



Public Safety Sécurité publique
Canada Canada

Deputy Minister Sous-ministre

Ottawa, Canada
K1A 0P8

SECRET

DATE: JUL 29 2015

File No.: 6210 / NI 23580 / CCM 005731

MEMORANDUM FOR THE MINISTER

**NEW MINISTERIAL DIRECTION TO THE
CANADIAN SECURITY INTELLIGENCE SERVICE**

(For approval)

ISSUE

Approval of new Ministerial Direction (MD) to the Canadian Security Intelligence Service (CSIS) on operations and accountability.

BACKGROUND

With the recent passage of Bills C-44 and C-51, a number of changes to the directions issued to CSIS are required.



CONSIDERATIONS

Before CSIS can

bring these policies into force, however, it requires MD setting out the overarching parameters for CSIS's use of its new powers.

Public Safety Canada (PS) officials have drafted new MD for CSIS (**TAB A**) that reflects the recent legislative changes. The new MD consolidates and updates two older, separate MDs: the first on CSIS operations, and the second on CSIS's accountability to the Minister. With CSIS's use of risk-based processes to determine the appropriate level of approval needed for its

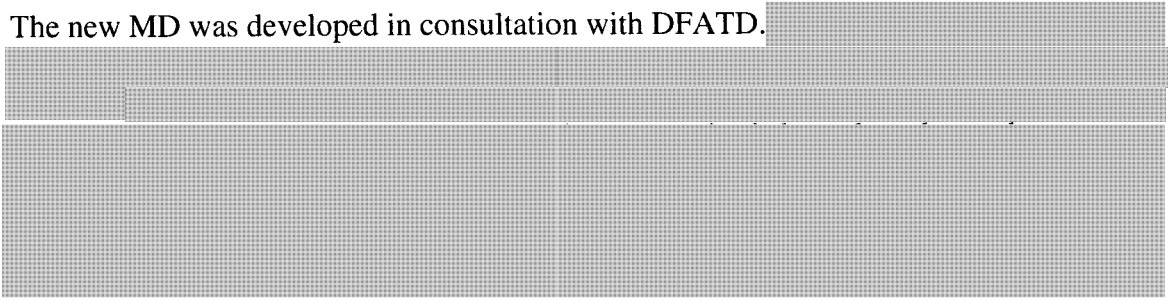
.../2

operations, it was no longer optimal to maintain separate MDs for operations and accountability.

