

*Private Members' Business*

• (1825)

I would note as well that CSE and its administrative head in the PCO have appeared co-operatively before the national security subcommittee in Parliament. That occurred at the end of the last Parliament. The amount of information conveyed was a lot less than members had hoped for, but we believe a relationship was established at that time.

In terms of communication security, the second part of its mandate, CSE is responsible for developing standards on electronic communications security for the approval of the Treasury Board, advising on the application of those security policies, and providing cryptographic material and documentation to appropriate government institutions. That is the coding exercise which prevents unauthorized parties from listening to or understanding intragovernment communications.

Also it works with international agreements in the communications and electronic security and signals intelligence programs and approves the release of classified or controlled communications security information and assets to government and non-government entities.

It reports to Treasury Board, when requested, on communications security. In fact members of Parliament rely on CSE expertise in protecting the security of our own internal communications in and around Parliament.

CSE provides a research, development and evaluation capability on security aspects of computer hardware, software and communications systems to ensure information is available to the government on the security of its computer systems and use in government.

As I mentioned before, the Department of Foreign Affairs and International Trade is the major client but there are other clients of CSE signals intelligence data. They include the Royal Canadian Mounted Police, the Canadian Security Intelligence Service and other government departments with an interest in security matters. All those exchanges of information are done by a tasking mechanism governed by memoranda of understanding, or so we are told.

Through the department of foreign affairs CSE exchanges signals intelligence data with foreign governments again through memoranda of understanding. We have never been told with whom. We can only guess.

CSE is a full partner in the U.K.-U.S.A. agreement which structures electronic signals intelligence sharing among the United Kingdom, the United States, Australia, Canada and more recently New Zealand. Again memoranda of understanding are said to be in place.

There are two questions. One is on the efficacy of CSE's spending and the other is on the potential impact of what CSE does on the rights and liberties of Canadians, given the extensive and intrusive powers of CSE.

Four years ago members of Parliament completed a five-year review of the Canadian Security Intelligence Service Act. That five-year review, after five years of operation, reported to the House in a report called "In flux but not in crisis". I read one excerpt from it that is most relevant:

While the Committee found no evidence of abuse by other agencies, it believes that a number of other collection agencies have a substantial capacity to infringe on the rights and freedoms of Canadians. The capacity of the Communications Security Establishment is a case in point. This organization clearly has the capacity to invade the privacy of Canadians in a variety of ways. It was established by Order in Council, not by statute, and to all intents and purposes is unaccountable. As such, the committee believes that the Communications Security Establishment should have a statutory mandate that provides for the review and oversight mechanisms for the agency.

• (1830)

The recommendation of the committee, which I point out was supported by all parties in the House of Commons, was that Parliament formally establish the CSE by statute, and second, establish the Security Intelligence Review Committee as the body responsible for monitoring, reviewing and reporting to Parliament on the activities of CSE concerning its compliance with the laws of Canada.

There was not an effective response to this from the government. In fact of the 117 recommendations in that unanimous report of members of Parliament I believe the government gave a favourable response to one. Someone once suggested it was one and a half, but it was not a meaningful reply, to say the least.

What is this proposal? Why do I reiterate the recommendation and proposal of that five year CSIS review?

Let us look at what SIRC does. SIRC does two principal things. It deals with appeals by individuals regarding complaints they have in relation to security clearance procedures and requests for security clearance. That comes from individuals in all departments of government. It is multi-agency in scope.

Second and most important is that SIRC reviews the work of the Canadian Security Intelligence Service for compliance with the statutory mandate of CSIS and the policies that are articulated thereunder, and for compliance with the laws of Canada. It also looks from time to time at the issue of management efficacy within CSIS.

SIRC, the Security Intelligence Review Committee, has access to all persons and documents within CSIS for the purpose of carrying out its role. It does it on behalf of Parliament and it reports to Parliament. I and others believe that SIRC is capable