

Minister
of National Defence



Ministre
de la Défense nationale

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Ottawa, Canada K1A 0K2

CERRID # 1034783

To: Chief, Communications Security Establishment

Ministerial Directive
Communications Security Establishment
Operations

This Directive is issued under my authority and replaces the [REDACTED] [REDACTED] *Operations* Ministerial Directive issued 14 January 2002. The purpose of this Ministerial Directive is to set out my expectations for how CSE is to manage its [REDACTED] program.

The ability of CSE to fulfill its legislated mandate is impeded by the transformational changes in the global information infrastructure. These changes have made it much more difficult to collect communications from the global information infrastructure and extract those of interest. Unless it successfully adapts to this rapidly changing technological environment and uses more [REDACTED] methods to facilitate the acquisition of specific, high interest data and communications, CSE is unable to provide effective nationally controlled intelligence support to the government.

For this reason, [REDACTED] operations, [REDACTED]

[REDACTED]

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In order for CSE to meet the technological challenges presented by the rapidly evolving global information infrastructure, CSE is authorized, under the terms of this Directive, to continue its [REDACTED] program. In this context, I want to be clear about my expectations of CSE:

- I expect that CSE will direct its [REDACTED] activities solely against foreign targets. CSE does not have the authority to target the communications of any person in Canada or of Canadians located anywhere;
- I expect you to select intelligence targets for these operations in accordance with Government of Canada intelligence priorities;
- I expect that procedures, plans, techniques and technical capability necessary to govern and perform [REDACTED] operations are established and applied;
- I expect that CSE ensures that procedures for such operations define appropriate threat, risk and vulnerability thresholds for both the activity and personnel involved;
- CSE can collect and use metadata under the [REDACTED] program according to the principles enunciated in the *Collection and Use of Metadata* Ministerial Directive¹;
- I expect that any [REDACTED] activities carried out by CSE [REDACTED]

- I expect CSE to be vigilant in respecting all relevant legislative and policy instruments, including my Ministerial Directives on *Accountability Framework* and *Privacy of Canadians*;
- I expect you to maintain efficient and effective consultative and cooperative processes with other government departments, agencies and our SIGINT allies to carry out operations. I also authorize CSE to share information it acquires under its [REDACTED] program with Canada's allies, in a manner that is consistent with the direction provided in the Ministerial Directive on *Framework for Addressing Risks in Sharing Information with Foreign Entities*.

As Chief, I expect that you will consult me before undertaking any particularly sensitive [REDACTED] operations or those with significant risk.

¹ In all cases, references to Ministerial Directives within the document refer to the most recently issued Ministerial Directives.

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Activities undertaken pursuant to this Ministerial Directive will be subject to review by the CSE Commissioner as part of his mandate.

I expect you to report to me on CSE's [REDACTED] operations as part of CSE's Annual Report.

Dated at Ottawa, Ont this 20th day of November, 2012.



The Honourable Peter MacKay, P.C., M.P.
Minister of National Defence

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Annex A

MEMORANDUM OF UNDERSTANDING

between

[REDACTED]

and

THE COMMUNICATIONS SECURITY ESTABLISHMENT
("the Establishment" or "CSE")

Preamble

1. It is recognized by both parties that day-to-day consultation between [REDACTED] and the Establishment takes place at all levels on a wide range of topics and that this is necessary for both parties to carry out their respective mandates effectively. Nothing in this MOU is intended in any way to limit or interfere with these exchanges.

Purpose

2. To clarify the relationship between [REDACTED] and the Establishment with regard to [REDACTED] activities [REDACTED]

(a) Recognizing that the mandate of CSE as outlined in the National Defence Act (Part V.1 S. 273.61-273.69) includes the collection of foreign intelligence abroad in accordance with Government of Canada intelligence priorities;

(b) Recognizing that [REDACTED]

(c) Recognizing that any [REDACTED] operation [REDACTED]

(d) Recognizing that [REDACTED]

3. Now therefore [REDACTED] and the Establishment agree as follows:

(a) [REDACTED] will support CSE in the delivery of its [REDACTED] program, in accordance with the direction provided by [REDACTED] the principles set out in this Memorandum, and in conformity with applicable Canadian law and the mandates and responsibilities of the two organizations.

(b) CSE will inform [REDACTED] activities [REDACTED] specified in Annex I to this MOU. However, it is recognized and accepted that occasionally urgent operational considerations will preclude the Establishment informing [REDACTED] in advance. In these cases CSE will inform [REDACTED] as soon as possible. It is also agreed that this requirement applies only to [REDACTED] activities [REDACTED] as described in Annex II to this MOU.

(c) before an operation relating to [REDACTED] activities is undertaken by CSE employees, or individuals acting under CSE's direction [REDACTED] the Establishment will consult [REDACTED] during the development of an operational plan and will involve [REDACTED] in the "challenge" process. In any instance where the [REDACTED] continues to have concerns about the [REDACTED] operation, these concerns will be brought to the attention of the [REDACTED] and the [REDACTED] for resolution.

(d) [REDACTED] and CSE agree to maintain strict limits on the number of their personnel who have knowledge of CSE [REDACTED] activities.

(e) that this Memorandum of Understanding may be amended at any time by written consent of both parties.

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Effective Date

4. This MOU will come into effect when signed by both parties.

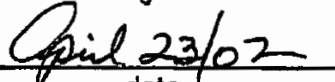
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for the Communications
Security Establishment



Minister of
National Defence

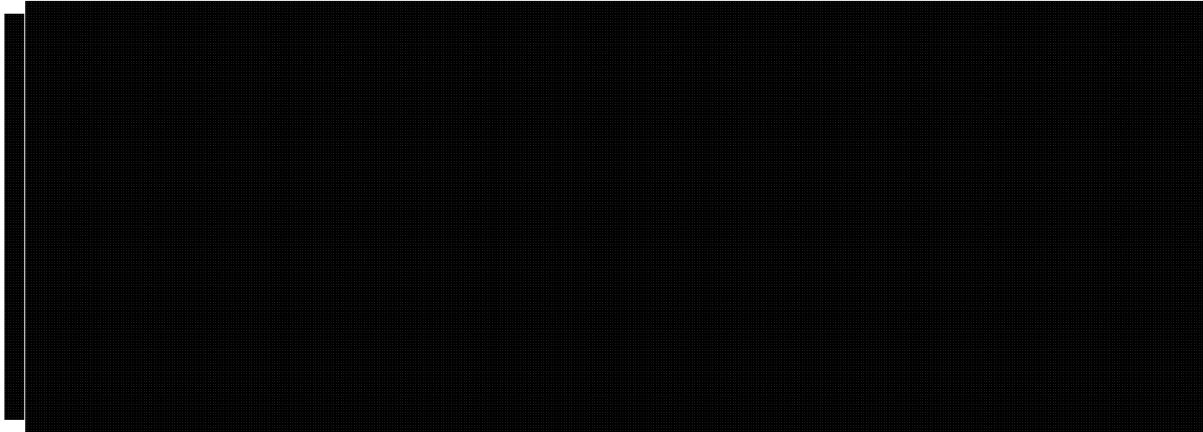

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Annex 1



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