

2001 **The Criminalization of Dissent** The Ottawa Citizen Sat 18 Aug 2001

The complete 5 part series on "the criminalization of dissent"

Keeping the public in check: Special Mountie team, police tactics threaten right to free speech and assembly, critics say; Police targeting ordinary Canadians 'because they don't like their politics' The Ottawa Citizen Sat 18 Aug 2001 News A1 / Front Series David Pugliese and Jim Bronskill

Faced with a growing number of large demonstrations, the RCMP has quietly created a special unit to deal with public dissent.

The new team of Mounties, called the Public Order Program, was established in May to help the force exchange secret intelligence and information on crowd-control techniques with other police agencies, according to an RCMP document obtained by the Citizen.

The RCMP's move to strengthen its capacity to control demonstrations comes amid increasing concern about how the government and police respond to legitimate dissent.

The new unit will also examine how to make better use of "non-lethal defensive tools," such as pepper spray, rubber bullets and tear gas, indicates the document, a set of notes for a presentation to senior Mounties earlier this year.

Select officers will be run through a "tactical troop commanders' course" to prepare them for dealing with public gatherings.

The Public Order Program is intended to be a "centre of excellence" for handling large demonstrations, allowing the Mounties to keep up with the latest equipment, training and policies, said RCMP Const. Guy Amyot, a force spokesman. "It gives us some more tools to work with."

The initiative, sparked by a spate of ugly confrontations between protesters and police at global gatherings, comes as Canada prepares to host leaders of the G8 countries in Alberta next year.

Posted by Joan Russow  
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"With all the violence going on, we had to create a unit that could help us (with) providing security," said Const. Amyot.

But for some, the right to free speech and assembly in Canada has become precarious at best. The recently released APEC inquiry report focused on certain questionable RCMP activities during the 1997 gathering of Asia-Pacific leaders in Vancouver, including the arrest of demonstrators and use of pepper spray. Almost overlooked in the review, however, was an apparent shift in police and government attitudes toward a "criminalization of dissent."

Behind the scenes, law enforcement agencies are directing their efforts at organizations and individuals who engage in peaceful demonstrations, according to civil rights experts. The targets are not extremists, but ordinary Canadians who happen to disagree with government policies.

Officers from various police forces and the Canadian Security Intelligence Service have infiltrated, spied on or closely monitored organizations that are simply exercising their legal right to assembly and free speech. Targets of such intelligence operations in recent years, according to federal documents obtained by the Citizen, range from former NDP leader Ed Broadbent to the Raging Grannies, a senior citizens' satire group that sings about social injustice.

Individuals have been arrested for handing out literature condemning police tactics. Large numbers of Canadians and legitimate organizations, from the United Church of Canada to Amnesty International, have found themselves included in federal "threat assessment" lists alongside actual terrorist groups.

And in what some consider blatant intimidation, RCMP and CSIS agents are showing up unannounced on the doorsteps of people who voice opinions critical of government policy or who plan to take part in demonstrations.

In coming weeks, the Canadian Association of University Teachers will meet in Ottawa with senior RCMP officials to express grave concerns in the academic community about campus visits by the Mounties.

The meeting arises from the police force's questioning of Alberta professor Tony Hall about his views on the spring Summit of the Americas in Quebec City. A University of Lethbridge academic, Mr. Hall wrote an article critical of the effect of free trade agreements on indigenous people and was involved in organizing an alternative summit for aboriginals. Neither warranted a visit from police, say his colleagues.

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"Whether you agree with him or not, I think he has the right to raise those questions," says David Robinson, associate executive director at the association of university teachers.

The Canadian Civil Liberties Association has led calls for an investigation into allegations police abused their powers by firing more than 900 rubber bullets and using 6,000 cans of tear gas to subdue protesters at the Quebec City summit in April. Also of concern for the association is the possibility police targeted individuals even though they were non-violent.

Others, such as University of British Columbia law professor Wesley Pue, say police operations against legitimate dissent have already crossed the line.

"When the police start spying on people because they don't like their politics, you've gone a long way away from what Canadian liberal democracy is supposed to be about," says Mr. Pue, editor of the book *Pepper in Our Eyes: The APEC Affair*.

Such notions are rejected by police and politicians. Quebec government officials have dismissed a call for a public inquiry into how officers treated protesters at the Quebec City summit. Quebec Public Security Minister Serge Menard summed up his attitude shortly before the summit: "If you want peace," he said, "prepare for war."

CSIS officials maintain they don't investigate lawful advocacy or dissent. The RCMP say they are simply doing their job in the face of more violent protests at public gatherings.

For his part, federal Solicitor General Lawrence MacAulay doesn't see anything wrong with the RCMP questioning Canadians who want to take part in demonstrations.

In a July 31 letter to the university teachers' association, he defended Mountie security practices for the Quebec City event. "The RCMP performed ongoing threat assessments, which included contacting, visiting and interviewing a number of persons who indicated their interest or intention in demonstrating."

But civil rights supporters contend such statements miss the point. Merely signalling interest in attending a demonstration or openly disagreeing with government policies -- as in Mr. Hall's case and others -- shouldn't be grounds for police to question an individual. They say actions by police and CSIS over the last several years appear to have less to do with dealing with violent activists than targeting those who

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speak out against government policies.

