

# THE TRIALS OF THE TORONTO 18

## Introduction



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### Focus

This *News in Review* story examines the fate of the Toronto 18: eighteen Muslim-Canadian men and youth, mostly in their teens and twenties, accused of plotting terrorist acts on Canadian soil. We look at the suspects themselves, the motivation behind their acts, and how terrorism has affected Canada's relations with its neighbour, the United States.

### Further Research

The key events of the Toronto 18 case can be found at [www.cbc.ca/canada/story/2008/06/02/f-toronto-timeline.html](http://www.cbc.ca/canada/story/2008/06/02/f-toronto-timeline.html).

When the first 17 arrests took place on June 2, 2006, it was hard for Canadians to believe the extent of the threat posed by the alleged plots: massive truck bombs aimed at targets in downtown Toronto, another bomb intended for a major military base in southern Ontario, armed attacks and hostage takings at the Parliament buildings in Ottawa, and the beheading of some of those hostages until the group's demands were met. All of these planned actions were aimed at forcing Canada to withdraw its military troops from Afghanistan and ending what the group perceived as a Western war against Islam and all Muslims. The bombing plot was almost ready for execution. Some of the group were arrested taking delivery of what they believed was the material that would be used to build their bombs.

For the most part, the accused were young men in their teens and twenties, and most were still students in high school or university. What they all seemed to have in common was an ideology—or belief system—that said violence was an acceptable tool to use to achieve one's goals. Where that ideology had originated was unclear. The Internet had certainly played a part in the plot; it was the source of the bomb-making instructions. But there was also evidence that some of the hatred of, and contempt for, Canada and its values had been learned right here in Canada.

At first the case against the Toronto 18 seemed shaky. Some said that perhaps the Canadian Security Intelligence Service (CSIS) and the police had overreacted. The Toronto 18 became the Toronto 11, as charges against seven of the group were stayed before trials began. But as evidence was revealed during the trials, the seriousness of the threats was confirmed. The first trial resulted in the conviction of the youngest member charged. Five other plotters subsequently confessed, and a seventh pleaded no contest to the charges against him. At the time this story went to press, four more awaited trial.

Some members of the Muslim-Canadian community hoped that the charges would prove false. It soon became clear, however, that this would not be the case. Indeed, two members of that community had acted as “moles” for the intelligence services, monitoring the group and providing much of the evidence that led to the arrests. As a result, many organizations are exploring new ways of discouraging the growth of extremist elements in their communities.

The trials of the Toronto 18 have made all Canadians rethink their attitude toward the possibility of homegrown terrorism. Many of us felt that Canada, with its rich, tolerant, multicultural tradition, was safe. The lesson seems to be that extremism knows no borders and can be bred anywhere.

## To Consider

1. What do you imagine would have happened if the Toronto 18 had not been stopped?
2. What might have been the effects on the rights and freedoms of individual Canadians?
3. How would measures to promote public security have been impacted?
4. How might the relationship between the Muslim-Canadian community and other Canadians have been affected?

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## Video Review

### Quote

“Terrorism is a heinous and evil crime, but not necessarily everyone who commits a heinous and evil crime is himself evil. I don’t believe Mr. Gaya is evil.”— Paul Slansky, Saad Gaya’s lawyer, March 2010 *News in Review* video

### Pre-viewing Discussion

Make notes in response to the following questions. Then select a partner, or form a small group, and discuss your responses.

1. Do you consider Canada to be a relatively safe country? Why or why not?

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2. Do you think most Canadians are concerned about terrorist activity within Canada? Why or why not?

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3. Do you think most Canadians are concerned about Canada becoming the target of a terrorist attack?

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4. Have you ever heard any information about what Americans think about the links between Canada and terrorism? If so, do you think those comments are justified? Explain.

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5. Respond to the following statement: “Because Canada is largely a tolerant, multicultural society, there is little reason for Canadians to want to take violent action against members of the government or government institutions.”

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**Quote**

God says in the Qur'an, you save one life justly, it is as if you've saved all of humankind. There's no two ways about it. I don't need the re-interpretations or context. It's straight up. That's it." —

Mubin Shaikh, CSIS informant, March 2010  
*News in Review* video

**Viewing Questions**

As you watch the video, respond to the questions in the spaces provided.

