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Catastrophic Terrorism at the Border: The Case of the Canada-United States Border

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INTRODUCTION

Land border crossings between Canada and the United States are a critical component of Canada's modern trade routes, representing a vital strategic link to the economic viability of Canada. A catastrophic terrorist event at the Canada-United States border would be an event having the potential to seriously disrupt those economic linkages, vital to the well-being of Canadians and the Canadian state. The outcome of a catastrophic terrorist incident along the border could impact Canada in a number of ways. This paper will look at two issues with regards to the border and terrorism, and briefly discuss the impact on Canada specifically, and Canada-United States relations indirectly. Those two issues are border infrastructure as the target of a terrorist attack and the potential for the transnational movement of terror groups for the purpose of delivering an attack.

The Border in a Canadian Context

Canada and the United States share an 8,895 kilometer long border, with 133 land ports of entry, most of which are in under-populated or wilderness areas. Each year approximately 200 million people cross the border. The value of product that crosses each day is almost \$2 billion, the majority of which is carried by the 45,000 trucks crossing daily.¹ Two-thirds of all traffic flows across four international bridges in southern Ontario. Furthermore, eight of the top ten border crossings with the United States are either bridges or tunnels.²

In order to put the significance of the border into a Canadian context there are a number of observations that can be made from this brief list of border statistics. First, geographically the Canada-United States border is very large, making intensive management and policing a difficult task. The job of guarding the border is complicated by the large expanse of wilderness and/or water dividing Canadian and American territory. Along certain points of the St. Lawrence River it is possible to cross between Canada and the United States by speedboat in less than twenty seconds.³ Under these conditions, controlling illegal trans-border movement becomes a challenge.

A second issue is the importance of the border to the well-being of the Canadian economy. Eighty-two percent of all Canadian exports are destined for the United States, while 22 percent of U.S. exports are destined for Canada, making Canada and the United States the largest and most integrated bilateral trading partners in the world.⁴ Moreover, approximately 35 percent of Canada's GDP is a direct result of trade in goods and services with the United States. Under these conditions Canada's economic prosperity depends on trade with the United

States, and that trade depends on maintaining a secure and efficient trans-border flow of goods and services.

A third issue is the importance given to key border crossings. The vast majority of trade from Canada to the United States crosses through a minority of border crossings. One-third of all truck traffic crosses the Ambassador Bridge between Windsor and Detroit. Two-thirds of all traffic flows across four bridges in southern Ontario. As a result of the geography along the border, eight of the ten busiest border crossings are either bridges or tunnels, making it necessary to pass either under or over water. The consequence of this type of infrastructure is that these passage routes are potential targets for disrupting important trade routes between Canada and the United States.

Within this descriptive framework of the Canada-United States border, and the issue of catastrophic terrorism along the border, there are two scenarios that will be explored in the next part of this paper. The first scenario will examine the consequences of a terrorist attack on the physical infrastructure at the border. The second scenario will look at the potential costs associated with Canada being used as a transit point for terror groups wanting to attack the United States.

Vulnerable Border Infrastructure

As noted above, Canadian trade with the United States represents a critical component of the economic security of the country. With over 80 per cent of Canadian trade moving across a minority of border crossings, ensuring an efficient and timely flow has been foremost on the agenda of the Canadian government and business groups. Infrastructure at border crossings, however, remains an “Achilles’ heel” for the Canadian government. When it comes to the Canada-United States border, geography does matter. The tunnels and bridges that form the critical trade links between the two countries could also be significant targets for any terror organization wishing to disrupt the trade flows between the two largest trading partners in the world.

Starting in the late 1980s, the Canada-United States Free Trade Agreement and the subsequent North American Free Trade Agreement resulted in substantial increases in cross-border trade and placed increased pressure on border infrastructure. The results of the cooperative efforts to resolve some of these border/trade related issues were the *Canada-United States Accord on Our Shared Border* signed in February of 1995, and the follow-up 1999 agreement the *Canada-United States Partnership Forum*. Post-9/11, however, the issue of the Canada-United States border became increasingly securitized. In early 2002 the two governments signed the *Smart Border Declaration*, which focused predominately on resolving a security-trade dilemma that had developed post-9/11.

