

FEDERAL COURT

IN THE MATTER OF a certificate signed
pursuant to section 77(1) of the *Immigration
and Refugee Protection Act (IRPA)*;

AND IN THE MATTER OF the referral of
that certificate to the Federal Court
pursuant to section 77(1) of the *IRPA*;

AND IN THE MATTER OF the person alleging
to be Paul William HAMPEL

STATEMENT SUMMARIZING INFORMATION
PURSUANT TO SECTION 78(h) OF THE *IRPA*

November 20, 2006

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REFERENCES

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Kouzminov, Alexander. <u>Biological Espionage</u> . Greenhill Books, 2005	2
“Russian Spies Are Alive, Well”, J. Michael Waller, http://findarticles.com , March 8, 1999	3
“Russians Spy on Canada Despite End of Cold War - Ex - CSIS Official Says”, Times Colonist, June 8, 1996.....	4
“Russia Steps Up Espionage”, Jane’s Intelligence Digest, November 29, 2002	5
“JID forecasts for 2006”, Jane’s Intelligence Digest, January 4, 2006.....	5
Waller, Michael, J. <u>The KGB in Russia Today</u> . Westview Press, 1994.....	6
“Security and Foreign Forces, Russian Federation”, Jane’s Sentinel Security Assessment, May 25, 2005.....	7
Kouzminov, Alexander. <u>Biological Espionage</u> . Greenhill Books, 2005.....	8
Kouzminov, Alexander. <u>Biological Espionage</u> . Greenhill Books, 2005.....	9

Mitrokin, Vasili and Andrew, Christopher. <u>The Mitrokhin Archive</u> . The Penguin Press, 1999	10
Kouzminov, Alexander. <u>Biological Espionage</u> . Greenhill Books, 2005.....	11
“Alleged Spy’s Lawyer Cites Constitution Secrecy Around CSIS Report on Couple Accused of Espionage Hinders Defence, Ruby Says”, by Isabel Vincent, The Globe and Mail, June 1, 1996.....	12
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Statement Summarizing Information pursuant to section 78(h) of the *Immigration and Refugee Protection Act*

PART I INTRODUCTION - POSITION OF CSIS

1. The Canadian Security Intelligence Service (the Service) has reasonable grounds to believe that the foreign national alleging to be Paul William Hampel, is a member of the *Sluzhba Vneshney Razvedki* (SVR), the Foreign Intelligence Service component of the Russian Intelligence Services (RIS).

2. The Service believes that HAMPEL is inadmissible pursuant to sections 33, 34(1)(a), (d) and (f)¹ of the *Immigration and Refugee Protection Act (IRPA)* because there are reasonable grounds to believe that: the SVR is an organization which engages in espionage; HAMPEL is a member of the SVR; HAMPEL is an SVR “illegal” who engages in espionage; and that HAMPEL is a danger to the security of Canada.

3. An SVR illegal is an elite Russian intelligence officer.² Illegals are secretly deployed abroad, operate covertly under assumed names and life stories, and masquerade as citizens of target countries³. SVR illegals are regarded as having considerable status by the SVR leadership and are deployed in particularly sensitive operations. An illegal’s legend is the false biography assumed by an illegal which requires extensive background research and

¹ Reference Tab 19.

² Reference Tab 1, page 1 and Tab 3, page 1.

³ Reference Tab 2, page 184.

documentation⁴. The SVR and its predecessor, the KGB, have generated legends based on false Canadian identities⁵.

PART II THE SVR

4. The SVR is the civilian⁶ foreign intelligence service of the RIS created by Russian Presidential decree on December 20, 1991, as the successor of the KGB's First Chief Directorate,⁷ responsible for foreign intelligence collection⁸. In November 2002, *Jane's Intelligence Digest (JID)* reported that the Russian Federation was engaged in a massive stepping-up of espionage activities in Europe and North America and that the SVR was said to have received a direct order from President Putin to radically increase foreign intelligence gathering activities. The report further stated that the SVR was also rapidly stepping up its intelligence operations in North America, particularly in cities with sizeable Russian émigré communities, such as Toronto⁹. In January 2006, *JID* forecasted that a continued expansion of SVR activities was likely both within Europe and abroad¹⁰.

