

# American Foreign Policy Council

## CANADA

### QUICK FACTS

Population: 34,568,211

Area: 9,984,670 sq km

Ethnic Groups: British Isles origin 28%, French origin 23%, other European 15%, Amerindian 2%, other (mostly Asian, African, and Arab) 6%, mixed background 26%



Religions: Roman Catholic 42.6%, Protestant 23.3% (including United Church of Christ 9.5%, Anglican 6.8%, Baptist 2.4%, Lutheran 2%), other Christian 4.4%, Muslim 1.9%, other and unspecified 11.8%, none 16%

Government Type: A parliamentary democracy, a federation, and a constitutional monarchy

GDP (official exchange rate): \$1.819 trillion

Map and Quick Facts courtesy of the CIA World Factbook (Last Updated June 2013)

*In the last three decades, Canada has earned the reputation of being a terrorist haven. A succession of terrorist groups flocked to Canada in the decades prior to Canada's post-9/11 enactment of anti-terrorism laws. They flourished amid Canada's immigrant communities—including its 1.05 million-person Muslim population. Although there are signs that the Canadian Muslim community is better integrated than many of its counterparts in Europe, Islamist groups nevertheless have penetrated the community and established terrorist cells, fundraising operations, communal organizations, mosques, and schools. Comparatively recently, the Canadian government has strengthened its response to these developments through legislation (including Canada's Anti-Terrorism Act and hate crimes laws) that has created new tools to fight terrorism and the ideology responsible for it.*

## ISLAMIST ACTIVITY

Exploiting the lack of anti-terrorism legislation that existed until 2001, terrorist groups traditionally used Canada's immigrant communities as safe havens and, occasionally, as bases of operations. These groups included, *inter alia*, the Armenian Secret Army for the Liberation of Armenia (ASALA),<sup>1</sup> Sri Lanka's Liberation Tigers of Tamil Eelam (LTTE),<sup>2</sup> and Sikh extremists.<sup>3</sup> More recently, these organizations and groups have been joined by radical Islamic elements of various political and ideological stripes.

Canada's Islamic terrorists fall into three broad camps: (1) Salafist, (2) Shi'ite, and (3) Palestinian. The Salafists belong primarily to al-Qaeda and the Armed Islamic Group (GIA), an Algerian group striving to turn Algeria into a theocratic Islamic state. As the Islamist insurgency in Algeria subsided, the remaining GIA members increasingly collaborated with al-Qaeda in waging a global *jihad*. That collaboration has translated into greater overlap between the personnel of al-Qaeda and the GIA in Canada. The Lebanese Shi'ite militia Hezbollah raises funds, buys equipment, and hides wanted terrorists in Canada. The Islamist Palestinian group Hamas confines itself mainly to raising money on Canadian soil.

### *Al-Qaeda*

Al-Qaeda in Canada has several loci. Perhaps the most prominent is the Khadr family, headed by patriarch Ahmed Said Khadr (1948-2003). A Palestinian whose family moved to Egypt when he was an infant, Ahmed immigrated to Canada in 1975 and studied computer programming at the University of Ottawa.<sup>4</sup> While a student, Ahmed joined his university's chapter of the Muslim Student's Association, which introduced him to political Islam. By the time he graduated, Khadr was advocating the institution of *sharia* in his native Egypt.<sup>5</sup> In the 1980s, Ahmed traveled to Pakistan and Afghanistan for ostensibly humanitarian purposes. He headed the Peshawar office of the Ottawa-based charity Human Concern International (HCI), which is alleged to have provided funds to Osama bin Laden.<sup>6</sup> A 1996 CIA report connected HCI to an outfit smuggling arms to the *mujabideen* in Bosnia, the GIA, and the radical Egyptian group *Al-Gama'a Al-Islamiyya*.<sup>7</sup> While in Peshawar, Ahmed befriended Abdullah Azzam, Osama bin Laden's mentor and the intellectual godfather of al-Qaeda, and Ayman al-Zawahiri, who would later become Osama bin Laden's deputy and then successor. In 1994, Khadr sent his two older sons, Abdullah Khadr, 13, and Abdurahman Khadr, 12, to the Khalden training camp in Afghanistan, which was run by the Taliban.<sup>8</sup> Pakistani authorities arrested Khadr pere in connection with the 1995 attack on the Egyptian embassy in Pakistan but released him after the intervention of Canadian Prime Minister Jean Chretien.

