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# 2018 REPORT CARD

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B<sub>-</sub>

DIPLOMACY

B<sub>-</sub>

TRADE

C

DEVELOPMENT

C

DEFENCE

A<sub>-</sub>

IMMIGRATION &  
REFUGEES

B<sub>+</sub>

SECURITY

B<sub>+</sub>

ENVIRONMENT &  
CLIMATE CHANGE

# LAST YEAR'S REPORT CARD

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DIPLOMACY	B <sub>-</sub>
TRADE	B <sub>+</sub>
DEVELOPMENT	B
DEFENCE	C
IMMIGRATION & REFUGEES	B <sub>+</sub>
SECURITY	B <sub>+</sub>
ENVIRONMENT & CLIMATE CHANGE	B <sub>-</sub>

# INTRODUCTION

This now annual CFPJ Report Card has been prepared by faculty and graduate students at Carleton University's School of International Affairs in partnership with iAffairs Canada. At the halfway mark in its term, the Trudeau government gets an overall grade of B-, improving in some areas while underperforming in others. The government's actions and rhetoric have been inconsistent, at times contradictory and mostly focused on messaging and advancing the Liberal brand than fixing real problems.

On peacekeeping and defence procurement for example, openness, transparency, and accountability are nowhere to be seen. The government took over two years to announce an open and fair competition to replace its CF-18s. The Liberals also kept Canadians in the dark for over a year after announcing its peacekeeping plan, only to scale back on this commitment substantially.

While airstrikes in Iraq and Syria have ceased, the government has been criticized for continuing to put special forces in the line of fire. The missions in Latvia and Ukraine, have been criticized as unnecessarily provoking Moscow.

On protecting the security of Canadians, the government is committed to what is perhaps the largest reorganization of the Canadian security and intelligence community since 1984. It remains to be seen what effects these changes will have on facing the dual challenges of cybersecurity and terrorism.

On trade, the government has handled the NAFTA renegotiation well, assembling a strong team of negotiators with bipartisan support. Their full-court press strategy of pitching the deal to state governments, individual members of Congress and industry leaders may bear results in the face of an unpredictable American administration despite the friction produced by tariffs on steel and aluminum.

In other areas, such as the CPTPP debacle and in exploring deals with India and China, the government has made a number of unforced errors and its "progressive trade agenda" has proven to be more rhetoric than reality.



On environment, the government has succeeded in placing a price on carbon, a signature promise and long overdue policy that will help Canada achieve its Paris Agreement commitments. The dismantling of the National Energy Board and the subsequent reform of the infrastructure approval process is likewise a welcome development for Canada's energy policy, particularly its emphasis on improving consultations with indigenous peoples.

On development, the Trudeau government introduced its much-anticipated Feminist International Assistance Policy (FIAP). This gender-focused policy is innovative and interesting but lacks implementation strategies and the funding necessary to make it effective.

The passage of Bill C-6, which amended the Immigration and Refugee Protection Act, included many of Trudeau government's election promises. The government has positively responded to the unforeseen irregular border crossers, but more funding is required to process the increase of new applicants.

Overall, what is missing is a cohesive and coherent foreign policy, one that matches the government's progressive rhetoric with its actions. At the midpoint between the Liberals' ascent to power and the next federal election, it is clear that substance must meet style if the Liberals hope to remain true to their promise of distinguishing themselves from the previous government.

# EVALUATION CRITERIA

The grades assigned for the Report Card serve as an assessment of the Trudeau government's foreign policy performance. While it is largely based on the year since the last Report Card, there will certainly be a degree of overlap with previous Report Cards as the government seeks to build on existing progress. We have provided letter grades for the following areas: diplomacy, defence, security, trade, environment and climate change, development and immigration and refugees. Each category is weighted equally to generate the final grade, which serves as an average of our seven categories. In assigning grades for each section, three factors were considered, with their respective weighting in brackets:

- » Rhetoric vs. Reality (30%): By identifying key promises made during the 2015 campaign, outlined in ministerial mandate letters and in the two years since their election, the grading process evaluates the degree to which the government has made progress on these commitments.
- » Overall Performance (60%): The grade reflects an evaluation from our policy experts on the effectiveness of the government's policies, actions and commitments in each area.
- » Openness, Transparency and Accountability (10%): The Trudeau government campaigned heavily on distinguishing itself from the previous government in this regard. The grade assigned considers the degree to which the government's actions have reflected this rhetoric.
- » The objective of the Report Card is to engage the public in the discussion of Canadian foreign policy. Despite improving in some areas and regressing in others, this year's grade of B- is identical to last year's. We will leave it to our readers to discuss whether or not this evaluation is justified.



# DIPLMACY

B-

## ELEVATING CANADA'S GLOBAL POSITION

For a political party that promised to elevate Canada's position in the world, the Liberal government under Justin Trudeau has achieved remarkably little in the first half of its tenure to meet that goal. Delivered a significant blow but not quite a knockout punch by President Trump's trade agenda, Liberal resources have mostly focused on renegotiating NAFTA and grappling with US protectionism.

High on that agenda are efforts to convince Canadians that the Liberals do indeed have options should NAFTA fall through. What exactly that plan might be is anyone's guess. CETA, signed into force over a year ago, is not getting the attention it deserves and the newly rejigged TPP, now the CPTPP, is far from reality. That leaves only a few alternatives such as a few bilateral trade agreements and the open-ended progressive trade agenda with Africa, China and India where the Liberals could lay claim to recasting Canada's global position. Unfortunately, even on those fronts, there has been little to champion. Trade with Africa accounts for just a miniscule fraction of Canada's economic growth. Public diplomacy, showing Canadians the benefits of these trade options, has been slow to develop. An increase in tariffs on chickpea exports as a result of Trudeau's calamitous trip to India has the potential to become this government's "garbonzogate."



