

OUT/LAW IMMIGRATION NEWSLETTER

ISSUE 6

Welcome to the 6th issue of the Out/Law Immigration Newsletter. Newsletters are issued periodically when we have information of interest to persons considering immigrating to Canada. If you do not want to continue receiving newsletters or email from us, please contact Rob Hughes at rhughes@smith-hughes.com and request to be removed from the list.

Winnipeg Herald, Manitoba Canada
June 2, 2006

The flood of American liberals sneaking across the border into Canada has intensified in the past week, sparking calls for increased patrols to stop the illegal immigration. The actions of President Bush are prompting the exodus among left-leaning citizens who fear they'll soon be required to hunt, pray, and agree with Bill O'Reilly.

Canadian border farmers say it's not uncommon to see dozens of sociology professors, animal-rights activists and Unitarians crossing their fields at night.

"I went out to milk the cows the other day, and there was a Hollywood producer huddled in the barn," said Manitoba farmer Red Greenfield, whose acreage borders North Dakota. The producer was cold, exhausted and hungry. "He asked me if I could spare a latte and some free-range chicken. When I said I didn't have any, he left. Didn't even get a chance to show him my screenplay, eh?"

In an effort to stop the illegal aliens, Greenfield erected higher fences, but the liberals scaled them. So he tried installing speakers that blare Rush Limbaugh across the fields. "Not real effective," he said. "The liberals still got through, and Rush annoyed the cows so much they wouldn't give milk."

Officials are particularly concerned about smugglers who meet liberals near the Canadian border, pack them into Volvo station wagons, drive them across the border and leave them to fend for themselves.

"A lot of these people are not prepared for rugged conditions," an Ontario border patrolman said. "I found one carload without a drop of drinking water. "They did have a nice little Napa Valley cabernet, though."

When liberals are caught, they're sent back across the border, often wailing loudly that they fear retribution from conservatives. Rumors have been circulating about the Bush administration establishing re-education camps in which liberals will be forced to drink domestic beer and watch NASCAR races.

In recent days, liberals have turned to sometimes-ingenious ways of crossing the border. Some have taken to posing as senior citizens on bus trips to buy cheap Canadian prescription drugs. After catching a half-dozen young vegans disguised in powdered wigs, Canadian immigration authorities began stopping buses and quizzing the supposed senior-citizen passengers on Perry Como and Rosemary Clooney hits to prove they were alive in the '50s.

"If they can't identify the accordion player on The Lawrence Welk Show, we get suspicious about their age," an official said.

Canadian citizens have complained that the illegal immigrants are creating an organic-broccoli shortage and renting all the good Susan Sarandon movies. "I feel sorry for American liberals, but the Canadian economy just can't support them," an Ottawa resident said. "How many art-history majors does one country need?"

In an effort to ease tensions between the United States and Canada, Vice President Dick Cheney met with the Canadian ambassador and pledged that the administration would take steps to reassure liberals, a source close to Cheney said. We're going to have some Peter, Paul & Mary concerts. And we might put some endangered species on postage stamps. The President is determined to reach out," he said.

Canada still a model for the world — for now But Tory policies may change all that

Jun. 17, 2006. 09:20 AM

[JAMES TRAVERS](#)

So many have said it so often that its origins are now as obscure as the sentiment is comforting. From Irish rock star Bono to Liberal leadership frontrunner Michael Ignatieff, an international who's who holds dear that the world needs more Canada.

Now, add to the list most speakers at this week's Canada 2020 conference and schmooze fest. In no particular order and each in his own way, former U.S. vice-president Al Gore, development crusader Jeffrey Sachs and homegrown demographer Michael Adams all argued that this isn't just a country, it's a model.

After exploring national attitudes toward the self-evident challenges of multiculturalism, Adams established one of many memorable themes of a gathering that trekked from fiscal federalism to national branding. "I think the world is cheering for Canada," he said. "If Canada works, maybe human beings aren't so bad after all."

It's a nice thought only tempered by the "if." In the first months of Conservative rule, Canada's role as the international poster child for tolerance and social justice — not to mention peace, order and good government — is hardly certain.

Why? Because in punishing Liberals for their sins, voters elected a minority government with a very different set of policies, objectives and values.