1. How much ammonium nitrate was found in the possession of those arrested?

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2. How much ammonium nitrate was used to blow up the federal building in Oklahoma City in 1995?

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3. What were the planned physical targets of the alleged and convicted terrorists?

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4. Record three points that describe the role of the Internet in terrorism today.

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5. According to the video, what can the Muslim-Canadian community do to help reduce violence in society?

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6. Why did Mubin Shaikh say he became an informant for the Canadian Security Intelligence Service (CSIS)?

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7. What sorts of things did Mubin Shaikh do to infiltrate the terrorist network?

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8. What sentence did the ring leader of the group, Zakaria Amara, receive from the court?

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## Post-viewing Analysis

Make notes in response to the following questions. Then join with another classmate, or create a small group, and discuss your notes.

1. According to the briefing by the prosecution, the terrorists hoped that by carrying out the bombings and kidnappings they could bring about the release of Muslim prisoners and pull troops out of Afghanistan. Do you think the Canadian government would have done those two things if the men had of been successful with their plan?

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2. Review the targets of the plot (question 3 on page 32). Why would these buildings have been targeted? What do they represent?

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3. What might be the most effective ways to reach alienated youth who may be easily influenced by others who try to recruit them for violent activities?

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# THE TRIALS OF THE TORONTO 18

## A Shocking Case

### Quote

"They're probably expecting what happened in London or something . . . Some bombing in a subway kills 10 people and everybody gets deported. We're not doing that. . . . So our thing it's, it's much, much greater on a scale . . . you do it once and you make sure they can never recover again."  
— One of the accused recorded during a police wiretap, as reported in the *Toronto Star* on March 26, 2008

### Focus for Reading

As you read the following information about the Toronto 18, consider whether or not this case seems "Canadian" or "un-Canadian"—that is, is this the kind of case that one usually associates with Canada.

At the time of the arrests of the Toronto 18, Canadians were shocked to hear the objectives of the alleged terrorists' plots. According to press reports, these objectives included: storming Parliament and taking MPs hostage, beheading the Prime Minister, bombing buildings in downtown Toronto, and bombing an unspecified military base near Ontario's Highway 401 (likely Canadian Forces Base Trenton).

As the trials of the alleged terrorists proceeded, the nature of the threats became much clearer. One charge— participation in, or abetting, a terrorist training camp—was common to all but one of the group. Another charge— plotting to bomb targets in southern Ontario—was limited to four members of the group.

### Charges Stayed

Not all the people arrested went to trial. Charges against seven individuals were stayed. That means that the Crown decided not to proceed with the charges, but reserved the right to begin proceedings again within a year. Individuals whose charges were stayed included:

- The oldest person arrested, originally accused of being the ringleader and encouraging the group to plan the alleged acts of terrorism
- Three juvenile suspects who attended a winter training camp—the youngest of whom was 15 at the time
- A high school student who was the last of the group to be arrested
- A university graduate married to a sister

- of the wife of one of the accused
- A prisoner in a Kingston penitentiary who had been convicted of illegally importing weapons into Canada

### Two Plots: The Bombings

The remaining 11 members of the Toronto 18 are accused of being involved in two separate plots. A dispute between two of the leaders is believed to have moved the group in two different directions. One group planned to obtain the materials for, and carry out, the bombing of three targets: the Toronto Stock Exchange, the Toronto headquarters of the Canadian Intelligence and Security Service (CSIS), and a military base near Highway 401.

Four members of the group were charged in the bomb plot. Three of these admitted their crimes. They include Saad Khalid, a University of Toronto student, and Saad Gaya, a high school student. Neither was considered by the judge to be central to the plot. Both were arrested in a sting operation when the RCMP delivered phony fertilizer to a warehouse rented by the group. Khalid, the first to plead guilty, received a sentence of 14 years in prison, with credit of seven years for time served. Gaya received a 12-year sentence, also with credit for time served.

The third person to confess was the plot's acknowledged leader, Zakaria Amara. He designed and built the cell phone detonator to be used in the bombings and researched the construction of the truck bombs to be used and the sites that would be bombed.