# DIPLOMACY

In crucial areas such as climate change, international security, development and strengthening international institutions the government has underperformed or stalled. No longer are the Liberals committed to a seat on the UN Security Council as promised. No, Trudeau recently told Canadians, a seat on the Security Council is inconsequential after he decided it was okay to abstain on a UN vote challenging US recognition of Jerusalem as the capital of Israel.

*This is a far cry from the open and accountable government Canadians were promised.*

The export of Canadian values cannot be achieved through a leader who deals solely in platitudes or says one thing and does another.

Just as democratic reform was apparently not all that important when Trudeau decided to pull the rug out from under that particular promise last year, the government continues to contradict itself on climate change.

Trudeau's recent intervention in the Trans Mountain dispute between Alberta and BC

stressing both environmental protection and the economic benefits of building more pipelines is a good example.

Where Canada could be making a real difference are those countries where Trudeau decided not to deploy peacekeepers and which are clearly suffering such as the Democratic Republic of Congo, South Sudan and Mali. Indeed, Trudeau went to great lengths to justify his peacekeeping non-decisions by claiming that the UN would benefit more from core funding. The reality is quite different, given that Canadian forces are already stretched thin with deployment in the Baltics, Ukraine and the Middle East. In fact, despite recasting our objectives against ISIL, few Canadians are probably aware that Canada still has a large number of forces stationed in Iraq and throughout the Middle East.

# DIPLOMACY

## REVITALISING INTERNATIONAL INSTITUTIONS

In last years' Report Card we noted that the Trudeau government staked its reputation on reinvigorating the international liberal order and international institutions. In reality it is that which the government has not committed to that underscores how limited its contributions have been. Consider the International Criminal Court and the Responsibility to Protect agendas, both Liberal Party signature policies, neglected by the Trudeau government and now moribund.

The sad reality is that, despite all the rhetoric, Justin Trudeau's Liberals are as hawkish as the previous Conservative government – "Harper Lite" as we described the government's foreign policy last year. Foreign Minister Chrystia Freeland, who replaced Stephane Dion, (some say he was pushed) has charted a course that is very closely aligned with American interests. Under Freeland's

direction, Canada's foreign policy appears caught in the American slipstream from which imminent escape appears unlikely. Efforts to punish Venezuela through sanctions are troubling considering that it is being pushed to the brink of collapse by those sanctions. Offers to mediate the conflict are notably absent.

Whereas Dion was committed to diplomacy, that does not appear to be high on Freeland's agenda. The recent Vancouver summit ignored two of the three countries sharing a border with North Korea, namely Russia and China. The ugly spat our embassy is having with the Venezuelan government, because of the country's purported connections to Iran, and Freeland's unveiled support for protestors in Tehran, while not having an embassy there, stand out as cases where her office has chosen disruptive digital diplomacy over constructive engagement. Even on Ukraine where Canada arguably holds a comparative advantage Freeland is happy to follow the American lead.

# DIPLOMACY

On China, the Liberal's efforts to engage that country on free trade talks fell flat indicating that like the Harper government before them, the Liberals should think before they lecture. In fact, the Canadian government intends to put Venezuela, Iran and North Korea at the top of the G7 Agenda later this year even though many of the countries who are most affected by those conflicts are not part of the G7. Few international issues these days can be properly solved without G20 members like Russia, China, India, Brazil and South Africa.

Also, like the Harper government, the Liberals under Justin Trudeau have elevated "identity politics" to a foreign policy art form. Just as Stephen Harper's pandering to diaspora groups propelled his Conservatives to consecutive majority wins, the Liberals are staking their claim to gender equality and its feminist foreign policy agenda. To be sure the Liberals are not afraid to pander to diaspora groups either such as their domestically driven tilts towards India, Israel and Ukraine.

Trudeau's obsession with identity politics and virtue signalling is proving to be an imperfect platform upon which to build effective diplomacy, especially when the rhetoric cannot keep pace with reality.

In his recent visit to India Trudeau made the mistake of including a convicted Sikh extremist on his guest list. A more egregious error was his unseemly and very public effort to offload responsibility for that to the Indian government and expose his national security adviser in the process. One gets the impression that Trudeau's political staffers are not up to the challenge whether it is in Danang, Beijing or Delhi.

In another case of rhetoric outracing reality, the Liberals made a big deal out of their initial intake of 25,000 Syrian refugees in 2015, an outcome for which they received high grades from us. But consider that Finland, a country of less than 6 million is home to 20,000 Syrians and Germany over 500,000.

The advancement of gender equality is admirable; it is an area where the Nordics

# DIPLOMACY

excel. But these countries also back up their policies with solid empirically grounded research they do themselves. They lead, we follow. Some have suggested the Liberals would prefer to encourage more women to work than let in more immigrants. Nevertheless, Trudeau intends to champion his government's feminist foreign policy at the G7 where it is likely to find both support from the Germans and push back from the US, specifically on reproductive-health rights, including contraception, sex education and legal abortion.

## COPING WITH THE COLOSSUS

We come full circle to the Canada-US relationship. In some ways it is unique. For example, our energy market remains distinct (and partially protected) from global energy trends because of shared resource exploitation, cross-border investments and cross border security. Yet, as noted one of the most important institutions in the relationship today, NAFTA, is being renegotiated. NORAD

is hitting an anniversary, but there are doubts about its future. Multilateral institutions that guide the relationship such as the Paris Accords, are being revisited and even rejected by the United States. Tariffs are going up while Canada struggles to attract investment in crucial areas such as innovation and research.

