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The Canadian Association for Security and Intelligence Studies (CASIS) is a non-partisan, voluntary association established in 1985. Its principal purpose is to provide informed debate in Canada on security and intelligence issues. Membership is open and currently includes academics, concerned citizens, government officials, journalists, lawyers, students, as well as former intelligence officers. For more information about CASIS, visit our official website at http://www.casis.ca

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Association News

The Weller Memorial Prizes

The Canadian Association of Security and Intelligence Studies announces the second annual competition for the *Weller Memorial Prizes*, awarded annually for the best undergraduate and graduate projects on an intelligence subject submitted as an individual or a group. They are awarded by CASIS in memorial of Professor Geoffrey R. Weller, a professor at the University of Northern British Columbia.

A project may be a research essay on a topic related to intelligence or a report on an intelligence related activity completed for a course on intelligence at any college or university. The paper should be written during the 2002/2003 academic year. All papers must be written by Canadian citizens or by students who attend a Canadian University. Award winning papers will be presented at the 2003 CASIS conference in Vancouver, British Colombia, 16-18 October 2003.

The prizes include a roundtrip ticket to Vancouver and hotel accommodation for the duration of the CASIS conference, registration and banquet or \$250. Papers must be submitted by 31 May 2003 to: Dr. Sarah-Jane Corke, Department of History, Dalhousie University, Halifax, Nova Scotia, B3H 4P9. For further information, please contact Ms Corke at scorke@dal.ca.

Please note that CASIS reserves the right not to award the prize if the contributions are not of adequate quality.

CASIS 2003 Annual Conference

CASIS 2003 annual conference, *Homeland Insecurities: the Shifting Borders of Security, Intelligence and Law Enforcement*, will be held from 16 to 18 October at Simon Fraser University's Harbour Centre, 515 West Hastings Street, Vancouver, British Columbia. Please visit the CASIS website (http://www.casis.ca) for updated information.

Upcoming Conferences

4-6 June 2003

International Conference on War Crimes. Searching for Justice: Comprehensive Action in the Face of Atrocities

York University, Toronto, Canada http://www.yorku.ca/crs/remedies.htm

6-8 June 2003

Canada and the Maritime Dimensions of Regional Security in Sub-Saharan Africa Dalhousie University campus http://www.dal.ca/~centre/africa2003.html

7-10 June 2003

International Association of Genocide Scholars Irish Human Rights Centre, Galway, Ireland http://www.apsanet.org

20-22 June 2003

Seapower Conference 2003. Continental Security and Canada - U.S. Relations: Maritime Perspectives, Challenges and Opportunities

Halifax, Nova Scotia, Canada http://www.dal.ca/~centre/Seapower 2003.html

22-27 June 2003

15th Annual Computer Security Incident Handling Conference The Westin, Ottawa, Ontario, Canada http://www.first.org/conference/2003/

23-25 June 2003

Computer Security Institute NetSec2003
Hyatt Regency, New Orleans, Louisiana, United States http://www.gocsi.com/netsec/03/

26-28 June 2002

Global Tensions and Their Challenges to Governance of the International Community

A Conference Sponsored by the International Studies Association and the Central and East European International Studies Association

Central European University, Budapest, Hungary

http://ian.vse.cz/ceeisa/budapest.htm

26-29 June 2003

Rousseau, Voltaire, and Fanaticism St. Hugh's College, Oxford, England http://www.apsanet.org

30 June-1 July 2003

Information Warfare and Security
Reading, UK
http://www.mcil.co.uk/2m-eciw2003-home.htm

11-13 July 2003

Intelligence and Political Enemies, Intelligence and Terrorism in the 20th Century Annual Meeting of International Intelligence History Association Leucorea, Lutherstadt Wittenberg (south of Berlin) http://www.intelligence-history.org/

12-13 September 2003

Understanding Terrorism: Philosophical Issues
Loyola Marymount University, Los Angeles, California, United States
http://clawww.lmu.edu/faculty/tshanahan/UTConferenceHomepage.html

12-13 September 2003

Britain and the Cold War Institute of Contemporary British History University of London, United Kingdom http://www.ihr.sas.ac.uk/icbh/bulletinboard.html

