

# SIGINT PROGRAMS INSTRUCTION



## METADATA IN A SIGINT CONTEXT

Effective 24 July 2013

## INTRODUCTION

(C) SIGINT Programs Instructions (SPIs) are working aids intended to address gaps and grey areas that are only partially addressed by, or scattered over several, existing policy instruments. They represent a consolidation and/or expansion of information contained within other policy instruments (e.g., CSOIs, OPS documents, etc.).

(TS//SI//CEO) SPI-2-13 complements policy instruments regarding metadata, including:

- Ministerial Directive on the Collection and Use of Metadata
- OPS-1, *Protecting the Privacy of Canadians and Ensuring Legal Compliance in the Conduct of CSE Activities*,
- OPS-1-10, *Operational Procedures for Metadata Analysis* [REDACTED]
- OPS-1-11, *Retention Schedules for SIGINT Data*,
- OPS-1-13, *Operational Procedures Related to Canadian [REDACTED] Collection Activities*.

(TS//SI//CEO) It guides the implementation of concepts introduced in those policy instruments by providing examples of what constitutes and what doesn't constitute "metadata" in a SIGINT context. This clarification has implications for understanding authorities required to acquire, retain and use data.

## CONTEXT

(TS//SI) This SPI clarifies the meaning of "metadata", which is defined as follows in the MD and OPS-1:

*"information associated with a telecommunication to identify, describe, manage or route **that** telecommunication or any part of it as well as the means by which it was transmitted, but excludes any information which could reveal the purport of a telecommunication, or the whole or any part of its content".*

(TS//SI) Emphasis has been added to the word "that" because metadata is, by definition, information associated with a specific telecommunication event. When similar information is not related to a specific telecommunication, it is not metadata.

(TS//SI) A telecommunication refers to a discrete event between two or more persons, a person and a machine, or between two machines. Telecommunications are transmitted on the GII in accordance with internationally agreed upon network protocols. Metadata is present in every layer of network protocols; some layers relate to the network itself, others relate to the features of a specific telecommunication, and yet others relate to the communicant(s).



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(TS//SI) The following constitute examples of metadata, when associated with a telecommunications event:

- IP address (from and to),
- Time up, time down,
- Application identification,

(TS//SI) Retention of metadata is usually set to a maximum of [REDACTED] in accordance with the MD<sup>1</sup> and OPS-1-11, *Retention Schedules for SIGINT Data*. Metadata is required to be minimized (i.e. Canadian identifying information must be masked) prior to sharing outside CSE.<sup>2</sup> Metadata may only be used for the purposes listed under the MD and OPS-1<sup>3</sup>.

## ACQUISITION OF METADATA

(S//SI) CSE may acquire metadata in bulk at all SIGINT collection [REDACTED] This metadata is held in a consolidated repository.

(S//SI) [REDACTED]

(TS//SI) [REDACTED]

(TS//SI) [REDACTED]

<sup>1</sup> The MD stipulates that metadata acquired in the execution of CSE foreign intelligence acquisition programs shall be destroyed after [REDACTED] unless CSE requests, and the Minister approves that longer retention is warranted.

<sup>2</sup> The metadata as part of the [REDACTED] however, does not require minimization.

<sup>3</sup> Metadata may only be used for contact chaining, network analysis and prioritization, identifying new targets and target-associated selectors, or monitoring or identifying patterns of foreign malicious cyber activities.



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(TS//SI) As indicated in OPS-1-13, *Operational Procedures Related to Canadian [REDACTED] Collection Activities*, Second Parties [REDACTED] provided that metadata known to be associated with Canadians located anywhere or persons located in Canada is altered by CSE.

## IMPLICATIONS FOR OTHER DATA TYPES

(TS//SI) It is important to distinguish metadata from other data types, as that affects authorities, permitted uses and retention periods. The following data types are not considered to be “metadata” and may be acquired through various means, retained for as long as operationally required, and used for any number of purposes:

- Identifiers in isolation, in address books, on buddy lists,
- Data summaries, such as number of times x called y in a specified period,
- Telecommunications infrastructure data,
- SIGINT source information.

(TS//SI) Taken in isolation [REDACTED], an identifier does not constitute metadata. Similarly, address books or friends lists acquired in the process of conducting FI activities, or acquired through other methods, are not metadata, [REDACTED]

(TS//SI) Any data that describes the [REDACTED] but that does not relate to any specific telecommunication is not metadata. Such data is [REDACTED] will be discussed in greater detail in a future SPI.

(TS//SI) [REDACTED]

(TS//SI) Regardless of the type or source of the data, any Canadian identifying information must be minimized prior to sharing outside CSE, in order to comply with the need to protect the privacy of Canadians in all activities that are conducted under paragraph 273.64(1)(a) of the *NDA* (Part (a) authorities).

## METADATA IN THE 5 EYES COMMUNITY

(TS//SI//CEO) Under Canadian law, information that reveals the subject or purport of a communication, such as the subject field in an email, does not constitute metadata.



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(TS//SI//CEO) In addition, at CSE, the conduct of metadata analysis normally [REDACTED]  
any metadata analysis [REDACTED] must be done in accordance with OPS-1-  
10. [REDACTED]

[REDACTED] and as such, an OPS-1-10 approval is not required [REDACTED]  
[REDACTED]

(TS//SI//CEO [REDACTED]  
[REDACTED]

## PROMULGATION

(S//SI//CEO) I hereby approve SPI-2-13, *Metadata in a SIGINT Context*. This SIGINT Programs Instruction is effective immediately.

James Abbott  
Director General, SIGINT Programs



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