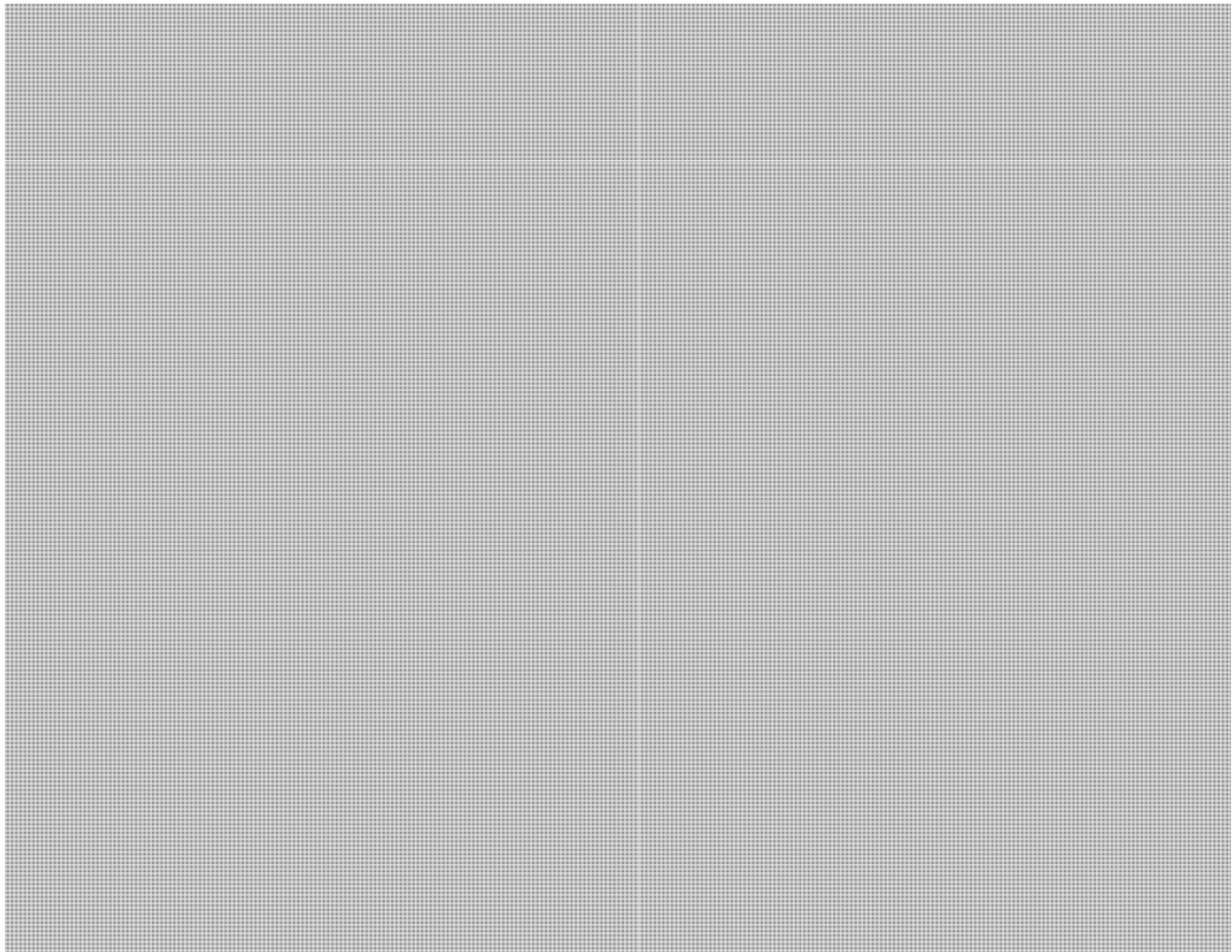
In the course of drafting the MD, PS consulted CSIS, DFATD, the Royal Canadian Mounted Police (RCMP), the Department of Justice, and your office. The Director of CSIS has reviewed the new MD and is supportive.

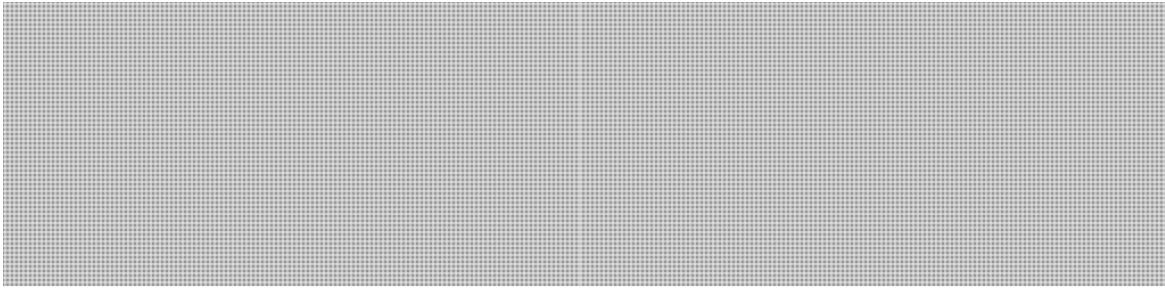
DFATD

The new MD was developed in consultation with DFATD.