### Quote

"We're here to kick it off man. We're here to get the rewards of everybody that's gonna come after us, God willing, if we don't (get) a victory, God willing, our kids will get it. If not them, their kids will get it, if not them, the(n) five generations down somebody will get it, God willing. This is the promise of Allah . . ."  
— One of the accused recorded during a police wiretap, as reported in the *Toronto Star* on March 26, 2008

Amara was sentenced to life in prison.

Shareef Abdelhaleem, the fourth person charged in the bombing, ultimately chose not to contest the evidence against him, but argued that he had been entrapped by a CSIS mole involved in the fertilizer purchase sting operation. The court rejected this argument; Abdelhaleem was found guilty and will be sentenced at a later date.

### Two Plots: A Terrorist Cell

The second plot has been described by Bill Gillespie, the security correspondent for CBC News, as "the attempt to create a large al-Qaeda-type cell in Toronto—to arm themselves with weapons and then to create some sort of mayhem that would scare the Canadian public into withdrawing troops from Afghanistan" ([www.cbc.ca/canada/toronto/story/2010/01/20/toronto-18-plea941.html](http://www.cbc.ca/canada/toronto/story/2010/01/20/toronto-18-plea941.html)).

Involved in this plot are the members of the Toronto 18 who talked of taking MPs hostage and perhaps raiding other targets. The group had collected some weapons, but the actual targets had not been finalized when police made their arrests.

One person from this second group, a young offender, was the first of the Toronto 18 to be found guilty in court. He was convicted of conspiracy and participation in a terrorist group. He was sentenced to time served, placed on two years' probation, and prohibited from owning weapons for 10 years.

Two others have now pleaded guilty to similar charges. Ali Dirie, one of two people accused of acquiring weapons for the cell, pleaded guilty to one count

of participating in a terrorist group. He admitted to planning to cause death and serious harm to Canadians and was sentenced to seven years. Amin Durrani also pleaded guilty, was sentenced to 7.5 years, but was released the day after sentencing because of credit for time served.

At the time this story was produced, three suspects remained in jail awaiting trial. A fourth, also expecting trial in 2010, has been granted bail.

### Two Plots: Two Moles

As early as 2002, one of the members of the Toronto 18 drew attention to himself through Internet activity. He had been participating in extremist chat groups. By the fall of 2005, many members of the group were under regular police surveillance.

Intelligence agents also managed to place two moles in the group. One, Shafer Elsohemy, was a businessman who was entrusted with arranging a shipment of three tonnes of ammonium nitrate fertilizer to be used in making truck bombs. The second man, Mubin Shaikh, infiltrated the group and accompanied them to their winter training camp, where he had been asked to assist with weapons training.

Both men provided police and prosecutors with information invaluable in charging and bringing to justice the seven convicted members of the group. Elsohemy is now part of Canada's Witness Protection Program. Shaikh, a well-known activist, maintains a very public presence in the Muslim-Canadian community.

### Analysis

What parts of this story seemed "un-Canadian"? That is, what parts of the story seem to be very unusual for Canada and Canadian society?

# THE TRIALS OF THE TORONTO 18

## *Alienated Youth*

### Quote

"We are seeing phenomena in Canada such as the emergence of homegrown second- and third-generation terrorists. These are people who may have immigrated to Canada at an early age who become radicalized while in Canada. They are virtually indistinguishable from other youth. They blend into our society very well, they speak our language, and they appear to be, for all intents and purposes, well assimilated." — CSIS deputy director Jack Hooper, quoted in the *Toronto Star*, June 3, 2006

With one exception, the seven members of the Toronto 18 convicted of terrorist-related crimes were all in their teens or early twenties. The one exception is a 30-year-old computer programmer who provided funds to the group to purchase materials for the bomb plot. Five of the remaining six, including the leader of the bomb plot, were high school or university students. Recent terror plots in Britain, Spain, and the Netherlands have involved similar groups of young men.

What turns a group of young men into a terrorist cell is an important question and not one that is easy to answer. For those of the Toronto 18 who have spoken out in court, either in justification or apology, Canada's participation in the Afghan conflict is usually given as the fundamental reason for their actions. Their expectation was that bombing or attacking Canadian targets would force the government to stop what they saw as a war against Muslims around the world.