19-20 September 2003

Making Intelligence Accountable
The Geneva Centre for the Democratic Control of Armed Forces
Oslo, Norway
http://www.dcaf.ch/news/Intel%20Acct Oslo%200903/ws mainpage.html

25-26 September 2003

Eisenhower National Security Conference: National Security for the 21st Century-National Power in an Unpredictable World

http://www.eisenhowerseries.com/events/ENSC.html

3-4 October 2003

Terrorism and Transnational Crime: Evolving Challenges to Security and Policing Conflict Studies Conference, University of New Brunswick, Fredricton, New Brunswick

Preliminary Program

Friday 3 October (afternoon)

Keynote address: "Terrorism and Trans-National Crime: A Global Perspective" Dr. Phil Williams, University of Pittsburgh

Panel 1: "Terrorism and Crime: Case Studies"

"Russian Intelligence Services, Organized Crime, and Nuclear Terrorism" Julie Anderson (City University of New York)

"Lessons of the 'Nord-Ost': Transformations of a Criminal Chechen Network in the Russian Security Discourse"

Viktoriya Topalova (University of British Columbia)

"The Tamil Tigers, Terrorism, and Organized Crime" John Thompson (Mackenzie Institute)

"Narco-Terrorism in Colombia: A View from Canada" Speaker TBA

Panel 2: "Comprehending and Responding to the Challenge"

"Boxing With Shadows: Understanding and Addressing the Global Asymmetric Threat Complex" *Christopher Corpora (American University)*

"The Emperor's Leased Clothes: The Privatization of Security and the American War on Terror" Christopher Spearin (York University)

Reception

Evening - free

Saturday 4 October

Panel 3: "Democracy, Terrorism, and Crime"

"Democratic Counter-Terrorism: Fundamental Principles and Best Practices" G. Davidson-Smith (Canadian Security Intelligence Service)

"The Role of Parliament in Security Oversight in Canada" Roy Rempel (Defence Association Network News)

"The Delicate Balance Revisited: The Implications of 4th Generation Warfare and al Qaeda for Civil Liberties, State Security and Organized Crime"

Stuart Farson (Simon Fraser University)

Panel 4: "Perspectives on Intelligence-Led Policing"

"Intelligence-Led Policing: A Canadian National Perspective" Superintendent Bill Adams (RCMP)

"Intelligence-Led Policing: A Provincial and Regional View" David Charters (University of New Brunswick)

"Can Intelligence-Led Policing Do More Than Round Up the Usual Suspects?" Peter Gill (Liverpool John Moores University)

Luncheon

Panel 5: "Managing Intelligence and Security"

"Countering Terrorism and Serious Crime in the United Kingdom" Detective Superintendent Colette Paul (Metropolitan Police, UK)

"The Experience of a Provincial Criminal Intelligence Fusion Center" Speaker TBA (Department of Public Safety, Province of New Brunswick)

"Responses to Terrorism by International Organizations" Kate Bryden (Department of Foreign Affairs and International Trade)

Panel 6: "The Crime-Terrorism Nexus in Critical Perspective"

Chair: Dr. Margaret Beare (Nathanson Centre);

Discussants: Phil Williams, Christopher Corpora, G. Davidson-Smith, Stuart Farson, Peter Gill

Summation: Dr. Charters (UNB)

Evening: Closing Banquet

Registration fee: \$ 125.00 (HST incl) Banquet: \$ 25.00 (HST incl.) To register and for other information, please contact Deborah Stapleford at the Centre for Conflict Studies, University of New Brunswick, Fredericton, NB E3B 5A3; ph: 506-453-4587; email: conflict@unb.ca

30 October-2 November 2003

New Central and Eastern European Evidence on the Cold War in Asia
Cold War International History Project (CWIHP), the George Washington Cold War Group and the Cold War
History Research Center in Budapest
Budapest, Hungary
http://wwics.si.edu/

6-7 November 2003

Conference on Intelligence Analysis-2: Evolving Tasks, Emergent Capabilities
Carleton University, Canadian Centre of Intelligence and Security Studies (CCISS)
Fairmont Château Laurier, Ottawa
Martin Rudner@Carleton.ca

Canadian Intelligence News

CSIS: Anti-Globalization Movement's Extreme Element Poses a Domestic Threat

Citing a top-secret report it obtained from Canadian Security Intelligence Service under the *Access to Information Act*, the *National Post* reports that the service believes the "extraordinary caution" exercised by security agencies for the G8 summit in Kananaskis, Alberta must become the model for future meetings. The report warned that "The presence of world leaders in Kananaskis reminded us that one of the newest emerging domestic threats emanates from the highly-publicized phenomenon of anti-globalization." In parliamentary testimonial, CSIS has stated that fringe groups such as the Black Bloc anarchists and militant elements of animal rights and environmental groups view the otherwise non-violent globalization protests as an opportunity to gain attention through violent acts.