RCMP





Other Changes

The new MD contains a number of other updates and changes throughout. The most notable and significant are described at **TAB B.** [Redacted]



SECRET

RECOMMENDATIONS

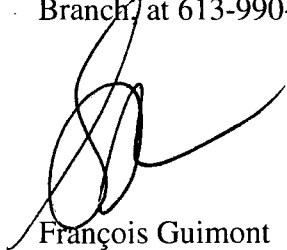
We recommend that you approve the attached MD, and sign the letter we have drafted at **TAB C** from you to the Director of CSIS formally issuing the MD in accordance with the *CSIS Act*. Once issued, CSIS will have the direction needed to begin finalizing its policies and disrupting threats to the security of Canada.

We also recommend that you sign the attached letter at **TAB D** to the Chair of SIRC and enclose a copy of the MD. This is in accordance with subsection 6(2) of the *CSIS Act*, which requires that SIRC be provided a copy of all MD forthwith after being issued.

We further recommend that you sign the attached letter at **TAB E** to the Minister of Foreign Affairs and enclose a copy of the MD for his information.



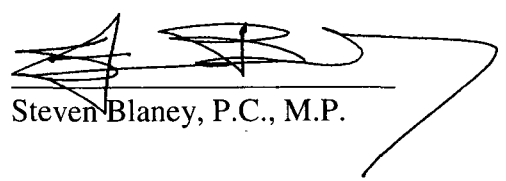
Should you require additional information, please do not hesitate to contact me or Mrs. Lynda Clairmont, Senior Assistant Deputy Minister, National and Cyber Security Branch, at 613-990-4976.



François Guimont

Enclosures: (5)

I approve:
I do not approve:



Steven Blaney, P.C., M.P.

JUL 31 2015

Date: _____

Prepared by: _____

SECRET

MINISTERIAL DIRECTION FOR OPERATIONS

AND ACCOUNTABILITY

The Government and the people of Canada expect a high level of performance by the Canadian Security Intelligence Service (the Service) in discharging its responsibilities under the *Canadian Security Intelligence Service Act (CSIS Act)*. It is also expected that the Service will perform its duties and functions with due regard for the rule of law and respect for the rights and freedoms guaranteed under the *Canadian Charter of Rights and Freedoms*.

Pursuant to subsection 6(2) of the *CSIS Act*, I have issued the following direction to describe my expectations in relation to the conduct of operations by the Service.

FUNDAMENTAL PRINCIPLES



The following fundamental principles will guide all Service operations:

- The rule of law must be observed.
- Operational activities must be reasonable and proportional to the threat.
- The greater the risk associated with a particular activity, the higher the authority required for approval.
- The rights and freedoms of individuals shall not be infringed unless the infringement is reasonable and proportional to the objective being pursued, including in accordance with the following principles:
 - the Service must employ the least intrusive operational techniques commensurate to the threat;
 - the Service shall seek to minimize intrusions on human rights, including privacy, to the extent possible, and in accordance with Canadian law; and
 - the need for the use of intrusive operational techniques must be weighed against possible harm to civil liberties and to Canadian fundamental institutions.