A negative reaction to Canada's role in Afghanistan, however, does not alone explain their turning to violence as an answer. After all, many Canadians, Muslim and non-Muslim alike, have spoken out in opposition to Canada's part in the Afghan war. Only a very few would see violence against their fellow Canadians as a countermeasure. Those are the extremists.

### **The Roots of Extremism**

Studies of extremism among Muslims suggest that it tends to attract young men who feel they are not a part of mainstream society and are also unhappy with the form of Islamic culture in which they were raised.

Olivier Roy is a French writer on Islam. He calls this process "neo-

fundamentalism." According to *The Economist* (July 16, 2005), Roy describes it as "a broad reaction by Muslims in Western countries against their families and background, as well as against their host societies. As Mr. Roy portrays them, such Muslims have abandoned the food, music, and customs of the 'old country' but still feel repelled by the ethos and values of the 'new country.'" In other words, to most people in society, it would appear that these Muslims have adapted to a new life in a new place. And, outwardly, this is indeed the case. Inwardly, however, the adaptation has been far from satisfactory.

Some researchers also write about what they call the "second generation phenomenon." This occurs when the children of immigrant parents are turned off by the culture of the country they live in. They then form an idealized view of the culture their parents abandoned.

Often their parents are absorbed in their work, struggling to make a new and better life for themselves and their children. The children, in turn, may believe that their parents are insufficiently concerned with the serious issues that face Muslims around the world.

### **The Group Dynamic**

For some, the chance to belong to a dedicated group is the key to their radicalization. Jordan Peterson, a psychology professor at the University of Toronto, says that joining extremist groups allows individuals to give up responsibility for their own actions while maintaining their identity as part of the group. "To be an individual, you have to practise at it. If you're hiding inside the confines of a very tight group, then

### Quote

"The Internet has become a 'virtual university' for terrorists, with manuals from how to build a 'dirty bomb' and poisons, to tutorials on how to use global-positioning devices or attack a motorcade." — Simon Wiesenthal Center, *Toronto Star*, June 4, 2006

you sacrifice your individual identity and you become weaker and weaker as an individual. That makes you cling more desperately to your group identity. It's a vicious cycle" (*The Globe and Mail*, June 10, 2006).

If the recruit has a weak self-identity, then the organization can hand him a very strong, ready-made group identity. The more sacrifice the group calls for, and the more hard and fast answers to life's difficult questions it provides, the stronger will be the zeal generated in the new member.

### The Role of the Internet

According to those who track international terrorism, the recruitment of young people to Islamic extremist groups is a growing phenomenon in Canada and other Western countries.

The Internet has made it increasingly simple for disaffected individuals to connect with radical groups. Middle-class, "ordinary" young people can easily connect with radical groups and individuals they might otherwise never encounter. The neo-fundamentalists described by Olivier Roy often turn to the Internet, where they find "a simple, electronically disseminated version of the [Islamic] faith [that] can readily be propagated among people of all cultures" (*The Economist*, July 16, 2005).

### For Discussion

Some newspaper commentators have expressed their belief that schools play a role in the development of extremist groups. They argue that Muslim students are often stereotyped by other students and isolated from the mainstream, and that this isolation creates resentment and heightens a group dynamic that can lead to extremist religious views.

1. Would you agree with this view?
2. Are Muslim students treated differently than other students?
3. Does your school have programs that encourage inclusiveness and counteract this kind of behaviour? Are they effective?

For extremists, the Internet plays many roles.

- It provides visual documentation of Western aggression against Muslim nations and oppression against Muslim groups. For example, scenes of the carnage after misdirected NATO air strikes against Afghan civilians, or the abuse of Iraqi prisoners by American soldiers are readily available.
- It introduces them to ideologues propagating a vision of radical Islam encouraging violent action against Western aggression and oppression. Among the most successful is Anwar al-Awlaki, born in the United States and believed to be a recruiter and motivator for al-Qaeda. (Al-Awlaki may have been killed in an air raid in Yemen in December 2009.)
- It provides weapons-making instruction. Zakaria Amara, leader of the bombing plot for the Toronto group, used the Internet to design his cell phone detonator and the fertilizer bomb the group planned to use.