Source: Stewart Bell, "CSIS paints anti-trade movement as menace," The National Post, 24 February 2003.

CSIS Deems War Driving a Threat, Not a Service

War driving may be the latest hobby for hackers wanting to show-off, but CSIS views the recent interest in locating and mapping wireless computer networks as being less than benign. Documents obtained by the *Ottawa Citizen* under the *Access to Information Act* indicate CSIS's concern that this activity poses a threat to the confidentiality of sensitive information.

Derived from the term "war dialing," an older technique used by malicious computer users to locate vulnerable modems on a network through a dial-up tool, war driving involves driving around a neighbourhood and using wireless networking and global positioning equipment to locate and map vulnerable wireless networks. Typically, the discovery of a wireless network is indicated by a symbol marked in chalk.

Two Alberta men, Jason Kaczor and Brad Haines, were singled out in the declassified report for their high-profile involvement in the first international war driving day. In an interview with the Citizen, both men insisted that they had no malicious intent but, rather, were doing a public service by drawing people's attention to an important security flaw.

Source: Jim Bronskill, "High-tech hobby falls under CSIS suspicion," The Ottawa Citizen, 24 February 2003.

White Supremacists See Opportunity in Alliance with Muslim Extremists

According to a top-secret CSIS document obtained by the *National Post* under the *Access to Information Act*, there is evidence that Canada's white supremacist groups are seeking common cause with extreme Islamist groups in the Middle East. Thrown into disarray by the 1994 collapse of the Heritage Front, a Toronto-based organization that presented itself as a means to unite the Ku Klux Klan, Aryan National and a US terrorist group called The Order, the white supremacist movement is actively seeking any opportunity to regain its strength and criticize the Canadian government's immigration policies.

The National Post cited an unnamed source familiar with Canada's extreme right who agreed with CSIS's assessment but went on to say that the white supremacist and Islamist alliance is a "blip" and that white hate groups are currently more interested in focussing their energies on the government than Jews.

Source: Stewart Bell, "Extremists joining forces, CSIS warns," The National Post, 21 February 2003.

Appointment to the Security Intelligence Review Committee

On 20 February 2003, Prime Minister Jean Chrétien announced the appointment of Baljit Singh Chadha as a member of the Security Intelligence Review Committee (SIRC).

According to the press release from the Prime Minister's Office:

Mr. Chadha lives in Montreal, Québec where he is President of Balcorp Limited. Founded in 1976, Balcorp Limited is a trading house with offices in Montreal, as well as Mumbai and New Delhi, India. Born in India, Mr. Chadha arrived in Canada to study in 1973. In addition to his significant presence in the world of international trade, Mr. Chadha has been tireless in his efforts to encourage tolerance and multiculturalism within Canada and philanthropic work to promote education, multiculturalism, and the arts.

In accordance with the requirements of the Canadian Security Intelligence Service Act, Mr. Chadha was sworn into the Queen's Privy Council of Canada.

Established in 1984, SIRC provides an external review of the Canadian Security Intelligence Service's performance of its duties and functions. It also examines complaints by individuals or reports by Ministers relating to security clearances and the national security of Canada. The Committee is required to report annually to Parliament through the Solicitor General.

This appointment is effective immediately.

Baljit Singh Chadha

Baljit Singh Chadha is the President of Balcorp Limited, a well-established trading house with offices in Montreal, Quebec and Mumbai and New Delhi, India.

Born in Mumbai, India, Mr. Chadha came to Canada in 1973 to study business at the University of Western Ontario and later at Concordia University.

Mr. Chadha founded Balcorp Limited in 1976 with borrowed capital and a single desk. Today this international trading company has varied interests that include agrifood products, processed foods, forestry products, and minerals. Balcorp has played a critical role in developing export markets for mineral and food products from Quebec.

