

***Engaging India:
Canadian Threats and Counter-Terrorism Strategies in South Asia***

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Canada's efforts in the global War on Terror and the battlegrounds of Afghanistan suggest that Canada has finally begun to take the threat of international terrorism seriously. This was especially obvious with the swift action of the Canadian government after 9/11 to condemn international terrorist activity, and examine its counter-terrorism responsibilities towards the security of the continent. Unfortunately, the government's focus has remained on the politically-salient and internationally-driven mandate to eradicate Islamic and *al Qaida* driven terrorism, at the cost of ignoring more important threats to Canada. Between the Khalistan movement (responsible for the Air India bombing), the Tamil Tigers and Islamic terrorist cells in Pakistan and India, Canada has ignored its own terrorist threat and the undeniable link this security has with South Asia. Between these three groups Canada continues to be a victim and exporter of terrorism to India and other parts of South Asia.

There are three specific linkage points between Canada and India a propos to international terrorism. First, Canada is a base for the financing and recruitment of South Asian terrorist organizations. Second, these groups have also threatened the domestic security of Canada and its citizens. Third, because of Canada's involvement in Afghanistan, these groups have also posed a threat to Canada's international interests. Despite these obvious problems, Canada's response to its role in terrorism has been questioned in academic, policy and media-circles as Canadian measures have been all but an effective response to this act of intrastate terrorism. Instead, Canadian measures have provided a band-aid measure without dealing with the "root causes," funding or perpetration of terrorist activity. It is at this juncture that this paper focuses its attention. In examining counter-terrorism measures, this paper presents a threefold argument. First, it argues that Canada has inadequately conceptualized the overall strategic and terrorism threats that emanate from South Asia. Second, because of its *misperception* Canada

has not adequately geared its counter-terrorism measures to address the *real* threat. This paper's analysis will conclude with suggestions for Canada's domestic and international counter-terrorism measures.

***International Terror Groups and Canada –
Tamil Tigers, Khalistan Movement, Kashmir Liberation Movement***

Canada's threats from South Asian groups are manifested in several different ways. These include funding, extortion, intra-state violence and threats to Canadian international interests, using Canada's soft policies to safeguard from backlash from within the state. The three groups investigated within this paper – Tamil Tigers, Khalistan movement and the Kashmir Liberation movement – were selected for two central reasons. First, the level of terrorist activity effecting Canada by these three groups varies in intensity and purpose. While the LTTE only uses Canada as a fundraising base, the Khalistan movement is responsible for varying levels of intrastate violence in Canada. Just as importantly, Canada has misunderstood the link between Kashmir Liberation movement has strong links to the *al Qaida* movement and has been the strongest contender against Canadian international interests, specifically in Afghanistan. Second, we can draw a link between these groups because of their intimate relationship to South Asia. Part of the explanation of Canada's lack of counter-terrorism initiative in the region is due to old Cold War rivalries between itself and India. Yet, since 9/11 it has become increasingly important for Canada to recognize the importance of the region in its own strategic plans. For example, India has been fighting various factions of each of these movements for decades. In comparison, Canada's involvement in counter-terrorism measures against these groups has been a recent phenomenon. The next section will review the mandates and activity of these three groups to highlight the Canadian linkage to international South Asian terrorism.

Funding the Tamil Tigers

The Tamil Liberation Movement began in 1970 with the formation of a militant student group fighting with the Sri Lanka government over a lack of access to post-secondary education for the Tamil population.¹ By 1976, as a result of the increasingly oppressive and discriminatory policies of the Sri Lankan government gave rise to the current day LTTE under the leadership of Velupillai Prabhakaran. Small-scale conflict between the government and the LTTE continued until a 1983 Tamil riot resulted in a massive government crackdown. Over the course of this standoff 90 per cent of Tamil businesses were destroyed, 2,500 Tamils were killed, thousands of refugees went to India, 100,000 people were internally displaced and this event catalyzed the demand for an independent Tamil state.² Initially, India had a friendly relationship with the Tigers, even providing them with humanitarian aid, military supplies and training. The conflict between India and the LTTE technically began in 1986 when conflict broke out between Indian peacekeepers in Sri Lanka and the LTTE.³ This exacerbated the most commonly known LTTE terrorist attack; the assassination of Indian Prime Minister Rajiv Gandhi in 1991. Indian and Tamil Tiger relations have not improved since, as Indian judicial and military responses to the attack have targeted potential LTTE members in retaliation. Further, despite a 2002 ceasefire, there was no halt to the hostilities, partially because of a lack of discipline within the Sri Lankan army, who pursued indiscriminate, shoot-on-sight killing, and partly because of continued

¹ South Asian Terrorism Portal (SATP). 2007. "Liberation Tigers of Tamil Eelam"

<<http://www.satp.org/satporgtp/countries/shrilanka/terroristoutfits/ltte.htm>>. (April 6, 2007).

² CBC News. 2006. "Tamil Tigers: A History" June 28. <http://www.cbc.ca/news/background/srilanka/tamil-tigers.html> (April 5, 2007).

³ Ibid.; Cécile Van de Voorde. 2005. "Sri Lankan Terrorism: Assessing and Responding to the Threat of the Liberation Tigers of Tamil Eelam" *Police Practice and Research* 6:2, May, 190.

military build-up and terrorist attacks by the LTTE.⁴ Their strength was noticeable during the 2004 Boxing Day tsunami, when the LTTE forced Sri Lanka in a aid-sharing agreement, controlling approximately three billion dollars of international aid.⁵

Canada's responsibilities towards this conflict are rooted in the large Sri Lankan Tamil Diaspora within Canada, most of who arrived as refugees in the conflict between 1996 and 2001. In 1999 it was estimated that ten per cent of all refugee claims made in Canada were Tamils, and there is currently an estimated 200,000 Sri Lankan Tamils living in the GTA, making them the largest *urban* Tamil population outside Sri Lanka.⁶ Within this group, there is estimated to be approximately 8,000 Tamil Tigers currently living in Toronto, Montreal and Vancouver.⁷ This concentrated population has resulted in "Canada [becoming] the worst culprit with regard to [LTTE] funding" according the Sri Lankan High Commission in 1995.⁸ Also, the large Diaspora cover has allowed the LTTE to mask its *several* means of collecting funds, including intimidation, extortion and violence. One technique used by the LTTE has been solicitation of funds at religious gatherings and social events. Such as, in August 2001, youths set up a table in the parking lot of an Ontario Hindu temple, selling Tiger flags, videos and pictures of the leader and soliciting donations for "refugees."⁹

Second, the Tamil Tigers uses lax Canadian monitoring laws to collect a bulk of their funds through *legal* social, religious and ethnic 'front organizations.' CSIS estimates that there

⁴ Over the years, the LTTE has built up impressive capabilities, including a brown water fleet (sea tigers) which alone has 2000 personnel and 100-200 members within their suicide arm (Black Sea Tigers). Iqbal Athas, 2006. "Battles highlight Sea Tigers' capabilities," *Jane's Defence Weekly*. October 4. <http://www.janes.com>.