The importance of maintaining open border crossings along with an infrastructure that could adequately handle the heavy flow of traffic has been made evident in the post-9/11 security climate. Immediately following the 9/11 attacks, trucks with U.S.-bound cargo were lined up for days on the Canadian side waiting to cross the border. More recently, an upgraded security alert during the 2003-2004 Christmas period caused border backups in some cities up to ten kilometers in length,⁵ playing havoc with ‘just in time’ deliveries. Indeed such

delays at the border have led the president of the Ontario Trucking Association to claim that the border is the largest economic issue facing Canada.⁶ This position has been echoed by the Coalition for Secure and Trade-Efficient Borders, an organization formed by Canadian businesses to help the government deal with border issues.⁷ More recently, a report by the Ontario Chamber of Commerce has claimed that delays at the border due to issues of limited infrastructure and border management are a major drain on the economies of both countries.⁸

Given the heavy reliance on Canadian trade with the United States, the dependence on a relative few border crossings carrying this trade, and the vulnerable nature of the infrastructure at border crossings, shutting down even one of these crossings would have a more than significant impact on the Canadian economy, on those American states that depend a great deal on trade with Canada, and on the industries that are highly dependent on 'just on time' cross-border deliveries. Unfortunately, balancing the need to facilitate rapid trans-border movement of product has resulted in low inspection rates: about 4.5 per cent for Canada Border Services Agency.⁹ Furthermore, programs developed to facilitate faster customs clearance, such as Free and Secure Trade (FAST), NEXUS and C-TPAT, are based on models of self-compliance and risk management, which offer no security guarantee against an evolving terrorist threat. With a large percentage of the Canadian and American economies being dependent on trade between the two countries, border infrastructure, bridges and tunnels, represent a real target to groups wanting to inflict damage on the economies of Canada and the United States. For Canada an attack that would impede the movement of even a small percentage of goods traveling south could potentially be catastrophic to the Canadian economy.

The Border as a Transit Point

While an attack on border infrastructure has the potential to significantly impact border flows, restricting flow across the border, because the border represents a threat or point of vulnerability, could have an equally significant impact on the economies of the two countries. Whether or not Canada and the United States are more vulnerable today to transnational threats originating in one of the two countries, the post 9/11 security climate has substantially impacted the political will to act on potential transnational threats, especially those external to the geographic boundaries of the respective state. In this scenario a hardening of the border would result from a political decision to make transiting the border between Canada and the United States more difficult. This process is perhaps already in motion, given the increases in material and manpower resources allocated to northern border security and the adoption, on the American side of the border, of a forward deployment strategy.¹⁰ More devastating, however, would be a move on the part of the American political leadership to severely tighten the border to the degree that trade between the two countries would be compromised – an outcome that could result from Canada being viewed by the American political leadership as a liability to American security.¹¹

Central to American concerns about Canadian security has been the Canadian immigration and refugee system. Following 9/11, Attorney General John Ashcroft

was clear on the need for increased security in light of potential terrorist threats when he commented that “we are working on plans to help provide greater security for our northern border, which has become a transit point for several individuals involved in terrorism.”¹² Of course, even before the attacks of 9/11 both Canadian and American officials were aware of security problems along the Canada-U.S. border. In 1988, U.S. Customs officials arrested three members of a Syrian terrorist group linked to al-Qaeda attempting to enter the U.S. with explosives. Some of the bombers of the 1993 attack on the World Trade Center entered the U.S. from Canada and were planning to use Canada as a possible escape route. In December 1999, Ahmed Ressay was arrested crossing into the United States in possession of bomb making materials and plans to carry out a terrorist attack.¹³ In the post-9/11 period Canada has continued to raise security concerns in the United States. U.S. security officials believe that Canada is not only home to terrorist “sleeper cells” waiting for a chance to cross the border and attack the United States, but also that crossing from Canada has become a favored route for illegal immigrants, drug smugglers, and potential terrorists.¹⁴

Canada’s security image amongst American policy makers is not lost on Canadian officials. In December 1999 the Mackenzie Institute warned publicly that Canadian trade with the United States could be damaged if Canada did not do something about the Canadian immigration and refugee system and if Canada did not take action against the known terrorist organizations operating within Canadian territory.¹⁵ In December of the same year the Canadian Security and Intelligence Service (CSIS) confirmed not only that Canada’s immigration and refugee policies were attractive to terrorist organizations, but also that a number of terrorist organizations had already taken advantage of the rules to establish a presence in Canada.¹⁶ Following the 9/11 attacks, Stewart Bell of the *National Post* reiterated the claims made by CSIS and added that given Canada’s proximity to the United States and the openness of the border, Canada had become “a logical staging point for attacks against Americans.”¹⁷

While both Canada and the United States have made increased efforts to tighten security along the border, illegal transnational movement continues to be a problem in both directions. The border is breached on a regular basis. Whether it is smugglers moving high potency marijuana from Canada to the American market, or cigarette smugglers bringing less expensive, tax-exempt cigarettes into Canada, transnational movement seems to be a regular occurrence. As the former Inspector General of the Department of Homeland Security, Clark Ervin, makes clear in his book *Open Target: Where American is Vulnerable to Attack*, the border between Canada and the United States continues to be a point of weakness not only because of geography, but also because of limitations inherent in border security programs.¹⁸