As Adams emphasized — perhaps just to give Liberals hope — there's shallow support for Conservative policies tilting right toward authoritarian law and order, market-obsessed economics and weak environmental protection. Buried in Adams' statistics is a notion Liberals still nurture: Voters will soon put the universe back on track by rescuing the natural governing party from the black hole of opposition.

Serendipity and an inspirational new leader might still make that happen. But polls suggest Canadians are content with their vacation from a party that promised more than it delivered on everything from medicare and democratic reform to ethics.

Crowds are famously wise and Canadians may be astutely endorsing the lesser evil. Rebirth could be years away for a Liberal party controlled by elites and lacking the policy courage that made Canada the world's envy.

Former deputy prime minister John Manley was on target in telling the conference that progressive ideas lifted Canada to where it is today and are needed now to hold its place in the vanguard of nations that are economically competitive, socially inclusive and environmentally conscientious.

Those are more than abstract concepts. Canada is changing direction to a destination that will make it more like its southern neighbour and less a distinctive international citizen.

That won't make conservatives squirm, but it's an anathema to the mostly Liberal crowd that gathered in not-so-wild Quebec. Sachs, an American and a world-renowned economist, packaged the counter-sentiment this way: "We depend on Canada for sanity in North America; that's your job."

Job descriptions differ. Still, many Canadians recognize themselves making peace rather than war, living together instead of behind walls and balancing wealth creation and a green Earth.

That self-image was fuzzy before Conservatives took power. With the caveat that the military would retain enough muscle to intervene in Darfur and Haiti, Liberals committed to Afghanistan, ignored growing immigration as well as integration problems, and did little to keep the country pristine.

Stephen Harper could almost effortlessly outperform his predecessors with policies that put more weight on results than dogma. But so far, his government is tinkering on the domestic policy fringes while encouraging the country to drift both right and south. Given enough time on the current course, Conservatives will ensure that neither Canadians nor their once admiring foreign audience will recognize the place. It will be fighting more wars that can't be won, the gap between rich and poor will grow and it will confirm its place among polluting pariahs.

That's not inevitable. As participants demonstrated here, there are ways for the country to help others while safeguarding itself, to free the working poor from institutionalized poverty and to grasp prosperity without plundering the planet.

It only requires the innovative and enlightened self-interest that gave the world peacekeeping and Canada decades of respect. Yes, the past is a different country, but there is now a beckoning opportunity for any political party able to push ahead rather than slip back.

Giving a needy world more Canada is not the first priority. The task is to recognize and seize the bold and pragmatic policies that will again make Canada more like itself.

For leaders courageous enough to look, those ideas are waiting to be found.

http://www.thestar.com/NASApp/cs/ContentServer?pagename=thestar/Layout/Article_Type1&call_pageid=971358637177&c=Article&cid=1150494609349

Nations get 'wake-up' call about aging workers

By Tavia Grant

The Globe and Mail (Canada), June 6, 2006

<http://www.theglobeandmail.com/servlet/story/LAC.20060606.RDEBT06/TPStory/>

Aging populations are set to make a mess of the world's public finances in the decades ahead, and could cause government debt to hit speculative grades everywhere except Denmark, Austria and Canada, Standard & Poor's Corp. says.

The New York-based credit-rating agency ran some models about the state of the world in 2050, and the overall picture isn't pretty.

The world's population is expected to swell to nine billion by the middle of the century from 6.5 billion now, and get a whole lot older. The median age of the world's population by then will reach 38 years, a decade older than today, according to United Nations estimates.

The study looked at the impact of current trends in state pension and health care spending on creditworthiness of 32 industrialized nations. It found that, without changes in their fiscal stance or policies, most of the countries' ratings would sink to speculative grade by 2050.

In short, they could be much more likely to face defaults.

'For many countries, it's a wake-up call to the creeping effect of the demographic realities,' said Nikola Swann, credit analyst and author of the Canadian version of the report to be released today. 'The basic demographic root of the problem is a shrinking labour force compared with the number of people who will be collecting age-related benefits.'

Canada emerged as one of only three nations above investment grade in 2050, with a double-A rating, according to the model. S&P currently rates Canadian public debt at triple-A, the highest investment grade.