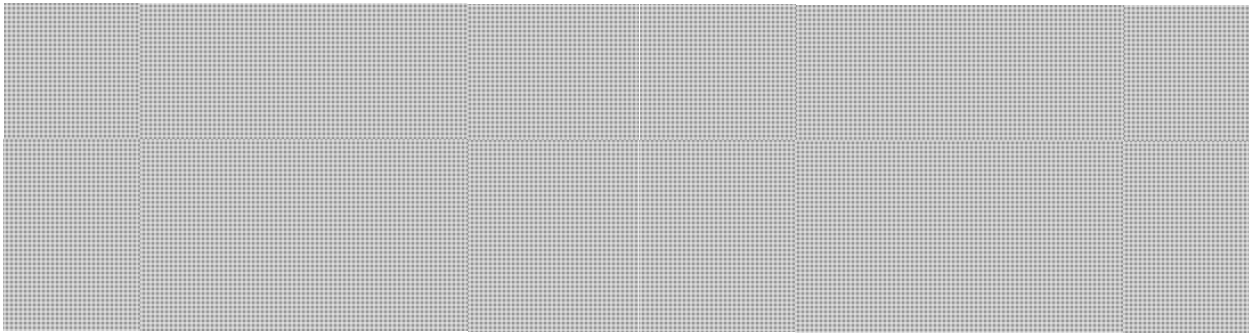
GENERAL DIRECTION



The Service shall focus its collection, threat reduction, analysis and advisory activities in accordance with the Ministerial Direction on Intelligence Priorities or any other direction that may be issued. The Director will advise the Minister of considerations that have a significant bearing on the Service's ability to fulfil the Intelligence Priorities of the Government.

The Service shall ensure adequate and consistent handling of information about individuals when collecting, storing, sharing and disclosing information.

SECRET



***Direction approved by:* The Minister of Public Safety and Emergency Preparedness on July 31, 2015**

***Replaces:* The 2008 Ministerial Direction on Operations and the 2001 Ministerial Direction on Responsibility and Accountability**

SECRET

ANNEX A – ACCOUNTABILITY

1. General

The Director is responsible for the control and management of the Service in accordance with the *CSIS Act* and with direction issued, to be further specified through operational policies and procedures. The Director shall also consult the Deputy Minister of Public Safety Canada on the general operational policies of the Service, on matters on which consultation is required by directions issued, and in advance of applying for warrants.

The Service will inform the Minister and the Deputy Minister of Public Safety Canada of any activity that has contravened the guidelines set out in this or any other direction issued by the Minister to the Service.

2. Notification and Approval of the Minister

The Director will advise the Minister of issues on a case-by-case basis as necessary.

3. Director's Annual Report to the Minister

The Director's annual report to the Minister shall focus on the operational activities of the Service, and is intended to demonstrate the Service's fulfilment of its duties and functions during the reporting period in accordance with Canadian law and Ministerial direction. Given that the Service fulfils its duties and

**Pages 8 to / à 9
are withheld pursuant to section
sont retenues en vertu de l'article**

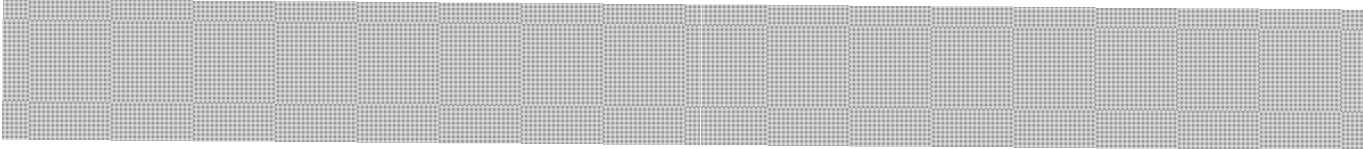
**of the Access to Information
de la Loi sur l'accès à l'information**

