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Standing Up for Democracy in Changing Times



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SECURITY SECTOR REFORM COMES TO CANADA

David M. Law

Security sector reform aims to ensure that those forces and jurisdictions that have responsibility for a country's security are run transparently, accountably and successfully on behalf of those they are meant to serve. In meeting this challenge, a

country's security sector actors face four overarching challenges. First, they must be adequately resourced and efficiently run. Second, they have to be able to work in synergy with other jurisdictions within the national theatre. Third, they should be able to interface effectively with similar organizations within the burgeoning array of security issue areas necessitating regional and international cooperation. And fourth, they need to be monitored and overseen by governmental and civil society institutions that are themselves both viable and engaged.

The concept has grown out of the realization that the security sector is of crucial importance for a country's overall development and prosperity. An over-consumptive security sector can divert resources from areas that are essential for national development; an under-resourced security sector can invite subjugation by foreign powers; a security sector that is not subject to democratic oversight and control can drag a country into military adventurism. Examples of such security pathologies abound. The Soviet Union had a security sector problem as does its Russian successor state; the Congo clearly has one as well; so has Myanmar as does Iraq – just to name a few among the very many.

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Historically, interest in security sector reform originated with western concerns about the growth and stability prospects of developing countries, in particular as the post-Cold War world took shape in the early 1990s. Later the same decade, this interest was extended to the situation in post-communist transition countries, where it had become clear that security sector dysfunctionality threatened to delay or even derail the process of reform, and that the hitherto prevailing focus on civil-military relations and defence reform lacked the necessary comprehensiveness. This was a problem of particular concern in those countries whose first post-communist decade was marred by ethnic strife and national conflict. The next progression came with the events of 11 September 2001.

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The terrorist attacks on the United States have affected countries world over, even as perceptions of vulnerability to the triple threat posed by weapons of mass destruction, outlaw states and strategic terrorism have varied greatly. But whatever its impact on individual countries, 9/11 has made clear that the developed democracies have to move beyond the often piecemeal adjustments that they made to their security sectors in the 1990s and carry out much more fundamental changes.

Security sector reform is therefore an extremely broad concept. It encompasses developing countries, transition states and consolidated democracies - each group with its own specificities and challenges. It extends to countries whose security circumstances have been additionally complicated by the experience of inter- and intra-conflict or their new or re-constitution as national states - oftentimes, groupings that have tragically overlapped.

As a concept, the security sector and its reform are relatively new to Canada, notwithstanding the fact that the country has long been involved in activities in this area. Prior to 9/11, the bulk of Canada's security sector reform efforts were directed outwards, at other countries' problems or at issues that were felt to have only an indirect impact on Canada. Not a superpower, not identified with American policies towards the Middle East, not a frontline target of Al-Qaeda, Canada has not felt itself to be directly under threat.

Still, in view of its enormous economic interdependence with the United States, its common border (until 9/11, for the most part unprotected) and its reliance on the United States in security matters, it is difficult to understate the overall impact of 9/11 on Canada.

9/11 has turned several core assumptions long entertained by Canada on their head. North America has been shown to no longer be a fire-proof house, a seeming sanctuary from direct attack from abroad. With the United States on a war footing, security concerns have displaced economic interdependence as the principal vector of bilateral relations, and US patience with what it sees to be the sometimes idiosyncratic foreign policies of allies like Canada has considerably waned.

The new doctrine of preventive defence embraced by the United States is an uncomfortable one for Canada in view of its traditional approach to international law and the UN Charter. In the wake of 9/11, the United States has set about the largest reorganization of its security infrastructure since 1947; Canada needs to readjust accordingly. The US campaign against terrorism has furthermore confronted Canada with difficult deployment choices that have highlighted its military weakness to an unprecedented degree.

Non-participation in the campaign against Al-Qaeda and the Taliban in Afghanistan would have constituted a politically intolerable lack of solidarity, while participation threatens to stretch the already overextended Canadian Forces to the breaking point. The enormous American military build-up that has followed 9/11 has drawn further attention to Canada's military shortcomings. Finally, the crisis of multilateralism that ensued after America took its case before the UN Security Council and NATO has significantly weakened a fundamental pillar of Canadian foreign policy.

Against this background, Canada has adopted several initiatives designed to bolster its security preparedness and to enhance its credibility south of the border. New resources have been made available for intelligence and public safety initiatives of various kinds. The long-starved Canadian Forces have also received funding increases after decades of cuts.