⁵ BBC News. 2005. "Sri Lanka leader gambles on tsunami aid," 27 June. <http://news.bbc.co.uk/2/hi/south_asia/4628125.stm> (November 1).

⁶ Mackenzie Institute. 2003. "Overseas Terrorism in Canada." <http://www.mackenzieinstitute.com/2003/other_peoples_wars3.htm#tamils> (October 15); Canada. Public Safety Canada. 2007. "Canada's new government lists the LTTE as a terrorist organization," < <http://www.ps-sp.gc.ca/media/nr/2006/nr20060410-en.asp>> (Oct 15, 2007).

⁷ *Ibid.*

⁸ Jennifer Hyndman. 2003. "Aid, migration and conflict," *Canadian Geographer* 47:3 (Autumn). 251-68.

⁹ Ajit Jain. 2001. "LTTE using temple for fundraising" September 8. Rediff.com. <http://www.rediff.com/us/2001/sep/08can.htm>. (October 1, 2007).

are eight to ten such organizations that raise money for the LTTE, including the World Tamil Movement (in Toronto and Montreal), the Tamil Eelam Society of Canada, Federation of Associations of Canadian Tamils, and the Eelam Tamil Associations of BC and Quebec.¹⁰ Some front companies operate by giving their profit directly to the LTTE and in other cases, members of front organizations go door to door soliciting funds from members of the Tamil community. As argued by John La, “Strong social networks among the Tamil diaspora, coupled with the relative openness of Canadian civil society, have made Tamil refugees vulnerable to LTTE exploitation by reinforcing transnational ties prone to manipulation.”¹¹ Families are “charged” a dollar for every day they have lived in Canada. At times, these rates can go as high as \$7,500 or \$10,000.¹² In other words, Canada is failing to protect the very people it offered sanctuary in the first place.

The third and the most ominous LTTE activity in Canada is the violent means of extortion that have come from these high financial demands. In 2005, Human Rights Watch released a report focused on Toronto that highlighted the exhortative means of the LTTE. The report notes that often the LTTE threatens individuals with bodily harm in their door to door visits. In other cases, with an extensive database of familial connections between Canada and Sri Lanka, threatens the well-being of family members back in the homeland. In addition, Tamils travelling back to Sri Lanka are detained with their passports withheld at roadblocks in LTTE controlled-areas until a pre-determined sum has been paid.¹³ Internationally, the activities of the Tamil Tigers consist of several illegal activities. For example, their money laundering, extortion

¹⁰ Peter Chalk. 1999. “Liberation Tigers of Tamil Eelam's (LTTE) International Organization and Operations - A Preliminary Analysis.” CSIS Commentary No. 70. <<http://www.csis-scrs.gc.ca/en/publications/commentary/com77.asp>> (November 1, 2007).

¹¹ John La, “Forced remittances in Canada's Tamil enclaves,” *Peace Review* 16:3 (September), 379-385.

¹² Human Rights Watch. 2006. “Funding the “Final War” - LTTE Intimidation and Extortion in the Tamil Diaspora.” 18:1. It has also been estimated that fees for Tamils in the UK have been as high as \$100,000USD.

¹³ *Ibid.*

and drug smuggling rings are run through 150 to 200 different informal money trading networks, similar and linked to the *hawala* system used by Islamic terrorist organizations. These are funded by a sophisticated network of refugee smuggling, narcotics trafficking, frauds, and extortion rings. Second, the LTTE has a historical relationship with several other terrorist organizations. Throughout its military campaigns and terror training camps, the LTTE invited Palestinian terrorist groups to share arms and train with one another in Sri Lanka.¹⁴ There are also reported arms trading with Islamic and separatist militants in Kashmir, Pakistan and Afghanistan. These illegal activities are in addition to the activity of the LTTE in Sri Lanka, which includes child soldiering, illegal detention of POWs and suicide bombing.

Despite these obvious signs of terrorist activity, the Canadian government has taken little recourse in addressing the threat posed by the LTTE. The Human Rights Watch report suggests that “In Canada, the Tamil community forms a powerful voting bloc, and many members of Parliament from ridings (electoral districts) in the Toronto area are dependent on Tamil votes,” and therefore, politicians are unwilling to address the LTTE problem.¹⁵ This was particularly true for MPs from the Liberal party, and therefore it was not until April 12, 2006, under a Conservative government that the LTTE was named a banned terrorist organization under Canada’s Anti-Terrorism Act.¹⁶

Terrorism in the Canadian Homeland – the Khalistan Liberation Movement

While the Tamil Tigers have used Canada as a base mostly for fundraising, the Khalistan movement has been one of the only organizations to perpetuate terrorist violence within Canada

¹⁴ Council on Foreign Relations. 2006. “Liberation Tigers of Tamil Eelam” August. <<http://www.cfr.org/publication/9242/>>.

¹⁵ Human Rights Watch. “Funding the Final War.” <http://www.hrw.org>.