SECRET

ANNEX C – HUMAN SOURCE PROGRAM





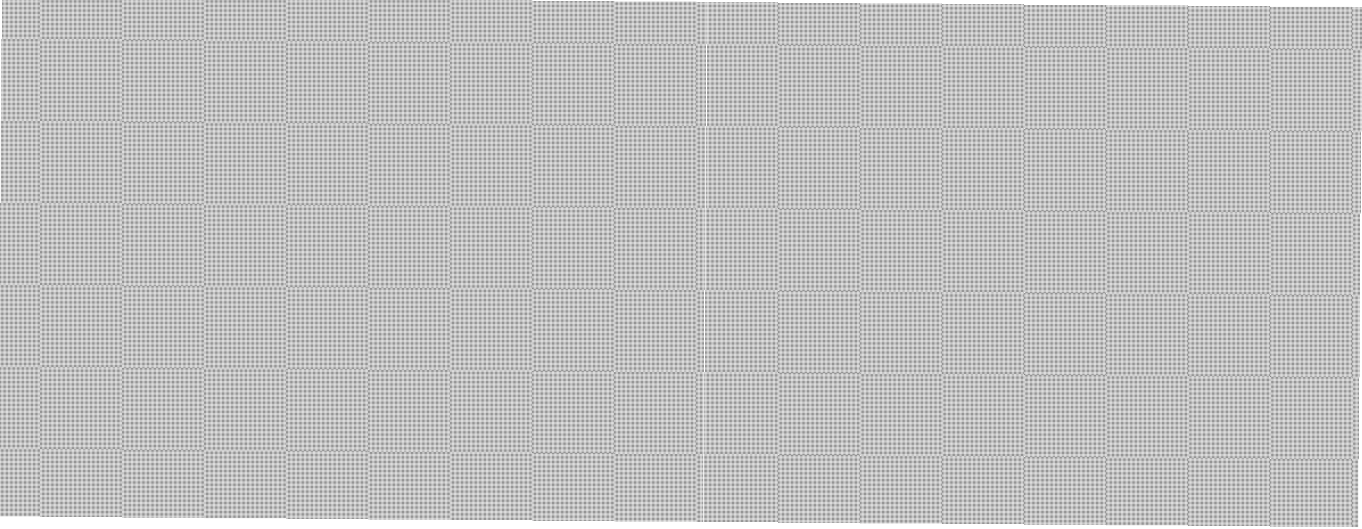
1. General

In carrying out its duties and functions, the Service obtains information and assistance from persons with whom the Service maintains a confidential relationship.




2. Principles

In addition to the fundamental principles established at the outset of this direction, the Service shall manage its human sources in accordance with the following:

- The use of human sources shall be reasonable and necessary to carry out the Service's duties and functions. 
 - Human sources will be instructed to conduct their tasks on behalf of the Service in a manner that supports the duties and functions of the Service. 
 - Human sources are to be centrally managed, so as to protect their personal safety and the security of the Service's operations. 
 - Human sources shall be managed ethically and fairly. The Service shall ensure that an informal dispute resolution mechanism is in place to address complaints from sources. 
- 

4. Accountability

The Service will maintain a review system of active human source relationships to ensure compliance with the principles set out in this direction, and to assess their continuing suitability and relevance to the intelligence priorities of the Government of Canada and the duties and functions of the Service. 

