

# The Canada-Israel “Public Security” Agreement

Ottawa & Tel Aviv collaborate in counter-terrorism & Homeland security

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Canada and Israel have signed a far-reaching public security cooperation agreement.

The agreement, described as a “Partnership”, involves a “Declaration of Intent” by the two governments. The Declaration was signed in Tel Aviv on March 23:

“Today, the Honourable Stockwell Day, Minister of Public Safety Canada and Avi Dicter, Minister of Public Security of the Government of the State of Israel, signed a Declaration of Intent to enhance cooperation in the area of public safety.

“The Government of Canada is committed to enhancing the security of Canadians – both through our actions at home and with our international partners.” said Minister Day. “Today’s declaration demonstrates the longstanding cooperation between Canada and Israel on public safety issues, and we welcome this increased cooperation in order to improve our countries’ capacity to protect our citizens.”

This declaration will allow Canada and Israel to better enhance cooperation in the areas of organized crime, emergency management, crime prevention, and other related public safety concerns. The declaration seeks to establish a more structured framework for the continued cooperation on public safety issues between Canada and Israel.

“The Declaration of Intent is an opportunity for Canada and Israel to strengthen their commitment to safeguarding their citizens and respective national interests from common threats,” said Minister Dicter.” ([http://www.ps-sp.gc.ca/app\\_support/xml/ps\\_news\\_e.xml](http://www.ps-sp.gc.ca/app_support/xml/ps_news_e.xml))



Stockwell Day and Avi Dicter  
shake hands upon signing the Declaration

Cheney Mission to the Middle East Shrouded in Secrecy

Canada’s Minister of Public Safety Stockwell Day was in Israel on the same day as Vice Cheney Dick Cheney.

Coincidentally, a US mission led by Secretary of Homeland Security Michael Chertoff was also in Israel on official business, as guest of Israel's Minister of Public Security, Avi Dichter. There are no reports on Canada-US-Israeli consultations during these official visits. In all likelihood, officials from the respective departments/ministries of US Homeland Security, Israel's Public Security and Canada's Public Safety had meetings behind closed doors.



Dick Cheney in Tel Aviv, March 23



Michael Chertoff and Avi Dichter

#### Terms of Reference of the Partnership

Israel's Ministry of Public Security carries out public security, law enforcement activities. It is also in charge of the operation of Israel's prisons, which are in large part used to detain Palestinians.

Canada's Ministry of Public Safety, established in 2003, is a copy and paste version of US Homeland Security. Public Safety Canada has a close bilateral relationship with US Homeland Security.

Public Safety Canada works closely with several government agencies including the Canada Border Services Agency (CBSA), The Canadian Security Intelligence Service (CSIS), Correctional Service Canada (CSC) and The Royal Canadian Mounted Police (RCMP). Officials from these agencies have no doubt been consulted regarding the terms of reference of the Israel-Canada declaration.

The terms reference of the Canada-Israel Declaration are extremely broad. They include issues of immigration and ethnic profiling, the management of borders, intelligence and the exchange of information, emergency preparedness, correctional services, prisons, law enforcement and counter-terrorism.

The Declaration of Intent involves the setting up of a close bilateral cooperation arrangement at the ministerial level. A management committee has been set up under the helm of the Deputy Minister of Public Safety and Emergency Preparedness of Canada, and the Director General of Public Security of the State of Israel.

Senior Israeli and Canadian officials respectively from Israel's Ministry of Public Security and from various Canadian federal departments and agencies (including the RCMP, CSIS and CBSA), which are under the jurisdiction of Stockwell Day's ministry would carry out "an approved program of work".

The programme would be implemented by a Senior Coordinator from each country, namely, the Assistant Deputy Minister (Strategic Policy) for Canada's Department of Public Safety and Emergency Preparedness and the Deputy Director General of Israel's Ministry of Public Security of the State of Israel;

#### Nature of the Agreement

The agreement requires the two countries to *"[b]uild on their shared commitment to facilitate and enhance cooperation to protect their respective countries' population, assets and interests from common threats"*.

What type of border security and control of immigrants is involved?

How does this impinge upon Canada's immigration procedures?

The agreement appears to be built upon a much broader agreement between Canada and the US in the area of Homeland Security. However, it also replicates the pattern of a February 2006 agreement reached between US Homeland Security and Israel's Ministry of Public Security

The Israel-Canada agreement has been in the pipeline since Israel's Public Security Minister Avi Dichter's October 2007 visit to the US and Canada. Avi Dichter met Stockwell Day last October in Toronto "with the intention on establishing cooperation on homeland security" and counter-terrorism.

Israel is not part of North America. Canada and Israel do not share a common border. So what is the underlying agenda?

Will Canada assist Israel in policing its border with Lebanon, Syria and the Palestinian territories?

