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NEWS STORY

Afghan Security and Aid Top Committees' Agendas

By Lee Berthiaume

Experts from national law groups last week opposed the government's proposed special advocate bill, intended to address the Supreme Court's concerns over the security certificate process.

Meanwhile, the immigration minister told one committee her department is facing a large backlog of immigration applications, and the defence minister said Afghanistan's security situation is improving, while civil society offered a very different view.

Citizenship and Immigration

Liberal Immigration critic Maurizio Bevilacqua accused the government of not recognizing the importance of a successful immigration system by not investing the necessary resources when Citizenship and Immigration Minister Diane Finley appeared before the committee last Thursday.

However, Ms. Finley, who had outlined the challenges facing CIC because of "limited resources," including a three-and-a-half-year immigration application backlog, accused the Liberals of "starving" the system when they were in power.

Mr. Bevilacqua quoted statistics that found 70 per cent of Canada's labour force growth comes from immigration.

"What I hear from you is that you are having a bit of a challenge to get the resources that you need, and that's of concern to me," he said.

"The single biggest challenge at the moment is the backlog that we inherited from the previous government," Ms. Finley replied. "We're looking at ways to address it in the longer

term.

"That the backlog was allowed to go so high is because the resources weren't put to it [by the Liberal government]," she added.

Mr. Bevilacqua retorted that the Conservatives also inherited a surplus that could have been used to cover the costs.

Ms. Finley also noted the government had reintroduced the so-called stripper bill in the House, and said she was planning to introduce legislation on the "lost Canadians."

The committee actually completed its report on the thousands of people who lost their Canadian citizenship for various reasons between 1947 and 1977, in the hour before the minister appeared.

The report, unanimously adopted and entitled Reclaiming Citizenship for Canadians, A Report on the Loss of Canadian Citizenship, will be tabled in the House today or tomorrow.

Foreign Affairs & Development

Afghanistan's security situation is the worst many NGOs have ever seen, civil society representatives told the committee on Thursday.

They added that Canada's current strategy in the south is making the situation more dangerous.

"This confusion in role between humanitarian and development projects, and military projects is a toxic brew," said Gerry Barr, executive director of the Canadian Council for International Co-operation, adding that it leads to failure.

Lina Holguin with Oxfam-Quebec raised concerns about the high number of civilian casualties in NATO airstrikes, adding that recent fighting in the south has displaced up to 80,000 more people.

Emmanuel Isch, vice-president of World Vision Canada, said donor resources are being unevenly distributed in Afghanistan, creating and worsening historical local grievances.

The aid workers called on the government to change the current Afghan mission by placing more emphasis on humanitarian work.

Two days earlier, Nov. 27, the committee heard about the supplementary estimates from CIDA president Robert Greenhill and Foreign Affairs deputy minister Len Edwards.

Mr. Greenhill said CIDA would have 35 professional staff in Afghanistan by April 2008, up from 10 in 2006. There are currently nine CIDA officials in Kandahar, he added, "but there are some 300 aid workers through the agencies."

Mr. Edwards said the Kandahar Provincial Reconstruction Team includes five foreign affairs personnel, six from CIDA, 10 from the RCMP and two from Correctional Services Canada. Two DFAIT officials are at the Kandahar airfield. He expects the total civilian complement in Kabul will eventually exceed 50.

Mr. Greenhill said CIDA would spend over \$250 million in Afghanistan this year, including \$39 million in Kandahar.

The committee also agreed to call Foreign Affairs Minister Maxime Bernier to update it on whether the government is planning to open or close any missions abroad.

International Trade

The committee heard many views on a possible free trade deal with South Korea on Thursday. One witness warned it could harm Canada, while two others said it will help.

Joan Baron, vice-chairwoman of the Canadian Chamber of Commerce in Korea, said South Korea's tariffs are double Canadian tariffs and apply to about four times the products as Canada. As a result, Canada has much to gain from a bilateral FTA.

Ms. Baron was also skeptical of the existence of hidden barriers for North American automotive producers trying to enter the country as sales are up 32 per cent year-to-date.

Yuen Pau Woo, president and co-CEO of the Asia-Pacific Foundation of Canada, said the Canadian private sector should "spell out in as much detail as possible" the non-tariff barriers they are concerned with so they can be dealt with in talks.