Other countries are in much worse shape, including the United States, where net debt could rise from the mid-2020s to reach 29 per cent and 350 per cent of [gross domestic product], respectively, by 2050, according to the report.

Canada has several factors in its favour that will allow it to weather the demographic shift, Mr. Swann explained.

'Immigration is an area where Canada has more flexibility than most countries.' Canada can continue to attract working-age immigrants for three reasons, he added: a healthy economy, the fact that Canada's not a very crowded nation, plus 'a political culture very accepting of new immigration, and that's less the case in many of the world's industrialized countries.'

Any way that Canada can beef up its working-age population in the years ahead would be a help. Canada's old-age dependency ratio -- or the ratio of people aged 60 years or older to the working-age population -- could hit 44 per cent by 2050, up from 19 per cent in 2005, today's report estimates.

The median age, meantime, is seen rising to 45 years by that time from 39 today, while the share of the working-age population could drop to 59 per cent from about 69 per cent currently.

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<http://www.theglobeandmail.com/servlet/story/LAC.20060606.RDEBT06/TPStory/>

Canada Sends an Open 'Wedding Invitation' to Gay and Lesbian Couples

Friday June 2, 11:07 am ET

Canadian Tourism Commission Launches New Integrated Marketing Program

VANCOUVER, British Columbia, June 2 /PRNewswire/ -- The Canadian Tourism Commission launched a new gay and lesbian advertising campaign on May 15 with a destination wedding invitation for U.S. same-sex couples. The country is one of few in the world to extend full marriage equality to all people. The ad first appeared in the May issue of Passport magazine, as part of a gay and lesbian integrated marketing program that will also include sponsorship of LGBT film festivals, the Human Rights Campaign and special events in select markets across the U.S.

Montreal, Toronto and Vancouver are among the favorite destinations for gay and lesbian travelers. The provinces of Quebec, Ontario and British Columbia all legalized same-sex marriage prior to federal extension of marriage equality, with a significant percentage of all marriage licenses issued to same-sex couples going to Americans. In fact, in some cases Americans have outnumbered Canadians seeking licenses. The latest campaign recognizes that marriage is just one more reason to visit Canada, whether travelers plan to wed or not.

"There are so many reasons to visit Canada. All travelers are welcome and any traveler can tailor a travel experience that is just right for them," said Susan Iris, Vice President, U.S. for the Canadian Tourism Commission. "We have great cities that offer everything from European charm to a modern fusion of culture, and all that is reflected in our food, shopping and atmosphere. We believe that is why so many people are choosing to come see Canada."

Canada has established a reputation as one of the most gay-friendly countries in the world. Marriage is a significant indicator of the hospitality in store for gay and lesbian visitors whether they are drawn to the country by wedding bells, fine dining, some of the biggest parties and festivals in the world, or world-class skiing and outdoor experiences.

Industry led, market driven and research based, the Canadian Tourism Commission is a Crown corporation that works in partnership with the private and public tourism sectors to market Canada as a four-season destination. To access research and information focused on and for the tourism industry, please visit www.canadatourism.com. To contact the Canadian Tourism Commission or to plan a visit, log on to www.canada.travel/gay.

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_Ottawa releases new edition of travel guide; [Final Edition]

Calgary Herald. Calgary, Alta.: Jun 10, 2006. pg. F.1.Fro

Guide - The latest edition of the federal government's guide for Canadians travelling abroad includes new information on topics including same-sex travel and updates contact information for Canadian government offices worldwide. The booklet -- titled Bon Voyage, But -- is published by the consular affairs bureau of the Foreign Affairs Department and is provided with every new passport. It is also available online at www.voyage.gc.ca where it is updated regularly....

<http://proquest.umi.com/pqdweb?did=1056684381&sid=1&Fmt=3&clientId=4712&RQT=309&VName=PQD>

<http://www.canada.com/calgaryherald/news/travel/story.html?id=72694612-0304-4d65-85e3->

Tourism agency targets U.S. gays and lesbians

Updated Fri. Jun. 16 2006 11:39 PM ET

CTV.ca News Staff

The Canadian Tourism Commission is hoping American gay couples will travel north of the border to marry, even while some MPs hope to revisit the same-sex issue with a free vote.