⁴ Reference Tab 3, pages 2, 4 and 5.

⁵ Reference Tab 4, page 1.

⁶ Reference Tab 5, page 1.

⁷ Reference Tab 6, pages 2 and 3.

⁸ Reference Tab 5, page 1.

⁹ Reference Tab 5, pages 1, 2 and 3. *JID* is a publication produced by Jane's Information Group that provides information on the political, military, and infrastructural risk factors within individual countries.

¹⁰ Reference Tab 5, page 5.

5. On May 25, 2005, a “Security Assessment on the Russian and the Commonwealth of Independent States” in *Jane’s Sentinel* reported that the SVR had organized its collection efforts into regional directorates as well as operational directorates and support services¹¹.

Directorate “S” is the SVR headquarters-based (Centre)¹² operational directorate responsible for the operational control, training, documenting and financing of illegals. Directorate “S” did not change during the transformation from the KGB to the SVR. The SVR has officers from Directorate “S”, known as Line “N” officers, who are based at diplomatic facilities abroad¹³.

6. To Russian audiences, the SVR makes no secret of its continued high-level espionage and frequently boasts of its theft of Western financial and industrial secrets to aid the failing Russian economy. To international audiences, however, the SVR prefers to speak of cooperation with the United States, Canada and other countries in the common fight against terrorism, organized crime and nuclear trafficking.¹⁴

7. The operational part of the residency¹⁵ is divided into Lines reflecting different areas of work. An illegals-support officer, called a Line “N” officer, is based in diplomatic posts

¹¹ Reference Tab 7, page 10, Tab 8, pages 177, 178 and 179. *Jane’s Sentinel* is a publication produced by Jane’s Information group that provides information on the political, military and infrastructural risk factors within individual countries.

¹² Reference Tab 9, page 1.

¹³ Reference Tab 3, pages 2 and 4.

¹⁴ Reference Tab 3, page 5.

¹⁵ Reference Tab 10, page 743.

to provide or exchange material goods with illegals, and to acquire false identity papers through which the illegal assumes a new identity¹⁶.

PART III SVR ILLEGALS

8. Illegals are highly trained intelligence officers sent abroad to live without the legal cover of an embassy or other government entity that would give them diplomatic immunity in case of arrest. They are Russian espionage elites, among their nation's costliest and longest-term undercover agents, who will go to great lengths to spy on their target countries¹⁷. Illegals seldom report to "legal" intelligence officers at their respective embassies, communicating instead by covert means to their control officers in Moscow¹⁸.

9. Illegals use legends created from false identities,¹⁹ which are fabricated or based on the identities of either deceased or living individuals²⁰. Illegals recruit agents in place and seldom insert themselves in sensitive posts of target governments. Scrutiny by the target countries could limit the illegal's ability to communicate with Centre and remain in place and dependable over the long term²¹.

¹⁶ Reference Tab 3, page 4.

¹⁷ Reference Tab 1, pages 1 and 2, Tab 3, page 1.

¹⁸ Reference Tab 3, pages 1 and 2.

¹⁹ Reference Tab 3, page 2.

²⁰ Reference Tab 11, pages 114, 115 and 116. In 1992, an SVR illegals couple, who were using the identities of two unsuspecting citizens of the United Kingdom, were arrested with British passports.

²¹ Reference Tab 3, page 3.

PART IV SVR ILLEGALS IN CANADA

10. In 1996, Ian and Laurie Lambert, who had been living in Canada under the assumed identities of two deceased children were identified as Russian illegals²². While living in Canada, they would have been able to acquire bank accounts and work histories, credit histories and the other paraphernalia of modern Western adult life²³.

11. On May 22, 1996, the Lamberts, later identified as Dmitriy Olshevsky and Yelena Olshevskaya, respectively, were arrested pursuant to security certificates²⁴. In June 1996, the security certificates issued against the Lamberts were found to be reasonable by the Honourable Mr. Justice Rothstein of the Federal Court²⁵ and Dmitriy Olshevsky and Yelena Olshevskaya were deported to Russia on June 10, 1996²⁶.