Khadr returned to Canada frequently to raise money for al-Qaeda. In response, the UN flagged him pursuant to Security Council Resolution 1267, which created a blacklist of individuals and entities associated with al-Qaeda, Osama bin Laden, and the Taliban. Ahmed died in a 2003 confrontation with the Pakistani military,<sup>9</sup> but his Islamist legacy lives on through his children. Two sons, Omar and Abdul Rahman, fought for the Taliban (Omar killing an American medic) and were sent to Guantanamo. In 2003, the U.S. released Abdul Rahman and he returned to Canada.<sup>10</sup> In October 2010, Omar 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 in the United States.<sup>11</sup> In exchange for his guilty plea, the military tribunal sentenced him to eight years in prison and promised to repatriate him to Canada after he had served the first year of his sentence at Guantanamo. The U.S. finally repatriated Omar Khadr to Canada on September 29, 2012.<sup>12</sup>

Another locus of al-Qaeda activity in Canada is the Montreal Cell, a group of Algerians connected to the GIA. This cell is best known for its involvement in the Millennium Plot, a plan by al-Qaeda to attack targets all over the world between Christmas 1999 and Christmas 2000. Abu Zubaydah, the plan's coordinator and then the third highest-ranking member of al-Qaeda, directed the Montreal Cell to attack the Los Angeles International Airport. The plan was foiled when American authorities arrested Algerian-born bomber Ahmed Ressay in December 1999 with 70 kilograms of explosives in his car.<sup>13</sup> Fateh Kamel headed another al-Qaeda-GIA band. Originally from Algeria, Kamel fought with the *mujahideen* in Afghanistan in the 1980s and then relocated to Montreal.<sup>14</sup> In 1993, he fought with the *mujahideen* in Bosnia under the command of the Algerian Abdelkader Mokhtari. At this time he also established contacts with future members of the French *jihadist* Roubaix Gang. In 1996, he joined Osama bin Laden in Khartoum where he served as liaison between al-Qaeda and the GIA.<sup>15</sup> He returned to Montreal to raise money and forge documents for al-Qaeda, the GIA, and the Roubaix Gang. He was subsequently arrested in Jordan and extradited to France for his support for the Roubaix Gang. Following his release, he returned to Montreal.<sup>16</sup> After returning to Canada, Fateh Kamel unsuccessfully applied for a Canadian passport. According to section 10.1 of the Canadian Passport Order, the Ministry of Foreign Affairs may “refuse or revoke a passport if the Minister is of the opinion that such action is necessary for the national security of Canada or another country.” Fateh Kamel challenged the constitutionality of the provision and, in 2008, Justice Simon Noel of the Federal Court of Canada struck down the aforementioned provision on the grounds that it violated the guarantee of freedom of mobility found in the Canadian

Charter of Rights and Freedoms and failed to define “national security.”<sup>17</sup> However, in January 2009, a three-member Federal Court of Appeal panel unanimously set aside Justice Noel’s ruling and held that the Ministry of Foreign Affairs was justified in denying Fateh Kamel a passport.<sup>18</sup> The Court of Appeals decision stands as the Supreme Court refused to hear the case.