¹⁶ The Conservative party often called for their inclusion on the Terrorist List, but it was not until they formed government that this actually occurred.

itself. The ideological roots of the organization began with Indian independence and partition in 1947. The Indian Sikh population only consists of two per cent of India's whole population, concentrated in the northwestern regions of the country. At partition, given the option between India and Pakistan, Sikhs stayed in India and were formally given their own state in 1964. It was at this time that a small group of Sikh separatists suggested the creation of an independent Sikh state called Khalistan. India's steadfast secularism rejected partition on the basis of religion, which ensured violent clashes between the groups. In addition, the growing movement was supported by Pakistan's Inter-Services Intelligence Agency (ISI), furthering Indo-Pakistani distrust at the height of India-Pakistan conflict. From this point throughout the 1970s, the movement grew larger and stronger, as Sikhs clashed with the Indian government over state-boundaries, the classification of Sikhism as a sect of Hinduism in the Constitution, party politics and as some argues, the Green Revolution.¹⁷ Then, in April 1984, a group of Sikh extremists wanted by the Indian government, led by Jarnail Singh Bhindranwale took refuge in the Sikh Golden Temple in Amristar. In response, Prime Minister Indira Gandhi raided the temple compound, killing Bhindranwale, his supporters, and a thousand civilian worshippers. The Sikh community retaliated and a few months later, Indira Gandhi was killed by her two Sikh bodyguards, resulting in an immediate backlash in the general population and anti-Sikh riots occurred across northern India, solidifying the movement.

Similar to the LTTE, Canada's relation to these events exists because of the robust Indian Diaspora. Specifically, Sikhs have been in Canada as early as 1920s to work in BC's natural resource industries and by the 1970s they became 70 per cent of Indian immigration to Canada.¹⁸ More importantly are the patterns of migration to areas in Canada, where Sikhs have large

¹⁷ Vandana Shiva. 1991. The Green Revolution in the Punjab. *The Ecologist* 21:2 (March-April).

¹⁸

communities in Surrey and Abbotsford in BC and within the Greater Toronto Area (particularly in Brampton and Mississauga), creating a natural environment for Khalistani operations. With the bulk of its operations within the UK and Canada, the major Khalistan organizations include the Babbar Khalsa (BK), Babbar Khalsa International (BKI) and the International Sikh Youth Federation (ISYF). Babbar Khalsa International is best known for its patronage to the first-ever Canadian terrorist attack; the June 1985 Air India bombing. While this event was the pinnacle of the BKI and ISYF's terrorist actions overseas, they have also been involved in a number of smaller, yet disruptive activities in both Canada and India. Like the LTTE, the Khalistan movement has found Canada ample for terrorist financing, with most of the proceeds ending up in the hands of Indian extremist groups, including the Khalistan Commando Force, Khalistan Liberation Force, Bhindranwale Tiger Force of Khalistan and the Sikh Students Federation.¹⁹ In several accounts, these groups began charging people 'memberships' at the Sikh temple (Gurudwara), and the funds ended up directly in the hands of Indian terrorist groups.²⁰

As mentioned, one of the major differences between the LTTE and the Khalistan movement has been the propensity for the latter to use violence against Canadian citizens. The Air India bombing is just one example, but Sikh extremists have also beaten and killed local dissidents. Two notable cases include Tara Singh Hayer, the editor of the *Indo-Canadian News* in Vancouver and an outspoken advocate against Sikh extremism. The 1987 attack on Hayer paralyzed and confined him to a wheelchair, until 1998 when he was eventually murdered.²¹ A more famed example is the 1985 beating of former BC Premier Ujjal Dosanjh, who was targeted

¹⁹ "Sikh Separatists," *Jane's World Insurgency and Terrorism* 17, (7 March 2003), www.janes.com

²⁰ South Asian Terrorism Portal. 2007. "International Sikh Youth Federation," <http://www.satp.org/satporgtp/countries/india/states/punjab/terrorist_outfits/ISYF.htm> (October 15, 2007).

²¹ Canada. Public Safety Canada. 2007. "Banned Terrorist List," <<http://www.ps-sp.gc.ca/>> (Oct 15, 2007).

for his comments against Sikh extremist actions during the Air India event.²² More recently, Dosanjh received threats once again from his comments about the glorifying of Air India bombers during a 2007 Vaisakhi parade in BC.²³ Of course, these examples are in addition to the assassinations and violent activity the BK and its affiliates have done in India, including the assassination of a high-level Indian government official in the 1990s.

One of the more effective techniques used by Sikh extremists has been the local politicization of the movement and its reverberating effects. In other words, mainstreaming of the Khalistan movement in Canada has effectively revived separatist activity in India. This mainstreaming consists of the inclusion of political elite as supporters of the independence movement. For example, in April 2007, Premier Gordon Campbell and several BC MPs attended and spoke at a Vaisakhi parade which included speakers such as Satinderpal Singh Gill, a former leader of the ISYF.²⁴ During this event, young Sikh men were also spotted with ISYF t-shirts, and several of the floats were decorated with pictures of Sikh martyrs, including Talwinder Parmar and Jarnail Bhindranwale.²⁵ Support for this terrorist activity has been most effective because these events have been successful in equating religiosity with the independence movement. In other words, these groups have made the association that ‘good’ Sikhs support the creation of Khalistan, which includes tacit support for the activities of the BK, BKI and ISYF.

At the international level, the extremist Khalistan movement has had long-time relationship with segments of the Pakistani government, specifically the ISI and Islamic terrorist

²² CBC News. 2007. “Sikh Politics In Canada.” June 28. <http://www.cbc.ca/news/background/sikh-politics-canada/wso.html>. (October 15, 2007).

²³ Vaisakhi is a Sikh religious holiday, which celebrates the founding of the Khalsa. *Ibid.*; C. Christine Fair, 2005. “Diaspora Involvement in Insurgencies: Insights from the Khalistan and Tamil Eelam Movements” *Nationalism and Ethnic Politics* 11:1 (April). 125-156.

²⁴ *Ibid.*

²⁵ Parmar was the mastermind behind Air India bombings and had been killed in a 1992 by Indian security forces.

groups in the region. The weight of the ISI support is significant, as noted by Lloyd and Nankivell, "... most weapons obtained by Sikh and Kashmiri militants have come from two sources inside Pakistan: the arms bazaar in Pakistan's Northwest Frontier Province (NWFP) and members of Pakistan's Inter-Services Intelligence (ISI), operating either on their own or with the tacit or explicit complicity of the central Pakistani government."²⁶ In 2002, it was widely reported that members of the ISI were actually soliciting hard-line Sikhs to begin the movement once again.²⁷

As noted in the central argument of this paper, Canada's actions against the Babbar Khalsa or any of its affiliates have been minimal. Most worrisome is the lack of general awareness within the political elite of the terrorism-promotion amongst hard-line Sikhs. Also, because of the regional concentration of Sikhs in Canada, they constitute an important voting bloc, which forces knowledgeable politicians to ignore their activities both locally and in India. As noted previously, this was exemplified by the attendance of numerous politicians at the Vaisakhi parade in April 2007.