For instance, in January, police threatened a group of young people with arrest after they handed out pamphlets denouncing the security fence erected for the Quebec City summit as an affront to civil liberties. Officers told the students any group of people numbering more than two would be jailed for unlawful assembly. A month later, plainclothes police in Quebec City arrested three youths for distributing the same pamphlet. Officers only apologized for the unwarranted arrests after media reported on the incident.

In the aftermath of the Quebec City demonstrations, some protesters were denied access to lawyers for more than two days. Others were detained or followed, even before protests began.

Police monitored the activities of U.S. rights activist George Lakey, who travelled to Ottawa before the summit to teach a seminar on conducting a peaceful demonstration. Mr. Lakey was questioned for four hours and his seminar notes confiscated and photocopied by Canada Customs officers. Later, a Canadian labour official who offered Mr. Lakey accommodation at her home in Ottawa was stopped by police on the street and questioned for 30 minutes.

Const. Amyot insists the RCMP recognize the right of people to demonstrate peacefully. "We have always said that, and we do respect that."

However, the events leading up to Vancouver's 1997 Asia-Pacific Economic Co-operation summit set the stage for what some believe is now an unprecedented use of surveillance by the Mounties and other agencies against lawful groups advocating dissent. Before and during the APEC meetings, security officials compiled extensive lists that included many legitimate organizations whose primary threat to government appeared to be a potential willingness to exercise their democratic rights to demonstrate.

Threat assessments included a multitude of well-known groups such as the National Council of Catholic Women, Catholic Charities U.S.A., Greenpeace, Amnesty International, the Canadian Council of Churches, the Council of Canadians and the International Centre for Human Rights and Democratic Development.

Intelligence agencies also infiltrated legitimate political gatherings. A secret report produced by the Defence Department, obtained through the Access to Information Act, details the extent of some of the spy missions. It describes a gathering of 250 people on Sept. 12, 1997, at

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the Maritime Labour Centre in Vancouver to hear speeches by former NDP leader Ed Broadbent and New Democrat MP Svend Robinson. "Broadbent is extremely moderate and cannot be classified as anti-APEC," notes the analysis, prepared by either CSIS or a police agency. "The demographics of the crowd was on average 45-plus, evenly divided between men and women. They were 95 per cent Caucasian and appeared to be working class, east end, NDP supporters."

Additional reports detailed a forum by the Canadian Committee for the Protection for Journalists and meetings planned by other peaceful organizations.

Law enforcement's notion of what constitutes a threat to government is disturbing to some legal experts. Law professor Wesley Pue notes that anyone's politics can be deemed illegitimate to those in power at some point in time. He sees irony in the recent mass protests against federal stands on trade and the environment. "The so-called anti-globalization movement articulates many views that were official Liberal party policy up until the government got elected," says Mr. Pue.

Police tactics used four years ago at APEC have since become commonplace at almost all demonstrations. Criminal lawyer Clayton Ruby has noted how police have found a way to limit peaceful protests. Demonstrators don't get charged for speaking publicly. Instead they are arrested for obstructing police if they don't move out of the way. In most cases, charges aren't laid or they are later dropped because of a lack of evidence. In the meantime, police usually insist bail conditions stipulate demonstrators stay away from a protest.

"We've made it so easy for governments to criminalize behaviour and speech they don't like," Mr. Ruby said around the time of the Quebec City summit. "They disguise the fact that they're punishing free speech."

Another disconcerting trend, according to civil liberties specialists, is the police practice of photographing demonstrators, even at peaceful rallies. Earlier this year, a whole balcony of cameras collected images of the non-violent but lively crowd outside the Foreign Affairs Department in Ottawa.

"There is now the idea that you can't be an anonymous participant at a public gathering," says Joel Duff, a protest organizer and former president of the University of Ottawa's graduate students association. "If you're not ready to have a police file, then you can't participate -- which in my view is a curtailment of your democratic rights."

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The RCMP's Const. Amyot acknowledges police take photos of demonstrators, even if a protest is peaceful. The pictures can be used in court if the event turns violent, he notes.

But photos from peaceful demonstrations are destroyed, according to Const. Amyot. "We're not investigating these people," he says. "These are just being taken to ensure if something happens we'll know what happened so we'll have evidence for safety purposes."

But such tactics can have chilling effect on lawful dissent. After it was revealed at the APEC inquiry that intelligence agencies spied on the Nanoose Conversion Campaign because of its stand against nuclear weapons, some of the B.C. organization's members started having second thoughts about their involvement, even though the group conducted only peaceful rallies.

"There was a concern (among some) about whether the government could make their life difficult," says Nanoose Conversion Campaign organizer Ivan Bulic.

It is not only in Canada that official reaction to vocal public opposition is being questioned. The Italian government's inquiry into the handling of the demonstrations at the recent Genoa summit of G8 leaders conceded that police used excessive force and made serious errors in dealing with protesters.

One incident being probed by Genoa prosecutors is an early morning raid on a school used by demonstrators as their co-ordination centre. People were beaten with clubs as they slept and the school was trashed by officers. Sixty-two demonstrators were injured, and government officials have recommended firing the senior police officers involved.