He also warned that many nations are lining up for free trade pacts with South Korea, and if the U.S. Congress ratifies the deal, it will place Canadian firms at a huge disadvantage.

Scott Sinclair, senior research fellow at the Canadian Centre for Policy Alternatives, warned that the deal would worsen Canada's large bilateral manufacturing trade deficit with Korea "and reinforce an unhealthy and unbalanced trade pattern where Canada's primary

Korea and reinforces an unhealthy and unbalanced trade pattern where Canada's primary exports to Korea.

He advised caution and a slow pace to watch the U.S. debate its FTA with South Korea.

On Nov. 27, the committee agreed to call International Trade Minister David Emerson to discuss the pending Canada-Colombia free trade deal.

NDP International Trade critic Peter Julian had wanted to halt talks and incorporating a human rights and environment impact assessment framework into the debate.

While Bloc Québécois committee members supported the motion, other members instead supported Liberal Trade critic Navdeep Bains's motion to call the minister and others to discuss how these issues are being addressed in bilateral trade talks, particularly Canada-Colombia negotiations.

National Defence

Military operations in Afghanistan have cost Canada \$3.1 billion since 2001, Defence Minister Peter MacKay told the committee on Thursday, with an extra \$340 million requested through the supplementary estimates.

The result has been increased stability and greater control in the southern Afghanistan, Mr. MacKay and Chief of Defence Staff Gen. Rick Hillier said.

"The Taliban are slightly on a back foot," Gen. Hillier said. "I don't over emphasize that, but they have been knocked off their tactical approach of trying to encircle Kandahar city and Kandahar province."

The two appeared before the committee to explain the estimates, and fielded questions about the reported replacement of Canada's Aurora search and rescue aircraft.

Gen. Hillier said military operations have "opened a developmental space" by allowing for road building and training of Afghan security forces.

Mr. MacKay rejected allegations the Taliban control a large part of southern Afghanistan, questioning the Senlis Council.

Public Safety & National Security

There is no intention of having the government's proposed special advocates, who will represent security certificate detainees, testify against their clients even though they do not have solicitor-client privileges, Public Safety Minister Stockwell Day and senior department officials told the committee on Nov. 27.

Legal experts from lawyers associations, however, raised their own concerns on Thursday about Bill C-3, including the possibility information obtained through torture can still be used.

"I don't claim to be an expert in constitutional law, but I think there's a very serious question about whether it would pass," said Frederica Wilson, director of policy and public affairs at the Federation of Law Societies of Canada. "It does not provide the safeguards the Supreme Court indicated would be required. One can assume, under the circumstances, that it would have a rough ride."

Mr. Day said because the advocates will be seeing classified information, "they wouldn't have the full range of privilege that, say, the council would have, nor did the Supreme Court indicate that there should be a change in that."

Upon further questions about the advocates being called to testify on information given from their clients, Mr. Day said: "When a witness, an individual accused, even with this bill, it might say something that can be used against him, but it is against the bill for the lawyer to use something against the client."

David Dunbar, general counsel for the Canadian Border Services Agency, said there are rules on the special advocate as they would be obliged to maintain the secrecy of the information while simultaneously being frank with their client.

"That's untenable," he said. "It certainly was not the intention in fixing that problem to then turn around and make the special advocate a compellable witness based on what that individual has heard from the person, the subject of the certificate. Absolutely not."

Liberal Public Safety critic Ujjal Dosanjh questioned the omission.

"We are taking away the right of the solicitor-client privilege from this individual," he said, "yet we're not prepared to offer that individual the protection that this individual needs on the other side of the equation."

NDP Public Safety critic Penny Priddy noted there was no mention of torture in the proposed bill after Mr. Day said it was not included because the fact such information is

inadmissible is implicit.

The legal experts from the various lawyers groups, however, said they would oppose the bill as it stands.

"In our view," said Isabelle Dongier of the Canadian Bar Association, "bill C-3 in its current state does not meet the constitutional concerns raised by the Supreme Court in Charkaoui. It does not go as far as it can to ensure a fair hearing, to ensure that the individual knows the case against him."

The Foreign Affairs and International Trade as well as the National Security and Defence committees held in camera meetings.

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