

## Man faked way into Canada as army major

Confessed after NATO exercise and was allowed to stay

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An Eastern European man slipped into Canada by posing as a foreign army major, reportedly attended a NATO exercise here, then admitted he was a fraud and claimed refugee status, internal government documents indicate.

The Immigration and Refugee Board eventually determined he "is not and never was" a military officer, but did find him to be a refugee, allowing him to stay in the country.

The man had earlier been turned down for a visitor's visa, according to the Immigration Canada papers.

The unusual episode has set off alarms about military security.

"Clearly, there needs to be a tighter control on some of this," one Immigration official said in the documents, obtained under the Access to Information Act.

A Department of National Defence spokeswoman said the exercise was a joint operation between NATO and the Partnership for Peace -- a group of former East Bloc nations and ex-Soviet republics trying to forge closer ties with the West. A DND investigation concluded the incident did not breach security, though, because the military exercise in question involved no classified information.

But Sergio Karas, a veteran Toronto immigration lawyer, said yesterday the incident underlines an unacceptable leakiness in the system.

"What kind of security protocols are in place to prevent imposters like this?" Mr. Karas said.

"This incident ended up being harmless. But this could have been much more serious had a terrorist used this ruse. Can you imagine if a terrorist had used this successfully?"

Information on the case was included in a series of heavily censored documents produced in 2003 and obtained by the National Post, relating to possible wrongdoing by Immigration Canada staff in various embassies around the world.

Immigration Canada would release virtually no additional information on the incident this week, refusing even to reveal the man's country of origin, although one source indicated he was from either Ukraine or Bulgaria.

Disclosing where the individual came from could violate his privacy or damage international relations, said Maria Iadinardi, an Immigration spokeswoman.

The man had tried unsuccessfully to obtain a visitor's visa for business purposes in 2000, Terry Mackay, a senior immigration officer in the department's war crimes and public security unit, related to colleagues in a January, 2003, e-mail.

The man later travelled to the United States and entered Canada, claiming to be a major in his country's armed forces on his way to the NATO exercise. DND confirmed he was in the program, Mr. Mackay said. But the man eventually indicated his invitation was fraudulent and applied for asylum, the officer said. The Immigration and Refugee Board determined he was a convention refugee and had never served in the military.

"If this is true, then DND has a security problem," Mr. MacKay concluded.

Another official suggested the matter be raised with Defence and Foreign Affairs, indicating they may not be aware of the case.

"It is not simply a matter of someone using a bogus letter of invitation for a visa but that they attended a DND-sponsored program and then claimed refugee status," said Kate O'Brien in her e-mail.

"Clearly there needs to be a tighter control on some of this."

Mr. Mackay's e-mail indicates the masquerading major got into Canada under the Status of Forces Act, which provides for agreements between countries to allow visits by each other's military personnel.

The exercise the man reportedly attended was hosted by this country but organized by NATO, said Captain Holly Apostoliuk, a Defence spokeswoman. She said the department does not know whether or not he did take part.

The program involved nations of the Partnership for Peace, which range from Ukraine to Bulgaria and Kazakhstan, but Capt. Apostoliuk said privacy laws prevented her from saying anything more about the exercise.

The list of individual participants would have been provided by their countries and approved by NATO, not DND, she said.

A spokesman at NATO's Brussels headquarters could not be reached for comment.

Ms. Iadinardi refused to reveal on what grounds the man made his refugee claim.

The department had no reason to oppose that claim, despite the apparent subterfuge he employed to enter Canada, she said. A legitimate refugee can be denied status only for certain reasons set out in law. Those grounds include having committed war crimes, terrorist acts or serious non-political crimes, or having failed to disclose they had been accepted as a refugee in another country, Ms. Iadinardi said.

The documents also reveal another unusual case Citizenship and Immigration Canada (CIC) officials grappled with last year, involving groups of dancers from the Philippines who were used in a scam to spirit illegal immigrants into Canada.

One January, 2003, e-mail from an official whose name has been blanked out indicates that at least four groups were brought into Canada in two years to perform for aboriginal bands here.

Most applied for refugee status or simply stayed beyond their visa deadline, the official said.

"The problem of inflated delegations is a particular vulnerability to CIC" and can be lucrative for the organizers, Ross Nichol, a senior investigations officer with the department, said in another e-mail.

Ms. Iadinardi said immigration staff were suspected of being involved in the dancer scheme but there was not enough evidence to take action. There was also no evidence to take action against any aboriginal groups for whom the dancers performed, she said.

Ms. Iadinardi confirmed it is not the first time people have got into Canada illegally by joining an official delegation of dancers, musicians or other performers.

"It's happened on a number of occasions, and we are always on the alert that it may happen again in other areas of the world," she said.

"This is an international problem and it requires international solutions."

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