



For Immediate Release

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On the eve of Canada Day, Conservatives abandon Canadian sovereignty in air travel

OTTAWA – With the quiet tabling of C-42 to amend Canada’s *Aeronautics Act* on the last day of the Parliamentary session, the Harper Conservatives have abandoned Canadian sovereignty by introducing legislation that will force Canadian airlines to divulge personal information about passengers to “any foreign state” a flight passes over.

“The Conservatives have decided that the *Canadian Charter of Rights and Freedoms*, the *Privacy Act*, and the *Personal Information Protection and Electronic Documents Act* mean nothing,” said Liberal Transport Critic Joe Volpe. “Even worse, this means the Americans have no confidence in our security measures.”

For years the Canadian government has tried negotiating with the United States to exempt Canadian over flights, even issuing a public statement regarding concerns about the implications of the program and the impact on the privacy of Canadians.

“The Harper Conservatives gave up on defending Canada’s position,” said Mr. Volpe. “Stephen Harper’s failure at finding a reasonable compromise means that Canadians are now the ones that will need to compromise their own privacy to the satisfaction of the United States and other foreign governments.”

Canadian airlines with flights that fly over the US will be required to provide the Department of Homeland Security with not only with basic identifying information, such as name, date of birth, and gender, but also passport and itinerary information. If a Canadian travelling over US airspace to another Canadian city, the Caribbean, South America, or Europe has the same name as someone on the American no-fly list, they can expect to be grounded.

Under the proposed new system, airlines will no longer issue boarding passes until a passenger’s personal information has been screened through the databases of the Department of Homeland Security. The data will also be subject to the *Patriot Act*.

At a Transport Committee hearing on air safety on May 11, 2010, Assistant Privacy Commissioner Chantal Bernier stated that the US will retain this information for as long as seven days to 99 years. She also added "our understanding is that information collected can be disclosed and used for purposes other than aviation security, such as for law enforcement and immigration purposes."

"While any state has the right to exercise their sovereignty over their airspace, our government has a responsibility to protect Canadian privacy and rights," said Mr. Volpe. "The introduction of Bill C-42 demonstrates the Conservatives have failed Canadians by not negotiating a compromise with the Americans."

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