced to five years or more in prison.

Under this law, which creates a two-tiered citizenship system, Canadians who were not born in Canada or who have dual nationality and are convicted of any of these offences may be deported to countries they may never have visited, or where due process does not exist. Shortly after C–24 became law, media outlets reported that the government had begun the process to revoke the citizenship of dual Iranian-Canadian Hiva Alizadeh, who was found guilty and convicted for terrorist activities in 2014.[8]

The British Columbia Civil Liberties Association (BCCLA) and the Canadian Association of Refugee Lawyers have said the citizenship legislation is likely unconstitutional and plan on challenging C–24 in court.[9]

Bill C–44: *Protection of Canada from Terrorists Act*

Introduced in 2014, Bill C–44 amends the *CSIS Act* by giving the Canadian Security Intelligence Service more powers of surveillance and by allowing surveillance operations on Canadians suspected of terrorist activities within or outside Canada. Canada's spy agencies, including CSIS and the Communications Security Establishment (CSE), will be able to share this information on suspected terrorists with "Five Eyes" partner countries the United States, United Kingdom, Australia and New Zealand.[10]

In 2013, a Federal Court judge, Richard Mosley, slammed CSIS and CSEC (now CSE) for deliberately hiding from the court (when they applied for a warrant to intercept the communications of two Canadians overseas) the fact they would be seeking help from foreign intelligence allies. The judge explained his frustration that there is a very likely possibility that such "unwarranted" co-operation with foreign intelligence could lead to the arrest and harm of the suspects by the foreign agencies.[11]

Bill C–44, which became law in April 2015, further provides CSIS informants with "greater protection" in that, with a few exceptions, they may not be identified in court proceedings.[12]

Bill C–51: *The Anti-Terrorism Act 2015*

This highly controversial omnibus security bill was introduced in Parliament in January 2015 and became law, with almost no amendments, in June. The bill substantially increases the powers of CSIS to engage in secret, judicially approved counter-terrorism actions within and outside of Canada, going as far as to allow CSIS to apply before a judge to approve violations of the Charter of Rights and Freedoms in the pursuit of its covert objectives. It also adds many concerning "novelties" to Canadian anti-terrorism legislation.

For example, Bill C–51 expands the definition of activities that "undermine the security of Canada" for the purposes of increasing the types of personal information that a long list of government departments, including the RCMP, CSIS and Canada Border Services Agency, may collect and share with each other and with foreign agencies.[13] "Terrorism" is only one of nine enumerated activities that would fit the description of a threat, which also includes activities that could impact on the "economic or financial stability of Canada."[14] Environmental groups and Indigenous peoples rightly worry that protests against provincial or federal energy policies (e.g., oil and gas pipelines) may lead to terrorism files being opened on well-meaning activists.

Moreover, the new legislation gives government officials the responsibility for the "detection, identification, analysis, prevention, investigation or disruption" of these new activities listed as posing a threat to the "security of Canada."[15] These new responsibilities are very troubling as not all officials are trained in collecting and interpreting such information. Arbitrary judgment, lack of understanding, and subjectivity can open the doors to more cases of abuse.[16]

Since there are no robust review mechanisms for any federal agency or department engaged in counter-terrorism or national security activities, one can only expect that the new powers granted by C–51 will lead to more victims like Arar, Almalki, El Maati and Nurredin, among others.

The "No-fly" list

The federal government claims the legal framework of Canada's "no-fly" list first emerged with the introduction, two months after the 9/11 attacks, of Bill C–42, the *Public Safety Act* (2001), which amended the *Aeronautics Act*. However, Bill C–42 was withdrawn after being criticized, replaced by Bill C–7, the *Public Safety Act*, on May 6, 2004 (royal assent). And it was only in June of 2007 that the Passenger Protect Program, commonly known as the "no-fly" list, was officially implemented.

The "no fly" list is based on an obscure legal framework. It consists of a list of Canadian citizens prevented from boarding domestic or national flights because the government believes they pose a threat to aviation security. People are put on or removed from the list based on the recommendations of a high-level Specified Persons List Advisory Group made up of officials from the RCMP, CSIS, CBSA, Transport Canada and Justice Canada.