Mr. Chadha's dedication to advancing education and trade have given him a distinguished profile in Montreal and in Canada. He sits on the Board of Governors of Concordia University, has advised the Office of the Mayor of Montreal on Indo-Canadian affairs, serves on the advisory board of the Indo-Canada Chamber of Commerce and was nominated as President for the Central Canada region of the International Punjabi Society.

He has been honoured with several awards for his philanthropic endeavours and tireless efforts to promote multiculturalism, including the Commemorative Medal for Her Majesty Queen Elizabeth II's Golden Jubilee to recognize his significant contribution to Canada, to fellow Canadians and his community.

Members of the Security Intelligence Review Committee

The Hon. Paule Gauthier of Quebec City (Chair) The Hon. Gary Albert Filmon of Winnipeg, Manitoba The Hon. Raymond A. Speaker of Enchant, Alberta

CSIS Press Release on Air India

On 2 June, following press allegations about CSIS activities prior to the Air India bombing of 1985 in major newspapers, CSIS media liaison officer Nicole Currier issued the following press release:

As the accused in the Air India issue are currently on trial, comments on the evidence before the court must be avoided. However, it is worthwhile noting that in 1991, the Security Intelligence Review Committee (SIRC) undertook an exhaustive review of the Canadian Security Intelligence Service's activities prior to and following the June 1985 Air India bombing. Their subsequent report laid to rest any concerns about CSIS' role in the investigation of Sikh terrorist activity and the Air India disaster.

CSIS' role is to provide intelligence to the Government to prevent acts of terrorism from occurring in or originating from Canada. If CSIS had had any information which could have prevented the disaster, it would have provided it to the Government and the police.

Any suggestion that CSIS would not have done everything in its power to prevent such a tragedy from occurring is absurd.

Air India Trial Opens Up Old Wounds

Press reports speculate that bitter acrimony between the RCMP and the just-created CSIS in the days leading up to and following the 23 June 1985 Air India bombing may have stood in the way of the ensuing criminal investigation.

At issue was CSIS's reluctance to share intercept tapes it had made of suspected bombing mastermind Palwinder Singh Parmar three months before Air India flight 182 went down off the coast of Ireland. Parmar was killed in India in 1992.

According to just-released court documents, the RCMP was not even aware of the existence of the 300 wiretap tapes until 5 July. It then spent the following months trying to secure access to them from CSIS. On 6 September, the RCMP secured an agreement to see notes made from the taps but this access was revoked on 17 September without explanation.

On 30 September, the RCMP was told informally that some tapes had been destroyed. Of the 300 intercepts, only 54 remained intact. Crown prosecutors conceded CSIS's negligence during its pretrial submission. Justice Bruce Josephson ruled that this admitted negligence could be raised as an issue during the current trial.

Two British Columbia residents, Vancouver businessman Ripudaman Singh Malik and Kamloops millworker Ajaib Singh Bagri are charged with the murder of the 329 people who were aboard the Air India flight and two luggage handlers killed in an another explosion at Tokyo's Narita airport.

In a further twist to the story, court documents also indicate that CSIS may have had an informant among the bombing conspirators. Two RCMP officers, Inspector Lorne Schwartz and Sergeant Jim Hunter, indicated that Surgan Singh Gill, a vocal advocate of Sikh separatism who now lives in the United Kingdom, was a CSIS mole. In January 2000, the RCMP launched an investigation into a CSIS officer's alleged destruction of taped interviews with possible informants in the bombing. The resulting report concluded that the officer burned the tapes out of concern for his informant's safety.

In a statement released 3 June, CSIS denied that it had prior knowledge of the bombing, saying "If CSIS had had any information which could have prevented the disaster, it would have provided it to the government and the police. Any suggestion that CSIS would not have done everything in its power to prevent such a tragedy from occurring is absurd."

Sources: Robert Matas, "Exoneration of CSIS assailed by Mountie," *The Globe and Mail*, 10 June 2003; Robert Matas, "CSIS kept phone tapes from RCMP," *The Globe and Mail*, 9 June 2003; Jim Bronskill, "CSIS denies Air India allegations," *The Ottawa Citizen*, 3 June 2003; Robert Matas, "Misjudged Air-India's danger, CSIS acknowledges," *The Globe and Mail*, 6 June 2003; Mary Gordon, "Air-India allegation 'absurd'," *The Toronto Star*, 3 June 2003; DeNeen Brown, "Coverup by Canadian spy agency alleged," *The Washington Post*, 3 June 2003; Robert Matas, "CSIS coverup alleged in Air-India bomb plot," *The Globe and Mail*, 2 June 2003.