Canada's International Interests - Kashmir, Pakistan and Afghanistan

Kashmir liberation movement has been taken up by multiple terrorist organizations of differing objectives, as some are secular, some are Islamic, some are local, and some have international roots. One of the larger and most important groups fighting for Kashmiri independence has been Lashkar-e-Toiba (LeT), a Pakistan-based group associated with the Afghani Mujadeen fighters. LeT was formed in 1986, as the military branch of a Pakistani

²⁶ Jessie Lloyd and Nathan Nankivell, Department of National Defence, Canada. 2002. "India, Pakistan and the Legacy of September 11th" Cambridge Review of International Affairs 15:2, 284.

²⁷ Rediff India. 2002. "ISI trying to revive terrorism in Punjab: Report" December 22. <<http://www.rediff.com/news/2002/dec/22isi1.htm?zcc=rl>> (October 2007).

madrassa called the Markaz-ad-Da'awa-Wal-Irshad (MDI).²⁸ This madrassa itself was formed during the Soviet invasion of Afghanistan in the 1980s, and was used as a recruitment base for Mujhadeen fighters. Yet, the LeT does not work independently in Kashmir as it has both formal and informal links with the dozens of groups in the independence movement. These other groups include the Kashmir Liberation Front, Jaish-e-Mohammed, Harakat-ul-Mujhadeen and *al Qaida* itself. Canadian implications of the Kashmiri terrorist groups do not have a strong domestic component like the LTTE or the Sikh extremist movement. But, the case is important to review because Kashmiri separatism *does have* important implications for Canada's international priorities in Afghanistan and its role in the Global War on Terror.

First, because the LeT is known to be associated with at least ten other extremist groups in Kashmir, Pakistan and Afghanistan, Canada's strategic objective in Afghanistan is not an entity with a single leader or objective.²⁹ Rather, the diversity within the Islamic movement has proved to be more effective in detracting NATO troops in Afghanistan. As noted by members of the Canadian forces, troops in Afghanistan have entered the conflict with the assumption that *al Qaida* and its counterparts are fairly monolithic, and take 'orders' from the same sources, whereas this is not nearly the case. Second, while these groups have focused the bulk of its activities on Kashmir, for the LeT (and its counterparts) Kashmir is not the only objective they have in this region. Instead, the LeT sees Kashmir as the beginning of an India- and region-wide Islamic revolution.³⁰ Instead of containing these groups, to a large extent, the American-led war in Afghanistan has allowed for an internationalisation of this once-local conflict. The evidence for this growing movement is clear, for the last few decades India has been the main target for

²⁸ E. Blanche; Peter Chalk et al. suggest that this date is 1993.

²⁹ Shaun Gregory, "The ISI and the War on Terrorism" *Studies in Conflict & Terrorism* 30:12 (December), 1013 - 1031

³⁰ There have been suggestions that LeT has also moved towards other venues for terrorist activity, including Australia (as a member of the Coalition of the Willing). Some suggest they may have been involved in the

terrorist attacks (including the December 2001 attack on the national Parliament, the 2006 bomb blasts in Mumbai and the 2005 attacks in Delhi).³¹ In January 2002, President Musharaff announced his decision to support the United States in its War on Terror over its former Taliban allies in Afghanistan. While Musharaff followed through on this promise by either registering legal and closing illegal madrassas, this opened up Pakistan as a legitimate target for groups, as shown by the bombings in Karachi in 2002.³² Third, the international reach of LeT and its associated organizations is their sophisticated network across Asia and the Middle East, as shown that terrorists as far as Syria have fought within the Kashmiri independence movement. One of the major actors includes ISI in Pakistan, as shown by its historic relationship which has provided funding, weapons and training to these terrorist groups. Musharaff's 2002 crackdown has further instigated divisions within his own government as the ISI has maintained its *illegal* relationship with terrorist groups, while the President is working against these entities. In a country where insurgents were once able to roam freely, the Pakistani government was closing down and arresting suspected terrorists.

Distracted by its commitments in Afghanistan and despite its knowledge of the fractured Pakistani government, Prime Minister Harper and previous governments have looked to Pakistan as its primary South Asian ally. Yet, obviously missing from Harper's vision of its South Asian military engagement, were India's anti-insurgency measures on the sub-continent. India has a similar desire to promote internal stability within *both* Afghanistan and Pakistan.³³ This being said, Canada's Conservative government has been much more willing to engage Pakistan,

³¹ BBC News. 2001. "Parliament Suicide Attack stuns India." 13 December. <http://news.bbc.co.uk/2/hi/south_asia/1708853.stm> (October 1); CNN. 2005. "Blasts in New Delhi kill 55" October 30. <<http://www.cnn.com/2005/WORLD/asiapcf/10/29/india.explosion/index.html>> (October 1, 2007); CBC. 2006. "190 dead in Mumbai railway bombings" July 11. <<http://www.cbc.ca/story/world/national/2006/07/11/mumbai-trains.html?ref=rss>> (October 10, 2005).

³² BBC News. 2002. "Karachi Bomb suspects arrested." 9 July. <http://news.bbc.co.uk/2/hi/south_asia/2116050.stm> (October 10, 2007).

³³ *Ibid.*

despite its issues with the AQ Khan network supplying dual-use technology to both North Korea and Iran. India itself notes that “Canada also follows an “even-handed” approach vis-à-vis India and Pakistan, refraining from acknowledging in unequivocal terms the fact of Pakistan’s sponsorship of terrorism in J&K.”³⁴ While Prime Minister Harper has made major diplomatic efforts to engage in Pakistan, urging the country to control insurgent movement across the border, it has forgotten India’s role in securing the region.