Concurrently, NATO is attempting to pull Ukraine from Russia's traditional sphere of influence — a strategy that is consistent with the current US administration's National Security Strategy (NSS) that puts geopolitics ahead of terrorist threats as the number one security issue facing America. Given the NSS's concerns regarding the challenge of great power rivals, Freeland's statements made last year to Parliament make sense. In that speech she noted that the world was a more unpredictable and less safe place than just ten years ago. Much of that apparently has to do with the rise of Russia and China. But it is also of our own making because Canada, like the US, has chosen to take sides in many civil wars ensuring they will be prolonged and deadly.

# DIPLOMACY

Hedging her bets Freeland has opted for the most part to side with the American geopolitical perspective. However, if there is cause for concern regarding an increasingly institutionalised and deeper relationship with the US, one need look no further than the UK's departure from the EU, in which a principal fear among British voters was the lack of accountability and transparency that they believed was embedded in EU membership. Simply put, decisions effecting the future of UK citizens were being made by unelected technocrats (or so it was believed). A major concern for Canadians should be our technocratic and institutional integration with the USA. These arrangements lay outside the scope of democratic accountability and beyond the purview of the ordinary citizen.

By raising tariffs and walls, the US will be withdrawing from its multilateral role of *primus inter pares* and privileging its own geopolitical interests above all else. By becoming more inward looking, the US is dragging Canada along with it.

Finally, we are witnessing significant backsliding, even among resilient democracies around the world. Canada has much to offer in concrete practical terms especially to those countries that are torn by conflict and struggling to embrace liberal values and make democracy work. A convenient whipping boy for the world's ills are countries which Canada must learn to get along with – namely Russia and China. Our Arctic interests intersect with the former and our economic aspirations converge with the latter.

Under the previous Liberal government, Canada made concerted efforts to export its own unique brand of democracy and federalism, its cultural and linguistic values and its legal and judicial systems. When it comes to making a difference these days, apart from a largely ineffective progressive trade agenda and some military training in a handful of countries, Canada is mostly missing in action.





# TRADE

## B-

### NAFTA:

Upon their election in 2015, the Trudeau government almost certainly was not anticipating the prospect of having to fully renegotiate the North American Free Trade Agreement (NAFTA). Given the agreement's monumental importance to the Canadian economy, the government can be forgiven for failing to move forward on a few lesser trade promises, such as modernizing existing free trade agreements (FTAs) with Chile and Israel. The NAFTA renegotiation has made trade arguably the most important area of Canadian foreign policy for this year and the foreseeable future.

Within the negotiations, the Trudeau government has performed better than expected. They have assembled a strong team of negotiators with full bipartisan support – a rarity in today's political climate. Holding together a united front, the government has done well to pitch the virtues of NAFTA not just to the White House, but to individual Congressmen, states, cities and industry leaders. Placing this sort of internal pressure on the Trump administration is precisely the strategy needed against a protectionist trade partner



# TRADE

The main point of criticism, however, occurred before the negotiations even began. Barely a few days after Donald Trump's election in 2016, Canada's ambassador to the United States, David McNaughton, publicly stated that the government would be "happy" to renegotiate NAFTA. Such an invitation almost surely harmed Canada's negotiating position before the talks even began. Though there were no doubt areas of NAFTA the government would have liked to improve on, it was abundantly clear at the outset that this would not be a friendly negotiation to simply iron out a few kinks.

*There is a time for "sunny ways" and a time for hard ball, and this was clearly the latter.*

## THE CPTPP

It is unclear what exactly happened in Vietnam this fall, but something certainly went wrong. Why the government balked at signing the revised Trans-Pacific Partnership, now the "Comprehensive and Progressive

Trans-Pacific Partnership" (CPTPP), remains a mystery, but whether it was intentional or a failure of communication, the diplomatic fallout is obvious. Name change aside, very little in the deal appears to have changed between November, when the government no-showed to the signing ceremony, and January, when Canada formally made the commitment. The Trudeau government claims it held out for better terms, but it is clear that Canada was not in the driver's seat; that the other signatories planned to move ahead with, or without, Canada on the one-year anniversary of the United States withdrawing from the deal was surely not a coincidence. Though it was signed in the end, this was done at the expense of worsening relations with the other members states, such as Japan and Australia, whose governments both publicly denounced Canada's backtracking.

Indeed, given the position of the United States on the matter, one would have imagined going all in with the CPTPP would be ideal for Canada. While the US is our biggest trading partner, they are also our biggest competitor,

# TRADE

suggesting that by signing this deal, Canada gains preferential access to key markets in Japan and Southeast Asia. Further, it provides a crucial backup plan should the NAFTA negotiations fail and shows to the White House that Canada is committed to trade liberalization with or without American support. The CPTPP debacle is in many ways the foil of the NAFTA renegotiation; while the government has been focused and united on the former, it has been erratic and sloppy on the latter.

## CHINA AND PROGRESSIVE TRADE

If the CPTPP was a mess, Trudeau's trip to China to discuss a potential free trade agreement was a complete disaster. It appears nothing productive was accomplished on the PM's trip and, indeed, insistence on "progressive" provisions on labour, the environment and gender rights doomed the project from the onset. Canada would have done well to study the Australian and New Zealand FTAs with China, both of which are largely void of the rhetoric the Trudeau

government appeared to press for. This is not to say that labour standards, environmental protection and gender equality are not important to consider in a trade agreement – far from it – but if the government views such provisions as essential to a deal then precedent would show they ought not have bothered going to China in the first place.

Indeed, though the so-called "progressive trade agenda" is a noble cause, it has appeared to be far more rhetoric than reality. In the case of the Trans-Pacific Partnership this is shown literally; while the deal has been renamed the "Comprehensive and Progressive Trans Pacific Partnership", the actual substance of the deal remains largely unchanged. In NAFTA, as in China, it has become clear that such ambitions are contingent on negotiating with like-minded partners and it is abundantly clear that neither Donald Trump nor Xi Jinping fit the bill.



