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Canada aids in Thai arrest of Tamil migrants

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Covert operation part of strategy to pre-empt arrival of smuggling ship, expert says

Thai authorities have arrested more than 150 Tamil migrants in an immigration sweep that Canada had a hidden hand in, according to one security expert.

"You can say that Canada has pre-empted one of the vessels," said Rohan Gunaratna, a Singapore-based security expert, asserting these migrants were likely destined for Canada aboard a smuggling ship.

The ongoing Tamil boat crisis, he said, has prompted a host of countries "to launch a new strategy" aimed at heading off more migrants. "If not for the Canadians and Australians working together with the Thais, this would have never happened," he said.

Mr. Gunaratna, a professor who has testified as an expert witness in Canada, said some Tamil Tiger terrorists were caught in the bust. He credited the RCMP, Canadian Security Intelligence Service and the Canada Border Services Agency for playing a role.

Ottawa says it is aware of the busts around Bangkok, but won't acknowledge whether federal agents played a role. Yet officials make no secret that they are trying to "push borders out," given that Canada's refugee laws make it nearly impossible to deter or deport certain classes of migrants.

"Canada is engaged with a number of countries in the region on issues regarding migrant smuggling, including pursuing co-operation with source and transit countries," said Alain Cacchione, a spokesman for Canada's Foreign Affairs Department. "We will not comment on operational issues."

The pre-emption strategy stems from the policy failures surrounding vessels that have already landed. In August, a ship known as the Sun Sea brought 492 Tamil asylum seekers to Canada. One year ago, the Ocean Lady transported 76 Tamils to B.C.'s coast. Australia, meanwhile, has received more than 90 Tamil ships since the Sri Lankan civil war ended in May, 2009.

This exodus has prompted Australia's Labour government to consider a blanket ban on Tamil refugee claims and caused Canada's Conservative government to promise a crackdown on human smuggling. Yet federal agents often find there is little they can do if an asylum seeker's toes touch Western soil - or even walk onto the gangway of a ship bound for international waters.

So Ottawa has dispatched federal agents to Southeast Asia - most prominently, Ward Elcock, a former CSIS boss appointed Canada's "special envoy" on human smuggling after the summer's Sun Sea controversy. And a senior member of the Royal Thai Police was recently "wined and dined" in Ottawa and Niagara Falls by federal police, according to a well-placed Ottawa source.

In August, The Globe and Mail reported that apartments on the outskirts of Bangkok were filling up with dozens of ostensible Tamil "tourists" anticipating another ship bound for Canada. It's not clear whether a smuggling network ever procured such a vessel.

The National News Bureau of Thailand reported Monday that Thai "commando units," acting on "a tipoff" and "intelligence information," raided 17 apartments in Bangkok's northern suburbs. They arrested 155 Sri Lankan nationals whose ranks included "a number" of suspected Tamil Tiger rebels, according to authorities. Those arrested lacked travel documents or had overstayed their visas, and were "waiting to seek asylum in a third country," the report said.

The migrants are now to be expedited en masse back to Sri Lanka; Thailand has not signed onto the international conventions that can make refugee removals time-consuming.

One law expert says that if Canada did have a hand in the Thai raids, the bust raises questions of whether Ottawa's emissaries are doing end runs around refugee rules. "If Canada is part and parcel of urging that, then there is an issue of moral complicity," said Osgoode Hall law Professor Craig Scott. He noted that many Tamils have a good reason to fear repression in Sri Lanka.

During a 30-year civil war, the totalitarian Tamil Tigers claimed they were the only legitimate voice for Sri Lanka's Tamils. The guerrillas used Southeast Asia as a base to run guns across the Indian Ocean, but were vanquished as a force last year.

A vestigial shipping network survives, and now it's feared to be smuggling people. Reports suggest that individual migrants who've gotten to Canada on boats are on the hook for up to \$50,000 apiece. In most cases, the Tamils have first fled Sri Lanka for southern India, then moved on to Thailand on tourist visas - before hopping ships to the West.

"The Canadian and Australian police now use preemption, because they know that when a vessel reaches their country there is nothing they can do," said Mr. Gunaratna, who works at the International Centre for Political Violence and Terrorism Research in Singapore.

Known for his hawkish views against the Tamil Tigers, he testified in Canada last year as an expert witness against the 76 men who arrived on the Ocean Lady voyage. Immigration lawyers tried to impugn Mr. Gunaratna's reliance on secret intelligence sources, yet Canada's Federal Court of Appeal ruled he remains an authority.