Canada’s Current Counter-Terrorism Measures with India

Canada’s response to international terrorism from 9/11 has been immediate but its effectiveness questionable. One of Canada’s most visible responses to 9/11 is its commitment to the war in Afghanistan, where Canadian Forces are involved in anti-Taliban and *al Qaida* counter-insurgency combat. On the domestic front, Canada has worked with Americans to create a ‘smart border’ which will effectively scrutinize people crossing the Canadian-US border, protect critical infrastructure, and screen cargo and other goods crossing the border. The smart border initiative aims to meet these goals without undermining the economic benefits of having uninterrupted passage to low-risk travellers. In this vein, the Canadian government also created two agencies, CATSA and Canadian Border Services, to oversee the protection of Canada’s transportation system. In addition, Canada introduced its anti-terrorism bill, which has made amendments to several of the criminal code in order to facilitate the capture of terrorists and their prosecution. The publication of a national banned terrorist list has allowed Canada to publically denounce groups involved in international terrorism.³⁵ While these actions have addressed

³⁴ India. Consulate General of Canada. 2004. “India-Canada Bilateral Relations.” <http://www.cgitoronto.ca/india_canada_bilateral_relations.htm> (July 9, 2007).

³⁵ Canada. Safe Canada.ca. 2007. “Anti-Terrorism Activities” <http://www.safecanada.ca/link_e.asp?category=6&topic=45> (September 29, 2007).

certain elements of post-9/11 terrorism, they also suggest that Canada's vision of the terrorist threat is myopic, addressing Islamic terrorism but not generating policy tools for the terrorist organizations discussed in the first half of this paper. In other words, the measures adopted by the country are a response to the politicization of the attacks in the US, rather than a proper assessment of potential terrorist activity within Canada.

Therefore, this section must ask two important questions: what measures has the Canadian government taken to *specifically* address the threat posed by South Asian terrorism and how effective have these measures been? In its assessment, this section also makes recommendations for what measures should be adopted by Canada to address this threat. This section will address these questions using a levels-of-analysis approach, examining Canada's domestic, bilateral and international counter-terrorism mechanisms.

Domestic Responses

An underlying theme of this paper underscores the need to examine to Canada's domestic policies to prevent of the 'creation' of terrorists, instead of prioritizing measures to prevent terrorist *events*. In other words, Canada is a country with a rare opportunity to be able to address root causes of terrorism within its counter-terrorism policy. A case-in-point is the role of multiculturalism within Canada. The government needs to ask why ethnic groups feel alienated and need to resort to insurgent activities? While Canada has spent much time negotiating the meaning of 'tolerance,' the country has not reconsidered its integration policies for new immigrants. Some suggestions within current sociological literature suggest that the 'ghettoization' of these groups result in disassociation with their host country.³⁶ For example,

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the areas that harbour terrorists are some of the most alienated regions of the country, such as the aforementioned regions in BC and within the GTA.

This issue also reflects the lack of awareness in policy-making circles of the nuances of the immigrant and minority populations within the country. One of the first steps in this direction is a better of the dynamics within immigrant communities, and a differentiation of those who instigate ‘hate’ behaviour from those who are victimized and stigmatized by this activity within the community. Currently, minority groups in Canada are treated as a monolith without differentiation between moderate and fundamentalist elements of these populations. Once this differentiation becomes part of the government psyche, only then can it take measures to protect Canadian civilians and inhibit terrorist foundations in both its fundraising and recruitment capabilities. A lack of knowledge about the population’s diversity not only undermines Canada’s abilities to gather intelligence, but also signals to extremist elements of the population that their activities will effectively be ignored due to a simple lack of awareness within political and judicial circles. A perfect example of this failure was the handling of the Air India case, as it not only showed that Canada was unwilling and unable to address the threat the terrorist groups presented, but it also was a sign to many South Asians that were victimized by the attack that it was considered a ‘foreign problem’ instead of a Canadian one.

Third, there is an inherent assumption that the way to deal with terrorist activity is to restrict immigration from places such as India. Right-wing think tanks like the Fraser Institute promote the idea of restricting immigration and refugee channels by assessing terrorism as a “foreign” issue.³⁷ Yet, this idea raises its own problems. First, restricting immigration does not work in a state like Canada, which is dependent on its immigrant population to fill crucial sectors

³⁷ Fraser Institute. 2002. “Canada’s Immigration System Deeply Flawed” June 13. <http://www.fraserinstitute.org/commerce_web/article_details.aspx?pubID=3240> (October 10, 2007).

within the economy. This is particularly true of South Asian groups, as second-generation Indians have become some of the most educated and wealthy immigrant groups in Canada.³⁸ Second, this assumes that the people that are arriving in Canada are those with the intention to contribute to insecurity. This is not necessarily the case, as the majority of those coming to Canada are coming legitimately, including doctors, lawyers, teachers and engineers. Third, the association between immigration and terrorism does not address the problem of “home-grown” terrorism. These groups include would-be terrorists similar to those arrested in the Toronto raids in June 2005, but also in youth wings of organizations such as the World Tamil Organization and the International Sikh Youth Federation. In all three of the case studies presented above, recruitment of youth has been a major objective for these terrorist groups within Canada.

One example of a proactive measure in this regard is for reforms within Canadian security agencies to address the needs of the ethnic communities. For example, security agencies should push the hiring of ethnic people within the RCMP, Crown Prosecutor’s Office and CSIS. Having community members within the intelligence communities eliminates the requirement of translators (language and translation was a major barrier during the Air India case), or the lengthy process of contact-building within the community.³⁹ Finally, it would be a symbolic move to ensure non-extremist members of the ethnic communities that Canadian measures are adequate to protect them from other fundamentalists.

Further, the inability for Canadian judicial mechanisms to effectively prosecute deliberate acts of terrorism has undermined confidence in Canada’s abilities to stop terrorist activity. There are three corresponding examples that highlight this argument. First, the Air India case is the

³⁸ Statistics Canada. 2007. “The East Indian Community in Canada.” <http://www.statscan.ca>

³⁹ Toronto Star. 2007. “Canadians Lining up to join spy agency.” May 12.