"It's a bit of a dichotomy to promote ourselves as gay friendly and then have a national leader play to a right-wing constituency base, to reopen the same-sex marriage debate," Kevin Bourassa told CTV Newsnet Friday.

Bourassa married partner Joe Varnell in 2001, in Canada's first legal gay marriage.

The commission is spending \$300,000 to woo gay tourists, advertising mainly in magazines and community newspapers.

One such advertisement featured in *Passport*, a New York-based gay and lesbian travel magazine, proclaims Canada is a great place to marry and that "love is love." It's just in time for Toronto's Pride Week Celebration, starting June 19.

But Justice Minister Vic Toews told The Canadians Press yesterday he believes Harper will hold a free vote on same-sex marriage in the fall.

The Conservatives campaigned on a pledge to allow the vote. If MPs approve the idea of addressing same-sex unions, the government would then introduce legislation changing the definition of marriage back to that of a union between a man and a woman.

Only three Conservative MPs voted in favour of same-sex marriage during the last House of Commons vote on the issue: now-Indian Affairs Minister Jim Prentice, James Moore and Gerald Keddy.

However, Bourassa said the contradicting federal messages won't cause confusion for "politically savvy" tourists.

"Here in the United States, we have heard (President) George Bush talking about a constitutional amendment (to ban same-sex marriage), but nobody really believes that a constitutional amendment is in the books," said Bourassa from New York.

"It's just George Bush playing to his right-wing constituency base every once in a while when his ratings are down. And I think in Canada, people in the United States see it as the same way. They see Canada as a gay-friendly destination, and they think that Stephen Harper is really just playing to his right-wing constituency base ... because he made a promise to revisit the debate. Nobody thinks the debate is going to stop same-sex marriage."

Kenyon also said Canada continues to make steps in recognizing the rights of gays and lesbians.

"I think we've come a tremendously long way since the dark days that preceded Pierre Trudeau's decriminalization of homosexuality," said Kenyon. "I think Canadians should be very proud, and confident that the future is only going to be better for diverse groups in our country."

John Kenyon, chair of the Ontario Gay and Lesbian Chamber of Commerce, argued it makes good economic sense to advertise Canada as a hot destination for gay tourists.

As border security becomes an increasing issue and both American and Canadian citizens are encouraged to use passports, 84 per cent of gay Americans have the documents, according to a 2005 report by the Canadian Tourism Commission.

The national U.S. average is just 29 per cent.

The report also claimed that gay tourists spend \$5,000 per week, compared to \$1,500 for straight tourists.

With a report by CTV's Rosemary Thompson

http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20060616/gay_tourism_060616/20060616?hub=TopStories

Jun 19, 2006

ENVIRONICS POLL: OPPOSITION TO EQUAL MARRIAGE FALLS SHARPLY

Canadians are more than 2 to 1 against re-opening

(OTTAWA, June 19) Today Canadians for Equal Marriage released a poll conducted by Environics Research Group asking Canadians two questions: (1) whether they support equal marriage and (2) whether the Conservative government should re-open the issue and have another vote or whether the issue is settled and there should not be another vote. The poll demonstrates that Canadians are increasingly comfortable with the idea of equal marriage. At the same time they are overwhelmingly opposed to re-opening the issue in Parliament.

By a more than a 2 to 1 margin, Canadians who expressed an opinion consider this matter settled and are against having another vote. 62% of respondents consider the matter settled while only 27% want another vote and 11% did not express an opinion. A majority of Conservative voters (52%) are against re-opening, while only 38% want to re-open the issue and 10% did not express an opinion.

The poll also asked whether "same-sex couples should have the same right to civil marriage as opposite-sex couples." Of those with an opinion, respondents were 64% to 36% in favour of equal marriage. 59% of all respondents agreed, only 33% disagreed and 8% did not express an opinion. Even more telling, those who strongly agree with equal marriage outnumber those who strongly disagree by 36% to 24%. Conservative voters were evenly split, 47% to 47%.

The highest support for equal marriage and strongest opposition to re-opening was in Quebec, where support for equal marriage is running at 67% in favour and 27% against and opposition to re-opening is 68% to 21%. That means that over three quarters of Quebecers with an opinion are opposed to re-opening.

