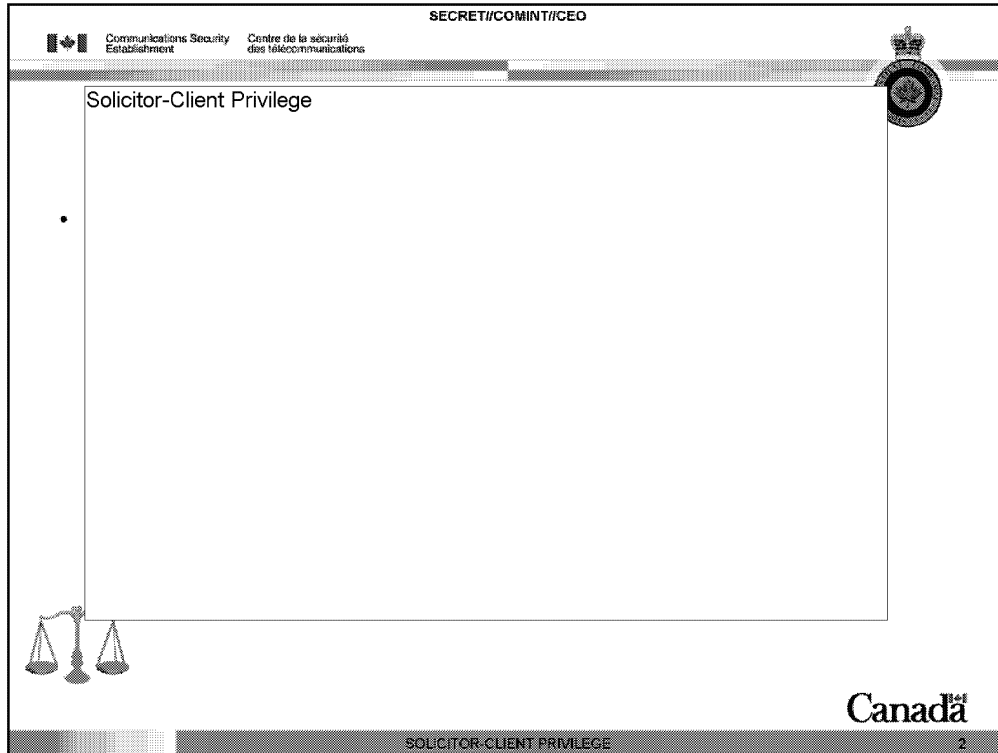


- Introduction of Counsel


**NEXT SLIDE:**

Solicitor-Client Privilege



Solicitor-Client Privilege


**NEXT SLIDE: NDA**



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO






Canada

SOLICITOR-CLIENT PRIVILEGE

3

Solicitor-Client Privilege


**NEXT SLIDE: CSE's Mandate**



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO






Canada

SOLICITOR-CLIENT PRIVILEGE

4


Solicitor-Client Privilege

**NEXT SLIDE: MANDATE RESTRICTIONS**



Communications Security Establishment  
Centre de la sécurité des télécommunications

SECRET//COMINT//CEO



# CSE Mandate Restrictions


**General (s. 273.66)**

- CSE may only undertake activities within its mandate, consistent with ministerial direction and consistent with ministerial authorization if required.

**A and B Mandates – FI and IT Security (ss. 273.64(2))**

- shall not be directed at Canadians or persons in Canada; and
- subject to measures to protect the privacy of Canadians in the use and retention of intercepted information

IRRELEVANT




Canada

SOLICITOR-CLIENT PRIVILEGE5

Solicitor-Client Privilege


**NEXT SLIDE: Mandate A**



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO



## Mandate “A”

- To acquire and use information from the global information infrastructure for the purpose of providing foreign intelligence, in accordance with the Government of Canada intelligence priorities [FI];
  - GII includes electromagnetic emissions, communications systems, information technology systems and networks, and any data or technical information carried on, contained in or relating to those emissions, systems or networks.
  - FI is information or intelligence about the capabilities, intentions or activities of a foreign individual, state, organization or terrorist group, as they relate to international affairs defence or security
  - FI must be in accordance with GoC intelligence priorities that are set by Cabinet




Canada

SOLICITOR-CLIENT PRIVILEGE

6


Solicitor-Client Privilege

**NEXT SLIDE: MAs for FI**



Communications Security Establishment  
Centre de la sécurité des télécommunications

SECRET//COMINT//CEO



# MAs for Foreign Intelligence

**ss. 273.65(1)**


- For the sole purpose of obtaining foreign intelligence, the Minister may authorize the interception of a private communication in relation to an activity or class of activities, if satisfied that:
  - the interception is directed at foreign entities located outside Canada;
  - the information could not reasonably be obtained by other means;
  - the expected value of the information would justify it;
  - satisfactory measures are in place:
    - to protect the privacy of Canadians; and
    - to ensure that private communications will only be used or retained if they are essential to international affairs, defence of security.



