

BORDER SECURITY ISSUE

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Security is a touchstone issue when talking about borders. Yet comprehensive border management must not only secure the border but also facilitate legitimate movements of goods, services and people. The traditional framing of border management in terms of a trade-off between these two objectives is unproductive and misleading. The true challenge is how to enhance border efficiency, which delivers on both objectives and is arguably the only way to sustainably deliver on either one. We need to work at shifting perceptions and discussions of border management -- at the public, political, bureaucratic and operational levels -- on to this frame. The Department of Homeland Security (DHS) 2012 *Northern Border Strategy* is explicitly based on this preferred premise. However, making this a day-to-day guide remains a work in progress on both sides of the Canada – U.S. border.

Canada and the U.S. have a long-standing bilateral partnership on border management, as do the U.S. and Mexico. Both of these partnerships have been increasingly formalized since the mid-1990s. Canada and the U.S. have worked together on the Shared Border approach in the 1990s, on the *Smart Border Accord* of the 9/11 era, and are working now on the *Beyond the Border Action Plan* that was launched in 2011. The U.S. and Mexico agreed to their own *Smart Border Accord* after 9/11, and agreed to the *U.S.-Mexico 21st Century Border Management Plan* in 2010. The sole trilateral attempt in this space to date has been the *Security and Prosperity Partnership for North America*, from 2005 to 2009.

These border partnerships have been tailored to the twin challenges of public safety and economic competitiveness, in continual evolution as perceptions have evolved of security threats and of economic needs and opportunities. While the security challenges differ between the two borders, the trade facilitation objectives of the Canada-U.S. and Mexico-U.S. border partnerships are increasingly similar. This should not be surprising as the accelerating flow of goods, services and people among Canada, the U.S. and Mexico is creating immense economic benefits for all three countries and is essential to maintaining and improving North American competitiveness in a tough global marketplace. More often than not, specific trade facilitation initiatives on one shared border, such as trusted travelers and trusted trader programs, build on experience and learning on the other border.

Analysis of trade and travel flows post 9/11 demonstrates quite clearly that an overwhelming focus on security outcomes does reduce flows of both commerce and travelers. Recent analysis also demonstrates that the detailed operational parameters of attempts to move towards more efficient border management, via trusted trader and trusted traveler programs for example, affect both the

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volumes and the nature of trans-border flows, to the point of affecting business decisions on the location and nature of investment and production, as well as decisions on personal travel.

Opportunities/Obstacles

Much of the security work in the Canada-U.S. border relationship over the last ten years has been anchored in broader Canadian and American counter-terrorism efforts, specifically how Canada and the U.S. could better work together to detect, deter and respond to terrorist threats from abroad. This meant (a) strengthening domestic anti-terrorism legislation, including Canada's Anti-Terrorism Act, to provide more tools to police, intelligence and border agencies; (b) strengthening capacity of public safety, intelligence and border agencies; and (c) improving information-sharing.

Fundamentally, however, improving security through more efficient border management going forward will come by "pushing the border out". This means managing and mitigating the risks inherent in enormous and growing flows of people and cargo before they reach the shared border and, increasingly, before they reach our shared perimeter.

The 2011 *Canada – U.S. Beyond the Border Action Plan* represents a very significant evolution of Canada-U.S. cooperation in this regard, establishing as one of its core building blocks a perimeter approach to screening travelers and goods from outside North America, whether they be destined for Canada or the U.S. The *BTB Action Plan* comprises four key pillars: addressing threats early; trade facilitation and economic growth; cross border law enforcement; and critical infrastructure, emergency preparedness and cyber security.

The *BTB Action Plan* commits, inter alia, to greater information sharing, to working together on addressing the threats of homegrown violent extremism, and to building on similarities on visa and document requirements, advance passenger requirements and national targeting centers to enhance screening methodologies for travelers into North America.

The challenge is to *not* allow this expanded frontier of active risk management to become an additional layer of screening and inspection. Efficiency requires that we *not* add elastics and hockey tape to the belts, braces and suspenders that have come to typify border management. Pushing the border out *efficiently* means that we share domain awareness and risk assessments, manage and mitigate risk early and jointly. It also means that we gather information ahead of time, assess it and then manage flows according to those assessments, unless new information changes our assessments. In sum, screen once, accept twice or even three times.

Policy Options

The *Beyond the Border Action Plan* is the prime, shared policy lever established by Canada and the U.S. to advance not only our shared economic interests but our shared national security objectives in respect of the Canada-U.S. border, recognizing the intertwined nature of our two economies and societies.

While Canada and Mexico do not share a common border, obviating any imperative to have a bilateral border accord, Canada does have fundamental interests in the success of the effective management of the U.S.-Mexico border given our security and economic interests in North America. This argues very much in favor of a role for increased trilateral cooperation on specific security issues. These include: sharing of intelligence with U.S. and Mexican authorities on issues related to terrorism and transnational crime organizations; working with U.S. and Mexican officials to build on growing military-to-military

cooperation; and working with the U.S. and Mexico to strengthen the public security institutions of Central America and Caribbean countries as they combat transnational criminal organizations.

Conclusion

Canada, the U.S. and Mexico share an integrated market, built on the foundation of *NAFTA*, which must serve as our shared platform to compete in the global economy. We need to learn from our respective experiences in making our borders more open, effective and efficient.

Finally, it is always worth remembering that borders are not a first line of defense, but the last. Border management represents only one component of national security management, which must be addressed in a comprehensive fashion: nationally, bilaterally and trilaterally. Appropriate policies, strategies and institutions to deal with national security and public safety issues, trust and cooperation between agencies in our three countries, and lastly enhanced cooperation on the perimeter are the best guarantees of North American security.