# DEVELOPMENT

# C

## FEMINIST INTERNATIONAL ASSISTANCE POLICY

After a year of consultations, the government finally presented Canada's new Feminist International Assistance Policy (FIAP) in June 2017. As per their campaign promise to support the implementation of the UN's Sustainable Development Goals (SDG), the primary objective of FIAP is to help eradicate poverty by addressing gender inequality. The ambitious policy is a welcome shift in Canada's development assistance and foreign policy.

These targets represent a dramatic shift in Canada's policies and require a significant increase in investment. However, the new policy has not been accompanied by new funding for Canada's Official Development Assistance (ODA). Canada's ODA accounted for 0.26% of its gross national income. This is much lower than the 0.32% average of the Development Assistance Committee countries and the 0.7% target established by a UN General Assembly resolution. Although the Trudeau government boasts about its commitment to development, its current spending levels would actually make them less generous than under the Harper government. Standing Committees have recommended the government increase its ODA to 0.35% by 2020, but with no commitment for new funding, it seems the Trudeau government will fail to meet this target. Although the government uses strong rhetoric regarding its commitment to gender and development, spending levels are often the clearest marker of a government's seriousness, meaning that Trudeau is more interested in scoring political points than he is in making a difference.



# DEVELOPMENT

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Another criticism of FIAP is that it lacks a clear implementation strategy. For example, Canada has committed to no less than 80% of bilateral international development assistance for initiatives with a gender focus, and 15% of bilateral international development investments will specifically target gender equality and the empowerment of women and girls by 2021-22. These are aspirational goals, but the policy remains silent on how to make these goals meaningful or measurable.

The policy does away with the ‘countries of focus’ list, used to focus bilateral aid on 25 priority countries. Instead, Canada’s bilateral aid will now prioritize the poorest and most vulnerable and supporting fragile states. This represents a significant shift from Canada’s previous focus, which had a mix of fragile states, least developed countries, low-income and middle-income countries. Fragile states often pose additional risks including weak institutions, volatile political climates, precarious security environments and more acute structural challenges. However, the policy does not incorporate a framework on how these challenges will be addressed.

The government spent one year in consultations, involving more than 15,000 people in 65 countries. This was done in support of the government’s promise to provide innovative, evidence-based approaches to development assistance.

*Although this is impressive on the one hand, on the other, it may not have been the most constructive use of limited time and resources.*

Nearly half of the government’s mandate was spent on the preparation and consultation process. At some point, there is a decreasing return on investment in consultations, whereby the results of those consultations are beneficial for neither the government nor experts.

Discussions become repetitive and experts can suffer from consultation-fatigue. And now the government has lost critical time and resources to spend on implementation strategies.

# DEVELOPMENT

## DEVELOPMENT FINANCE INSTITUTION

In May 2017, the government announced the establishment of a development finance institution (DFI), branded as FinDev Canada, which operates under Export Development Canada (EDC). FinDev Canada will draw upon a range of financing instruments to work with small and medium-sized enterprises to support private sector investment in developing countries. They will have a particular aim on improving environmental and gender initiatives.

FinDev will represent a very small part of Canada's development assistance. Canada has long been criticized for not having such an institution, considering every other Organization for Economic Cooperation and Development (OECD) country does. The plan, however, is not new; it was initially put forward under the Harper government's final budget, for which they allocated \$300-million over five years. In its 2017 budget, the Trudeau government re-committed the same level of financing. These spending levels are low; in comparison, to make its commitment on par

with other G7 members, Canada would need to invest \$300-million every year. FinDev comes at no cost to the government because its budget comes from the balance sheet of EDC, a Crown Corporation.

The main justification for having FinDev under the EDC was to increase efficiency by drawing upon already existing institutions. While this suggests the government could have moved relatively quickly, instead the process has been inefficient and slow. There are still questions over how the government will differentiate FinDev from other DFIs in an already competitive market. Other issues center on what kinds of terms and conditions Canada will offer on its loans that can allow FinDev to not only be competitive, but also protect itself from risk of repayment failures. Finally, looking forward, there may be trouble matching the FinDev's mandate with the government development goals, including making improvements in gender, the environment and poverty reduction in fragile states.

# DEVELOPMENT

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## HUMAN RIGHTS

The Trudeau government has publicly promoted itself as an upholder of human rights, gender equality, peaceful pluralism and respect for diversity, promoting these values for both its domestic and international audiences. In January 2018, the government created the position of the Canadian Ombudsperson for Responsible Enterprise (CARE). This position is for an independent officer who will investigate allegations of human rights abuses linked to Canadian corporations operating abroad. This has been widely praised by the NGO community, which had been pressing for a more active posture on the part of the government with respect to the behavior of Canadian multi-national corporations abroad, particularly in the mining sector.

Notwithstanding this development, there are ongoing criticisms of the government in relation to its human rights promises. The government's goals are incompatible with selling arms to countries with poor human rights records, including Saudi Arabia and the Philippines. Similarly, Canada has remained

largely silent on the ongoing ethnic cleansing of the Rohingya community in Myanmar. Finally, Canada abstained from the vote denouncing the United States' decision to move its embassy to Jerusalem. Although these are politically sensitive issues, if the Trudeau government is boasting about its role as a promoter of human rights, it should do more to stand up in these cases.

As Canada promotes human rights abroad, the government should address its human rights abuses domestically, in particular in relation to indigenous communities. The government refused to meet three compliance orders from the Canadian Human Rights Tribunal to stop chronic underfunding of services for Indigenous children living on reserves, only recently pledging to comply after a fourth order in February 2018. There are ongoing issues of adequate housing, access to services including mental health services and ensuring clean water and food security. The government has failed to match its human rights rhetoric abroad with assurances that these rights are respected within its own borders.