Two Canadians also participated in the January 16-19, 2013 In Amenas hostage crisis, in which an al-Qaeda-linked terrorist group commanded by Mokhtar Belmokhtar took over 800 hostages at a gas facility in In Amenas, Algeria. Ultimately, at least 38 civilians and 29 terrorists died during the siege,<sup>19</sup> two of the terrorists, Ali Medlej and Xristos Katsiroubas, were high school classmates from London South Collegiate Institute in Ontario City. Mauritanian authorities arrested a third classmate from the school, Aaron Yoon, who was convicted in July 2012 of having ties to a terrorist group (al-Qaeda) and of posing a danger to national security and sentenced to two years in prison.<sup>20</sup>

In recent years, al-Qaeda cells in Canada have graduated from planning attacks in Canada to planning attacks against Canada. In 2006, the Royal Canadian Mounted Police (RCMP) arrested eighteen people plotting to bomb the Toronto Stock Exchange, a military base located off Highway 401 between Toronto and Ottawa, and Front Street offices of CSIS, Canada’s spy agency.<sup>21</sup> They also intended to storm the Canadian Broadcasting Center and Canadian Parliament, decapitate the Prime Minister, take hostages, and demand that Canada withdraw her troops from Afghanistan.<sup>22</sup> The group set up a camp in Orilla, Ontario, where they trained for their mission and watched taped lectures by Anwar al-Awlaki,<sup>23</sup> a Yemen-based leader of al-Qaeda in the Arabian Peninsula who was subsequently killed in a U.S. drone strike on September 30, 2011. Of the eighteen arrested, eleven have been convicted of terrorism offences and two sentenced to life in prison.<sup>24</sup> Then, on April 22, 2013, after an eight-month investigation, the RCMP arrested Tunisian-born Chiheb Esseghaier and Raed Jasser, a Palestinian from the United Arab Emirates, for plotting to derail a VIA Rail passenger train near Toronto. Neither suspect is a Canadian citizen.<sup>25</sup> Police claim that the pair received guidance from members of al-Qaeda living in Iran.<sup>26</sup>

### *Hezbollah*

Canada has been an important source of financing and equipment for Hezbollah. In 1998, the RCMP uncovered a car theft ring run by members of the group to raise money for the organization.<sup>27</sup> Mohamed Dbouk managed one of the most lucrative Hezbollah cells. After seeking refugee status in Canada, he raised cash through credit card and banking scams,<sup>28</sup> as well as cigarette smuggling, and used the proceeds to purchase high-tech military

supplies and ship them to Lebanon. After Canada indicted Dbouk, he fled to Lebanon.<sup>29</sup> In June 2002, Israeli authorities arrested Fawzi Ayoub, a 39-year-old Lebanese-born Canadian, who used a fake American passport to enter Israel. Israel accused him of being a Hezbollah fighter and of training Palestinian militants in the West Bank in Hezbollah bomb-making techniques.<sup>30</sup> Hezbollah also hides terrorists wanted by other countries in Canada. Hani Abd al-Rahim al-Sayegh, a leader of Saudi Hezbollah involved in the 1996 Khobar Towers bombing that killed nineteen American Air Force personnel, made a refugee claim in Canada using a bogus name and settled in Ottawa, where he was arrested a year later.<sup>31</sup>

### *Palestinian Islamists*

Hamas, the most influential Palestinian Islamist group, has a history of using Canada as a fundraising base, even after the government designated it a terrorist organization in November 2002.<sup>32</sup> A May 2000 Privy Council Office memo to Prime Minister Jean Chretien identified the Jerusalem Fund for Human Services (Jerusalem Fund) as a fundraiser for Hamas.<sup>33</sup> The Canadian Coalition for Democracies alleges that the Jerusalem Fund responded to the flagging by merely changing its name to the International Relief Fund for the Afflicted and Needy (IRFAN) in 2001-2002. The *Canadian Jewish News* discovered that the Jerusalem Fund and IRFAN shared a mailing address in Mississauga, as well as a fax number.<sup>34</sup> Hamas also has raised hundreds of thousands of dollars in Canada through the Texas-headquartered Holy Land Foundation (HLF).<sup>35</sup> The U.S., which designated Hamas a terrorist organization in 1995, shut down HLF in 2008 and, in 2009, sentenced five of its leaders to prison terms ranging from 15 to 65 years.<sup>36</sup>