Canadian authorities are allowed to share the "no fly" list with other countries. No prior notice to the concerned individuals is required before this happens, and there is no judicial process to challenge one's place on the list. Individuals can appeal their inclusion to an Office of Reconsideration, but they can never know why they were put on the list in the first place, nor can they cross-examine the witness whose information may have been responsible for their being listed.

The Passenger Protect Program was expanded by Bill C–51. In addition to individuals considered to pose a threat to aviation security, the "no fly" list now includes those suspected of travelling to commit alleged terrorist offences. Bill C–51 also now allows the minister of public safety to delegate the listing power to any single official in his or her department. A person's listing can be appealed to the Federal Court, but once again there is no independent means to test the minister's evidence, and no provision of a "special advocate" — a cleared lawyer who can see

the evidence and mediate between the state and suspected individual — as there is in the security certificate process.[17]

Bill C–13: *Protecting Canadians from Online Crime Act*

This bill, which came into force in March 2015, was supposedly introduced by the government to target cyberbullying. In reality, Bill C–13 extends police surveillance powers to the online arena by granting them increased access to the electronic communications of citizens when there are reasonable grounds to "suspect" those communications are related to a crime. This is similar to when a phone line can be tapped, but it is a low threshold for permitting surveillance according to many experts.[18]

This legislation, whose constitutionality was immediately called into question based on a June 2014 Supreme Court decision that extended privacy protections to online data, also creates new warrants that allow authorities to collect "transmission data" through a software program and "tracking data" through a tracking device, again on a standard of reasonable suspicion. Bill C–13 grants immunity from lawsuits and even criminal charges to telecommunication companies that voluntarily hand over data (e.g., subscriber details, emergency contacts and other information) to the government.

Review mechanisms and parliamentary oversight

In his second report as part of the Arar Commission, issued in December 2006, Justice O'Connor identified 17 federal agencies that are involved in security and intelligence gathering. Canada has two security intelligence review bodies: the Security Intelligence Review Committee (SIRC), for CSIS, and the Office of the CSE Commissioner, for the Communications Security Establishment. An Office of the Inspector General of CSIS, which used to review CSIS activities and was mandated to provide independent advice to the Minister of Public Safety, was abolished by the government in 2012.

According to Justice O'Connor, there is an urgent need for independent review of the national security activities of other agencies and departments including the Canada Borders Services Agency, Citizenship and Immigration Canada, Transport Canada, the Department of Justice, and the Financial Transaction and Reports Analysis Centre of Canada (FINTRAC). He explained in his Arar Commission report how "a review body assesses the activities of an organization against standards such as

The Omar Khadr Case

The Omar Khadr case is one of the most troubling of Canadia's history in the so-called Global War on Terrorism.[27] Khadr was 15 when he was arrested in Afghanistan by U.S. authorities, charged with murdering a U.S. Army sergeant and being an illegal enemy combatant after suffering severe wounds as a result of a firefight. He was transported to the notorious U.S. prison in Guantanamo Bay, Cuba in 2002.

Canada is the only Western country that did not ask the U.S. administration for the repatriation of Canadian citizens detained in Guantanamo Bay. To the contrary, in 2003, Canadian security agents interrogated Khadr at the U.S. prison with full awareness that he was a youth who had been denied the right to legal counsel and subjected to sleep deprivation to "soften him up" for questioning. In 2008, the Supreme Court of Canada ruled that Canadian officials had acted illegally by sharing intelligence about Khadr with his U.S. captors.

On October 25, 2010, Khadr pleaded guilty to murder in violation of the laws of war, attempted murder in violation of the laws of war, conspiracy, two counts of providing material support for terrorism, and spying. He later recanted, claiming the plea bargain was the only way for him to be repatriated to Canada. Under the plea deal, Khadr would serve at least one year in Guantanamo Bay before being transferred to Canada where he would stay out the remainder of his prison sentence.

In 2010, the Supreme Court found the Canadian government had violated Khadr's constitutional rights by interrogating him in Guantanamo Bay knowing he had been abused. Former Canadian Senator Roméo Dallaire became an outspoken advocate for Khadr's rights as a former child soldier. In July 2012, Dallaire set up a petition in order to put pressure on then public safety minister Vic Toews to honour the plea bargain deal that was reached with Khadr in 2010.