# DEFENCE

C

## CANADA'S MILITARY ROLE IN IRAQ AND SYRIA

The government pledged to end its airstrikes in Iraq and Syria and refocus its efforts on training and humanitarian support. This goal was officially met in February 2016, when, despite significant opposition, it was announced that Canadian coalition airstrikes against the Islamic State in Iraq and the Levant would cease. While the government should be praised for this decision, it appears that Canada's aerial contribution has not ended, but rather, has changed its form. Canadian aircraft continue to fly over Iraq and Syria, gathering intelligence that informs the Coalition's striking decisions, and refueling Coalition fighter aircraft.

Since 2014, Canada has provided approximately 850 Canadian Armed Forces (CAF) personnel — including 200 special force trainers — to Operation IMPACT. While originally deployed in an “advise and assist” mission, it is clear that Canadian special forces have been much closer to the frontlines, as was demonstrated by Canada's active participation in pushing the Islamic State out of the city of Hajiwa, and special forces' assistance in the liberation of western Mosul. Both the Liberals and Conservatives suggest that occasional fighting is a consequence of the circumstances faced by special forces, and not an aim in and of itself. In effect, however, Canada has ended airstrikes – which present a low-risk for involved personnel – and opted for operations that put more Canadian troops in the line of fire. With Canada suspending its mission to train Iraqi and Kurdish troops due to post-Kurdish referendum violence, and speculation concerning Canada's contribution to a US-led 30,000-strong border force in Syria, it is unclear what the new year will hold in terms of Canada's involvement in Iraq and Syria.

# DEFENCE

## THE PEACEKEEPING CONUNDRUM

In August 2016, the government committed \$450 million, 600 soldiers, and 150 police officers to a future mission. Despite these promises, and speculation regarding potential deployment to Mali, in November 2017, Trudeau announced that Canada was instead prepared to offer up to 200 rapid-response troops for future UN peacekeeping operations. Under this new plan, peacekeepers will be deployed on an as-needed basis, determined by the UN itself, effectively leaving Canadians in the dark as to where and when these peacekeepers will be deployed. The argument can be made, however, that the government's original commitment was based on an outdated understanding of peacekeeping. Still, the government's inability to deliver on its original commitment, and its lack of transparency in its decision-making, represent a massive failure in the realm of peacekeeping.

Two other developments – the creation of a \$15 million “trust fund” to support countries that

are committed to increasing the participation of women in peacekeeping operations, and the CAF setting an international precedent with its new child soldier doctrine – are positive, but modest in comparison to the failure of the government to deliver on its peacekeeping commitments.

## MAINTAINING SECURITY IN CENTRAL AND EASTERN EUROPE

Canada has remained active in both Ukraine and Latvia, demonstrating its continued commitment to maintaining security in Central and Eastern Europe. Canada has taken the lead as part of NATO's Enhanced Forward Presence, committing 450 troops to the multinational effort. Canada has also extended Operation UNIFIER – its 200 soldier military mission in Ukraine – to March 2019.

Some have lauded the Canadian government's efforts, citing its ability to provide the right number of troops so as to effectively deter Russian aggression, without provoking it.

# DEFENCE

Others, however, are much less optimistic, and suggest that the presence of Canadian forces – who, along with their NATO allies, are unable to deter a full-blown Russian attack — are unnecessarily provoking Russia. Thus far, Canadian troops have been the subject of Russian-backed online propaganda and disinformation campaigns. Additionally, it has been suggested that Canada’s presence in Ukraine is inadvertently aiding far-right and neo-Nazi militias, such as the Azov Regiment, as these groups are part of Ukraine’s national gendarmerie, further questioning Canada’s role in Central and Eastern Europe.

## CANADIAN DEFENCE PROCUREMENT

In a decision that has taken over two years, on December 2017, the Liberals announced the launch of an open and fair competition for a new, permanent fleet of fighter jets to replace Canada’s aging CF-18s. Amidst conflict between Boeing and Bombardier,

the Canadian Government also announced that it would not be purchasing 18 Boeing Super Hornets and would instead be purchasing an interim fleet of 18 used F-18 fighters from Australia.

*This decision comes just months after Minister Sajjan claimed the government was not interested in purchasing used equipment.*

Canada’s approach to shipbuilding has been equally disappointing, as the government’s plans are billions of dollars over budget. One option is to cancel the Canadian Surface Combatant design competition and re-launch a fixed-price competition involving “off the shelf” designs . Overall, Canada’s performance in the domain of procurement has been nothing short of disappointing.

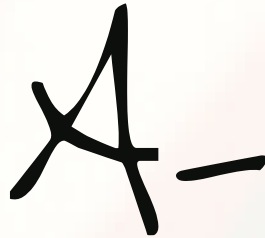
# DEFENCE

## CANADA'S NEW DEFENCE POLICY

On June 7, *Strong, Secure, Engage*, Canada's new defence policy, was unveiled. The defence budget provides tax relief for CAF members deployed on international operations, provides funding for military family resource centres, states that there is an increased focus on inclusion and diversity, and demonstrates the CAF's commitment to psychosocial well-being and mental health. The document also modernizes Canada's defence outlook, aligning it with the renewed importance of great power competition. By hardening cyber defences and permitting active cyber operations in the context of government-authorized missions, Canada has modernized its cyber strategy, and is better prepared to deal with threats in a new security environment. Critics, however, have taken issue with active cyber operations, as well as the new policy's authorization for Canada to purchase and use armed unmanned aerial vehicles, citing human rights concerns. Not

only can these moves be seen as necessary, and indeed long overdue, but Canada has also stated that these new developments will be subject to applicable domestic and international law, rules of engagement, and targeting and collateral damage assessments.

# IMMIGRATION & REFUGEES



## BILL C-6

Bill C-6, which made changes to Canada's Citizenship Act, received Royal Assent in June 2017. The passage of this bill brought about many of Trudeau's campaign promises. These include granting immediate permanent residency to new spouses entering Canada, restoring limited and temporary health benefits to refugees and refugee claimants, restoring the maximum age for dependents to 22, giving international students and temporary residents credit for time already spent in Canada, among other changes. These were seen as positive and much needed improvements in the immigration and refugee system.