Conversely, will Israeli officials assist Canada in ethnic profiling of people (including biometric applications, which is mentioned in the agreement) who visit Canada from the Middle East?

Will Israeli officials have access to confidential files of Canadians?

What type of cooperation is envisaged in the areas of prisons and law enforcement? Interrogation techniques? Are Israeli consultants going to help us reorganize our correctional services?

The agreement would allow officials from the State of Israel, a country on record for its numerous human rights violations acts directed against the people of Palestine and Lebanon, to play a role in Canadian public security. In this regard, will Israeli officials assist the RCMP and CSIS in the profiling of Canadians citizens who are Muslims. This ethnic profiling is already applied at Canadian airports.

Will Israeli officials assist their Canadian counterparts in dealing with individuals and/or organizations in Canada involved in supporting the rights of Palestinians. Will Israeli officials assist their Canadian counterparts in the domestic “war on terrorism”, which in the post 9/11 period has led to numerous arbitrary detentions on trumped-up charges.

At the same time, the Declaration establishes a de facto complicit relationship whereby Canadian officials (RCMP, etc) would contribute to assisting Israel in its domestic police and border activities (e.g. Lebanon, Syria, Gaza and the West Bank), not under the auspices of the United Nations, but directly in cooperation with Israeli police and security officials.

In fact, Canada’s “contribution” to the policing of Israel’s borders with Gaza and the West Bank is already part of a 300 million dollar aid package in support of the “peace process”. According to Public Safety Canada, “a significant component [of the 300 million will be] devoted to security, including policing and public order capacity-building. This five year commitment will go towards the creation of a democratic, accountable, and viable Palestinian state that lives in peace and security alongside Israel.” (Marketwire, Ottawa, March 24, 2008)

Following his meeting with his counterpart Avi Dichter, Stockwell Day had meetings on the 24th of March in the West Bank with President Mahmoud Abbas and Prime Minister Salam Fayyad, where issues pertaining to Canada’s peace package, including police training and capacity building were discussed. “I was pleased to meet with Palestinian Authority President Abbas and Prime Minister Fayyad to discuss public safety issues of mutual interest,” said Minister Day. Stockwell Day also visited a West Bank prison as well as a police training center in Jericho. (Ibid)

Under the Declaration of Intent, Canada cannot exercise “neutrality” with regard to the Palestinian process. Canada would act as a partner of Israel in all issues of public security in the occupied territories. Moreover, Canadian support channelled to the US-Israeli sponsored Palestinian regime of Mahmoud Abbas will be used to repress Hamas, which is the duly elected government. It will contribute to worsening the situation in the occupied territories.

#### Counter-terrorism and Homeland Security

The issue of “counter-terrorism” is not mentioned explicitly in the Declaration of Intent. The terms of reference, however, suggest that the “war on terrorism” is an integral part of the agreement.

In early February 2007, Minister Avi Dichter addressed the public security committee of the Canadian House of Commons: “Iran is the largest terrorist state in the world” Dichter said. In his discussion with Canadian MPs, Dichter “laid out what he believes to be the guidelines for Canadian-Israeli security cooperation in the future, possibly similar to the agreement that the minister signed a day later in Washington DC.” (Jerusalem Post, 7 February 2007)

“The Canadian MPs echoed their American compatriots in addressing the former Shin Bet head as a world expert in the field of terror rather than as a visiting minister of a foreign government, asking him at one point what specific steps the parliament could take to prevent terror attacks on Canadian soil. In his answer, Dichter reiterated the importance of strengthening border security and use of proper investigative methods with suspects.” (ibid)

During a followup official visit of Israel's Minister of Public Security Avi Dichter to Canada in late October 2007, meetings of Israeli and Canadian officials were held behind closed doors to discuss a blueprint for cooperation in the areas of homeland security and counter-terrorism. The meetings chaired by Stockwell Day were held in Toronto on October 29, 2007. A so-called "Arrangement Paper" was to be drafted with a view to defining "the actions of the competent structures at ministerial, central and subordinate/local levels for preventing and fighting home land securities issues":

"The parties have agreed to intensify future cooperation by identifying ways of direct communication in order to maximize the exchange of information, technology and operational activity. For the same reason it has been agreed to accelerate negotiations for the signing of an Arrangement Paper between the two Ministries on cooperation in home land security and counter terrorism issues which falls within the responsibility of the respective Ministries.

...  
Negotiations on the arrangement paper mentioned above will take place as necessary. The signing of the arrangement paper will be held on an occasion and place coordinated in advance between the Ministries.