Police in the U.S. are also using tactics similar to their Canadian counterparts, such as pre-emptive arrests, surveillance and the infiltration of groups.

Hundreds of activists were jailed last year in advance of protests against the Republican Party in Philadelphia and Washington. Most of the cases were later dismissed by the courts since police could offer no valid reasons for the arrests.

Last year, undercover officers posing as construction workers infiltrated a warehouse in Philadelphia where demonstration organizers were making puppets as part of their protests against the Republican Party. Seventy puppet-makers were charged with various offences, but again, the courts dismissed the counts. At the same time, police were

monitoring the Internet activities of the puppet group.

The mass arrest of protesters, even if they aren't engaged in violence, has also become common. Last April, Washington police rounded up 600 demonstrators marching against poor conditions in U.S. prisons. In their sweeping arrests, officers also scooped up tourists watching the rally from the sidelines.

Such actions, however, haven't gone unchallenged. Several lawsuits against police forces have been filed by the American Civil Liberties Union and the National Lawyers Guild.

In Canada, aside from comments by civil rights experts and opposition politicians, there has been little outrage among the public or lawmakers.

In part this can be traced to media coverage that emphasizes the actions of a small number of violent protesters while neglecting largely peaceful events, says Allison North, a Canadian Federation of Students official and rally organizer. All protesters are branded as troublemakers, she says.

Mr. Duff, the student organizer, notes the scope of the damage at the Quebec City summit was never put into perspective by the media and the public was left with the notion protesters caused widespread destruction. "The stuff that happened in Quebec City was nothing in comparison to a regular St-Jean-Baptiste Day in Quebec. There they have bonfires in the street whenever they can, and far more property gets destroyed."

He questions whether the public can be complacent about police and government activities in dealing with dissent. Surveillance may now be aimed at people protesting globalization, but such methods can, and will, be used to manage other protests, whether it be against education cuts or reductions in health care budgets, he predicts.

Some are concerned that has already happened. In April the RCMP issued a public apology to the townspeople of Saint-Sauveur, N.B., admitting the force overreacted when it sent a riot squad to handle a group of parents and children protesting the closure of a school in May 1997. Several people were attacked and bitten by police dogs, while others were injured after being hit by tear gas canisters or roughed up by officers. Dozens were arrested in Saint-Sauveur and the nearby town of Saint-Simon, but none was informed of their legal rights. All charges were later dropped.

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The APEC report condemned the fact several women protesters were forced to remove their clothes after being arrested. But it wasn't an isolated event. Earlier this year eight female students at Trent University in Peterborough were arrested, stripped and searched by police. Their alleged crime was to protest the closing of the university's downtown college.

Such extreme reactions tend to galvanize people, says Mr. Duff. Those who peacefully demonstrate, only to be tear-gassed or arrested, tend to emerge as more committed protesters, he says.

Const. Amyot says the RCMP's new Public Order Program will ensure the safety of delegates, demonstrators and police at future summits.

Mr. Pue believes the security for major gatherings should be decided through public debate and parliamentary scrutiny, instead of letting police to make up rules as they go along.

For instance, there are no Canadian laws to allow for the installation of a perimeter fence limiting the movement of protesters at international meetings, Mr. Pue notes. Yet a large fence was built for Quebec City and such barriers will likely be fixtures at coming events. "That's not the kind of discretion that should be left to police officers in secret."

- - - Cracking Down on Protesters Today the Citizen begins a major series on what some are calling "the criminalization of dissent." In the days ahead: - Activists on Vancouver Island were surprised to learn the police knew their tactics in advance. - Authorities added another line to Green Party leader Joan Russow's resume: threat to national security. - Organize a protest today and you can expect a Mountie to knock on your door. - The APEC affair showed the RCMP is willing to go undercover to dig up dirt.

Final Criminalizing Dissent Photo: An intelligence source relayed word to the military that the Raging Grannies, a satirical singing group whose protest songs are designed to raise awareness of social justice and environmental issues, intended to hold a protest in the autumn of 1997.; Colour Photo: Julie Oliver, The Ottawa Citizen / Faced with mass demonstrations such as the one at the Summit of the Americas in Quebec City in April, the RCMP decided to establish a new unit, the Public Order Program, to find other non-lethal ways of controlling protests. The Ottawa Citizen Spying on the protest movement: Private e-mails find way into military hands; 'I think they enjoy the cloak and dagger stuff' The Ottawa Citizen Sun 19 Aug 2001 News A1 / Front Crime; Series David Pugliese and Jim Bronskill



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VICTORIA -- Government agents spied on Vancouver Island peace activists, learning of their intention to build a giant puppet of Liberal cabinet minister David Anderson and to write a series of newspaper letters critical of federal policies.

Heavily edited government records show plans by the Nanoose Conversion Campaign and the satirical Raging Grannies to hold a peaceful demonstration in October 1997 were intercepted by an unidentified intelligence source and forwarded to the Canadian military.