Canada's experience proves that no country can assume it is safe from the conditions that promote extremism. What it can do is identify those conditions and use that knowledge to identify potential threats.



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## *Community Assistance*

### Further Research

To learn more about the experience of Muslims living in the United States, read the study by Schanzer, Kurzman, and Moosa entitled "Anti-terror lessons of Muslim-Americans" at [www.sanford.duke.edu/news/Schanzer\\_Kurzman\\_Moosa\\_Anti-Terror\\_Lessons.pdf](http://www.sanford.duke.edu/news/Schanzer_Kurzman_Moosa_Anti-Terror_Lessons.pdf).

What role can and do Muslim communities play in preventing the radicalization of Muslim youth?

### Anti-Terror Lessons of Muslim Americans

David Schanzer, Charles Kurzman, and Ebrahim Moosa of the Sanford School of Public Policy at Duke University have noted that, since the events of September 11, 2001, very few Muslims living in the United States have turned to violent extremism. This has been the case despite a perception among Muslim-Americans of an increased anti-Muslim bias in the U.S.

The authors outline five practices by Muslim-Americans that they believe have led to this result. They are as follows:

1. Persistent public and private denunciation of violence and terrorism by Muslim religious and community leaders.
2. Self-policing practices:
  - Confronting ideologues
  - Refusing to allow extremists to preach in mosques
  - Reporting concerns to law-enforcement authorities
  - Denying radical extremists memberships in mosques
  - Identifying and counselling youth who react inappropriately to controversial issues
3. Community-building activities. Communities strong in such areas as social networking, educational programming, and providing social services are better able to identify individuals prone to radicalization, and to intervene.
4. Political engagement. Like other interest groups, Muslim organizations

need to be politically active to promote their legitimate goals. This kind of activity is a demonstration that Muslims in democratic countries can participate fully in the political life of their country in order to address any grievances.

5. Identity politics. Expressions of deep religious belief by Muslims help demonstrate that the country welcomes them as part of its multicultural identity, along with other racial, ethnic, and religious groups.

Many of these practices have been embraced by Canada's Muslim communities. Certainly, organizations like the Canadian Islamic Congress and the Muslim Canadian Congress have consistently condemned the use of violence and terror to achieve religious aims. At the same time, these and other Muslim organizations have been actively involved in protecting the rights of Canadian Muslims and speaking out on their behalf.

Many Muslims were quick to speak out after the arrests of the Toronto 18, arguing that the Muslim community needed to do more to prevent the spread of extremism among Muslim-Canadian youth. Emran Qureshi, a Canadian human rights specialist working at Harvard University, blamed a mistaken view of Islam for the activities of the Toronto 18. "The argument that this has nothing to do with Islam is false. The young Muslim adults who learned to hate our generous and tolerant Canadian society learned it not from pimps or drug dealers, but from Islamic fundamentalists who preyed on them within Canadian mosques" (*The Globe and Mail*, June 15, 2006). He concluded with a call for action. "Canadian Muslims have

rights and responsibilities that come with citizenship. Canadian Muslim leaders should not continue to evade the seriousness of recent events and their responsibilities in cleaning up this mess.”

### **“Detoxing” Extremists**

Even before the arrests of the Toronto 18, religious leader Sheik Sayyid Ahmed Amiruddin had been counselling Canadian youth in danger of becoming radicalized. After the arrests, he developed a 12-step program to treat and counsel young Muslims sympathetic to extremist ideology. The program promotes a more tolerant form of Islam and addresses the responsibilities of a Muslim living in Canada.

Amiruddin has presented his program to members of the RCMP and the Muslim community, asking the former to endorse it and the latter to help finance it. Two other Muslim organizations have subsequently adopted similar programs ([www.winnipegfreepress.com/life/faith/12-step-program-helps-young-Muslims-avoid-extremism-56223047.html](http://www.winnipegfreepress.com/life/faith/12-step-program-helps-young-Muslims-avoid-extremism-56223047.html)).