<<http://www.thestar.com/News/article/213181>> (October 15, 2007).

most contemporary example of the growing “lack of faith” in the Canadian judiciary’s ability to be an effective counter-terrorism organization. Pressures from both Indo-Canadians and Indian diplomatic channels failed to force action to find a resolution for the attack. In addition, there were several levels of *inadequacy* that have undermined resolution of the case. For example, since the outcome of the case and the launch of the Air India inquiry, it has come to light that both CSIS and the RCMP were alerted by several sources that the bombing would take place. One example was the testimony of Ontario Lieutenant Governor James Bartleby, who was “chastised” by an RCMP officer when he hand-delivered intelligence documents about the bombing.⁴⁰ In addition to domestic sources of intelligence, the Indian Embassy itself had sent warnings to Canadian authorities vis-a-vis its intelligence about a bombing on an Indian airline. Further, during the Air India Inquiry it came to light that CSIS had gathered its own intelligence that Sikhs were being warned not to travel on flights between Canada and India.⁴¹ Yet, none of these indications instigated these agencies to follow through on these clear threats to Canada.

Scholarly literature on intelligence failures argues that intelligence consumption in states, including those with sophisticated capabilities like the US, still have many points for failures leading to catastrophic mistakes.⁴² The success of intelligence analysis, efficiency, and data accumulation have inverse relationships to one another, much to the chagrin of intelligence agencies. This paper, despite criticisms of CSIS and the RCMP, recognize that intelligence is a difficult, time-consuming and sometimes ‘success-less’ activity. In addition, this paper does not deny that both organizations have had previous successes in their counter-terrorism measures.

⁴⁰ CBC. 2007. “RCMP, CSIS knew of threats to Air India: documents.” (May 6)
<<http://www.cbc.ca/canada/story/2007/05/06/airindia-inquiry.html>> (November 1, 2007).

⁴¹ CBC. 2007. “Canadian agencies were warned of Air India attack in advance.” (April 30)
<<http://www.cbc.ca/canada/story/2007/04/29/airindia-inquiry.html>> (November 1, 2007)

⁴² Richard K. Betts, 1978. "Analysis, War and Decision: Why Intelligence Failures Are Inevitable," *World Politics* 31 (October), 61-89.

Yet, the obviousness of the mistakes made by during the Air India case, and then subsequent cover up of these mistakes, has stained the reputation of the Canadian counter-terrorism abilities in both the ethnic and majority Canadian population. As Gordon Smith *et al* report, one explanation of these failures much of this has to do with the failures of the overseas Canadian intelligence gathering capabilities. They argue, “If, for example, Sikh terrorists living in Canada respond to events in India as they have in the past, it makes sense for Canada to do more than rely on India’s security agencies to provide information to us.”⁴³ To address this problem Smith *et al* argue that Canada needs an internal foreign intelligence agency to support the activities of organizations like FINTRAC, CSIS and the RCMP. They take note that states with smaller populations than Canada, in the Western world, have more robust and effective intelligence agencies used for both domestic and foreign intelligence gathering.

Another element of the Air India inquiry that has brought Canadian counter-terrorism abilities into question is the inability for national agencies to work with one another. Rifts between CSIS and the RCMP failed to pass on sensitive information within the Air India case. This also leads to the assumption that there could also be less publicised incidents of inter-agency conflict undermining successful action against terrorist groups.⁴⁴ With the evidence stacked against the LTTE, there is a high probability that intelligence has been overlooked as a result of the cooperation problem between agencies. As argued during the proceedings of Proceedings of the Special Senate Committee on the Anti-terrorism Act “We must never again allow rifts between agencies to stand in the way of national security and effective prosecution of

⁴³ Gordon Smith et al. 2007. “A Threatened Future: Canada’s Future Strategic Environment and its Security Implications” CDFAI. Found at: <http://www.cdfai.org/PDF/FSE2007.pdf>.

⁴⁴ LTTE

terrorists in Canada, as happened in the Air India 182 case.”⁴⁵ In this light, there needs to be a formalization of the intelligence-sharing practices between agencies, therefore sensitive information does not get overlooked by one or the other group.

Another second example of judicial mechanisms being unable to address Canadian threats to terrorism is the lack of protection for citizens harassed for monetary collection by front organizations and other groups. In the case of the LTTE, it has been noted that often local police are not able to follow up on door-to-door fundraising cases, because there is little *proof* of illegality or threat of physical harm. This example is symptomatic of both the sophistication of terrorist manipulation and authorities’ difficulties to track the criminal activities of these groups. As mentioned, one measure of institutional reform lies within the intelligence gathering capacity of the government in CSIS. The second is the expansion of the role of FINTRAC, the money-laundering and terrorist-financing watchdog of the federal government. Despite having legislation against terrorist financing since 2001, this organization has been unable to prosecute even one person under their legislative guidelines.⁴⁶ Part of this problem has to do with the capabilities endowed onto FINTRAC. While the agency had tracked five billion dollars of “suspicious” cash flow in 2005, its mandate is to send these reports to CSIS, which in turn does its independent investigation of these transactions.⁴⁷ In an already high-demand agency like CSIS, follow-up of these transactions is challenged by oversight and expediency. Therefore, measures to expand the roles and responsibilities to FINTRAC to follow up on these would allow for a more consistent identification of front organizations and their Canadian operations.

⁴⁵ Canada. Parliament of Canada. 2005. “Proceedings of the Special Senate Committee on the Anti-terrorism Act” November 21. <<http://www.parl.gc.ca/>>

⁴⁶ Financial Transactions and Reports Analysis Centre of Canada (FINTRAC). 2007. “Who we are.” <<http://www.fintrac.gc.ca/intro-eng.asp>> (November 2, 2007).

⁴⁷ Honourable Jim Flaherty, Minister of Finance. 2006. “Opening of the First Plenary Meeting of the 18th Session of the Financial Action Task Force” October 11. ><http://www.oecd.org/dataoecd/17/44/37558772.pdf>>

The potential for effective action exists within Canada, but in the meantime the heavy counter-terrorism work is being done by Canadian allies. For example, there are several cases of arrests within other countries against groups that *operate primarily* within Canada. In August 2006, American authorities arrested a dozen members of the Tamil Tigers for charges of purchasing illegal arms and fundraising for terrorism. Interestingly, six of these arrests were of Canadian-based Tamil Tigers who crossed the border to purchase surface-to-air missiles and AK-47 guns.⁴⁸ In this case, there were two arrests that occurred in the GTA in Canada, but on provisional warrants, extraditing these individuals to the United States for criminal charges. Even more recently, two Tigers were arrested in May and one more in July 2007 in Australia for fundraising for terrorist activities.⁴⁹ Then, on November 3, 2007, the UK has placed the leader of a break-away faction of the LTTE on immigration detention during a border raid in the UK.⁵⁰ While the measurement of Canadian success should not be made on the basis of other states, it does lead to the question of why FINTRAC, CSIS or the RCMP have not been as effective in their ability to track and arrest local members of terror groups.