"This latest polling demonstrates that overall opposition to equal marriage has declined since passage of the federal legislation," said Derek Leebosh of Environics Research Group. "In addition, the strength of the opposition that remains has also fallen and this drop was even more pronounced among Conservative voters, where strong opponents have fallen from 46% to 35%."

"These polls confirm what we already knew – that 2/3 of Canadians consider the matter settled and want to move on," said Laurie Arron, National Coordinator of Canadians for Equal Marriage. "While equality for minority groups should never be subject to the tyranny of the majority, it's encouraging that so many

Canadians, and so many Conservative voters, are against having another vote.”

“With many same-sex couples celebrating their third anniversary this month, I think it’s obvious to Canadians that equal marriage hasn’t hurt anyone,” continued Mr. Arron. “There’s simply no reason to re-open this divisive debate.”

June 10 marked the third anniversary of equal marriage in Canada. On June 10, 2003, the first marriage licences were issued to same-sex couples following the historic Ontario Court of Appeal ruling that day. Since then, over 10,000 same-sex couples have been legally married in Canada.

2,001 people were surveyed between May 25 and June 2, 2006, and the poll results are considered accurate to within 2.1 percentage points, 95 times out of 100. For complete results, go to http://erg.environics.net/news/equal_marriage/. The last time the equal marriage issue was questioned was in January 2005. The re-opening issue was questioned in January 2006.

<http://www.equal-marriage.ca/resource.php?id=514>

Canada land of potential for refugees

Local students enjoy safety, chance to succeed

Sarah MacDonald, The StarPhoenix

Published: Friday, June 02, 2006

Canada has long been a country where refugees come in search of safety, freedom and a place to call home. There are challenges adapting to Canadian life, but for some of them, Canada is a place where they can pursue their dreams.

Linda Younan, an Iraqi refugee, and Naima Timayare, who fled Somalia during its civil war, talked about their experiences as refugees when the Saskatoon Refugee Coalition launched Refugee Month on Thursday morning.

"Knowing I was going to come to Canada was one of the happiest days of my life," said Younan, who was born in Baghdad in 1985, in the midst of the Iran-Iraq war.

Her family survived that war, but her father was killed in the 1991 Gulf War.

When Younan was 13, her mother, now a single mother of six, fled to Turkey. The family was safe but not accepted as refugees by the Turkish government.

They applied for refugees status elsewhere. In 2001 they were accepted in Canada. Younan said she was incredibly relieved to leave the Middle East.

"Here I know I'll be safe. I know I can dream . . . and fulfil my destiny."

The move was not without its challenges, though.

School in Saskatoon was very different. Younan was put into the ninth grade, even though she missed three years of school as a refugee in Turkey. She said she was expected to do the same things as everyone else, despite not knowing the language.

But the young woman never gave up, choosing instead to pursue her dreams.

"I've overcome these challenges. I finished my high school and finished my first year (of) university and I want to get into social work."

Naima Timayare, 19, has also found opportunities in her seven years in Saskatoon.

Her family escaped from Somalia to live in a refugee camp in Kenya, where people lived in huts made from mud and sticks.

"When we came here we were really, really happy," Timayare said.

She was 11 when she arrived, and the differences between Canada and her eastern African homeland shocked her.

"Here it is more cultural. There are Chinese and Africans, but over there it's only one culture and everyone wears the same thing."

Wearing pants was different, since Somali women and girls always wore long skirts, she said.

Timayare, who is Muslim, also chose to wear a head scarf. She was the only Muslim, and the only black student, in her elementary school.

Other challenges included learning how to use Canadian stoves and computers, Timayare said.

Her mother, who was a nurse, couldn't practise nursing and had to take a minimum wage job, as did her father. They supported their family on these low wages, and managed to send money back to a daughter and grandchildren in Kenya.

Last month, after nine long years, the family was reunited. Timayare's sister and her children were granted refugee status in Canada.

"It was overwhelming just to see her," Timayare said.

Like Younan, Timayare just completed her first year of university and has big dreams for her future.

"I'm hoping to get into medicine so I can go back one day to Somalia and help out my country," she said with a hopeful smile.

