

## CSIS Policies and Procedures

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### OPS-402 SECTION 17 ARRANGEMENTS WITH FOREIGN GOVERNMENTS AND INSTITUTIONS

#### 1. INTRODUCTION

##### Objective

1.1 To provide direction for obtaining a foreign arrangement with a government of a foreign state or institution thereof or an international organization of states or institution thereof for the purpose of enabling the Service to carry out mandated activities under the *CSIS Act*.

##### Authorities

1.2 *CSIS Act*

1.3 *Privacy Act*

1.4 *Access to Information Act*

1.5 Ministerial Direction on CSIS Operations (2001-03-01)

1.6 Memorandum of Understanding (1987-12-01) CSIS and External Affairs Security Intelligence Program at Missions Abroad

#### 2. RESPONSIBILITIES

##### Solicitor General

2.1 The Solicitor General is responsible for approving arrangements under Section 17 of the *CSIS Act* that enable the Service to cooperate with a foreign state or institution thereof or an international organization of states or institution thereof.

##### Director

2.2 The Director will manage foreign arrangements subject to any conditions imposed by the Solicitor General.

##### Emergency Circumstances

2.3 In the event of an emergency and the unavailability of the Solicitor General to approve an arrangement, the Director is authorized to undertake whatever exchanges or cooperation are necessary to address the urgent requirement. The Director will advise the Deputy Solicitor General of the decision and seek the approval of the Solicitor General as soon as possible thereafter to confirm the temporary arrangement.

2.4 In emergency circumstances where there is a requirement to exchange perishable information with a government of a foreign state or institution thereof or an international organization of states or institution thereof for which there is no Section 17 arrangement, the SLO may effect the necessary liaison and cooperation

when prior approval from CSIS HQ is not possible.

2.4.1 The Security Liaison Officer (SLO) will, as soon as practical, advise the DG Foreign Liaison and Visits (FLV) of the circumstances, and the DG FLV will initiate the advisory process pursuant to paragraph 2.3.

### **Director General Foreign Liaison and Visits (DG FLV)**

2.5 The DG FLV may authorize CSIS employees to have initial contact with representatives of foreign security or intelligence organizations or international organizations of states with which CSIS has no arrangement

2.6 The DG FLV coordinates all requests for foreign arrangements and ensures that the requirements as outlined in OPS-402-1, "Standards and Guidelines for Establishing a Foreign Arrangement" are addressed prior to requesting the approval of the Solicitor General.

### **Head, Foreign Arrangements, FLV**

2.7 FLV will manage and coordinate all aspects of all foreign arrangement.

2.8 FLV will maintain a registry of all foreign arrangements.

2.8.1 For information concerning the scope, status, type and other particulars of a foreign arrangement, see OPS-402, Appendix 1, "CSIS Arrangements with Foreign Governments and Institutions". Also see OPS-402-2, "Procedures - Enhancing the Scope of a Section 17 Foreign Arrangement".

2.9 FLV will conduct periodic reviews of arrangements for the purpose of monitoring compliance with the scope and status of a foreign arrangement and for statistical purposes.

2.9.1 The results of these reviews will be reported to the DG FLV.

2.10 All arrangements are subject to disclosure under the *Access to Information* and *Privacy Acts*.

## **3. GUIDELINES FOR FOREIGN ARRANGEMENTS**

3.1. Arrangements may be established and maintained as long as they remain compatible with Canada's foreign policy toward the country or international organization in question as determined in consultation (as required) with the Department of Foreign Affairs and International Trade (DFAIT).

3.2. Arrangements are established and maintained in the interests of the security of Canada.

3.3 Arrangements with countries or international organizations will only be considered where there is a definite requirement to protect the security of Canada.

3.4 Arrangements will respect Canadian law and applicable *Privacy Act* legislation respecting the disclosure of personal information.

## **4. INFORMING THE SOLICITOR GENERAL**

4.1 The Director will inform the Solicitor General immediately of circumstances that impact on foreign arrangements where there is a reasonable potential for any of the following:

- i) to affect adversely the security of Canada; or
- ii) to affect adversely Canadian relations with any country or international organization of states; or
- iii) to give rise to public controversy; or
- iv) to contravene any of the guidelines set out herein with respect to the management of CSIS foreign arrangements.

## 5. UNSOLICITED INFORMATION

5.1 Unsolicited information offered by foreign organizations to CSIS will be dealt with in accordance with the CSIS Act.

## 6. ANNUAL REPORT

6.1 The Director's Annual Report will include the status of the Service's foreign arrangements

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### OPS-402 APPENDIX 1 - CSIS ARRANGEMENTS WITH FOREIGN GOVERNMENTS AND INSTITUTIONS

#### 1. INTRODUCTION

1.1 All CSIS foreign arrangements are documented in the “CSIS Arrangements with Foreign Governments / Institutions” book.