However, these changes are only narrow fixes to the immigration and refugee system. Many of the changes made by the Harper government were kept in place, to maintain the integrity of the program. Some argue that Bill C-6 was more for optics and to appease immigrant communities to gain their political support, rather than drastically changing the policy from previous governments. Additionally, it has yet to be seen whether the Trudeau government will effectively implement the legislative changes and commit the resources necessary to deliver on them. We will have to wait until the next budget to see whether the government will deliver on its legislative commitments.

# IMMIGRATION & REFUGEES

## ONE MILLION IMMIGRANTS OVER THE NEXT THREE YEARS

As per their campaign promise, the government will be raising its immigration intake to one million over the next three years. In the past, immigration intake forecasts have only focused on a one-year window. There has been widespread support for multi-year planning, as the predictability allows for more efficient and effective preparation on behalf of the federal government and the provinces.

Notwithstanding these positive developments, there remains criticism that the target number of 350,000 immigrants per year is insufficient. The federal government's Advisory Council on Economic Growth had recommended levels around 450,000 newcomers annually by 2021. The recommendation for a higher target was made to address the growing demographic shifts taking place in the country.

Furthermore, the government has not

addressed how it will ensure that it receives enough competitive applicants to realize their target. There has recently been a sharp decline in the number of Canadian citizenship applications, for example in 2016 the number decreased by around 50%. A steep increase in citizenship application fees under the Harper government is said to be a key factor in this sharp decline. Fees were increased from \$100 to \$530 in 2015 with an additional \$100 right-of-citizenship fee required once the applicant is approved.

*The Trudeau government has not made nor proposed to make any changes to reduce these fees.*

If the government wants Canada's immigration sector to remain competitive, it must make improvements to barriers such as these to make Canadian citizenship more accessible.



# IMMIGRATION & REFUGEES

## IRREGULAR BORDER CROSSINGS

In 2017, there was an increase in the number of refugee claims made from irregular border crossers into Canada from the US. After the US announced it would cancel Temporary Protected Status (TPS) programs for specific nationalities, people crossed into Canada seeking protection. According to the Immigration and Refugee Board (IRB) around 18,149 refugee claims were made by irregular border crossers in 2017. The government deserves credit for its response to this issue. Government institutions have been coordinating in response, including Canadian Border Services Agency, the RCMP, Public Safety and IRB, by sharing information and acting proactively. This has helped mitigate claims that Canada has “lost control” of its border. Furthermore, the government has helped the rhetoric towards these refugee claimants has remained positive, rather than anti-refugee language that is pervasive in other countries.

In anticipation of an increase in the number of countries that will lose their TPS status in the US in the next 18 months, the government has tried to respond proactively. This includes initiating a campaign in the US in hopes of discouraging those who may seek to cross irregularly into Canada. This has been done by meeting with stakeholders in local and state governments and diaspora communities to clarify misinformation about Canada’s immigration laws and procedures.

However, the government still has room to improve its response. There has been a serious lack of resources to help process the increase in refugee claims. IRB is statutorily mandated to meet a 60-day requirement for asylum cases, which has not been honoured. The irregular border crossers are only adding to the serious backlog that the IRB faces. The government’s recent budget has committed additional funds to address this problem, but must see whether this will be sufficient, considering the existing problems with the board’s already limited resources and backlogs.

# IMMIGRATION & REFUGEES

## CANADIAN GLOBAL LEADERSHIP

In light of the current global trend of anti-immigrant and refugee rhetoric, the Trudeau government has been offering a positive counter-narrative of openness, tolerance and acceptance. Canada remains one of the only countries that is continuing the positive narrative both domestically and internationally. For example, Canada is devoting significant time and leadership in the negotiation of the UN's Global Compact on Refugees, which will be delivered to the UN General Assembly in late 2018. This builds on the New York Declaration for Refugees and Migrants passed by the UN General Assembly in 2016. Canada's diplomatic missions are playing pivotal roles in designing the new compact. This includes integrating aspects of Canada's Feminist International Assistance Plan into the document.

Further, the Trudeau government has invested in the Global Refugee Sponsorship Initiative. This program uses Canada's unique experience from its Private Sponsorship Program to help other

countries learn how they can implement similar initiatives. With the government's support, training sessions have taken place in over 12 countries, to help engage citizens participate directly in community-based sponsorship programs.

Despite Canada's largely positive image, there is still room for improvement. One clear example is necessary reform in Canada's immigration detention system. There are about 325 to 425 individuals detained under the Immigration and Refugee Protection Act (IRPA) at any given time. Criticisms focus on the absence of a legislatively prescribed limit to the length of detention which has, in some instances, unfairly restricted the detainee's rights to liberty. Although there are periodic reviews of detainee's files, these have been criticized because adjudicators often defer to findings of the previous decision-maker and only look for 'clear and compelling reasons' to depart from their decisions. Taken together, detainees can potentially face indefinite detention in maximum security facilities. Canada must address these refugee- and migrant-related along with others, as they seek to be a global leader in the field.



# SECURITY

## B+

### ACCOUNTABILITY AND THE RESTRUCTURING OF CANADA'S SECURITY AND INTELLIGENCE COMMUNITY

With the introduction of Bill C-59, which received its first reading on June 20, 2017 and Bill C-22, which received Royal Assent on June 22, 2017, the Liberals delivered on their promise to repeal problematic elements of Bill C-51 and introduce new legislation that strengthens accountability. With what is perhaps the largest reorganization of the Canadian security and intelligence community since 1984, the current government will likely face a steep learning curve moving forward.