Additionally, Hamas is known to have recruited Canadians to commit attacks in Canada herself. In 2003, for example, Israel arrested a Canadian in Gaza who pled guilty to conspiracy and illegal military training for planning attacks on Jews in Canada and the U.S.<sup>37</sup> Hamas denied recruiting him, claiming that they limit their attacks to Middle Eastern targets.<sup>38</sup>

The smaller Palestinian Islamic Jihad (PIJ) has also tried to penetrate Canada—albeit on a much more modest scale. The group is known to have long collected and laundered money in Canada, and even attempted to acquire a fraudulent visa so that its treasurer, Muhammed Tasir Hassan Al-Khatib, could visit Canada.<sup>39</sup> Additional details of PIJ activity inside Canada remain spotty, but the country's intelligence service has warned that the group could expand its current, minimal activity in the years ahead; a confidential 2003 CSIS report notes that the discovery of a PIJ fundraising network in Florida “raises the possibility of PIJ elements crossing the border to develop a similar infrastructure in Canada.”<sup>40</sup> To date, however, here is no evidence that the

PIJ has done so. Like Hamas, PIJ was designated a foreign terrorist organization by the Canadian government in November 2002.<sup>41</sup>

### *Islamist community organizations*

A number of radical Islamic communal organizations are active in Canada as well. The most prominent of these is the Canadian Islamic Congress (CIC), which calls itself “Canada’s largest national non-profit and wholly independent Islamic organization.”<sup>42</sup> The CIC has a history of demonizing Israel and apologizing for Islamist groups that wage war against it.<sup>43</sup> This incitement foments anti-Semitism and justifies the violence committed by Islamist groups against Israel. The CIC’s leadership has further validated terrorism by denouncing the Canadian government’s decision to designate Hamas and Hezbollah as terrorist groups, calling it an “unconscionable act of hypocrisy and a mockery of justice.”<sup>44</sup>

In December 2001, in response to 9/11, Tarek Fatah founded the Muslim Canadian Congress (MCC) to provide an alternative to the CIC. The MCC opposes political Islam, supporting the “separation of religion and state in all matters of public policy.”<sup>45</sup> The MCC has also advocated Canada banning the *burka*,<sup>46</sup> applauded the conviction of terrorists,<sup>47</sup> and condemned Hamas’s cynical use of civilians as human shields.<sup>48</sup>

The Islamist Muslim Student’s Association (MSA) has chapters at many Canadian universities. Muslim Brotherhood activists founded the MSA in 1963 at the University of Illinois Urbana-Champaign<sup>49</sup> to help Muslims “practice Islam as a complete way of life.”<sup>50</sup> Chapters of the MSA have raised funds for the Hamas-linked Holy Land Foundation,<sup>51</sup> as well as the Benevolence International Foundation and the Global Relief Foundation (both of which were later outlawed by the U.S. government for their links to al-Qaeda).<sup>52</sup>

Radicalism can be found in Canadian places of worship as well, with certain mosques and Islamic schools indoctrinating their parishioners and students. The Salaheddin Islamic Center and Al-Rahman Islamic Centre, each in Toronto, are examples of this trend. The Khadr family frequented the former, and six of the terrorists in the cell that planned to storm parliament and decapitate the Prime Minister prayed at the latter.<sup>53</sup> The Salaheddin Islamic Center’s imam, Aly Hindy, refused to join 120 other Canadian imams and condemn the London Transit Bombings.<sup>54</sup> He also directs his parishioners not to cooperate with Canadian authorities, and officiates at illegal polygamous weddings.<sup>55</sup> Additionally, a former principal of the Salaheddin Islamic Center’s school, Mahmoud Jaballah, was a member of Egyptian Islamic Jihad and involved in the 1998 attacks on the U.S. embassies in Kenya and Tanza-

nia.<sup>56</sup>

The problem, moreover, is not confined to Toronto. A former teacher at the Almadina Language Charter Academy in Calgary reported that, when she joined the faculty, she received a pamphlet outlining the school's ideology. Along with furnishing an overview of Islam, it "took pains to justify Palestinian suicide bombers and called upon Muslims to take up arms against any group that was perceived as a threat to their religious beliefs." She claims that many of her coworkers said that America deserved the September 11th attacks.<sup>57</sup> Such experiences, however, remain the exception rather than the norm in terms of public expression of Muslim attitudes.