The demonstrators hoped to raise concerns about visits of U.S. nuclear-powered warships to the Nanoose torpedo test range as well as war games being conducted off Vancouver Island. The military was tipped off to their protest, including a suggestion to fashion an effigy of Mr. Anderson, the senior federal minister for B.C., waving an American flag, according to documents obtained by the Citizen.

The records, and other military documents detailing the monitoring of a public service union and a group of Muslim students, raise questions about the extent of government spy operations against lawful organizations and individuals engaged in peaceful protest.

Ivan Bulic, involved with the Nanoose Conversion Campaign at the time, says the military appears to have obtained the minutes from one of the group's meetings. Those minutes were sent by e-mail to a very limited number of people.

Mr. Bulic says the minutes were either intercepted in cyberspace or by someone listening in to telephone conversations. It is also possible a government informant had infiltrated the organization.

Either way, federal spies were wasting their time and taxpayers' money, he says. "What we were doing, such as sending letters to newspapers and holding an information picket outside the base gate, are completely legal and bona fide activities," said Mr. Bulic. "Their reaction reflects a 1950's Cold War mentality of where legitimate protests, contrary to the military's view, are deemed a threat. We've been classified as enemies."

The Nanoose Conversion Campaign advocates peaceful protest as a means of trying to end visits of nuclear-armed and nuclear-powered ships to Canadian waters. It often uses the courts to challenge the federal government. Several years ago, the organization unsuccessfully launched a legal action to prevent U.S. Navy warships from dumping pollutants into Canadian waters. It is currently in court, contesting the federal

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government's expropriation of the Nanoose torpedo test range from the province of B.C.

Lt.-Cmdr. Paul Seguna, a Canadian Forces spokesman, said the military's National Counter-Intelligence Unit received the information about the protest plans from a source, but he declined to identify that individual or agency. "In this case we were not the lead agency," said Lt.-Cmdr. Seguna. "This information is obtained on a shared basis with other federal agencies and police forces."

The National Counter-Intelligence Unit's job is to monitor and counteract foreign espionage, terrorism, sabotage, criminal activity and threats to military personnel or installations. According to a statement from the Canadian Forces, "in the absence of a security threat (the unit) does not collect information on individuals, legal assemblies or organizations."

However, there is evidence military spies are interested not only in citizens who demonstrate against defence policies, but anyone who might cast the Forces in a bad light.

In May 1998 the counter-intelligence unit turned its attention to the Public Service Alliance of Canada, which was planning a protest against job cuts at the Defence Department. The unit gave advance warning to senior Defence officials of the union's intention to demonstrate during a visit by Defence Minister Art Eggleton at a Montreal base. Although the unit acknowledged to military commanders that such demonstrations were usually peaceful, it recommended monitoring the situation and working with the RCMP's criminal intelligence branch in reporting any new developments.

With no direct threat involved, why would a military spy organization be worried about public servants gathering to protest job cuts? The counter-intelligence report on the event, obtained by the Citizen, provides the answer: "There is potential for public embarrassment to the (Defence minister) given that the media has been informed" about the demonstration, it warned.

The unit's monitoring has also extended into the realm of religious organizations. A January 1998 threat assessment noted a group of Muslim students from the University of New Brunswick had purchased an old building in Moncton. The threat posed by the students, however, was "assessed as negligible." They had turned the building into a mosque.

Intelligence analysts say the military's pre-occupation with monitoring potential protesters stems from the Defence Department's desire to be

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warned about anything that might be politically or publicly embarrassing.

"It's partly because they don't have the Cold War anymore so they don't have much else to do, but also it reflects the Defence Department's new priorities," said John Thompson, who studies terrorism trends for the Mackenzie Institute, a Toronto-based think tank. "If the Raging Grannies are going to show up, DND wants to know about it first."

Such efforts are misplaced, however, suggests Mr. Thompson. "These types of people aren't the ones who are going to be bringing Molotov cocktails and bats to a protest march."

Raging Granny Freda Knott finds it amusing that government spies feel they have to keep tabs on her group, a small collection of senior citizens who sing songs to highlight social injustices.

"If they think they'll find that we're out to destroy our country then they're very wrong," said the 65-year-old Victoria resident. "We want to make the world a better place for our grandchildren, for all grandchildren. I don't see too much wrong with that."

Mr. Bulic says the Nanoose Conversion Campaign had an inkling it was being spied on after the group's name was included in a threat assessment tabled in 1998 at the inquiry into RCMP actions at the Vancouver APEC summit. The assessment, sent to various military units, listed the conversion campaign, the Anglican Church of Canada, Amnesty International, the Council of Canadians and others alongside terrorist groups as organizations that might protest or cause disruptions at the 1997 summit.

Lt.-Cmdr. Seguna says just because a group is included in a threat assessment does not mean it is considered a danger to the Canadian Forces. Military intelligence officials simply compile information that might affect security at an event. "How do you decide who not to look at?" asks Lt.-Cmdr. Seguna. "There may be a group that generally is not threatening. But in some of these there may be sub-groups that, for one reason or another" may participate in violence, he adds.

Documents show intelligence agencies have taken an interest in the Nanoose Conversion Campaign and other peace groups for many years. According to a March 1995 threat assessment by the Defence Department such groups have been listed because they protested at military bases or held peace walks.