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The Americas: Help wanted; Canada's immigration debate

The Economist. London: May 27, 2006. Vol.379, Iss. 8479; pg. 63

WITH its economy riding the global commodities boom and unemployment at its lowest rate for 30 years, Canada faces a problem many other countries might envy: it has run out of workers, or at least of many kinds of blue-collar workers. In Alberta's oil sands, and in neighbouring British Columbia, which is preparing for the 2010 Winter Olympics, there is a backlog of construction projects worth billions of dollars. Across the country, builders are competing fiercely for anyone who can wield a hammer, trowel or welding torch. .. This labour shortage has sparked a debate about immigration that is different from the one convulsing the United States. In Canada, the main issue is not illegal

immigrants. It is about how to change the country's large, legal immigration programmes so that they reflect Canada's new economic and demographic needs. .. One underlying problem is that fewer Canadians are joining the labour force. This shrank last year, for the first time ever when the economy was not in recession. Young people are staying longer in higher education. In oil-rich Alberta, fewer women are looking for work. It is not clear whether that is because of their husbands' hefty paycheques or because Alberta's social conservatism is confining them to the kitchen. Another problem is that although the overall unemployment rate is still 6.4% it is almost half that in the booming west. ...

http://www.economist.com/displaystory.cfm?story_id=E1_GJRPTVR&CFID=80281946&CFTOKEN=5aaaa35-b61dc316-e726-4076-9a74-fbae9b6131d7
<http://proquest.umi.com/pqdweb?did=1044429671&sid=1&Fmt=3&clientId=4712&RQT=309&VName=PQD>

Canada's immigration policy questioned

By David Crary

The Detroit Free Press, June 11, 2006

<http://www.freep.com/apps/pbcs.dll/article?AID=/20060611/NEWS07/606110576/1001/NEWS>

Toronto -- Canada has long prided itself on opening its doors wider than any nation to immigrants and asylum-seekers, but that tradition is coming under intense scrutiny -- at home and across the U.S. border -- after the arrests of 17 men from immigrant families in an alleged terrorism plot.

Critics contend that too many newcomers are admitted without thorough screening, that asylum-seekers are routinely allowed to move about freely before their claims of persecution are reviewed, and that Canada's official policy of multiculturalism slows the assimilation of immigrant communities.

The government says the accusations of laxity are exaggerated, and its ambassador to the United States, Michael Wilson, has proposed bringing a so-called myth-busting delegation to Washington.

'Is the process perfect? No,' Wilson said Friday. 'But I think the results are pretty darned good. ... We have a reputation for fairness and compassion, but we've also got a very good system for screening every applicant.'

Wilson noted that Canada tightened immigration procedures after the Sept. 11, 2001, attacks in the United States. But no further changes are planned because of the recent arrests.

'We're standing by our policies,' said Lesley Harmer, spokeswoman for Immigration Minister Monte Solberg. The department hopes to admit the full quota of immigrants this year -- roughly 255,000 -- to help address a labor shortage, she said.

The Bush administration has congratulated Canada for the arrests, but some members of Congress have seized the occasion to complain.

Rep. Peter King, R-N.Y., who chairs the House Homeland Security Committee, asserted

that Canada has 'a disproportionate number of Al Qaeda ... because of their very liberal immigration laws, because of how political asylum is granted so easily.'

Criticism comes from some Canadians as well.

David Harris, a former Canadian security official, suggested this week that the country suspend its immigration and refugee program until it reduces security risks. James Bissett, a former Canadian diplomat and immigration official, said the asylum system is the most open in the world and -- as a result -- is 'the most serious threat to North American security.'

'Anyone in the world can come to Canada and claim they've been persecuted,' said Bissett. 'We fingerprint and photograph you, and tell you to come back for a hearing, and meanwhile you're free to move around, to work or get welfare. It's become a magnet for people who want to get around our immigration rules.'

Canada has the highest per capita immigrant admission rate of any major nation, according to experts -- admitting more than 262,000 last year, including about 35,000 refugees.

The United States, with nearly 10 times Canada's population, admitted 53,813 refugees last year and about 1.1 million legal immigrants overall.

Canada only rarely detains asylum-seekers. In the United States that practice is routine -- and has roused the ire of human rights groups who say detainees are often held too long.

The issue of integration has been hotly debated since the arrests, with commentators and civic leaders divided over whether Canada's multiculturalism policy strengthens ethnic communities or prolongs their isolation.