## ISLAMISM AND SOCIETY

Canada's 2011 census recorded 1.05 million Muslims, equaling 3.2 percent of the total population.<sup>58</sup> Sixty-eight percent of Canada's Muslims are immigrants, and more than 387,000 Muslims have entered Canada since 2001. A majority of Muslim-Canadians live in the province of Ontario (581,950) and most of those are located in the city of Toronto (424,930). The province of Quebec hosts the second largest Muslim community (243,430), 221,040 of whom live in Montreal, and it is home to many immigrants from the former French colonies of Algeria and Lebanon. Sizeable Muslim populations also reside in the provinces of Alberta (113,445) and British Columbia (79,310).

Continued immigration and a high birth rate is rapidly increasing those numbers, making Islam Canada's fastest growing religion. Between 2001 and 2011, for example, Muslims grew from 2% of the population to 3.2%.<sup>59</sup> The community is very ethnically diverse. It was recorded in 2001 that 36.7 percent were South Asian, 21.1 percent were Arab, 14.0 percent were West Asian, and 14.2 percent belonged to other groups.<sup>60</sup> This population, however, compares negatively with the larger Canadian public on a number of levels. As of 2001, for example, the Muslim community suffered a 14.4 percent unemployment rate, almost double the national rate of 7.4 percent.<sup>61</sup> However, despite the disproportionately high unemployment rate, according to a 2007 Environics poll, 81 percent of Canadian Muslims "felt satisfied with the way things were going in their country," clocking in significantly higher than comparable statistics in Britain, Germany, and France (51 percent, 44 percent, and 33 percent respectively).<sup>62</sup> Unfortunately, the same Environics poll highlighted a troubling propensity for radicalism among respondents, with about 12 percent of Canadian Muslims polled saying that the terrorist plot to storm Parliament and behead the Prime Minister was justified.<sup>63</sup>

Perhaps that often-vocal minority explains why a 2010 Leger Marketing poll found that 55 percent of Canadians disagreed when asked whether “Muslims share our values.”<sup>64</sup> A subsequent 2009 Angus Reid Strategies poll uncovered similar opinions, with only 28 percent of Canadians polled viewing Islam favorably, compared with 72 percent approval for Christianity and 53 percent approval for Judaism.<sup>65</sup>

Nevertheless, Islamic law has made at least a limited mark in certain locales and sectors of Canadian society. When first passed, Ontario’s Arbitration Act of 1991 permitted people to submit civil disputes to arbitration panels whose decisions, if the parties consented, could deviate from Canadian civil law as long as they did not breach the criminal code.<sup>66</sup> Controversy erupted in 2003 when the Islamic Institute for Civil Justice broadcast its intention to establish panels that would use *sharia*. The fierceness of the debate prompted Ontario’s government to ask Marion Boyd, a former attorney general of Ontario, to study the proposal for *sharia*-influenced arbitration panels. Although Boyd concluded that the Arbitration Act should remain in force so long as several new safeguards were added,<sup>67</sup> Ontario’s Premier Dalton McGuinty decided to scrap the arbitration panels altogether. In 2006, Ontario’s legislature amended the Arbitration Act to require that arbitration be “conducted exclusively in accordance with the law of Ontario or another Canadian jurisdiction.”<sup>68</sup>

## ISLAMISM AND THE STATE

Canada passed its first anti-terrorism legislation, the Canadian Anti-Terrorism Act (Bill C-36), in the wake of the September 11th terrorist attacks on the United States. Before the Anti-Terrorism Act received the Royal Assent on December 18, 2001, the Canadian criminal code did not even formally define “terrorist activity.” The Anti-Terrorism Act rectified this deficiency, providing a definition of both “terrorist activity” and “terrorist group,”<sup>69</sup> and authorizing the Governor in Council, on the recommendation of the Solicitor General, to designate an entity as a terrorist group.<sup>70</sup> The law mandates that:

*“No person in Canada and no Canadian outside Canada shall knowingly*  
*(a) deal directly or indirectly in any property that is owned or controlled by or on behalf of a terrorist group;*  
*(b) enter into or facilitate, directly or indirectly, any transaction in respect of property referred to in paragraph (a); or*  
*(c) provide any financial or other related services in respect of property referred to in paragraph (a) to, for the benefit of or at the direction of a terrorist group.”<sup>71</sup>*



The Anti-Terrorism Act's prohibition of providing financial services to terrorist groups represented Canada's first measure aimed at curbing terrorist financing. Before that, people could legally raise money for terrorist groups in Canada and the Crown could only prosecute people for directly funding a terrorist attack. However, as a practical matter, because of the opaque nature with which terrorist groups utilize banks and financial markets, it had proved to be almost impossible to connect donors to attacks.<sup>72</sup>

The Anti-Terrorism Act equipped authorities with several new tools to fight terrorism, including investigative hearings, preventive arrests, and new rules concerning information disclosure and rescinding a group's charity status. The legislation authorized the Attorney General to issue a certificate prohibiting the disclosure of information that would normally be disclosed under an act of parliament if that information could jeopardize national defense or national security.<sup>73</sup> The Act amended the Proceeds of Crime (Money Laundering) Act to provide authorities with a scheme for monitoring suspicious financial transactions that could be tied to terrorism. The Act also established a mechanism for rescinding organizations' charitable status if there are reasonable grounds to believe that it has or will fund a terrorist group.<sup>74</sup> Then, in 2007 the House of Commons voted 159-124, along party lines, against extending the investigative hearing and preventive arrest provisions of the Act (neither of which had ever been used).<sup>75</sup>

However, in the wake of the 2013 Boston Marathon Bombing, Liberals and Conservatives united to pass, 183 to 93, the Combating Terrorism Act. The bill revives the investigative hearing and preventive detention practices discontinued in 2007. Authorities may compel someone to submit to interrogation if he is suspected of having knowledge of a terrorist act and may imprison any who refuse to cooperate for up to twelve months. Authorities may also detain someone for up to three days and impose probationary conditions for up to a year on anyone suspected of engaging in terrorist activity. Again, anyone refusing to cooperate may be jailed for up to twelve months.<sup>76</sup>

A number of hate crimes laws on the books in Canada likewise could potentially be used to confront Islamist incitement. Sections 318 and 319 of the Canadian Criminal Code identify the following as indictable offences: (1) advocating or promoting genocide, (2) communicating statements in any public place or inciting hatred against any identifiable group where such incitement is likely to lead to a breach of the peace, and (3) willfully promoting hatred of any identifiable group outside of private conversation. The code defines "identifiable group" as "any section of the public distinguished by colour, race, religion, ethnic origin or sexual orientation."<sup>77</sup>

Lamentably, Islamists have on occasion abused these laws to squelch debate about Islamism and influence Canadian public discourse. Perhaps the most famous incident occurred in 2007, when the CIC filed complaints against *Maclean's* magazine with the Ontario Human Rights Commission, British Columbia Human Rights Tribunal, and Canadian Human Rights Commission, accusing the magazine of violating Muslims' civil rights by publishing an excerpt from Mark Steyn's book *America Alone*, which discussed the ramifications of larger Muslim populations in Europe and Canada, and for refusing to publish a rebuttal of length equal to that of the excerpt. Although the Ontario Human Rights Commission declined to hear the complaint, stating that it did not have jurisdiction, it subsequently released a statement condemning the original excerpt.<sup>78</sup> The British Columbia Human Rights Tribunal took a sterner stance, dismissing the complaints and concluding that the "complainants have not established that the Article is likely to expose them to hatred or contempt on the basis of their religion."<sup>79</sup> The Canadian Human Rights Commission came to the same conclusion.<sup>80</sup> However, *Maclean's* had to endure a taxing legal process throughout the proceedings—a process that invariably served as a warning to other writers.

## ENDNOTES

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