### **Analysis**

Prepare a written response to the opening question of this section: “What role can and do Muslim communities play in preventing the radicalization of Muslim youth?” Be prepared to share your response with the class.

### **Co-operation**

Most Canadians are likely unaware that CSIS agents contacted many of the parents of the younger members of the Toronto 18 before the arrests and warned them that their children were part of a group following an extremist ideology.

Both CSIS and the police place a great deal of emphasis on the influence that Muslim parents can have on their children’s beliefs and behaviour. The organization hoped that their warning would be a call to action and have a moderating influence in the investigation.

Many Muslim civic organizations now view co-operation between the police and Muslim communities as crucial in promoting tolerance and discouraging extremism and have written that co-operation into their policy statements.

Identifying extremism and preventing terrorist violence is a matter of concern for all Canadians. The job can best be done in those communities from which radical extremists are likely to emerge.

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## *Canada-U.S. Relations*

### **Further Research**

To learn more about border co-operation between Canada and the United States, check out the Joint Statement of Cooperation on Border Security and Regional Migration Issues, which was signed in December 2001. The text of the agreement is at [ottawa.usembassy.gov/content/textonly.asp?section=can\\_usa&subsection1=borderissues&document=borderissues\\_statement\\_120301](http://ottawa.usembassy.gov/content/textonly.asp?section=can_usa&subsection1=borderissues&document=borderissues_statement_120301).

### **Did you know . . .**

A full description of the required documentation required for Canadians entering the United States can be found at [www.cbsa-asfc.gc.ca/whti-ivho/tourist-touriste-eng.html](http://www.cbsa-asfc.gc.ca/whti-ivho/tourist-touriste-eng.html).

The border between Canada and the United States has long been known as “the world’s longest undefended border.” But many changes have occurred over this border since the 9/11 terrorist attacks against the U.S.

Although none of the 9/11 terrorists entered the U.S. from Canada—a truth that Canada still has to remind Americans of—the attacks led to renewed U.S. demands that border crossings between the two countries be better controlled to keep terrorists out.

Pressure to tighten border controls had actually increased before the 2001 attacks. In 1999 Ahmed Ressay—an Algerian who had originally entered Canada on a forged French passport and was denied asylum as a political prisoner—was arrested as he tried to cross the border into the state of Washington. The car he was driving contained explosives and timing devices that Ressay intended to use to bomb the Los Angeles airport. Ressay was carrying a Canadian passport that he had registered under a false name.

Ressay’s arrest confirmed the belief of many U.S. authorities that Canada’s immigration and refugee policies were lax, and that the country was a haven for terrorists hoping to do harm in the United States. Combined with the horror of 9/11, pressure mounted to see that something was done to make the border between the two countries more secure.

### **Border Security**

In December 2001 the Joint Statement of Cooperation on Border Security and Regional Migration Issues was signed between the United States and Canada. The statement initiated discussion on a number of measures that the two

governments might take to reconcile their individual policies on who got to enter each country and how they would be treated at the borders.

The intent of the agreement was to develop an action plan for determining, detecting, and prosecuting security threats, but to still ensure that goods and people could flow freely across the border. The amount of trade between the two countries makes this cross-border movement critical to the economies of both countries.

### **Integrated Border Enforcement Teams**

One of the results of the talks between Canada and the United States was the Smart Border Declaration and Action Plan ([www.publicsafety.gc.ca/prg/le/bs/sbdap-eng.aspx](http://www.publicsafety.gc.ca/prg/le/bs/sbdap-eng.aspx)). Among other things, this plan created the Integrated Border Enforcement Teams (IBETs) ([www.rcmp-grc.gc.ca/ibet-eipf/index-eng.htm](http://www.rcmp-grc.gc.ca/ibet-eipf/index-eng.htm)). Fourteen teams are located at strategic locations along the Canada-U.S. border. These are teams made up of officials from several different agencies in each country—law enforcement, immigration, and customs—who work daily with local, provincial, and state officials. Their objective is to keep the border open for legitimate trade and travel, but closed to criminals and terrorists.