A September 1997 message from National Defence Headquarters, marked

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secret, ordered counter-intelligence officers in each major Canadian city to report on any organizations involved in anti-nuclear activities, or which planned or "advocated" a demonstration.

It's that type of mentality that worries Mr. Bulic. He can understand the need to monitor actual terrorist groups but questions why authorities are so preoccupied with those who exercise their democratic right to disagree with government policies.

After the threat assessment listing the Nanoose Conversion Campaign was made public at the APEC inquiry, Mr. Bulic wrote Mr. Eggleton asking for an explanation of the military monitoring of a law-abiding organization.

The minister did not reply. But a short time later, Mr. Bulic received a phone call from military intelligence officials in Ottawa. The captain on the line wasn't about to apologize for what happened. Instead, he demanded to know how the conversion campaign had been able to obtain such a secret assessment.

"I think they enjoy the cloak-and-dagger stuff," says Mr. Bulic. "It seems to be the only way they know how to operate."

- - - Cracking Down on Protesters Today is the second instalment in the Citizen series on "the criminalization of dissent." In the days ahead: - Authorities added another line to Green Party leader Joan Russow's resume: threat to national security. - Organize a protest today and you can expect a Mountie to knock on your door. - The APEC affair showed the RCMP is willing to go undercover to dig up dirt.

Final Criminalizing Dissent Photo: Patrick Doyle, Ottawa Citizen / In May 1998, Defence Minister Art Eggleton was given advance warning by the National Counter-Intelligence Unit of a PSAC protest against job cuts. VICTORIA The Ottawa Citizen Secret files chill foes of government: State dossiers list peaceful critics as security threats The Ottawa Citizen Mon 20 Aug 2001 News A1 / Front Crime; Special Report Jim Bronskill and David Pugliese

The credentials on Joan Russow's resume are rather impressive. An accomplished academic and environmentalist, she served as national leader of the Green Party of Canada. The Victoria woman had also earned a reputation as a gadfly who routinely shamed the government over its unfulfilled commitments.

But Ms. Russow, 62, was dumbfounded when authorities tagged her with a most unflattering designation: threat to national security.

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Her name and photo turned up on a threat assessment list prepared by police and intelligence officials for the 1997 gathering of APEC leaders at the University of British Columbia.

"All these questions start to come up, why would I be placed on the list?" she asks. Mr. Russow is hardly alone. Her name was among more than 1,000 -- including those of many peaceful activists -- entered in security files for the Asia-Pacific summit.

The practice raises serious concerns about the extent to which authorities are monitoring opponents of government policies, as well as the tactics that might be employed at future summits, including the meeting of G-8 leaders next year in Alberta.

Ms. Russow had been a vocal critic of the federal position on numerous issues, expressing concerns about uranium mining, the proposed Multilateral Agreement on Investment and genetically engineered foods.

Just weeks before the Vancouver summit, she gave a presentation arguing that initiatives to be discussed at APEC would undermine international conventions on the environment.

However, Ms. Russow went to the summit not as an activist, but as a reporter for the Oak Bay News, a Victoria-area community paper. Security staff questioned whether the small newspaper was bona fide and pulled her press pass.

But the secret files on Ms. Russow suggest there may be more to the story. She wouldn't have even known the threat list existed if not for the tabling of thousands of pages of classified material at the public inquiry into RCMP actions at APEC, which focused on the arrest and pepper spraying of students on the UBC campus.

The threat assessment of Ms. Russow, prepared prior to the summit, describes her as a "Media Person" and "UBC protest sympathizer." A second document drafted by threat assessment officials during the summit characterizes Ms. Russow and another media member as "overly sympathetic" to APEC protesters. "Both subjects have had their accreditation seized."

Ms. Russow later complained, without success, about the revocation of her pass. Officials with the Commission for Public Complaints Against the RCMP concluded the RCMP did nothing wrong. But despite exhaustive inquiries, a frustrated Ms. Russow has yet to find out how and why she was even placed on a threat list.

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The APEC summit Threat Assessment Group, known as TAG, included members of the RCMP, the Canadian Security Intelligence Service, the Vancouver police, the Canadian Forces, Canada Customs and the Immigration Department.

The TAG files were compiled on a specially configured Microsoft Access database that "proved very successful in capturing and analyzing intelligence," says a police report on the operation, made public at the APEC inquiry.

Much of the information came from "existing CSIS and RCMP networks" as well as Vancouver police members. Other data were funnelled to TAG by RCMP working the UBC campus, including undercover officers and units assigned to crowds.

By the end of the summit, the TAG database had swelled to almost 1,200 people and groups, including many activists and protesters. Ms. Russow's photo appeared in a report alongside the pictures and dates of birth of several other people. One is described as a "lesbian activist/anarchist" considered "very masculine."

Several are simply labelled "Activist" -- making Ms. Russow wonder how they wound up in secret police files. "Why are citizens who engage in genuine dissent being placed on a threat assessment list?"

The practice of collecting and cataloguing photographs of demonstrators is worrisome, says Canadian historian Steve Hewitt, author of *Spying 101: The Mounties' Secret Activities at Canadian Universities, 1917-1997*, to be published next year.