Page 11

**is withheld pursuant to section
est retenue en vertu de l'article**

**of the Access to Information
de la Loi sur l'accès à l'information**

SECRET

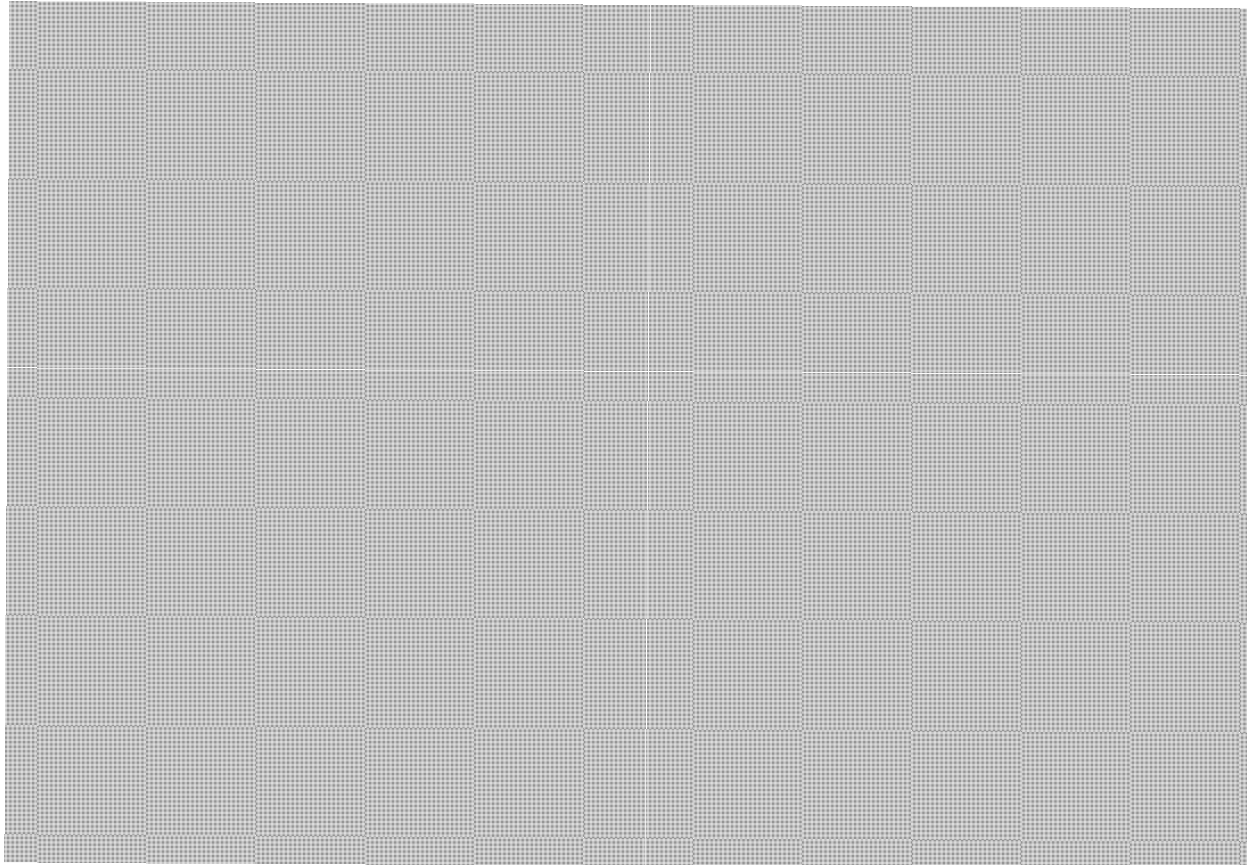
ANNEX D – OPERATIONAL ACTIVITY OUTSIDE OF CANADA



1. Principles

In addition to the fundamental principles established at the outset of this direction, Service operational activity outside Canada shall:

- support the duties and functions of the Service;
- hold potential benefit for Canada;
- be considered for its effect on Canadian foreign policy interests and objectives as well as the security of Canada's missions and personnel abroad; and