The two Ministers agreed that by early November three work teams will be established in order to promote the cooperation between the two ministries on the following subjects: • Counterterrorism and Crime • Emergency preparedness • Border crossing security, focusing on biometric identification"

(Official communique of Israel's Ministry of Public Security,  
[http://www.mops.gov.il/BPEng/MOPS+News/DichterWithCanadianMinister\\_30\\_10\\_07.htm](http://www.mops.gov.il/BPEng/MOPS+News/DichterWithCanadianMinister_30_10_07.htm) )

The "Arrangement paper" refers to the draft text of The Declaration of Intent, which was signed in Tel Aviv on March 23, 2008. The two governments chose to sign the agreement during a week of intense diplomatic activity in Tel Aviv, involving the concurrent visits of the Vice President of the US, the US Secretary of the Department Homeland Security Michael Chertoff, Secretary of State Condoleezza Rice and other senior officials.

The final text of the Declaration of Intent remains vague. "Counter-terrorism" and the "Homeland" are not explicitly mentioned in the final text of the Declaration signed on March 23.

### Legal Implications

The text of the Declaration of Intent states that ":[it] is not intended to create legally binding obligations, under either domestic or international law. Yet, at the outset, it violates several fundamental principles of the Canadian Charter of Rights and Freedoms."

The Canada-Israel Public Security agreement has barely been mentioned by the Canadian media.

It has not been the object of a debate in parliament. Why has this issue not been brought to the forefront of public debate? Why has the parliamentary opposition remained mum on the subject?

It should be forcefully challenged in Canada's courts.

<http://www.publicsafety.gc.ca/media/nr/2008/nr20080323-1-eng.aspx>

**Public Safety Canada March 23, 2008**

**Declaration of Intent Between the Department of Public Safety and Emergency Preparedness of Canada and the Ministry of Public Security of the Government of the State of Israel**

The Department of Public Safety and Emergency Preparedness of Canada and the Ministry of Public Security of the Government of the State of Israel, declare their intent:

**1. To prioritize and manage cooperation in the following areas within the responsibility of the Ministries:**

1. Border management and security, including biometric applications;
2. Correctional services and prisons;
3. Crime prevention;
4. Critical infrastructure protection;
5. Emergency management;
6. Illegal immigration;
7. Law enforcement cooperation;
8. Money laundering;
9. Organized crime;
10. Terrorist financing; and
11. Trafficking in persons.

**2. To achieve the following objectives:**

1. Build on their shared commitment to facilitate and enhance cooperation to protect their respective countries' population, assets and interests from common threats;
2. Integrate and coordinate of the identification, prioritization, and implementation of cooperative efforts between themselves in the area of public safety;
3. Manage the delivery of approved cooperative activities within the scope of this Declaration;
4. Establish of clear lines of communication and points of contact between themselves as part of an ongoing process of dialogue and partnership in pursuing common goals;

5. Share knowledge, experience, expertise, information, research, and best practices;
6. Identify and share public safety concerns on the basis of threats, risk assessments, priorities, vulnerabilities, and consequences; and
7. Facilitate technical exchange cooperation, including education, training, and exercises.

### **3. To establish a Management Committee that would:**

1. Be comprised of the Deputy Minister of Public Safety and Emergency Preparedness of Canada, and the Director General of Public Security for the Government of the State of Israel;
  2. Meet annually and as needed to develop and approve a program of work, consistent with the scope and objectives of this Declaration, for that upcoming year;
  3. Evaluate and approve progress and results of activities carried out under this Declaration from the previous year;
  4. Identify officials from the Ministry of Public Security of the Government of the State of Israel and from the department and agencies for which the Minister of Public Safety and Emergency Preparedness of Canada is responsible, to carry out, within specific timeframes, each of the items in the approved program of work;
  5. Be supported by a Senior Coordinator, namely, the Assistant Deputy Minister (Strategic Policy) for the Department of Public Safety and Emergency Preparedness of Canada, and the Deputy Director General for the Ministry of Public Security of the Government of the State of Israel; and
  6. Have the Senior Coordinators ensure the delivery of the approved program of work and recommend new activities for the Committee's approval.
4. To bear respectively the costs that they each incur for performing, managing, and administering its activities under this Declaration;
  5. To ensure the appropriate protection of all information, knowledge, expertise, etc. that is exchanged between them against any unauthorized access, alteration, publication, or dissemination; and
  6. To protect any information, knowledge, expertise, etc. that is exchanged between them against disclosure to any third party with the same degree of care as they each exercise with their own information, knowledge, expertise, etc. of a similar nature;

It is understood that:

This Declaration is not intended to duplicate or supersede any existing arrangements between any departments and/or agencies of the Government of Canada and the Government of Israel; and

This Declaration is not intended to create legally binding obligations, under either domestic or international law.



Signed in duplicate at Tel Aviv, this 23rd day of March, 2008, which corresponds to the 16th day of Adar b'5768, in the English, French, and Hebrew languages with all texts being equally valid.

FOR THE DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS  
OF CANADA

FOR THE MINISTRY OF PUBLIC SECURITY OF THE GOVERNMENT OF THE STATE  
OF ISRAEL

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