THE CHALLENGES FOR CANADA

The challenge for policy makers on the Canadian side of the border is to design and implement proactive policies that will not only secure the border against the two scenarios described above, but that are also compatible with American goals. In looking closely at the task of creating a border that is secure against catastrophic terrorist attacks, there are three apparent hurdles for Canadian

policy makers. The first is the physical enormity of the border itself. CSIS has noted that Canada's long borders and coastlines offer many points of entry which can facilitate the movements to and from various sites around the world, particularly the United States.¹⁹ Given the size of the Canada-U.S. border, making a clear statement about border security requires a significant effort. Securing the vast wilderness of the border will undoubtedly require more manpower and more technology. While both countries have made major commitments in the six years following the 9/11 terrorist attacks, more needs to be done to avert a crisis that could effectively shut the border.

The second challenge will be to mitigate the crossover effect of other policies on the management and security of the border. The most notable policy is Canada's immigration and refugee system. Approximately thirty thousand refugees are admitted to Canada each year, through a system that critics claim is too lax with regards to sorting out the legitimate refugees and potential terrorists. Moreover, CSIS maintains that there are a variety of terrorist groups operating in Canada, and in some cases cell members have successfully entered Canada through the refugee claimant system. In a report to the Special Senate Committee on Security and Intelligence, CSIS officials made it clear that the large volume of refugees accepted into Canada provides a stream in which a few terrorists could gain entry.²⁰ Relatively easy access to Canada, ease of internal and external movement, and the large volume of refugees and immigrants accepted to Canada each year makes the refugee system difficult to manage. As a result, Canada becomes a very real access point for terrorists and criminals trying to access North America.²¹

By far the biggest challenge however, will be overcoming traditional conceptions of what the border between Canada and the United States represents. The image of the border has a real effect in terms of material and manpower resources that are applied, or not applied, to create border infrastructure. Canada needs to take a lead in re-conceptualizing the border. The 'longest undefended border in the world' is no longer a suitable description for the Canada-United States border. Canada Border Services Agency, the federal government department responsible for border security at ports of entry, must, as the president of the Customs and Excise Union has argued, have a security and public safety mandate rather than a revenue-generating one.²² Internally, Canada must act to assure the United States that Canada is not the weak security link, especially where it concerns new arrivals to Canada.²³

From a Canadian perspective a catastrophic terrorist act along the border would be one that would effectively shut down Canada-United States trade. I have suggested that this could occur in one of two ways: destruction of vulnerable infrastructure or increased security along the border significantly restricting trans-border movement. In the case of the Canada-United States border, it is imperative for the economic security of Canada that the trans-border flow of legitimate goods and services be secured. This, it seems, is a simple strategic argument. The economic security of Canada depends on the maintenance of secure trade routes with the United States. Guarding against the potential for catastrophic terrorist attacks along the border is essential to the economic life of Canada.

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⁴ Canada Department of Foreign Affairs and International Trade, "Canada-U.S. Border Summit," 9.

⁵ Kevin McGran, "Windsor suffers border woes," *Toronto Star*, January 13, 2004, A4.

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⁹ Canada Customs and Revenue Agency, "CCRA Performance Report 2001-2002 Annual Report to Parliament," 1-71, www.ccr-aadrc.gc.ca/agency/annual/2001-2002/performance-e/mainpoints_customs-e.pdf.

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¹⁵ Lesley Wroughton, "Canada's U.S. trade could be hurt by security worries," *Reuters News Service*, December 24, 1999.

¹⁶ Canadian Security and Intelligence Service, "Trends in Terrorism," *Perspectives*, December 18, 1999. www.csis.gc.ca/eng/miscdocs/200001_e/html.

¹⁷ Stewart Bell, "Infiltrating Canada," *National Post*, September 17, 2001, A10.

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¹⁹ Canadian Security and Intelligence Service, "Trends in Terrorism."

²⁰ Canada, "The report of the Special Committee on Security and Intelligence" www.parl.gc.ca/36/1/parlbus/senate/com-e/secu-e/repsecintjan99part2/e.html.

²¹ For a complete discussion on the shortcomings of Canada's refugee system, see: Stephen Gallagher, "Canada's dysfunctional refugee system: A realist case for reform," *Behind the Headlines* 58, no. 4 (Summer 2001).

²² Adrian Humphreys, "Border duties trump taxes, union says," *National Post*, February 1, 2003, A9.

²³ John Geddes, "The terrorist next door," *McLean's* 144, no. 39 (2001) 24.