Bilateral Canada-India Responses

Canada's bilateral relationship with India to its mutual terror threats has been dismal. Not only did Canadian security authorities ignore investigations over the Air India case for 20 years, efforts to stem terrorist financing within Canada have been addressed with token

⁴⁸ Christine Kearney, 2006. "U.S. Arrests Suspected Tamil Tiger Supporters - Probe Focused on Weapons and Cash." Tuesday, August 22. A09. <<http://www.washingtonpost.com/>>; CTV News. 2006. "Canadians linked to Tamil Tiger arrests in U.S." Tuesday, Aug. 22 <<http://www.ctv.ca/>>

⁴⁹ BBC News. 2007. "Tamil rebel' arrested in Sydney" July 10. <http://news.bbc.co.uk/1/hi/world/south_asia/6286794.stm> (October 3, 2007).

⁵⁰ BBC News. 2007. "UK detains breakaway Tamil leader" 3 November. <http://news.bbc.co.uk/2/hi/south_asia/7076248.stm> (October 3, 2007).

measures, and counter-terrorism efforts in South Asia (read: Afghanistan) have occurred without little consultation with India. Despite their abnormally high level of interdependence over terrorism, they have not formed any unique bilateral association to address these issues.⁵¹ Interestingly, response to the Air India bombing has been both a proactive and inactive point in Canada-India relations. In 1987, just two years after the bombing, the two states signed an Extradition Treaty, meant for people involved in terrorist activities in either state. This was a significant gesture from both parties, as just five years previous; Canada was unwilling to extradite Talwinder Parmar to India on the basis that “that India does not recognize the Queen as Head of State, so that the Commonwealth extradition protocol does not apply.”⁵² Despite this extradition treaty signed between the two states, Canada has used this as a band-aid measure, which it incidentally also shares with fifty other states, but does not provide a unique solution to their specific strategic needs.⁵³ Instead, the solution to this relationship lends itself to a review of the bigger picture of Canada-India relations. Decades of disinterest and even hostility between the two states has lent itself to an impasse in counter-terrorism measures.

This missing counter-terrorism link can be somewhat explained by a sour relationship between India and Canada. A once positive relationship, the decline in India-Canada relations began with India’s first nuclear tests in 1974 with the help of the CANDU reactor. Further, Canada-India bipolar tensions were dependent on India’s Cold War relationship with the USSR, following the formalisation of their relationship with the 1971 *Treaty of Peace, Friendship and Cooperation*. Minor improvements in Canada-India relations were a result of India’s economic liberalization and growth through the 1980 and 1990s. Yet, India’s 1998 nuclear declaration once

⁵¹ The joint working group on counter-terrorism will be discussed subsequently in this paper.

⁵² CBC News. 2006. “Air India – Evidence Part 1” July 18.

⁵² <http://www.cbc.ca/news/background/airindia/evidence1.html> (October 12, 2007).

⁵³ Arthur G. Rubinoff, 2002. “Canada's Re-Engagement with India” *Asian Survey* 42:6 (Nov-Dec), 838-855.

again earned the condemnation by major and middle powers. Interestingly, Canada was particularly severe in its response, recalling its High Commission, cancelling CIDA programs, suspending trade talks, opposing India's request for World Bank loans, challenging its Security Council permanent seat bid and taking an anti-India stance in subsequent G8 meetings.⁵⁴ Instead, Canada's governments have been much more willing to engage its Cold War relationships with Pakistan, *despite* its issues with the AQ Khan network supplying dual-use technology to both North Korea and Iran. India itself notes that "Canada also follows an "even-handed" approach vis-à-vis India and Pakistan, refraining from acknowledging in unequivocal terms the fact of Pakistan's sponsorship of terrorism in J&K."⁵⁵

The potential for a Canada-India partnership was furthered in 1997 when, in response to the continuing threat of Sikh terrorists, the two countries formed the Joint Working Group on Counter-Terrorism. The first of its kind, the group was formed to "Strengthen cooperation in the global campaign against terrorism through the bilateral Joint Working Group on Counter-terrorism (JWG) and through cooperation in multilateral fora."⁵⁶ Despite attempts to use the group to improve relations between the two states, provide a forum for discussion about the Kashmir regional issue and of course, determine counter-terrorism mechanisms between the states, the JWG has only been conducted as a diplomatic exercise. More specifically, the group has been of little consequence, maintaining a low-political profile, meetings attended by bureaucrats rather than high-level politicians and receiving lip-service during joint statements between the two states.⁵⁷

⁵⁴ Rubinoff, "Canada Re-engagement," 850-.

⁵⁵ India. Consulate General of Canada. 2004. "India-Canada Bilateral Relations." <http://www.cgitoronto.ca/india_canada_bilateral_relations.htm> (July 9, 2007).

⁵⁶ India has subsequently signed similar treaties with other Western states including a fairly active group with the United States. Canada. 2003. "Canada and India commit to further strengthening their relations." October 24. <http://geo.international.gc.ca/asia/main/country/joint_statement_cnd_india-en.asp>. (November 1, 2007).

⁵⁷ *Ibid.*

Despite this dismal review, the Group does have minor successes that can be attributable to its existence. First, the JWG has provided a forum for discussion between the two states, where both parties can air their grievances to the other state. For example, during the 7th meeting of the group in April 2005, the parties discussed the matter of terrorist financing, eventually deciding that the two states would share financial information of terrorist groups to better track monetary flows from charity groups and NGOs. This included a discussion and brainstorming sessions for both states to undermine the use of the *hawala* system of monetary exchange. Further, the two states discussed, as a growing relevance to the mission in Afghanistan, the relationship between the drug trade and terror-financing.⁵⁸ This session ended with a mutual agreement for intelligence sharing and “capacity-building.” Second, another positive outcome of the JWG is its *continued potential* to develop a relationship between the states. In other words, with the current framework of the JWG, Canada and India have a pre-existing forum with which to develop a counter-terrorism structure.