On March 24, 2012, *The New York Times* reported on the continued delays in Khadr's repatriation, attributing them to the Canadian government.[28] The petition initiated by Senator Dallaire gathered 35,000 signatures. Khadr was transferred into Canadian custody on September 29, 2012 to serve the remainder of his sentence in Canada. Corrections Canada repeatedly refused to let journalists interview Khadr in Canadian prison. Towes justified this by claiming an interview could interfere with Khadr's treatment plan, pose a security risk or be otherwise disruptive.

In July 2014, an Alberta Appeal Court ruled that Khadr should be treated as if he had been sentenced as a youth, and he was transferred to a provincial prison as a result. The federal government appealed that decision to the Supreme Court of Canada.

On May 7, 2015, Khadr was freed on bail under strict conditions. However, about a week later, the Supreme Court swiftly dismissed the Conservative government's assertion that the former Guantanamo Bay prisoner should be dealt with as a hardened offender deserving of more time in an adult federal penitentiary.[29]

lawfulness and propriety and delivers reports, which often contain recommendations, to those in government who are politically responsible for the organization."[19]

Justice O'Connor made further recommendations for improving the review bodies for the RCMP and CSIS. Unfortunately, none of the Arar Commission recommendations have been adopted by the government. In recent years, opposition MPs and one Conservative senator have attempted to introduce legislation to correct the oversight deficit, but these, too, were shot down by the government.

For example, Bill C–551, introduced by Liberal MP Wayne Easter in November 2013, would have established a parliamentary committee to oversee all national security activities. In June 2014, another Liberal MP, Joyce Murray, tabled Bill C–622, which would have amended the *National Defence Act* and the *Intelligence and Security Committee of Parliament Act* to impose greater judicial and parliamentary scrutiny over CSEC (now CSE).[20] U.S. whistleblower Edward Snowden's revelations increased the concern that the spy agency has been operating in total secrecy while collecting Canadian Internet user data without any warrant. Former defence minister Peter MacKay denied the allegations that CSEC was contravening the laws and kept repeating that the Office of the CSE Commissioner never found a single case of abuse or misconduct by the agency.

Former Conservative Senator Hugh Segal offered the last attempt to convince the government of the urgency and importance of adopting an oversight strategy when he introduced Bill S–220 in the Senate. Segal's private member's bill would have created a committee of parliamentarians on national security and intelligence oversight, composed of members of differing political stripes from both the House of Commons and the Senate who would be sworn to an oath of secrecy for life.

Under Segal's plan, chosen parliamentarians would be empowered to review national security activities. They could examine the effectiveness of anti-terrorism activities and facilitate a more consultative process between national security agencies, Parliament and the public.[21] Unfortunately, as mentioned, this initiative was defeated by the Conservative government.

A media report in the summer of 2015 confirmed the existence of a secret deal between CSIS and CBSA to share information without the need for political approval, which only confirmed once again the need for more accountability of national security in Canada.[22]

Conclusion

This chapter does not attempt to cover every piece of Canadian security and intelligence policy, nor could it ever hope to describe the full impact that the meas-

ures taken by the government since September 2001 have had on human lives, and especially on the most targeted communities. We summarize this legislation to draw attention to how calls in the latter part of the last decade for a better balance between human rights and privacy, on the one hand, and real security, on the other, have been ignored, while even more dangerous and unnecessary legislation was tabled.

These new laws are portrayed by the Conservative government as a crucial means of fighting "jihadi terrorism" and generally protecting the safety of Canadians. Evidence showing how existing legislation is sufficient toward these ends, or how proposed amendments would be unconstitutional or violate fundamental Charter rights, is routinely ignored in Parliament or the Senate.[23] Absent good arguments, the government has resorted to disturbing rhetoric.

"Prime Minister Stephen Harper never tires of telling Canadians that we are at war with the Islamic State," wrote the *Globe and Mail*, in a February 2015 editorial about C–51. "Under the cloud of fear produced by his repeated hyperbole about the scope and nature of the threat, he now wants to turn our domestic spy agency into something that looks disturbingly like a secret police force."[24]

In March of this year, Snowden said Canada has one of the "weakest oversight" frameworks for intelligence gathering in the Western world.[25] It is crucial that Canada correct this imbalance, to put the protection of civil liberties and privacy at the heart of national security policy, and to create a regime of transparency and accountability within the police and intelligence agencies. The implementation of the recommendations of Arar Commission would be the obvious first step in that direction.

