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**CSIS'S RELATIONSHIP WITH A "FIVE EYES" PARTNER:**

**(SIRC STUDY 2010-06)**

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## 1 INTRODUCTION

The essence of intelligence work is information collection. This collection often goes beyond a state's independent capabilities, extending to liaison and cooperation with other foreign intelligence agencies. Among the most important examples of foreign liaison relationships are those that developed among the "Five Eyes" partners, a multilateral alliance that dates back to the post-Second World War division of effort in the collection of signals intelligence by signatories Agreement (United States, United Kingdom, Australia, Canada and New Zealand) to counter the Soviet threat. Building upon the political and economic relationships already established among these countries, this alliance gradually broadened its operational scope to include agencies like CSIS, leading to greater information-sharing on a variety of state and non-state threats to the alliance.

This study briefly examines the history and transformation of the Service's role as part of the Five Eyes community and the benefits of these partnerships. To develop context, SIRC undertook a case study of the Service's relationship with its counterparts, including a visit to

We found that in recent years changes to the threat environment, fiscal pressures and technological advancements have underscored the importance of collaboration within the Five Eyes community. SIRC also found that CSIS's expansion of collection activities abroad has led to more information-sharing on targets of mutual concern to the alliance.

The review found a high level of cooperation between CSIS and particularly involving both countries.

At the same time, the Service's expanding overseas presence has created more opportunities for collaboration, including joint operations. Cooperation on larger issues such as shared concerns over radicalization, the growing use of the Internet, and the challenges posed by the intelligence to evidence process, have also contributed to an invaluable partner.

The final section of the review discusses the importance of effective interdepartmental communication. Specifically, SIRC stresses the need for the Service to keep the Department of Foreign Affairs and International Trade (DFAIT) apprised of its operational activities to allow DFAIT to prepare itself in the event of an adverse development.

## 2 METHODOLOGY

SIRC's review examined CSIS's relationships with a Five Eyes partner through a case study of the Service's operational documents, in addition to holding briefings with Service representatives. To this end, SIRC examined corporate and operational documents, in addition to holding briefings with Service representatives.

SIRC also conducted an on-site visit to CSIS holding briefings with Station personnel<sup>2</sup> – as well as with Canada's and representatives of the Royal Canadian Mounted Police (RCMP), Canada Border Services Agency (CBSA), and Citizenship and Immigration Canada (CIC).

The review period was from January 1, 2008 to August 31, 2010.

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<sup>2</sup> The briefings with CSIS personnel also included a discussion with a CSIS secondee to



### 3 THE FIVE EYES: HISTORY & TRANSFORMATION

The signals intelligence (SIGINT) alliance formed by the US, UK, Canada, Australia and New Zealand during the early Cold War era gradually evolved to include agencies

The changing threat environment led these relationships to develop further through participation in joint operations, shared dissemination of analytical products, the creation of secure communications channels and shared training and scientific research endeavors, among other initiatives.

The benefit of the Five Eyes alliance is that it provides a measure of trust that is not easily replicable with other foreign partners. These close partnerships can translate into significant intelligence gains in areas

and can also provide crucial support for unanticipated situations,

However, there are times when political differences may affect cooperation:

In recent years, all members of the Five Eyes have been dealing with a rapidly evolving threat environment, fiscal pressures which affect capability and rapid technological

advances that benefit friends and foes alike.

Although there is a close working relationship among Five Eyes partners, there are also differences in their approaches and operational capabilities. Some agencies are

### 3.1 Expansion of Foreign Activities and Cooperation

In 2005, CSIS examined the various issues that it would have to consider, as well as the challenges it might encounter, in expanding collection capabilities overseas. The Service's forward-looking strategy has since been implemented largely through new directives and policy for foreign operations, organizational restructuring and the allocation of additional resources. In addition, enhanced training on collection,

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tradecraft and officer safety is now provided to those who are working in Stations abroad. It is fair to conclude that this strategy has become an operational reality.

In addition to the expansion of CSIS's presence abroad, the decision has led to greater inter-agency cooperation.

CSIS's expansion abroad over the past five years has been crucial within the context of the Five Eyes alliance. **SIRC found that by enhancing the nature and scope of its operational activities abroad, and by expanding its information sharing with partners, CSIS has been able to enhance its operational value in the eyes of its closest allies.**

The following section will examine the extent of CSIS's relationship with this key Five Eyes counterpart.

**4 COUNTERPARTS: COOPERATION AND KNOWLEDGE  
TRANSFER**

In recent years, both Canada and the United States have placed a high priority on their relationship, as seen in the intensification of cooperation between the two countries. The Service has foreign arrangements with agencies covering various security responsibilities, including intelligence gathering and analysis. The most important of these partnerships are with the United States, the United Kingdom, and the Netherlands.

As the CSIS Director has observed, CSIS faces many of the same challenges as its intelligence counterparts, including youth radicalization and the complexities of internet-based activities, all while meeting client demands for accurate and timely information under fiscal constraints.

SIRC observed that the relationship between CSIS and the United States includes close engagement at both the corporate and operational levels.



As CSIS has expanded its overseas role, it has consulted extensively with

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SIRC's review observed that CSIS has benefited similarly through liaison with

As some within the Service have argued, there is no better agency for CSIS to emulate than

From an operational perspective,

As noted, the movement to has helped the Service to 'bring more to the table' with allies like This has promoted more information exchanges, while increasing CSIS's participation at foreign operational meetings.

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<sup>21</sup> CSIS most recently consulted with for the Service's Business Modernization Project Report.