SOLICITOR-CLIENT PRIVILEGE7

Solicitor-Client Privilege






Communications Security  
Establishment

Centre de la sécurité  
des télécommunications


SECRET//COMINT//CEO

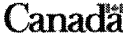


Solicitor-Client Privilege

Solicitor-Client Privilege

- 
-






SOLICITOR-CLIENT PRIVILEGE

8

Solicitor-Client Privilege


**NEXT SLIDE: Mandate C**



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications


SECRET//COMINT//CEO



# Mandate "C"

IRRELEVANT


**NEXT SLIDE: CSIS Act**



Communications Security  
Establishment


Centre de la sécurité  
des télécommunications

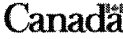
SECRET//COMINT//CEO



# CSIS Act

- IRRELEVANT
-






SOLICITOR-CLIENT PRIVILEGE


10

IRRELEVANT



Communications Security Establishment  
Centre de la sécurité des télécommunications

SECRET//COMINT//CEO



# Mandate “C” - Example

IRRELEVANT

- 
-






SOLICITOR-CLIENT PRIVILEGE11

IRRELEVANT


IRRELEVANT



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO



Solicitor-Client Privilege

- 
- 
- 




Canada

SOLICITOR-CLIENT PRIVILEGE

12

Solicitor-Client Privilege


**NEXT SLIDE:** Solicitor-Client Privilege



Communications Security  
Establishment

Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO



Solicitor-Client Privilege

Solicitor-Client Privilege

- 
- 
- 
- 
- 




SOLICITOR-CLIENT PRIVILEGE

13

Solicitor-Client Privilege






Communications Security  
Establishment


Centre de la sécurité  
des télécommunications

SECRET//COMINT//CEO



## Measures to Protect the Privacy of Canadians

- CSE has measures in place to protect the privacy of Canadians at every stage of the process: collection, use/disclosure and retention:
  - FI activities may not be directed at Canadians or persons in Canada
  - all FI reporting responds to GoC intelligence priorities
  - private communications are collected only under a MA
  - information of or about Canadians is filtered out or destroyed unless it meets strict conditions
  - identities of Canadians are suppressed in reporting



Canada

14


SOLICITOR-CLIENT PRIVILEGE

Solicitor-Client Privilege


**NEXT SLIDE: CSE Commissioner**

May 29, 2015

AG00225 14  
A-2017-00017--02904


**Communications Security Establishment**  
Centre de la sécurité des télécommunications

SECRET//COMINT//CEO



## Independent Review by CSE Commissioner (273.63 NDA)

- Supernumerary or a retired judge
- Reviews activities of CSE to ensure they are in compliance with the law
- Informs the Minister of National Defence and Attorney General of any activity not in compliance with the law
- Undertakes investigations in response to complaints
- Annual report to Minister is tabled in Parliament



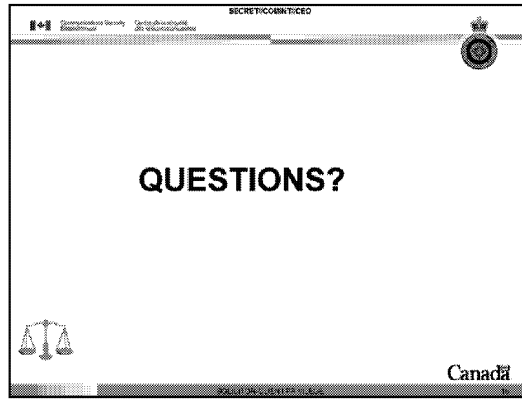
Canada

SOLICITOR-CLIENT PRIVILEGE

15

Solicitor-Client Privilege

**NEXT SLIDE: QUESTIONS**



PLEASE TAKE NOTE OF THE QUESTIONS ASKED AND THE ANSWERS PROVIDED