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Canadian border guards nab Syrian with \$800K in gold

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A Syrian man is awaiting a detention hearing in Vancouver after he was caught crossing the U.S.-Canada border with nearly \$1 million in gold and several items that could link him to a listed terrorist organization.

When Khaled Nawaya, 35, pulled up to a Surrey, British Columbia, border crossing on Oct. 6, he said he was heading to a new job as a flight instructor at a small B.C. airport. He was already approved to be a permanent resident and had been cleared by the U.S. Federal Bureau of Investigation, Interpol and Canadian immigration.

Nawaya told Canadian Border Service officers he was bringing \$10,000 in cash with him, but when they searched his car and his pockets they found more than \$800,000 in Canadian gold coins and about \$100,000 in cash.

'There's nothing illegal about having political leanings — to being pro-Palestinian and anti-Israel.'

— Lawyer Phil Rankin

The border guards also discovered a pro-Palestinian scarf, DVDs of 9/11 conspiracy theories and a ring bearing the insignia of Hezbollah, the Lebanon-based entity that Canada has officially listed as a terrorist organization.

National security threat

Those items, combined with the undeclared money, were apparently enough for Canada

Listed terrorist entities

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border guards to detain Nawaya on suspicion of being a security threat.

According to transcripts of a previous detention hearing, the government successfully argued the man should remain detained while authorities investigate the ring's meaning and the source of the money.

Government lawyer Kamal Gill described the RCMP investigation into Nawaya as "a probable national security nexus."

Nawaya has not been charged with a crime. However, RCMP are recommending charges for the failed declaration under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, he said.

Nawaya's next detention review is Thursday. Meanwhile the RCMP said they are tracking down the source of the money.

"At this point in time, we're investigating the source of the money and also its intended use," said Insp. Paul Richards, who heads the Integrated National Security Enforcement team.

Just a naive lie: lawyer

Nawaya's lawyer, Phil Rankin, said the Syrian is no security threat and the incident is the result of a naive attempt by his client to avoid paying taxes.

"I think he was very concerned about the idea they were going to tax him," said Rankin.

As for the other suspicious materials, Rankin said it is not illegal to have pro-Palestinian or anti-Israel beliefs in Canada.

According to Public Safety Canada:

"The listing of an entity is a very public means of identifying a group or individual as being associated with terrorism.

"The definition of an entity includes a person, group, trust, partnership or fund, or an unincorporated association or organization.

"It is not a crime to be listed. However, one of the consequences of being listed is that the entity's property can be the subject of seizure/restraint and/or forfeiture."

"In addition, institutions such as banks, brokerages, etc. are subject to reporting requirements with respect to an entity's property and must not allow those entities to access the property nor may these institutions deal or otherwise dispose of the property."

"It is an offence to knowingly participate in or contribute to, directly or indirectly, any activity of a terrorist group. This participation is only an offence if its purpose is to enhance the ability of any terrorist group to facilitate or carry out a terrorist activity."

■ **About the listing process**

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"They are significant in that they might show his sentiments or his political leanings, but there's nothing illegal about having political leanings — to being pro-Palestinian and anti-Israel," said Rankin.

"Those feelings are shared by hundreds of millions of people and in Canada by tens of thousands of people," said Rankin.

"If you really were a professional you would sanitize yourself. You wouldn't have anything that would remotely raise eyebrows. He didn't seem to be making attempts to hide it, so that's why I think there's quite a bit of naiveté in his approach to it," he said.

Money from legitimate income

Rankin said the money isn't linked to terrorism and every penny can be accounted for. Some came from a civil lawsuit and some from Nawaya's own earnings, while the gold coins were bought on Nawaya's behalf by his brother in Texas, Rankin said.

Rankin is concerned that if Nawaya is deemed inadmissible, he's likely to be deported to Syria, where there is a prospect he'll face torture.

Rankin said Nawaya likely piqued the department's interest because he is a flight instructor and because he is of Middle Eastern descent.

Nawaya was born in Saudi Arabia but holds Syrian citizenship. Upon moving to the U.S. at the age of 17, he earned two degrees, in professional aeronautics and management.








He's being held in a Vancouver-area detention centre, and his lawyer describes his mood as "depressed and anxious."

With files from The Canadian Press



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