Page 13

**is withheld pursuant to section
est retenue en vertu de l'article**

**of the Access to Information
de la Loi sur l'accès à l'information**

SECRET

ANNEX F – FOREIGN AND DOMESTIC ARRANGEMENTS

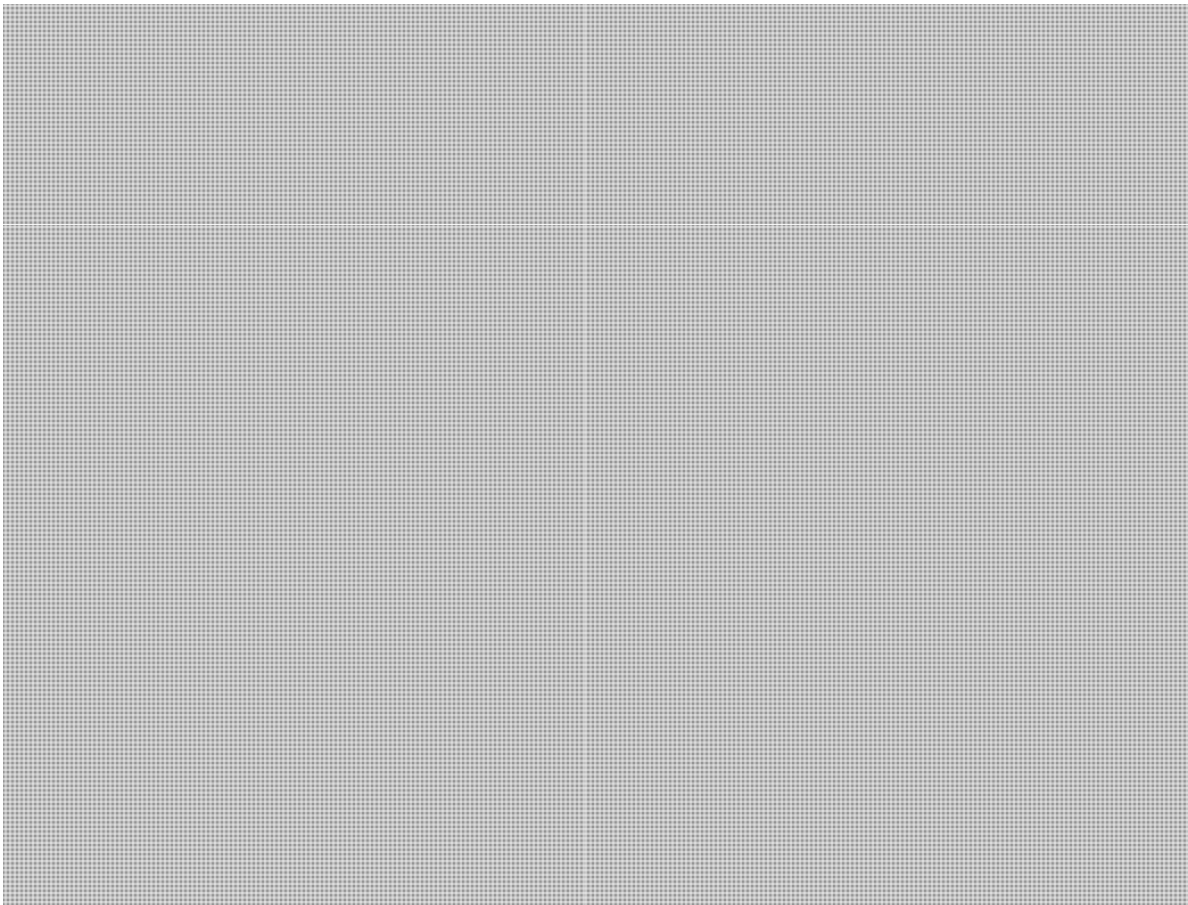
1. General

The Director will manage foreign and domestic arrangements subject to any conditions imposed by the Minister.

Arrangements, whether in writing or otherwise, will clearly establish their purpose and obligations, including any obligations stemming from privacy and access to information legislation. They will also indicate the means of periodic assessment or audit, as well as the provisions for cancellation.

2. Foreign Arrangements

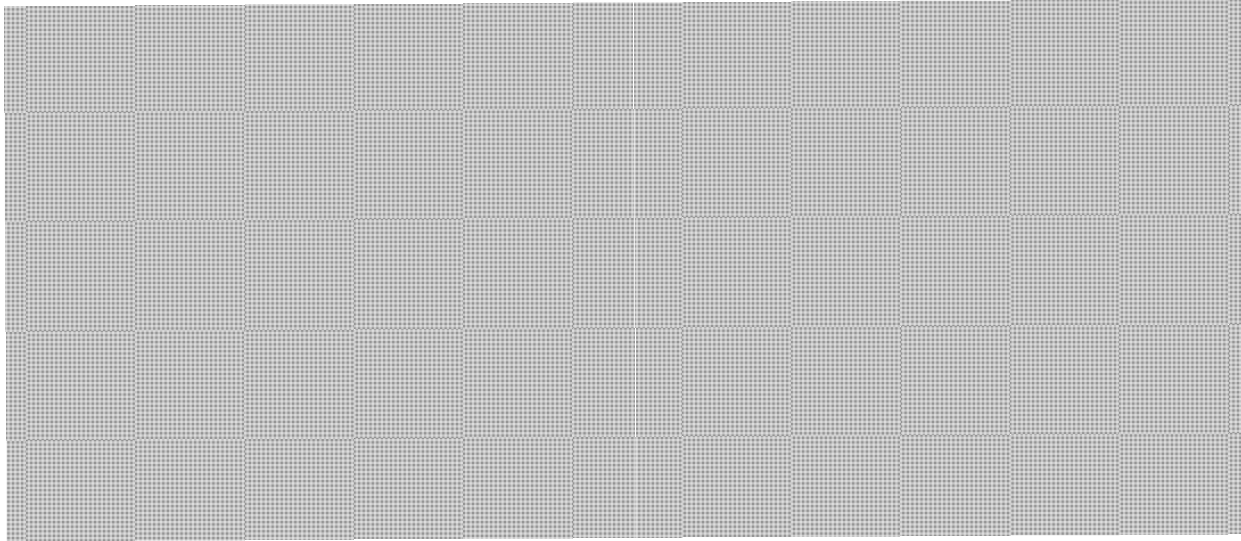
The Service is the lead agency for liaising and cooperating with foreign security or intelligence organizations and international organizations of states on matters relating to threats to the security of Canada and security assessments as defined in the *CSIS Act*. The following provides more detailed guidelines in this regard:



SECRET

3. Domestic Arrangements

For the purposes of fulfilling its duties and functions, the Service may, with the approval of the Minister, also enter into an arrangement or otherwise cooperate with any department of the Government of Canada or the government of a province or any department thereof, or any police force in a province, with the approval of the Minister responsible for policing in the province.



**Pages 16 to / à 18
are withheld pursuant to section
sont retenues en vertu de l'article**

**of the Access to Information
de la Loi sur l'accès à l'information**

Page 19

**is withheld pursuant to sections
est retenue en vertu des articles**

**of the Access to Information
de la Loi sur l'accès à l'information**

Page 20

**is withheld pursuant to section
est retenue en vertu de l'article**

**of the Access to Information
de la Loi sur l'accès à l'information**

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

SECRET

JUL 31 2015

Mr. Michel Coulombe
Director
Canadian Security Intelligence Service
1941 Ogilvie Road
Gloucester, Ontario K1J 1B7

Dear Mr. Coulombe,

As you are aware, my officials in Public Safety Canada have been preparing revised guidance to the Canadian Security Intelligence Service (CSIS) in light of recent changes to the *CSIS Act*.

Pursuant to subsection 6(2) of the *CSIS Act*, please find attached my new direction to CSIS describing my expectations in relation to the conduct of operations by CSIS and the accountability of CSIS.

This Ministerial Direction replaces the direction issued in 2008 on operations, as well as the direction issued in 2001 on accountability.

In accordance with the *CSIS Act*, I have also provided a copy of this direction to the Security Intelligence Review Committee.

A handwritten signature in black ink, appearing to read "Steven Blaney". The signature is stylized and includes a large flourish at the end.

Steven Blaney, P.C., M.P.

Enclosure: (1)

Canada

Minister of Public Safety



Ministre de la Sécurité publique

Ottawa, Canada K1A 0P8

JUL 31 2015
JUL

SECRET

The Honourable Pierre Blais, P.C.
Chair
Security Intelligence Review Committee
Jackson Building
122 Bank Street
Ottawa, Ontario K1P 5N6

Dear Mr. Blais,

Pursuant to subsection 6(2) of the *CSIS Act*, I would like to provide you with a copy of my new direction to CSIS describing my expectations in relation to the conduct of operations by CSIS and the accountability of CSIS.

This Ministerial Direction replaces the direction issued in 2008 on operations, as well as the direction issued in 2001 on accountability.

A handwritten signature in black ink, appearing to read "S. Blaney", with a long horizontal stroke extending to the right.

Steven Blaney, P.C., M.P.

Enclosure: (1)

Canada

000022

**Pages 23 to / à 24
are withheld pursuant to sections
sont retenues en vertu des articles**

**of the Access to Information
de la Loi sur l'accès à l'information**