

Statement by CSE Commissioner the Honourable Jean-Pierre Plouffe re: January 30 CBC story

OTTAWA – January 31, 2014 - In light of the most recent unauthorized disclosure of classified information of the Communications Security Establishment Canada (CSEC), I can state that I am aware of the metadata activities referred to.

The law prohibits CSEC from directing its activities at Canadians. In accordance with its mandate, CSEC is only allowed to use metadata to understand the global information infrastructure, for the purpose of providing intelligence on foreign entities located outside Canada and to protect computer systems of importance to the government of Canada. If I believe activities of CSEC may be unlawful, I am obliged to report that to the Minister of National Defence and to the Attorney General of Canada.

Past commissioners have reviewed CSEC metadata activities and have found them to be in compliance with the law and to be subject to comprehensive and satisfactory measures to protect the privacy of Canadians. CSEC is providing full cooperation to my office in the conduct of another ongoing in-depth review of these activities, which was formally approved in the fall of 2012.

In June 2013, my predecessor issued a [statement](#) referring to CSEC metadata activities. Many reviews of CSEC activities conducted by the Commissioner's office include examination of CSEC use of metadata. For example, we verify how metadata is used by CSEC to target the communications of foreign entities located outside Canada, and we verify how metadata is used by CSEC to limit its assistance to federal law enforcement and security agencies to what is authorized by a court order or warrant.

As Commissioner, I am independent of the government and of CSEC, and as such do not take direction from any minister of the crown or from CSEC.

The *National Defence Act* requires the CSE Commissioner to be a supernumerary or a retired judge of a Superior Court. The Commissioner is appointed by the Governor in Council during good behaviour, for a term not exceeding five years. A judge's career is based on independence and impartiality, with a practice of determining conclusions based on facts and tough probing questions.

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