PART V PAUL WILLIAM HAMPEL

12. Based on Service analysis of available information, including information on the Lamberts, the Service investigated the individual alleging to be HAMPEL, and believes that he is an SVR illegal. HAMPEL's establishment of a legend based on Canadian documentation has

²² Reference Tab 12, page 1, Tab 3, page 2.

²³ Reference Tab 13, page 1.

²⁴ Reference Tab 15, page 2 and Tab 18, page 1.

²⁵ Reference Tab 16.

²⁶ Reference Tab 17, page 1 and Tab 18, page 1.

provided him with the ability to covertly further the interests of the SVR for over a decade both within Canada and abroad.

13. The Service confirmed through the Registrar General of Ontario that no birth or death records existed pertaining to a Paul William HAMPEL with a date of birth of December 11, 1965, and that HAMPEL's birth certificate number is legally assigned to another individual. Based on the fact that HAMPEL's Ontario birth certificate number is legally assigned to another individual, that no birth or death records exist for HAMPEL in Ontario, and that illegals have assumed the identities of other living or deceased persons, the Service believes that HAMPEL's Ontario birth certificate is fraudulent.

14. The Service determined that HAMPEL used his fraudulent Ontario birth certificate to obtain three Canadian passports in 1995, 2000 and 2002. Information received from the Passport Office of DFAIT (Passport Office) revealed that HAMPEL provided his fraudulent birth certificate as official proof of his identity and subsequently, obtained passport VN635082 in 1995²⁷. His second passport, VJ524590, was issued on May 9, 2000²⁸, and the third, which is HAMPEL's current passport, BC209074, was issued on April 18, 2002, and will expire on April 18, 2007²⁹.

²⁷ Reference Tab 24.

²⁸ Reference Tab 25.

²⁹ Reference Tabs 22 and 26.

15. On November 14, 2006, HAMPEL was detained and arrested at Pierre Elliot Trudeau Airport in Montreal, Quebec. Upon his arrest, HAMPEL was searched by officials of the Canada Border Services Agency and among the items recovered were: his fraudulent Ontario birth certificate found in a travel pouch under his shirt³⁰; a Canadian passport³¹; the equivalent of approximately \$7800 Canadian dollars in five different currencies; several bank and credit cards; various cardboard index cards with handwritten text on them³²; three cellular telephones; five sim cards, several of which were password protected; two digital cameras; and a short wave radio.

PART VI CONCLUSION

16. Pursuant to the *Canadian Security Intelligence Service Act (CSIS Act)*, the mandate of the Service is to advise the Government of Canada on threats to the security of Canada. Under section 2 (a) of the *CSIS Act*, these threats include “espionage against Canada or that is detrimental to the interests of Canada, or activities directed toward or in support of such espionage”. Based on the information in this summary and the information contained in a security intelligence report, the Service has reasonable grounds to believe the person alleging to be Paul William HAMPEL, is inadmissible to Canada by virtue of the fact that he is an intelligence officer of the SVR, that the SVR engages in espionage and that this represents a danger to the security of Canada. Specifically, the Service believes that HAMPEL is inadmissible pursuant to sections 33, 34(1)(a), (d) and (f) of the *IRPA*.

³⁰ Reference Tabs 20 and 21.

³¹ Reference Tab 22.

³² Reference Tab 23.

17. The Service believes that HAMPEL is an SVR illegal who has assumed a Canadian identity which is based on fraudulent documentation. The SVR uses illegals in support of its espionage activities. HAMPEL's infiltration into Canada and development of a Canadian legend based on an identity created by the SVR has permitted HAMPEL to abuse the integrity of the Canadian system including citizenship and all its inherent privileges. As a documented Canadian citizen, HAMPEL has been operating covertly on behalf of the SVR and as such, poses a danger to Canada's national security and Canada's interests internationally.