With the Royal Assent of Bill C-22, the Liberals delivered on their promise to establish an all-party review committee to monitor and review the operations of all government departments and agencies with national security responsibilities. With the creation of the National Security and Intelligence Committee of Parliamentarians (NSICOP), Canada joins its Five Eyes allies by allowing legislators to review its security agencies. After Trudeau announced the members of NSICOP, the committee received criticism for its members' lack of security and intelligence experience. Others have raised concerns regarding the possibility of Parliamentarians divulging classified information.



# SECURITY

The proposed Bill C-59 would also significantly improve the accountability of Canada's security and intelligence community. Marking a departure from the current 'siloed' approach to national security review, the proposed National Security and Intelligence Review Agency (NSIRA) will simultaneously review the activities of CSIS, the CSE, and the RCMP. This new, comprehensive body will allow for a more robust review that will encourage public trust, force security and intelligence personnel to monitor their conduct more closely and provide an opportunity to share 'lessons learned.' However, the novelty of such an integrated review body, and the Liberals' lack of clarity as to the division of labour between NSICOP and NSIRA, suggest this new development may lead to unforeseen issues.

As outlined in Part 2 of Bill C-59, the Intelligence Commissioner (IC), a retired superior court judge, will have the discretion to authorize or reject ministerial authorizations for certain intelligence and cyber security activities prior to their conduct. While this serves as a much-needed mechanism of accountability, one expert notes that the threshold for obliging the authorization of the IC is an "underinclusive 'trigger'" that only comes into play when "an Act of Parliament" would otherwise be contravened.<sup>1</sup>

Such a threshold would effectively exclude authorization surrounding metadata collection from the role of the IC.

The proposed CSE Act clarifies the agency's mandate by stating that it should not direct its foreign intelligence or cyber security activities at Canadians or at any person within Canada and must always respect the *Charter of Rights and Freedoms*. Additionally, it increases the oversight and review mechanisms that the agency is subject to through the proposed Intelligence Commissioner, NSICOP, and NSIRA. The most notable development, however, is the authorization for the CSE to conduct both defensive and active cyber operations. The latter has been the subject of much debate, with some claiming that Canada should not engage in cyber attacks due to their targeting of civilians, and that active Canadian operations may open Canada up to retaliatory attacks by hostile actors and countries. Others, however, see the move as necessary, given the importance of the cyber domain in modern conflict and security. It has also been argued that offensive cyber operations should be subject to the authorization of the IC. Others, however, have claimed that the use of force — including through offensive cyber operations — is not, and should not, be subject to judicial authorization as it is Crown prerogative.

<sup>1</sup> Forcese, Craig. "Putting the Law to Work for CSE: Bill C-59 and Reforming the Foreign Intelligence Collection and Cybersecurity Process" Ottawa Faculty of Law Working Paper, No. 2017-43 (December 5, 2017).

# SECURITY

## PREVENTING AND COUNTERING RADICALIZATION TO VIOLENCE

On June 26, 2017, the Liberals met their promise, as outlined in Trudeau's mandate letter to Minister Goodale, by announcing the launch of the Canada Centre for Community Engagement and Prevention of Violence (CCCEPV). This centralized body will provide advice, research, and funding, by working with youth, civil society organizations, and academics, in order to help prevent, and counter, radicalization to violence in Canada.

The Centre has been criticized for a variety of reasons, with some criticisms holding more weight than others. The Centre still lacks a coordinator to lead the office. This, however, is understandable, given that the coordinator must be respected by various religious and ethnic communities, and must have both academic and government experience. The Centre has also been

criticized for funding questionable initiatives such as art-based pedagogy and poetry. This criticism, however, appears to be the result of a lack of clarification by relevant government officials concerning the difference between disengagement and prevention, with the latter including programming aimed at facilitating dialogue, expression, and awareness.

Ultimately, the Liberals delivered on their promise to establish the CCCEPV.

*The establishment of such a centre is long overdue, given efforts by our allies and incidents of far-right extremism and jihadist terrorism.*

Much more needs to be done to understand the process of radicalization in general, and in the Canadian context, specifically.

# SECURITY

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## LEGALIZING MARIJUANA

2017 saw Prime Minister Trudeau deliver on his campaign promise to legalize cannabis for recreational use. Bill C-45 had its first reading on April 13 and received final approval in the House of Commons on November 27. While it was originally believed that marijuana would be legalized from July 1, 2018, threats by Conservative senators that the passage of the bill in the Senate will be stalled, suggest that legalization will be postponed. This was later confirmed by Trudeau on December 19, when he stated that Summer 2018 is the projected date of legalization.

Bill C-45 was met with mixed reactions, with some celebrating it as a step forward, while others claimed that it will result in a much more punitive criminal justice response to marijuana-related crimes. The government has also been slow to provide answers pertaining to mechanisms to ensure public safety, regulate the drug in public spaces, grant amnesty to individuals previously

arrested for possession, pricing of the drug and eradicating illicit markets, exportation, and the potential for Canadians to face increased scrutiny at the US border.



# ENVIRONMENT AND CLIMATE CHANGE

B+

## CARBON PRICING

The government campaigned on putting a price on carbon, and it has. This fall provincial carbon taxes or cap and trade systems must be in place lest the federal government impose a tax on itself. Despite opposition from Saskatchewan, and potentially Ontario depending on their impending provincial election, the approach the government has taken to achieve this goal could set a precedent for future clashes between the federal and provincial governments — a precedent they have continued with their cannabis legalization legislation. By allowing the provinces to design and implement their own systems, within fairly broad limits, and threatening to impose their own, stricter limit in the event of non-compliance, Trudeau and Minister McKenna were able to respect provincial autonomy without compromising a key, and frankly necessary, promise. Though other changes will no doubt need to be made for Canada to reach its commitments to the Paris Accord, this is a big first step.