"There's tremendous potential for abuse. One would suspect that they're compiling a database. And clearly, there's probably sharing going on between countries," said Mr. Hewitt, currently a visiting scholar at Purdue University in Indiana.

"Your picture is taken and it's held in a computer, and when it might come up again, who knows?" The RCMP, CSIS and other Canadian agencies have long shared information with U.S. officials, a cross-border relationship that has grown closer to deal with smugglers, terrorists and, most recently, protesters who come under suspicion.

Canada Customs and Revenue Agency staff have access to a number of automated databases and intelligence reports that help screen people trying to enter the country.

Several protesters who were headed to the Summit of the Americas in

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Quebec City last April were either denied entry to Canada or subjected to lengthy delays, luggage searches and extensive questioning -- and the rationale was not always clear.

At a recent Commons committee meeting, New Democrat MP Bill Blaikie confronted RCMP Commissioner Giuliano Zaccardelli and Ward Elcock, the director of CSIS, about scrutiny of activists.

An incredulous Mr. Blaikie recounted the case of a U.S. scientist who was questioned by Customs officials for about an hour last spring upon coming to Canada to speak at a conference about his opposition to genetically modified food.

"Are people being trailed, watched, interviewed and harassed at borders because of their political views?" Mr. Blaikie asked, noting the "chilling effect" of such attention.

The RCMP Security Service, the forerunner of CSIS, amassed secret files on thousands of groups and individuals considered a threat to the established order, devoting its energies through much of the 20th century to the hunt for Communist agents and sympathizers.

The vast list of targets left few stones unturned, providing the Mounties with intelligence on subjects as wide-ranging and diverse as labour unions, Quebec separatists, the satirical jesters of the Rhinoceros Party, American civil rights activist Martin Luther King, the Canadian Council of Churches, high school students, women's groups, homosexuals, the black community in Nova Scotia, white supremacists and foreign-aid organizations.

CSIS inherited about 750,000 files from the RCMP upon taking over many intelligence duties from the Mounties in 1984. As the end of the Cold War loomed in the late 1980s, the intelligence service wound down its counter-subversion branch, turning its focus to terrorism.

However, the emergence of a violent presence at anti-globalization protests has spurred CSIS to once again scrutinize mass protest movements, working closely with the RCMP and other police.

One of the threat assessment documents on Ms. Russow lists not only her date of birth, but hair and eye colour and weight -- or rather what she weighed in the 1960s, perhaps a clue as to how long officials have kept a file on her.

In 1963, a young Ms. Russow taught English to a Czechoslovakian military attache in Ottawa. She was asked by RCMP to report to them about

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activities at the Czech embassy, but refused. She surmises that may have prompted the Mounties to open a file on her -- a dossier that could have formed the basis of the APEC threat citation more than 30 years later.

Ms. Russow is disturbed that she learned of the official interest in her activities only by chance. And she worries about the untold ramifications such secret files might have.

"How many people have had their names put on the list and never know?"

Final Special Report: Criminalization of Dissent Photo: The public inquiry into the RCMP's actions at APEC revealed a secret threat list that labelled Joan Russow, leader of the Green Party, as 'overly sympathetic' to protesters.; Photo: The RCMP Security Service, the forerunner of CSIS, amassed secret files on thousands of groups and individuals, including U.S. civil rights activist Martin Luther King. How police deter dissent: Government critics decry intimidation The Ottawa Citizen Tue 21 Aug 2001 News A1 / Front News David Pugliese and Jim Bronskill

It usually begins with a public comment criticizing government policy or the posting of a notice calling for a demonstration against a particular cause.

Then comes the phone call or knock on the door by RCMP officers or Canadian Security Intelligence Service agents. The appearance and tone of the callers are professional. But their questions, directed at people involved in organizing legitimate, peaceful protests, are seen as anything but benign. Those who have endured the process view such incidents as blatant attempts to quash free speech.

The tactic of police or spies arriving unannounced on the doorsteps of demonstration organizers or people just contemplating a public rally represents a hardening of the security establishment's dealings with those who openly voice their opinions.

The people receiving the CSIS and RCMP phone calls or visits are not extremists. They're ordinary Canadians -- union members, students, professors and social activists -- who disagree with government policy and want to exercise their rights to free speech and assembly.

"The whole thing is so insulting and to a certain degree very intimidating," says Allison North, a Newfoundland student organizer interviewed by police after she criticized Prime Minister Jean Chretien's record on education.



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Ms. North had told a newspaper last May that Mr. Chretien didn't deserve an honorary degree from Memorial University because of his government's cuts to education funding. Shortly after, an RCMP officer questioned her on whether she planned to do anything to threaten Mr. Chretien or embarrass him when he picked up his degree.

At that point, according to Ms. North, her organization, the Canadian Federation of Students, didn't even have plans to hold a demonstration.

"To get a phone call suggesting I am a threat to the prime minister is absurd," says Ms. North, who has no criminal record.

When Mr. Chretien arrived to receive his degree, Ms. North and 19 other students demonstrated peacefully in the rain outside the convocation hall. As he appeared, they turned their backs on him in mute protest. The students were heavily outnumbered by police and security forces.