Canadian reticence on US anti-missile system hurt intelligence sharing

Canadian defence minister John McCallum told a *Globe and Mail* reporter that his country's slowness to join the United States in building an anti-ballistic missile system resulted in Canada getting frozen out of key NORAD meetings. McCallum said that the Canadian Forces had not been getting as much US intelligence because of Canada's reluctance to take part in the missile defence program as well as its stance on Iraq.

Noting the relative imbalance between Canada's provision of intelligence to the United States and its contribution to Canada, McCallum said "If we are not part of missile defence, there is a risk that we will be gradually excluded from key aspects of continental defence." He indicated that the Canadian government expects to have a deal in place on missile defence by fall 2003.

Source: Daniel LeBlanc, "US military giving cold shoulder to Canadian officers," *The Globe and Mail*, 31 May 2003.

Sol-Gen submits first annual report on use of arrest without warrant

In his first annual report to Parliament, Canada's Solicitor General indicated that no arrests without warrant were made during the first year of the Anti-Terrorism Act's existence. Through amendments to the Criminal Code, the 2001 Anti-Terrorism Act enabled Canadian law enforcement agencies to take measures, such as arrest without warrant, to prevent terrorist incidents.

Commenting on the fact that these new powers were not used during this reporting period (24 December 2001 to 24 December 2002), the report stated that "[it] is an indication that the power of arrest provision is seen as a uniquely preventative measure by the police. It illustrate law enforcement do not take lightly the carefully circumscribed powers that they have been given...".

Source: Solicitor General of Canada, *Annual Report on the Use of Arrest Without Warrant Pursuant to the Anti-Terrorism Act, Subsection 83.31(3) of the Criminal Code*, 2002, available online at http://www.sgc.gc.ca/publications/national security/pdf/arc36 2002 e.pdf

Security certificate used to nab Montreal man suspected of al-Qaeda links

On 21 May, Canadian authorities acted on the rarely used security certificate mechanism to arrest a Montreal man believed to be connected to al-Qaeda. The unidentified man was of Moroccan origin but had lived in Canada for a number of years. A press report said unidentified sources indicated the man had been under CSIS surveillance for ten days prior to his arrest.

Citizenship and Immigration Canada issues security certificates to remove a person when it must protect the information that indicates the person is a threat to the security of Canada. Less than 25 certificates have been issued in the last 10 years.

Sources: Canadian Press, "CSIS arrests man in Montreal suspected of al-Qaeda links," 22 May 2003; see also Citizen and Immigration Canada website information online at http://www.cic.gc.ca/english/irpa/fs-keeping.html

CSIS creates Counter Proliferation Branch

In its 2002 public report, CSIS indicated that revelations about al-Qaeda's interest in weapons of mass destruction, North Korea's assertion that it is developing nuclear weapons, and a flare-up in tensions between India and Pakistan have made non-proliferation one of the government's most pressing intelligence priorities. Press report indicated that the discovery of tapes and documentation in Afghanistan in summer 2002 revealing al-Qaeda's experimentation with weapons of mass destruction was in itself a major catalyst behind the creation of CSIS's Counter-Proliferation Branch.

The new branch combines counter-terrorism and counter-proliferation elements and is charged with "collecting information related to biological, chemical and nuclear weapons programs undertaken by foreign governments or terrorist organizations."

Sources: Stewart Bell, "New CSIS branch to investigate spread of WMDs," *The National Post*, 6 May 2003; CSIS, Operational Programs: Counter-Proliferation, available online at http://www.csis-scrs.gc.ca/eng/operat/prolife.html; CSIS 2002 Public Report, available online at http://www.csis-scrs.gc.ca/eng/publicrp/pub2002 e.html#3c

Foreign Affairs fails to report rogue diplomat's amateur spying

For almost two years, the Department of Foreign Affairs (DFAIT) sat on allegations that one of its diplomats was engaged in unauthorized spying against a Saudi princess. A Globe and Mail report based on declassified DFAIT documents indicate that Canadian diplomat Gary Ogaick -- now retired and beyond the reach of Canadian law enforcement in Saudi Arabia -- tried to obtain sexually compromising information on Princess Hend al Fassi by promising large sums of money to her bodyguards.