The effectiveness and growth of this organization depends on the larger relationship between India and Canada. While in the past India was not on the Canadian “radar” for bilateral relations, with India’s rapid ascent to major power status, Canada has ceased to be within India’s international scope. Therefore, to address the issue of larger strategic relationship, Canada needs to ensure that India recognizes their interdependence. This paper advocates a new strategic relationship between Canada and India, Canada’s pursuit should not be solely military or strategic. Rather, it argues that a multifaceted approach to engaging India would have long-term benefits. Economically, the objective Canada should pursue would be as follows; first, capitalise on the growing skilled-labour Indian Diaspora in India. It has been estimated by 2010, Indians

⁵⁸ *Ibid.*

will have surpassed Chinese immigrants as the largest visible minority group in the country.⁵⁹ Further, its recent strategy to focus on financing and trade within small and medium sized businesses has the potential to benefit both countries immensely. Another facet would be relationships in the energy sector, where India has recently begun offshore exploration in the Indian Ocean. To create a more hospitable relationship between the two countries, Canada could also support the Indian bid for a permanent seat in the UN Security Council.

International Responses

Canada's international responses to the War on terror are multiple, including its signatory status on the UN Security Council Resolution 1373 and 1377 on anti-terrorism. Its largest and most consuming contribution has been in the war in Afghanistan with Canadian troops in the region, for the most part, since 2001. In the 'reconstruction' of Kandahar province, the Canadian PRT has not only had to act in a military role, but also in a political and humanitarian capacity. Yet, it is Afghanistan which provides the nexus of the relationship between Canada, India and the three terrorist groups discussed in this paper. In the sections above, it was shown that all three groups use the informal channels of trade and monetary exchange between Afghanistan-India-Pakistan to further their terrorist objectives. In this way, it is imperative that Canada engage India in its attempts to connect with the population, achieve political and military success, and stop terrorist activity stemming from the region.

Canada and NATO powers do not seem to recognize India's instrumental role in the mission to Afghanistan. Besides the institutional relationship between India and Afghanistan's governments, Hamid Karzai and both the BJP and Congress governments have a long standing friendship that has been based on a historical and cultural relationship between India and the

⁵⁹ *Ibid.*

Northern Alliance/United Front fighters. In light of this relationship, despite still being a net aid-recipient, India has committed \$700 million dollars in financial and humanitarian support to the Karzai government since the 2001 intervention. As a sign its geographic proximity to Afghanistan, India was one of the first donors of humanitarian aid and major supporter of the Karzai government after the 2001 invasion, sending food and other material shipments into the country.⁶⁰ Interestingly, one of the first humanitarian shipments sent by India to Afghanistan was five million dollars worth of Indian movies, which are significantly popular amongst Afghans. In a struggle of ‘hearts and minds,’ India’s cultural ties to the population would prove to be an important influence in the conflict. Building on this pre-existing link, all while facing an insurgent enemy and an unreliable Pakistan, Canada could capitalise on the strategic links to India.

Second, and more global in scope is India’s common struggle with terrorist and insurgent activity in the region. Since the end of the Soviet war in Afghanistan, India has seen a resurgence of terrorist activities occurring within areas of Jammu and Kashmir. Therefore, India has a similar desire to support Northern Alliance activity and promote internal stability within *both* Afghanistan and Pakistan.⁶¹ Displaced persons, distrust of authority, poor economic conditions, conflict, and lack of opportunity within these states perpetuates insecurity for India. Insurgents from both states train terrorist groups that have attacked Indian posts and civilians within areas of Kashmir. In addition to cross-border terrorism, the influx of people from Afghanistan has perpetuated general anti-India sentiment within Pakistan. Afghanistan-trained terror groups, used Pakistan as a convoy to create disturbances in the India-controlled regions of

⁶⁰ Government of India, “Speech of the Minister of State for External Affairs Shri Digvijay Singh at the Conference on “Rebuilding Afghanistan, Peace and Stability” 2002. Found at: <http://meaindia.nic.in/speech/2002/12/02spc01.htm>; BBC News. “Afghanistan’s Influential Neighbour,” 11 April 2006, <http://news.bbc.co.uk/2/hi/south_asia/4897406.stm>.

⁶¹ *Ibid.*

Jammu and Kashmir. In addition, these rebels were also training members of the Kashmiri Liberation Front for internal disturbances within India's borders. Therefore, India's long-term struggle with terrorism has a direct correlation with the difficulties faced by Canadian troops in Southern Afghanistan. Engaging with India on this front requires more than a dialogue between these states, rather than a "blinders" led vision of the situation in Afghanistan.

Therefore, the policy suggestions driven from this discussion conclude that Canada must use the JWG on counter-terrorism as a point of first contact with India. Second, NATO could insist that India open up a 'second-front' of the war on terror, by stepping up its counter-terrorism activities in Kashmir. Third, India must be included in dialogue between NATO countries and Pakistan. As India has years of negotiation with Pakistan on this issue, it would be beneficial to both parties to consolidate their pressure on Pakistan to control its extremist issues. Fourth, while India may not want to contribute militarily to the war in Afghanistan, it may be in a position to send NGOs, a 'reconstruction' team and humanitarian contributions to the country, thereby freeing up precious NATO resources. In this vein, India would have the opportunity to prove itself worthy of the major power status it reaches for, the ability to train and work alongside NATO troops and also, the chance exert some control over the outcome of the efforts in the region, which is important for its long-term stability.

Conclusions

In its survey of the Canada-India against terrorism, this paper has shown that the two countries have multiple links through violent, non-state actors, including terrorist financing, intra-state criminal violence and threats to Canada's international interests. In this vein, the paper argued that there needs to be a revitalization of Canada's counter terrorism measures in

three areas. First, at the domestic level, Canada needs to build the confidence and capabilities of its judicial and intelligence organizations. Second, at the bilateral-level, Canada and India need to move away from their historic Cold War tensions and reinvent their strategic relationship, especially in the area of counter-terrorism. Third, to address the issue of Canada's international goals in Afghanistan, it would strongly benefit both countries to help one another over the threat emanating from Afghanistan.

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