The RCMP sees nothing wrong with contacting potential demonstrators in advance and letting them know the force is aware of their intentions. Const. Guy Amyot, an RCMP spokesman, says it is standard policy to visit organizers of protests that may become violent or might give police some cause for concern. "We're meeting people who intend to demonstrate just to make sure it's done legally," he explained. "That's all."

Such meetings are voluntary, Const. Amyot said, and protest organizers can refuse to talk to officers if they want. "If they feel intimidated they just have to tell us they don't want to meet us," he said. "They are not forced to do so."

He acknowledged most of the visits or phone calls have been associated with politically-oriented demonstrations, but added the RCMP respect the right of Canadians to hold legal protests.

Such assurances don't ease the minds of those who have been questioned. It was a rally to protest government inaction on pay equity that prompted a call to a federal union from Canada's spy agency in October 1998.

When the Public Service Alliance of Canada planned a demonstration in Winnipeg outside a conference centre where Mr. Chretien was scheduled to speak, a Canadian Security Intelligence Service officer phoned union official Bert Beal to question him about the gathering. CSIS wanted to know whether the rally was going to be violent, as well as the number of people attending.

"We're employees of the government legitimately protesting against

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government decisions that affect our members," says Mr. Beal.

"That is our legal right." PSAC held a peaceful rally, attended by about 150 people and closely monitored by police. Mr. Beal, involved in the labour movement for 30 years, says this was the first time a rally with which he had been involved elicited a call from the national spy service.

CSIS spokeswoman Chantal Lapalme declined to discuss specific instances when the agency has approached people. But she said CSIS does not investigate lawful advocacy or dissent.

"If we have information that there will be politically motivated, serious violence we might investigate and then we'd report the information we obtained to government and law enforcement."

The period leading up to April's Summit of the Americas in Quebec City saw a flurry of such visits. CSIS officials questioned young people in Montreal and Quebec City who had taken part in an October demonstration.

The agents wanted to know about the chance of violence at the April gathering. Around the same time the RCMP in Quebec visited Development and Peace, a social advocacy organization linked to the Catholic Church, and other anti-poverty groups to question people about their summit plans.

Also targeted before the Quebec City meeting was University of Lethbridge professor Tony Hall, an expert in aboriginal affairs and a vocal critic of the Mounties.

An officer with the RCMP's National Security Investigations Section questioned Mr. Hall about his writings critical of free trade agreements and their effects on indigenous peoples.

The officer also wanted details of Mr. Hall's involvement in an alternative summit being organized for aboriginal peoples in Quebec City, as well as names of others involved.

Mr. Hall's case was raised in the Commons by NDP leader Alexa McDonough, who accused the federal government of trampling on the democratic rights of Canadians.

Mr. Chretien responded that police were just doing their job -- an explanation that failed to satisfy the Canadian Association of University Teachers.

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David Robinson, the group's associate executive director, is worried such police tactics threaten academic freedom and open debate on campuses.

Association officials are planning to meet RCMP leaders over what the university group views as a clear violation of the professor's civil liberties.

Final Photo: The Telegram / The RCMP visited student organizer Allison North after she criticized Prime Minister Jean Chretien's record on education funding before he was accepted a honorary degree from Memorial University. The Ottawa Citizen Mounties in masks: A spy story: Undercover tactics go too far, critics say The Ottawa Citizen Wed 22 Aug 2001 News A1 / Front Crime; Series; Special Report Jim Bronskill and David Pugliese

The happy-go-lucky band of protesters wore masks and colourful costumes as they paraded about the University of British Columbia campus on a memorable autumn night in 1997.

After all, it was Halloween. And dressing up lent a festive air to the anti-APEC march just weeks before leaders of Asia-Pacific countries would assemble on the university campus.

But one member of the group had another reason to wear a disguise: he was an RCMP officer. Const. Mitch Rasche, his face hidden by a Star Trek alien mask, accompanied about 30 protesters as they toured the grounds, stopping to place hexes on corporate-sponsored summit sites and even casting a spell on a Coca-Cola machine.

Such spy tactics worry demonstrators and experts on the RCMP, who argue civil rights are being trampled when Canada's national police use undercover techniques to compile information on the anti-globalization movement.

The roving clutch of Halloween demonstrators included several members of APEC Alert, a group concerned about the effects of the Asia-Pacific alliance's policies on human rights and the environment.

APEC Alert embraced non-violent protest but sometimes advocated civil disobedience. At the new campus atrium, where world leaders would soon gather, the marchers used washable markers to write "Boo to APEC" and "APEC is scary" on the windows.

Standing six-foot-four and weighing a hefty 240 pounds, Const. Rasche, a 17-year RCMP veteran, had trouble blending into the crowd of mostly

young, underfed students.

"That's what made him stick out," recalls Jonathan Oppenheim, a physics student who took part in the march. "He was just kind of standing there slightly off to the side, and not really talking to anyone."

Suspicious were further aroused when Const. Rasche's cellphone rang. "I think we have a spy amongst us," said one of the protesters.