RCMP investigators were not briefed on Ogaick's alleged activities until 21 August 2001, despite indications that DFAIT officials had been aware of the situation since 29 November 1999, possibly earlier. On 18 October 1999, Ottawa received word from its Cairo embassy that Ogaick had approached a Canadian who had worked as a security guard for Princess Hend and her husband, Prince Turki.

Source: Jeff Sallot, "Claims of rogue spy unheeded for months," The Globe and Mail, 5 May 2003.

More names are added to Canada's list of terrorist entities

On 18 June 2003, five more groups were added to Canada's list of entities that are believed to terrorist in nature. These were (by primary name only): Babbar Khalsa (BK), Babbar Khalsa International (BKI), International Sikh Youth Federation (ISYF), Lashkar-e-Tayyiba (LeT) and Lashkar-e-Jhangvi (LJ).

Two months prior, on 2 April 2003, seven groups were added. These groups were (by primary name only): Jemaah Islamiyyah (JI), Islamic Movement of Uzbekistan (IMU), Euskadi Ta Askatasuna (ETA), al-Aqsa Martyrs' Brigade (AAMB), Fuerza Armada Revolucionarias de Colombia (FARC), Autodefensas Unidas de Colombia (AUC), and Ejército de Liberaction Nacional (ELN).

The result of the 2001 Anti-Terrorism Act, this list of entities is maintained according to the recommendations of the Solicitor General of Canada.

Source: Canada Gazette, Part II, Extra Vol. 137, No. 5, 18 June 2003; Canada Gazette, Part II, Extra Vol. 137, No.4, 3 April 2003, available online at http://canadagazette.gc.ca/index-e.html

Elcock: Canadian foreign intelligence agency could be disruptive

Testifying in early April before the Subcommittee on National Security of the Standing Committee on Justice and Human Rights, CSIS director Ward Elcock warned committee members that the benefits of a Canadian foreign intelligence agency would take a long time to materialize. While he demurred from expressing a direct opinion on the need for such an agency, Elcock noted that it took CSIS years to come up to speed.

"To create a new foreign intelligence agency - and this isn't to express a view on whether it is a good idea or a bad idea - but if one were to create a foreign intelligence agency tomorrow, you would be looking at 10 to 15 years before you got any real return out of that organization because it takes that long to develop the kinds of skills that allow that organization to do the kinds of operations that gets you any valuable intelligence," said Elcock. He went on to say that ""In the present circumstances, given the war on terrorism, the only way you speed that up would be to take people from CSIS and put them in your new organization... I would argue that would be a mistake at this juncture."

Pratt renews call for Canadian Foreign Intelligence Agency

On 17 March, Liberal MP David Pratt (Nepean-Carleton) introduced a private member's bill calling for a new Canadian foreign intelligence agency. Bill C-409, the Canadian Foreign Intelligence Agency Act, stipulates that the agency would fall under the responsibility of the Solicitor General and would be overseen by a foreign intelligence review committee.

The mandate of the foreign intelligence agency would be to obtain and analyze intelligence about the capabilities, intentions or activities of people or organizations outside Canada; to conduct counter-intelligence activities, to liaise with the security or intelligence services, or other authorities of other countries; and to undertake activities as directed by the Solicitor General relating to the capabilities, intentions or activities of people or organizations outside Canada.

Bill C-409 is very clear on one limitation to the proposed agency's activities. It states that "[t]he Agency shall not be involved, directly or indirectly, in the assassination of any person or in the replacement, by violent means, of any government."

Pratt's draft legislation is the latest contribution to a long-standing debate over the need for a dedicated Canadian capability in this area. In the same month that he introduced C-409, he also released a paper entitled "Does Canada Need a Foreign Intelligence Agency?". In it, he argues that the pay-offs of creating such an organization outweigh any moral, financial or political arguments made against it. Pratt believes that the end of Canada's Cold War importance due to its physical proximity to Russia, the new challenges posed by terrorism and economic espionage (including that conducted against Canada by allies), and the inability of CSE's SIGINT and CSIS's limited overseas intelligence collection to meet the full suite of Canada's intelligence needs all present a compelling argument of in favour of establishing an independent capability.