Endnotes

1 As mentioned in the contributors list for this publication, Maher Arar is my husband. I was a frequent commentator on his arrest and rendition after 2002, and on the campaign to secure his release from Syria and eventual exoneration by the Canadian government.

2 Dennis R. O'Connor. "Report of the Events Relating to Maher Arar: Analysis and Recommendations," 2006. Link: http://publications.gc.ca/site/eng/295791/publication.html

3 The Honourable Frank Iacobucci, q.c. Commissioner. "Internal Inquiry into the Actions of Canadian Officials in Relation to Abdullah Almalki, Ahmad AbouElmaati and Muayyed Nureddin," 2008. Link: http://publications.gc.ca/collections/collection_2014/bcp-pco/CP32-90-2008-1-eng.pdf

4 Jeremy J. Nuttall. "'Smoking Gun' Snowden Docs Show Gov't Spies on Canadians, Says Advocate," *The Tyee*, January 28, 2015. Link: http://thetyee.ca/News/2015/01/28/CSEC-Spying-Snowden-Docs/

5 Laura Payton, "Canada-U.S. border deal marks 'significant step'," *CBC News*, December 7, 2011. Link: http://www.cbc.ca/news/politics/canada-u-s-border-deal-marks-significant-step-1.1079546

6 Canwest News Service. "MPs reject extending anti-terror provision," *National Post*, February 27, 2007. Link: http://www.canada.com/nationalpost/news/story.html?id=e516837d-cf49-486b-a762-883foc4e8d01

7 ICLMG. "Press Release: ICLMG calls on MPs to reject Bill S–7," April 23, 2013. Link: http://iclmg.ca/wp-content/uploads/sites/37/2014/03/PR-S-7-April-2013.pdf

8 Stewart Bell. "Ottawa moves to revoke citizenship of convicted terrorist for first time since controversial law took effect," *National Post*, July 1, 2015. Link: http://news.nationalpost.com/news/ottawa-moves-to-revoke-citizenship-of-convicted-terrorist-for-first-time-since-controversial-law-took-effect

9 BCCLA. "Updated: Ten Things You Need to Know About the Changes to Canadian Citizenship," June 19, 2015. Link: https://bccla.org/2015/06/nine-things-you-need-to-know-about-the-changes-to-canadian-citizenship/#8

10 Susana Mas and Chris Hall. "CSIS powers beefed up under new bill tabled by Steven Blaney," *CBC News*, October 27, 2015. Link: http://www.cbc.ca/news/politics/csis-powers-beefed-up-under-new-bill-tabled-by-steven-blaney-1.2814314

11 The Canadian Press. "CSIS slammed for end-running law to snoop on Canadians abroad," reported by *CBC News*, December 21, 2013. Link: http://www.cbc.ca/news/politics/csis-slammed-for-end-running-law-to-snoop-on-canadians-abroad-1.2472843

12 See summary of Bill C–44: http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=7935034&File=4&Col=1

13 Paul Champ. "ICLMG submission regarding Bill C–51 to the Standing Committee on Public Safety and National Security" http://iclmg.ca/wp-content/uploads/sites/37/2015/03/ICLMG-BRIEF-TO-THE-STANDING-COMMITTEE-C-51.pdf

14 Michael Geist. "A Conversation About Bill C–51: How the Anti-Terrorism Bill Undermines Canadian Privacy," March 24, 2015 blog post. Link: http://www.michaelgeist.ca/2015/03/a-conversation-about-bill-c-51-how-the-anti-terrorism-bill-undermines-canadian-privacy/

15 Craig Forcese and Kent Roach. "Bill C–51 moves us one step closer to the end of privacy," *Toronto Star*, February 17, 2015. Link: http://www.thestar.com/opinion/commentary/2015/02/17/bill-c-51-moves-us-one-step-closer-to-the-end-of-privacy.html

16 Paul Champ. ICLMG Submission to the Standing Committee on Public Safety and National Security on Bill C–51, March 2015. Link: http://iclmg.ca/wp-content/uploads/sites/37/2015/03/ICLMG-BRIEF-TO-THE-STANDING-COMMITTEE-C-51.pdf