### **Western Hemisphere Travel Initiative**

As part of its own attempts to tighten border security, the U.S. government passed a law called the Western Hemisphere Travel Initiative. The law was controversial in Canada because it changed the documentation necessary for crossing the border from Canada

into the United States. For most people, this means that they now need to carry a passport to enter the U.S. This regulation includes U.S. citizens returning from Canada to their homes in the United States. Until recently, a birth certificate was sufficient proof of citizenship for land travel between the two countries.

### **A Security Report Card?**

On April 19, 2009, Hearst Newspapers published an article titled “Heightened Security at United States-Canada Border Catching Few Terror Suspects.” It began: “Public data obtained by Hearst Newspapers show the United States government, despite a massive injection of resources and staff to guard against terrorists crossing the Canadian border, is mostly catching ordinary illegal immigrants—creating a backlog of court cases and a flurry of protest from the public about random highway stops and bus or train inspections.

“‘The muddling of counter-terrorism and immigration enforcement is the single biggest mistake we’ve made since 9/11,’ said Edward Alden, a senior fellow at the Council of Foreign Relations.”

The article goes on to report that U.S. Customs and Border Protection has more than four times as many border patrol agents on the Canada-United States border than it had before 9/11, and a budget that has almost doubled in the last five years.

The article concludes: “A Hearst Newspapers analysis of records provided by the Transactional Records Access Clearinghouse (TRAC), a public interest research group, found that of all the national security and terrorism charges filed in federal district courts along the northern border since 2001, only three were based on referrals made by CBP. In other words, there is scant record of northern border enforcement catching terrorists.”

### **For Discussion**

In your estimation, has the United States overreacted in its attempts to tighten border security at the Canada-U.S. border? Are the new policies really necessary? Does the information in the Hearst article show that the money spent on U.S. Customs and Border Protection is being wasted, or that the new policies and methods are working?

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## *Activity: What is a suitable punishment?*

To date, the six sentences handed out to those in the Toronto 18 convicted of terrorism-associated crimes have included the following:

- The youngest offender: Guilty of conspiracy; sentenced to time served, two years probation, and prohibited from owning a weapon for 10 years.
- Saad Gaya: Guilty of intending to cause an explosion in association with a terrorist group; sentenced to 12 years. With credit for time served, the sentence amounts to an additional 4.5 years, with a possibility of parole in 1.5 years. Sentence has been appealed by the Crown.
- Saad Khalid: Guilty of intending to cause an explosion in association with a terrorist group; sentenced to 14 years. With credit for time served, the sentence amounts to an additional seven years, with a possibility of parole in 2.3 years. Sentence has been appealed by the Crown.
- Ali Dirie: Guilty of knowingly participating in or contributing to an activity of a terrorist group; sentenced to two years in addition to time served, for a total of seven years.
- Amin Durrani: Guilty of conspiracy; sentenced to 7.5 years. With credit for time served, he was immediately eligible for parole and released the day after sentence was passed. Additional restrictions include three years' probation and a lifetime prohibition from owning a weapon.
- Zakaria Amara: Guilty of knowingly participating in a terrorist group and intending to cause an explosion for the benefit of a terrorist group; sentenced to life. He will be eligible for parole in 6.5 years.

Canadian law recognizes four major terrorism-related areas in which crimes are committed. These include:

- Knowingly collecting or providing funds, either directly or indirectly, in order to carry out terrorist crimes. This offence carries a maximum 10-year sentence.
- Knowingly participating in, contributing to or facilitating the activities of a terrorist group. Maximum sentences range from 10 to 14 years.
- Instructing anyone to carry out a terrorist act or an activity on behalf of a terrorist group (a "leadership" offence). This offence carries a maximum life sentence.
- Knowingly harbouring or concealing a terrorist. This offence carries a maximum 10-year sentence.

### **Your Task**

In small groups, discuss the punishment options as detailed in Canadian law for terrorism-related crimes.

- Are they likely to prevent terrorist acts?
- Do they sufficiently punish those acts?
- Do they in any way help to rehabilitate individuals guilty of terrorist acts?
- Were they appropriately applied in the convictions of the Toronto 18?
- Are there recommendations the group would make for changes in any of these areas?

Choose one member of the group to report the group's conclusions to the class.