Among those who have expressed their doubts about the need for a foreign intelligence agency is CSIS's current director, Ward Elcock, who has publicly stated that his organization's enabling legislation permits it to engage in intelligence collection outside of Canada.

Sources: House of Commons, "Bill C-409, An Act to establish the Canadian Foreign Intelligence Agency," available online at

http://www.parl.gc.ca/37/2/parlbus/chambus/house/bills/private/C-409/C-409 1/C-409 cover-E.html; David Pratt, "Does Canada Need a Foreign Intelligence Agency?", March 2003, available online at www.davidpratt.net

Sometimes, watching is better...

On 7 March, CSIS director Ward Elcock was quoted in a *New York Times* article as suggesting that, in the fight against terrorism, putting suspects behind bars is not always the best strategy. He said CSIS's strategy is to watch individuals suspected of having terrorist connections, periodically interview them and share any intelligence gathered with the United States.

Elcock estimated that there are currently "20 or so" people in Canada suspected of membership in or provision of aid to al-Qaeda or Qaeda-related groups. Their telephones, computers, bank records and credit card activities are all monitored, as are people who make contact with them.

Providing intelligence support to law enforcement for the purposes of obtaining a warrant or providing evidence in a court case remains problematic in Canada. While the 2001 Anti-Terrorism Act provided new protections through amendments to the Canada Evidence Act against disclosure of classified or sensitive information in courts, there is still a risk of unwanted exposure of intelligence sources and means. Section 38 of the Canada Evidence Act requires a presiding judge to balance the interests of Canada's national security and international relations against the rights of a plaintiff.

Source: Clifford Kraus, "In antiterror effort, Canada's authorities use surveillance more than arrests," *The New York Times*, 13 March 2003.

Federal court renders important decision on disclosure

On 7 March, the Federal Court of Canada denied suspected al-Qaeda associate Mohamed Harkat's request for disclosure of information used to support a security certificate issued against him. Specifically, Harkat requested disclosure of:

- a. A list of all names of individuals and their notes who had direct or indirect dealings with Harkat who work directly for or on behalf of CSIS or any other intelligence agency;
- b. The complete immigration file for Harkat;
- c. The evidence as it relates to Mr. Abu Zubaida, including witness statements and interview notes;
- d. The evidence as it relates to Harkat's alleged presence in Afghanistan including any witness statements, photographs, wiretaps and other electronic or postal interceptions, and interview notes;
- e. The evidence as it relates to Harkat's alleged association with those who support international extremist networks, and his assistance to Islamic extremists, including witness statements, wiretaps and interview notes.

In her decision on the plaintiff's disclosure request, Madam Justice Eleanor Dawson stated the following:

When considering the issue of the relative merits of the public interest in non-disclosure as opposed to the public interest in disclosure, it is evident that the considerations and circumstances to be taken into account which might militate against the proper control or suppression of threats to national security are considerably more numerous and much more complex than the considerations which involve a national interest other than those mentioned in s. 36.2 of the Canada Evidence Act. In criminal matters, the proper functioning of the investigative efficiency of the administration of justice only requires that, wherever the situation demands it, the identity of certain human sources of information remain concealed. By contrast, in security matters, there is a requirement to not only protect the identity of human sources of information but to recognize that the following types of information might require to be protected with due regard of course to the administration of justice and more particularly to the openness of its proceedings: information pertaining to the identity of targets of the surveillance whether they be individuals or groups, the technical means and sources of surveillance, the methods of operation of the service, the identity of certain members of the

service itself, the telecommunications and cypher systems and, at times, the very fact that a surveillance is being or is not being carried out. This means for instance that evidence, which of itself might not be of any particular use in actually identifying the threat, might nevertheless require to be protected if the mere divulging of the fact that C.S.I.S. is in possession of it would alert the targeted organization to the fact that it is in fact subject to electronic surveillance or to a wiretap or to a leak from some human source within the organization.