17 Quan, Douglas. "Federal anti-terror bill amplifies concerns over secretive 'no-fly list': critics," *National Post*, April 15, 2015. Link: http://news.nationalpost.com/news/canada/canadian-politics/federal-anti-terror-bill-amplifies-concerns-over-secretive-no-fly-list-critics

18 Lisa M. Austin, Hamish Stewart and Andrew Clement. "Bill C–13 has little to do with cyberbullying," *Toronto Star*, November 22, 2014. Link: http://www.thestar.com/opinion/commentary/2014/11/22/bill_c13_has_little_to_do_with_cyberbullying.html

19 Dennis O'Connor (2006). "A New Review Mechanism for the RCMP's National Security," p. 499. Link: http://www.sirc-csars.gc.ca/pdfs/cm_arar_rcmpgrc-eng.pdf

20 Jim Bronskill. "Rehaul of CSEC Oversight Sought by Liberal MP's Private Member's Bill," The Canadian Press in *Huffington Post Canada*, June 19, 2014. Link: http://www.huffingtonpost.ca/2014/06/19/csec-oversight-canada-spying_n_5512838.html

21 Senators Grant Mitchell, Roméo Dallaire and Hugh Segal. "Canada's national security agencies need parliamentary oversight," *Toronto Star*, May 17, 2015. Link: http://www.thestar.com/opinion/commentary/2015/05/17/canadas-national-security-agencies-need-parliamentary-oversight.html

22 Alex Boutilier. "Secret deal between Canada's spies and border guards raises concerns," *Toronto Star*, July 2, 2015. Link: http://www.thestar.com/news/canada/2015/07/02/secret-deal-between-canadas-spies-and-border-guards-raises-concerns.html

23 Craig Forcese and Kent Roach. "Why can't Canada get national security law right?" *The Walrus*, June 9, 2015. Link: http://thewalrus.ca/why-cant-canada-get-national-security-law-right/

24 "Parliament must reject Harper's secret policeman bill," *Glove and Mail* editorial, February 1, 2015. Link: http://www.theglobeandmail.com/globe-debate/editorials/parliament-must-reject-harpers-secret-policeman-bill/article22729037/

25 "Edward Snowden says Canadian spying has weakest oversight in Western world," *CBC News*, March 4, 2015. Link: http://www.cbc.ca/news/canada/edward-snowden-says-canadian-spying-has-weakest-oversight-in-western-world-1.2981051

26 The Canadian Press. "RCMP, border agents can use torture-tainted information," in *CBC News*, August 24, 2012. Link: http://www.cbc.ca/news/canada/rcmp-border-agents-can-use-torture-tainted-information-1.1161388

27 Radio-Canada. "L'affaire Omar Khadr en quelques dates," May 7, 2015. Link: http://ici.radio-canada.ca/nouvelles/societe/2015/03/24/003-chronologie-omar-khadr.shtml

28 Charlie Savage. "Delays Keep Former Qaeda Child Soldier at Guantánamo, Despite Plea Deal," *New York Times*, March 24, 2012. Link: http://www.nytimes.com/2012/03/25/us/delays-keep-omar-khadr-at-guantanamo-despite-plea-deal.html?_r=0

29 Tonda MacCharles. "Supreme Court rejects argument Omar Khadr was adult offender," *Toronto Star*, May 15, 2015. Link: http://www.thestar.com/news/canada/2015/05/14/child-or-adult-supreme-court-hears-omar-khadr-case-today.html

30 Greg Weston. "CSEC used airport Wi-Fi to track Canadian travellers: Edward Snowden documents," *CBC News*, January 31, 2014. Link: http://www.cbc.ca/news/politics/csec-used-airport-wi-fi-to-track-canadian-travellers-edward-snowden-documents-1.2517881

31 Greg Weston. "New Snowden docs show U.S. spied during G20 in Toronto," *CBC News*, November 27, 2013. Link: http://www.cbc.ca/news/politics/new-snowden-docs-show-u-s-spied-during-g20-in-toronto-1.2442448

32 Greg Weston. "Snowden document shows Canada set up spy posts for NSA," *CBC News*, December 9, 2014. Link: http://www.cbc.ca/news/politics/snowden-document-shows-canada-set-up-spy-posts-for-nsa-1.2456886