Canada: Law detaining terror suspects challenged

The Jerusalem Post, June 13, 2006

<http://www.jpost.com/servlet/Satellite?cid=1150035840092&pagename=JPost%2FJPArticle%2FShowFull>

Opponents of a Canadian immigration law that allows authorities to detain terror suspects indefinitely without trial were preparing to challenge it before Canada's Supreme Court, as the country reels from the recent arrests of an alleged homegrown terrorist ring.

Opponents say the law violates the country's Charter of Rights and Freedoms in part because it allows for lengthy detentions based on secret evidence and without the right to appeal.

Five Arab Muslim men, held for years under 'security certificates' that deem them a threat to national security, face deportation on suspicion of terrorist activities. The men claim they are innocent and face torture if returned to their native Algeria, Morocco, Syria and Egypt.

Human rights and immigration lawyers will argue Tuesday before Canada's highest court, challenging the constitutionality, conditions of detention and undisclosed evidence against the men under the provision of Canada's Immigration Act.

Lawyers call for changes to Canadian terror laws Tue Jun 13, 12:35 PM EST

By Randall Palmer

OTTAWA (Reuters) - Lawyers asked Canada's Supreme Court on Tuesday to strike down rules that allow the long-term detention of foreigners suspected of belonging to terrorist groups.

Specific cases before the court involve three Arab Muslim men whom the government accuses of being members of Osama bin Laden's al Qaeda network and of having engaged in, or of intending to engage in, terrorism.

The cases have renewed public debate in Canada on the balance between individual liberty and national security.

The government arrested the men under special security certificates between 2001 and 2003, at first detaining them while it sought to deport them, arguing the risk to Canada was simply too great to allow them to wander about freely. One of them, Adil Charkaoui, has since been freed on bail under strict terms.

The men say their detention and the secret hearings to determine whether they can stay in Canada violate the country's Charter of Rights and Freedoms, part of the constitution.

"I am claiming the right to be treated as a human being," Charkaoui, a Moroccan, told Reuters on Tuesday as he sat with the audience in the front row of a packed court shortly before the start of two days of hearings.

Charkaoui, wearing an electronic ankle bracelet that allows the authorities to track his movements, argues he was treated to a different standard of justice than that given to Canadians because he is an immigrant.

"We can't have a two-tier justice system," he said.

The government says Charkaoui and the other two appellants, Algerian Mohamed Harkat and Syrian Hassan Almrei, are significant risks, especially in light of al Qaeda attacks in the United States and elsewhere.

Charkaoui, it says, trained at an al Qaeda camp in Afghanistan in 1998. It said Almrei arrived on a false passport and was in a bin-Laden-linked forgery ring that produced false documents. A lower court judge has found Harkat to have lied about al Qaeda ties and to have assisted Islamic extremists.

"Terrorists violate the values reflected in the Charter (of Rights and Freedoms)," the federal justice department said in written arguments presented ahead of this week's hearings.

"Terrorism unquestionably represents the most extreme potential for harm. This is readily evident from the devastating impact of terrorist attacks in New York, Bali, Madrid, London and, most recently, Dahab (Egypt)."

Public Security Minister Stockwell Day says the security certificates have been around since 1978 and have been used only rarely -- six times since 2001. He pointed out that those being held have the right to leave Canada at any time.

"We can't allow a person who's been deemed a significant security threat to be free, so they are put in detention just while the appeal process runs its course," he said on Monday.

But Charkaoui's lawyer, Johanne Doyon, told the court that the whole process was stacked in favor of national security and against the rights of the suspect. She complained that the suspects' lawyers were not allowed to be present at hearings that determined whether the security certificates were valid.

"The procedure is so repugnant," she said.

The Supreme Court case took on added interest in light of the arrest on June 2 of 17 Canadian Muslims police said had been planning to detonate bombs in Ottawa and Toronto and had taken steps to acquire three tons of ammonium nitrate, a bomb-making material.

Many Canadians were taken aback by the fact that it was no longer New York or Bali but the heart of Canada that was alleged to have been targeted.

<http://ca.news.yahoo.com/s/13062006/6/n-canada-corrected-lawyers-call-changes-canadian-terror-laws.html&printer=1>

If you have a question that you would like answered, email Rob at rhughes@smith-hughes.com