Source: 2003 FCT 285 Harkat(Re), available online at http://decisions.fct-cf.gc.ca/cf/2003/2003cfpi285.html

Foreign Intelligence News

FM 34-1 to become FM 2-0

The United States Army Military Intelligence Corps' keystone field manual, FM 34-1 *Intelligence Operations*, published in September 1994, is being updated by the United States Army Intelligence Center with an expected completion date for the 3rd Quarter, Fiscal Year 2003. The new manual will be aligned with the new operations manual, FM 3-0 (formerly FM 100-5) *Operations*, approved on 14 June 2001. A draft version of the revised manual identifies the fundamental intelligence tasks as: (1) support to situational understanding (perform intelligence preparation of the battlefield [IPB], perform situational development, support to force protection); (2) support to strategic responsiveness (perform indications and warnings [I&W], intelligence readiness); (3) intelligence, surveillance and reconnaissance (ISR) (perform intelligence synchronization, perform ISR integration, conduct reconnaissance, conduct surveillance); and (4) support to effects (support to targeting, support to information operations, perform battle damage assessment).

Sources: Key Army Doctrine Update, 25 February 2002. Accessed at http://doctrine.army.mil/ftp/doctrine%20update%2025%20Feb%2002.pdf on 2 February 2003; Michael P. Ley, "From the Editor," Military Intelligence Professional Bulletin, Vol. 29, No. 1, January-March 2003.

Classified History of the KGB Obtained

In January, Secrecy News informed its readers that a top secret official story of the KGB and the agencies that preceded completed in 1977 had been made available on the Internet (at http://www.fas.harvard.edu/~hpcws/KGBhistory.htm) by the Harvard Project on Cold War Studies.

The 639-page study (*Istoriya sovetskikh organov gosudarstvennoi, bezopasnosti*, edited by Lt. Gen. V.M. Chebrikov, et. al.), which covers the period 1917 to the mid-1970s, has yet to be released by the Russian government. The Director of the Harvard Project, Mark Kramer, obtained a copy from the Latvian archives.

Source: Secrecy News, Vol. 2003, Issue No. 8, 21 January 2003.

Review

Peter Johnston. *Cooper's Snoopers and Other Follies: A Memoire About, Spies, Diplomats and Other Rascals.* Victoria: Trafford Publishing, 2002, 170 pages. Index.

By Alan Kagedan

Cooper's Snoopers is an autobiography by Peter Johnston, a long-serving and now retired Canadian diplomat. Most of the book treats Johnston's diplomatic career and post-career—after retiring, Johnston served as an election observer in Latin America and Africa. A portion of the book (pp. 87-111), however, focuses on Johnston's experiences as a member of the Canadian intelligence community in the 1950s and the 1960s.

Johnston's account of the community is a brief but valuable addition to John Starnes' observations in *Closely Guarded: A Life in Canadian Security and Intelligence* (University of Toronto Press, 1998). Where you stand (on an issue) depends on where you sit. Starnes was at the top of the community, while Johnston served in the trenches. Starnes pictures the Canadian intelligence community as smaller than the US or British communities, but a valuable partner nonetheless. Johnston describes working in the community (largely) as an exercise in frustration.

Having earned a degree in modern languages at the University of Toronto, Johnston conducted counter-intelligence operations while serving the Canadian armed forces during the Second World War. A Russian speaker, he worked briefly at the Communications Branch of the National Research Council (CBNRC) in the 1950s. He joined External Affairs in 1956. One of his responsibilities was to try to resolve conflicts between the RCMP Security Service and External Affairs. He also wrote analytical papers for the Joint Intelligence Committee (on Cuba and Africa).

Johnston served as an intelligence liaison officer to the United Kingdom in the mid-1960s. He reports that the British pressured Canada to create its own intelligence service. But Ministers were not interested. On his return to Ottawa, Johnston was expected to produce intelligence reports with a small staff—frustrating. In the early 1970s, the government order two reviews of the intelligence community and engaged two individuals, Claude Isbister and Charles Richtie, to conduct them. Johnston had the responsibility of coordinating interdepartmental input for these two studies. The demands placed on Johnston—endless meetings, ruined weekends—led his doctor to tell him he had a "nervous breakdown" and ordered him to take time off. The result of the studies: no change.

Johnston characterizes the Canadian intelligence community of his time as a "make-believe intelligence community." But he allows that parts of the community were of genuine value to intelligence practitioners in Washington and London. He also developed lasting friendships with British and UK intelligence colleagues.

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