The situation is similar with regard to CSIS's cooperation with

As a result, \_\_\_\_\_ has become one of CSIS's important operational partners, as evidenced by its cooperation on \_\_\_\_\_ Similarly, CSIS's assistance to \_\_\_\_\_ in providing, for example,

The importance of having candid discussions with foreign counterparts was also emphasised by CSIS employees working at \_\_\_\_\_ The CSIS \_\_\_\_\_ correspond with \_\_\_\_\_ regularly – at least once a week. Additionally, \_\_\_\_\_ spend considerable time liaising with the other foreign agencies \_\_\_\_\_ including occasional travel to these countries for face-to-face discussions. During SIRC's visit, it was clear that strong relationships also exist between \_\_\_\_\_ personnel and their domestic counterparts including the RCMP, CBSA and CIC. SIRC found that all partners were clear about CSIS's mandate, with each expressing an appreciation for the security and intelligence information CSIS provides. Only \_\_\_\_\_ identified a desire for greater engagement, as discussed in Section Five.

#### 4.1 Joint Operation with

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## **5 ISSUE FOR CONSIDERATION: IMPROVED COMMUNICATION WITH THE DEPARTMENT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE**

Moving beyond the specific risks associated with individual CSIS foreign operations, have impressed upon CSIS the need to understand broader implications, noting that risk management must be ingrained in the corporate culture of those wishing to pursue foreign operational activities.

SIRC acknowledges that CSIS has addressed many overseas contingencies, particularly with respect to

At the same time, those responsible for managing Canada's diplomatic relations (i.e. DFAIT) – should be provided with relevant information with which to make their own risk-related decisions.

### **5.1 CSIS-DFAIT Memorandum of Understanding**

CSIS shares information with DFAIT on a regular basis through several means: formal disclosures (e.g. CSIS Intelligence Reports); direct engagement with various DFAIT HQ entities by HQ Operational and Operational Support Branches; formal CSIS - DFAIT Joint Management Team (JMT) meetings; and direct engagement by CSIS Heads of Station with Heads of Missions and/or other DFAIT employees at Missions. In recent years, the scope of this relationship has expanded with CSIS undertaking more operational activities abroad.

Indeed, in 2005, as CSIS planned to increase its foreign operations, it recognized that a new Memorandum of Understanding (MoU) would have to be struck with DFAIT

The subsequent MoU created a process for managing *intelligence cooperation* between DFAIT and CSIS, "including consultations with regard to all *potentially* high risk



operations  
43 The MoU states that both partners are to "consider all *potentially* high risk operational proposals at an early stage to determine the degree of approval that should be sought."<sup>44</sup> This determination is to be made within the confines of the JMT, which is to "act as a primary channel for managing intelligence cooperation between the Department and the Service."<sup>45</sup> The MoU therefore signalled CSIS's recognition that it was a member of a larger Canadian contingent operating abroad, with associated responsibilities.

Yet, SIRC's review found limited exchanges on CSIS's foreign operational activities with DFAIT. SIRC noted that CSIS did not discuss with DFAIT operations engaged in foreign collection in 2009-2010, even though operations were

In response to SIRC's inquiries, the Service indicated

However, the CSIS/DFAIT MoU clearly states that "the assessment of what is 'high risk' will draw on CSIS's competency in the evaluation of operational risk and that of DFAIT [emphasis

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<sup>43</sup> DFAIT/CSIS Memorandum of Understanding, "Intelligence Cooperation and Technical Assistance Between the Department and the Service," 2009, p.1

<sup>44</sup> DFAIT/CSIS Memorandum of Understanding, "Intelligence Cooperation and Technical Assistance Between the Department and the Service," 2009, ANNEX, point 5.

<sup>45</sup> See: DFAIT/CSIS Memorandum of Understanding, "Intelligence Cooperation and Technical Assistance Between the Department and the Service," 2009, p.1.

added] concerning the impact on foreign relations."<sup>48</sup> DFAIT is not able to participate in making such an assessment if they are not informed about the operation.

Considering that close cooperation, consultation and coordination between the Service and the Department is essential with respect to intelligence activities in Canada and abroad, **SIRC recommends that CSIS adopt a broader interpretation of its disclosure commitments under the MOU with DFAIT, so as to allow DFAIT to prepare itself in the event of an adverse development arising from CSIS's foreign operations.**

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<sup>48</sup> Emphasis SIRC's. See: DFAIT/CSIS Memorandum of Understanding, "Intelligence Cooperation and Technical Assistance Between the Department and the Service," 2009, ANNEX, footnote #1.

Recent cases involving two of CSIS's closest allies help to highlight the importance of effective communication among domestic partners.

Although CSIS's foreign activities are not of the scope of many allied partners, operational issues may still arise that will require a coordinated government response. For this reason, CSIS should give further consideration to how it keeps DFAIT informed of its overseas operations on an ongoing basis.

## 6 CONCLUSION

This study found that the changes in recent years to the threat environment, fiscal pressures and technological advancements have reinforced the need for collaboration within the Five Eyes community. Further, CSIS's expansion of collection activities abroad has facilitated more information-sharing on targets of mutual interest.

The review found a high level of cooperation between CSIS and particularly in the context of cases involving both countries. We also saw more operations, as CSIS has expanded its overseas presence. Cooperation on larger issues such as radicalization, the use of the Internet, and the challenges posed by the intelligence to evidence process an invaluable partner.

SIRC's visit to confirmed that CSIS personnel have good working relationships with their RCMP, CBSA and CIC counterparts. Although CSIS's expansion of collection activities abroad has led to more information-sharing among these partners, SIRC believes there is an opportunity for the Service to share more pertinent information with DFAIT. This is important as it remains DFAIT's responsibility to deal with any impacts on foreign relations arising from CSIS's overseas operational activities.