1.2 Consultation with Foreign Liaison and Visits (FLV) Branch is required prior to initiating any liaison or cooperation under these arrangements.

#### 2. DEFINITIONS AND CONTENTS

##### Country and Agency

2.1 Listing of the agency names (including acronyms) for each country where CSIS has Ministerially-sanctioned Section 17 Foreign Liaison Arrangements.

##### Responsible Post

2.2 Location of CSIS SLO Post responsible for liaison with the Headquarters of the foreign agency listed.

##### Status

2.3 Active, Dormant, or Restricted Under Review .

2.3.1 **Active:** Liaison and cooperation with the specific foreign agency or institution is currently being maintained.

2.3.2 **Dormant:** There has been no liaison or cooperation between the SLO and the specific agency or institution for the past one year or more.

2.3.3 **Restricted Under Review:** The Service has temporarily imposed additional restrictions or suspended liaison or cooperation with the foreign agency or institution due to concerns regarding reliability of the agency or institution, third-party rule sensitivities and/or human rights issues.

##### Scope

2.4 One, Two or Three

2.4.1 Scope One

### 2.4.2 Scope Two

ACCESS TO INFORMATION ACT /  
PROTECTION DES RENSEIGNEMENTS  
PERSONNELS ET / OU DE LA LOI SUR  
L'ACCÈS À L'INFORMATION

### 2.4.3 Scope Three

ACCESS TO INFORMATION ACT /  
PROTECTION DES RENSEIGNEMENTS  
PERSONNELS ET / OU DE LA LOI SUR  
L'ACCÈS À L'INFORMATION

### Type

### 2.5 Formal or Informal

ACCESS TO INFORMATION ACT /  
PROTECTION DES RENSEIGNEMENTS  
PERSONNELS ET / OU DE LA LOI SUR  
L'ACCÈS À L'INFORMATION

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**File Number**

2.7 Number under which non-operational information pertaining to information, cooperation or exchanges on the agency is filed.

**3. CSIS ARRANGEMENTS WITH FOREIGN GOVERNMENTS/INSTITUTIONS BOOK**

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ACCESS TO INFORMATION ACT /  
VISE PAR LE SCRS EN VERTU DE LA  
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# OPS-402-1 STANDARDS AND GUIDELINES FOR ESTABLISHING A FOREIGN ARRANGEMENT

## 1. INTRODUCTION

1.1 When there is a requirement to enter into a foreign arrangement with a government of a foreign state or institution thereof or an international organization of states or institution thereof under Section 17 of the CSIS Act, a request must be submitted to the Director General Foreign Liaison and Visits (DG FLV) and include the information herein.

### Scope

1.2 Standards and guidelines to be addressed when requesting the approval of the Solicitor General to establish a foreign arrangement.

## 2. REQUIREMENTS WHEN REQUESTING A FOREIGN ARRANGEMENT

### Canadian Security Requirements

2.1 Describe the rationale for the proposed arrangement, highlighting current security intelligence requirements, and the extent to which the proposed arrangement is anticipated to assist the Service in meeting those requirements. Provide supporting data where possible.

### Internal Political Situation and Respect for Human Rights

2.2 Assess the internal political situation of the country and highlight the presence of democratic institutions noting the role, history and place in society. The assessment will address the human rights record of the country including any possible abuses by the security or intelligence organizations.

### Impact

2.5 Comment on the extent to which the proposed arrangement might affect existing arrangements and necessitate the establishment of similar arrangements with other countries.

### Foreign Policy Concerns

2.6 Comment on any foreign policy concerns determined in consultation with the Department of Foreign

Affairs and International Trade (DFAIT).

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PROTECTION DE L'INFORMATION

**APPENDIX 1 - STANDARDS AND GUIDELINES FOR ESTABLISHING A FOREIGN ARRANGEMENT**

**1. CANADIAN SECURITY REQUIREMENTS:**

Describe the rationale for the proposed arrangement, highlighting current security intelligence requirements, and the extent to which the proposed arrangement is anticipated to assist the Service in meeting those requirements. Provide supporting data where possible.

**2. INTERNAL POLITICAL SITUATION AND RESPECT FOR HUMAN RIGHTS:**

Assess the internal political situation of the country and highlight the presence of democratic institutions noting their role, history and place in society. The assessment will address the human rights record of the country including any possible abuses by the security or intelligence organizations.

**5. IMPACT:**

Comment on the extent to which the proposed arrangement might affect existing arrangements and necessitate the establishment of similar arrangements with other countries.

**6. FOREIGN POLICY CONCERNS:**

Comment on any foreign policy concerns determined in consultation with DFAIT.