# ENVIRONMENT AND CLIMATE CHANGE

## PIPELINES

While the premiers of Alberta and British Columbia engage in a trade war over the Trans Mountain pipeline, the Trudeau government insists it will be built. Indeed, the government's campaign position on pipelines fluctuated by the day, and seemingly not much has changed. It would appear the government believes (or wants to believe) that opposition to pipeline expansions is centred around the transparency and rigour of the assessment process, rather than being rooted in ideology. Despite its insistence that the Trans Mountain project has been rigorously evaluated, opposition to any and all pipelines remains as strong as ever suggesting ideological differences remain strong. The government did, however, end the Northern Gateway pipeline project, fulfilling its promise to keep oil tankers off BC's northern coast.

## NATIONAL ENERGY BOARD OVERHAUL

On the topic of pipelines, the government also campaigned on reforming the approval and assessment process of major energy projects. The announcement of the replacement of the National Energy Board with the Canadian Energy Regulator and the Impact Assessment Agency of Canada appears to be a major step in that direction. In delegating this new agency to review major resource infrastructure projects, the government aims to include not just environmental assessments, but health and social impacts as well. The reforms also mandate heavier and earlier consultation with indigenous groups and aim to cut the length of time required to approve projects. All of these are welcome developments for what has clearly been a broken process, but it remains to be seen if these new agencies will actually render the process more efficient and acceptable to anti-pipeline groups.

# ENVIRONMENT AND CLIMATE CHANGE

## SO WHAT'S THE ISSUE THEN?

Despite the rhetoric, and the carbon tax, the Trudeau government's environment and climate change plan still feels like less than the sum of its parts. While the government has pledged billions towards green infrastructure projects and has taken steps to improve an international reputation on climate change, it has fallen short on developing an overarching framework.

*Indeed, as in many other areas, the Trudeau government has seemed erratic at times on the environment.*

While the government successfully negotiated the Pan-Canadian Framework on Clean Growth and Climate Change, Natural Resources Minister Jim Carr has stated the proposed Canadian Energy Strategy will be “an on-going dialogue”; in short, there will not be a strategy at all.

# CONTRIBUTORS

## DAVID CARMENT

David Carment is a Professor of International Affairs at Carleton University. He is also the Editor of the Canadian Foreign Policy Journal (CFPJ) and a Fellow of the Canadian Global Affairs Institute.

## NABIL BHATIA

Nabil Bhatia is an M.A. candidate at the Norman Paterson School of International Affairs, where he specializes in the study of conflict and security, with a regional focus on North America and the MENA region. He has written on emerging security issues for the NATO Association of Canada and iAffairs Canada, and his work on transnational crime is scheduled for publication in March 2018. His research interests include: domestic and transnational terrorism, counter-terrorism, insurgency, radicalization to violence, and the geopolitics of the Middle East. You can connect with Nabil at [nabil.bhatia@carleton.ca](mailto:nabil.bhatia@carleton.ca).

## NATALIE LAMARCHE

Natalie LaMarche is a second-year JD/M.A. candidate studying Common Law at the University of Ottawa and International Affairs at the Norman Paterson School of International Affairs with a specialization in the Conflict Analysis and Conflict Resolution field. She completed her Bachelor of Arts at McGill University studying Political Science, Economics and International Relations. Natalie is particularly interested in Canadian policy that impacts international humanitarian law, conflict and security, development, migration and human rights. You can contact Natalie at [natalie.lamarche@carleton.ca](mailto:natalie.lamarche@carleton.ca)

## WILLIAM O'CONNELL

William O'Connell is an M.A. candidate at the Norman Paterson School of International Affairs, in the International Economic Policy stream. He received his Honours B.A. in International Political Economy from Bishop's University in 2016. His research interests include financial regulation and market structure, exchange rate policy and the political economy of high-income countries. He grew up in Dartmouth, Nova Scotia. You can contact William at [william.oconnell3@carleton.ca](mailto:william.oconnell3@carleton.ca)

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Elinor Sloan  
Inger Weibust  
Alex Wilner

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INTERNATIONAL AFFAIRS

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# LIST OF ACRONYMS

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CAF - Canadian Armed Forces  
CARE - Canadian Ombudsman for Responsible Enterprises  
CCCEPV - Canadian Centre for Community Engagement and Prevention of Violence  
CETA - Comprehensive Economic and Trade Agreement  
CFPJ - Canadian Foreign Policy Journal  
NAFTA - North American Free Trade Agreement  
CPTPP - Comprehensive and Progressive Free Trade Agreement  
CSE - Communications Security Establishment  
CSIS - Canadian Security and Intelligence Service  
DFI - Development Finance Institution  
EDC - Export Development Canada  
FIAP - Feminist International Assistance Policy  
FTAs - Free Trade Agreements  
IC - Intelligence Commissioner  
IRB - Immigration and Refugee Board  
IRPA - Immigration and Refugee Protection Act  
ISIL - Islamic State of Iraq and the Levant  
NATO - North Atlantic Treaty Organization  
NORAD - North American Aerospace Defense Command  
NSICOP - National Security and Intelligence Committee of Parliamentarians  
NSIRA - National Security and Intelligence Review Agency  
NSS - National Security Strategy  
ODA - Official Development Assistance  
OECD - Organization for Economic Co-operation and Development  
RCMP - Royal Canadian Mounted Police  
SDGs - Sustainable Development Goals  
TPS - Temporary Protected Status

# CONTACT

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IAFFAIRS CANADA  
[@iAffairsCanada](#)

DAVID CARMENT  
[@cdnfp](#)

NORMAN PATERSON SCHOOL OF  
INTERNATIONAL AFFAIRS  
[5306 Richcraft Hall Building](#)  
[Carleton University](#)  
[1125 Colonel By Drive,](#)  
[Ottawa, ON K1S 5B6](#)  
[Canada](#)

[613 520 6655](#)



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