On the organizational front, Canada has made a high-profile Minister responsible for coordination with the US Homeland Security Czar and appointed him chair of a Ad Hoc Committee on Public Safety and Anti-Terrorism, the closest thing that Canada has to the United States' Department for Homeland Security. With the US, a bilateral planning group has been created to address crisis scenarios in North America. A "Smart Border Initiative" has been launched to ensure the unimpeded flow of goods, services and people across the Can-Am border.

A Public Safety Act has been passed that should improve security measures in the air and at air- and seaports, as has an Anti-Terrorism Law that enhances the government's ability to deal with the activities of terrorist groups on Canadian soil.

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In addition, there is a new Immigration Bill, designed to counteract abuses of Canada's visa and asylum regimes by criminal and terrorist elements. Alongside these changes in domestic law, Canada has been involved in a bewildering array of anti-terrorist initiatives on the part of the international institutions to which it belongs. In addition to its support, albeit selective, for the US military campaign against terror, Ottawa has also announced that it is prepared to begin talks with Washington about Canadian participation in Ballistic Missile Defence, thus abandoning its reluctance of long date.

It is too soon to attempt a full assessment of these initiatives. Almost two years post-9/11, however, the impression one has is that Canada's response has been sorely insufficient, more motivated by appearing to do enough to placate American concerns about Canada's reliability as an ally and a source of potential security problems for the US, than by doing what is necessary to protect Canada from the very real direct and indirect threats that could come its way.

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Despite new funding, the Canadian security sector still faces serious resources shortfalls. With resources only restored to the pre-cut levels of a decade ago, the situation facing the Canadian Forces is particularly alarming. Moreover, Canada lacks a unified conceptual framework for orienting its security policy. The Department of National Defence has its White Paper; the Department of Foreign Affairs and International Trade has its Foreign Policy Review; the Solicitor General (roughly Canada's Department of Home Affairs) has its Anti-Terrorism Plan. Yet there is no overall concept and much of what does exist is mired in the strategic realities of the early post-Cold War period. It is difficult not to conclude that Canada needs a National Security Doctrine of its own.

Similarly, responsibility for Canadian security remains splintered among several actors. The Privy Council Office plays its traditional coordinating role among the various ministries of the government; the Solicitor General's office holds prime responsibility for dealing with emergencies on Canadian soil; the Department of National Defence oversees the newly (but pre-9/11) created Office for Critical Infrastructure Protection and Emergency Planning; the Finance Minister is the key interlocutor of US Homeland Security Czar Tom Ridge but is also responsible for bringing down the budget, acts as the governing Liberal Party's chief minister for Ontario (Canada's most populous province) and on top of that has been a candidate in the Liberal leadership race through most of 2003.

Who calls the shots if a dirty bomb hits a Canadian city, or if US interests on Canadian soil come under terrorist attack, an increasingly likely prospect in view of the ongoing US effort to reinforce its homeland defences? All this suggests that the country needs a National Security Council with a mandate not only to react to contingencies but also to anticipate and prepare for them.

This is important since most of what Canada has done to address post-9/11 concerns has been in the realm of preventing possible contingencies as opposed to addressing in a timely and effective manner, those that might actually occur. Canada has elaborate schemes for responding to natural and manmade catastrophes that foresee enlisting the support of the Canadian military if and when the civil authority can no longer cope. These procedures are ill suited, however, to contingencies that arise and peak rapidly, such as those of the 9/11 variety.

A further difficulty stems from the fact that new legislation passed since 9/11 has led to an increase in the government's right to collect information on its citizens and an expansion of its mandate to take action against groups that it considers to be aiding and abetting terrorism, a trend witnessed in many other countries. However necessary, such practices need to be flanked by measures designed to reassure the public that the government will not abuse its powers. Similarly, there has been a considerable expansion of bureaucratic interface between the American and Canadian civil services, without any concomitant effort to ensure the necessary parliamentary oversight and direction – already a serious problem prior to 9/11.

There is a pressing need for a bi-national commission of parliamentarians and congressmen with enough teeth to focus attention on the common challenges at hand. The issues are too important to be left to the Prime Minister, the Ottawa bureaucracy and the Washington Embassy. The Canadian parliament and public need to become much more engaged.

Notwithstanding foot-dragging in Ottawa, post 9/11 Canada has no choice but to make fundamental changes in the way it perceives its security, organizes the appropriate resources, works with security jurisdictions beyond its borders, and ensures democratic oversight. Canada's unique relationship with the United States may make this task somewhat more urgent than is the case elsewhere, but no less important for national well being and prosperity.