Months later, as an inquiry into RCMP actions at the APEC meetings unfolded, the amazed activists would read Const. Rasche's police report on the march and hear his testimony about the escapade, confirming their suspicions.

Indeed, the Halloween episode was part of a much broader surveillance effort. Police documents and inquiry hearings would reveal the RCMP infiltrated anti-APEC groups to gather intelligence about the November 1997 summit, and planned to arrest and charge high-profile members of APEC Alert to remove them before the international event.

The trick-or-treat surveillance of APEC Alert was one of the more striking -- albeit comical -- intelligence-gathering tactics employed by the Mounties in connection with the summit. The RCMP, sometimes in conjunction with Vancouver police, also sat in on protest meetings, interviewed activists about their intentions, photographed participants at events and assigned undercover officers to blend in with protesters, learn their plans and report the findings to central command posts.

Many Canadians are under the mistaken impression the Mounties hung up their spy gear in 1984 when the Canadian Security Intelligence Service assumed most of the duties of the RCMP Security Service, disbanded in the wake of widespread criticism for infringing on civil liberties.

However, the RCMP's National Security Investigations Section (NSIS) probes ideologically motivated criminal activity related to national security such as white supremacy, aboriginal militancy and animal rights extremism.

NSIS, which conducts investigations under the Security Offences Act, is intended to complement CSIS, whose agents also examine and assess security threats, but have no authority to conduct criminal probes or make arrests. NSIS also carries out threat assessments -- analyses of the potential for violence at public events -- in support of the force's protective policing program.

But during the APEC summit, it appears NSIS strayed beyond the confines

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of preserving national security. An operational plan tabled at the APEC inquiry says the duties of NSIS's B.C. branch included conducting follow-up investigations on information that indicated a potential threat of not just harm, but "embarrassment" to visiting leaders.

Other documents filed with the inquiry show police closely monitored the plans, meetings and events of protesters in the weeks leading up to the summit.

One typical entry noted a rally to be held in Vancouver the evening of Nov. 4, 1997. "NSIS members plan to provide surveillance coverage at this event to gauge the level of support for the anti-APEC cause at this late stage, and to identify some of the key people attending," wrote an NSIS constable. "Attempts will be made to photograph participants."

The RCMP has adopted the dubious tactic of gathering intelligence on non-violent public interest groups that have nothing to hide, says Wesley Pue, a UBC law professor and editor of the book, *Pepper in Our Eyes: The APEC Affair*.

"It seems to me the police are routinely crossing the line and forgetting the distinction between legitimate democratic dissent and criminal activity."

Police surveillance of individuals in an academic milieu is particularly troubling because campuses are intended to be places where unpopular ideas are debated, says historian Steve Hewitt, author of the forthcoming book, *Spying 101: The Mounties' Secret Activities at Canadian Universities, 1917-1997*.

The involvement of NSIS in such activities raises special concerns in that the RCMP spies are subject to less oversight and scrutiny than CSIS agents, he adds.

The Security Intelligence Review Committee, which reports to Parliament, examines CSIS operations to determine whether the spy service has adhered to the law. CSIS also submits a detailed annual report to the solicitor general, and prepares a public version for presentation in Parliament.

There are no such checks on the NSIS. A classified police report tabled at the APEC inquiry describes the behind-the-scenes tactics police employed during the summit and provides a rare look at the inner workings of a Canadian intelligence operation.

"State-of-the art covert/overt intelligence gathering methods were used

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which provide very accurate intel on anti-APEC gatherings, protesters both pre and during APEC," says the debriefing report.

Police, with help from CSIS, compiled a computerized database on hundreds of people and groups. Officials worked around the clock to produce threat assessments and each morning a secret bulletin was distributed by hand to co-ordinators, site commanders and a special team assigned to infiltrate crowds.

The infiltration team was designed as "an intelligence gathering unit and as such provided timely, accurate and pertinent information about the crowds protesting various aspects of APEC," the report reveals.

"Members were able to assess the crowds, identify the ring leaders and determine the goals of the crowd." On one occasion, unit members passed on intelligence about the intentions of 75 demonstrators who blocked the road leading out of the UBC campus.

The crowd infiltration team was sufficiently large that members could be rotated from one area of the campus to another, "in an effort to avoid familiarity" and reduce the chance of their cover being blown.

Scrutiny of the anti-globalization movement by the intelligence community has almost certainly intensified following violent acts, committed by a relatively small number of protesters, at international meetings during the last four years.

However, Wesley Wark, a University of Toronto history professor, suspects Canada's intelligence agencies are placing too much emphasis on broad-brush investigation of the movement and not enough on determining which groups and individuals pose actual threats.

Unless the balance shifts, adds Mr. Wark, security services are never "going to have the capacity to distinguish genuine threats from peaceful dissent."

This is the fifth and final instalment in the Citizen series on "the criminalization of dissent."

Final Criminalization of Dissent Special Report: Criminalization of Dissent Photo: Protester Jonathan Oppenheim, a physics student, said massive RCMP Constable Mitch Rasche stood out in the crowd of anti-APEC marchers, even under a Star Trek mask. The Ottawa Citizen That's all, that's it.

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International Network on Disarmament and Globalization

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