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**The Role of the Canadian Security Intelligence Service  
in Immigration Security Screening**

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December 17, 1999

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## INTRODUCTION

“With the large number of homeland conflicts throughout the world, preventing the importation of these conflicts into communities in Canada is of particular concern to all Canadians.”<sup>1</sup> In almost all its public reports, it is how the CSIS (Canadian Security Intelligence Service; the Service) introduces the presentation of its mandate related to Immigration and Citizenship Screening. Since the CSIS is not operating with agents abroad<sup>2</sup>, its operations concern the protection of Canadian national security mainly against internal threats. Because some of the “threats to the security of Canada” can come from criminals or terrorists seeking to establish in Canada to perpetrate violent or destructive acts, or to use Canada as a base from where they could set up terrorists operations aimed against other countries<sup>3</sup>, a security screening has been established - and is currently run - by the CSIS.

The main objective of this study is to present and understand the role of the CSIS in the Canadian immigration process. This objective will be reached through the analysis of the mandate given to the CSIS by the Department of Citizenship and Immigration Canada (CIC) and specific provisions. We will also look at the procedure of a security screening, some statistics and the grounds of refusal for security reasons. Finally, we will look at some cases and recent events related to security (background) clearance conducted by the CSIS.

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<sup>1</sup> Canadian Security Intelligence Service, *1996 Public Report* (1996), 15.

<sup>2</sup> J. Mellon, *L'évolution du renseignement de sécurité au Canada* (1999), 36.

<sup>3</sup> Probably the first documented example of revolutionaries desiring to use Canada as a base for violent operations is the creation, in 1858, of a Fenian organization. John O'Mahony, in New York, and James Stephens, in Dublin, created a “brotherhood” with the clear objective of overthrowing the British regime in Ireland. To do so, they were planning to invade British colonies in North America, including Canada, and liberate Ireland from there.

## 1. THE MANDATE OF THE CSIS

The security clearance is conducted in addition to applicable police clearances for applicants between the ages of 18 and 65 years. The main purpose is to detect applicants who are, or have been, involved in espionage, subversion, or terrorism. The mandate of the CSIS concerning security screening of immigrants is set up in the *Canadian Security Intelligence Service Act*<sup>4</sup> and the *Immigration Act*<sup>5</sup>. Sections 14 and 15 of the *CSIS Act* authorize the Service to provide security assessments for the review of citizenship and immigration applications to the Department of Citizenship and Immigration. Such advice relates directly to the security inadmissibility criteria contained in section 19(1) of the *Immigration Act*, with the final decision resting with the Minister of Citizenship and Immigration.

‘The screening of potential immigrants to Canada is a complex process which involves several government departments and agencies such as Citizenship and Immigration Canada (CIC), Health Canada, Human Resources Development Canada, and RCMP [Royal Canadian Mounted Police] and CSIS, each of whom has specific responsibilities.’<sup>6</sup> This process is discussed later in this paper.

The assessments provided by the Service for this purpose pertain to the provisions of section 2 of the *CSIS Act* that deal with threats to the security of Canada. The Department of Citizenship and

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<sup>4</sup> R.S.C. 1985, c. C-23 (thereafter named the *CSIS Act*)

<sup>5</sup> R.S.C. 1985, c. I-2

<sup>6</sup> Canadian Security Intelligence Service, (visited on December 14, 1999), Security Screening, [Online], URL: <http://www.csis-scrs.gc.ca/eng/backgrnd/back9e.html>

Immigration uses these assessments to review immigration applications in accordance with the inadmissibility criteria set out in section 19(1) of the *Immigration Act*. On February 1, 1993, this Act was amended to include, in section 19(1)(e), the terms “terrorism” and “members of an organization”. This measure has increased the pertinence of CSIS assessments. Moreover, the inadmissible classes now include, in section 19(1)(f), persons who have engaged, or are members of an organization that has engaged, in acts of terrorism or espionage. “These amendments represent an attempt to bring section 19 into closer alignment with the definition of ‘threats to national security’, as defined in section 2 of the *CSIS Act*.”<sup>7</sup>

The same practice is followed for citizenship applications. They too are examined on the basis of the definition of threats to the security of Canada set out in section 2 of the *CSIS Act*, and security assessments are provided under section 19 of the *Citizenship Act*.

With the acceptance of the concept of risk management in the processing of security checks on possible immigrants, the Service's role focuses on those applicants who, on the basis of analysis and experience, are most likely to present a security risk. The advice provided by the Service assists the Department of Citizenship and Immigration in determining whether prospective immigrants are inadmissible persons under the *Immigration Act*.

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<sup>7</sup> Canadian Security Intelligence Service, *1996 Public Report and Program Outlook* (1994), 7.

## 2. THE ROLE OF THE CSIS

### 2.1 COOPERATION WITH CANADIAN IMMIGRATION AUTHORITIES

Since the establishment of CSIS in 1984, a series of cooperative processes have evolved. They are mechanisms by which the Service assists Canadian Immigration authorities in their immigrants filtering effort. These mechanisms include “the Immigration and Refugee Application for permanent residence (inland and overseas), the vetting of applications from foreign officials and visitors to Canada, the enforcement actions (arrest, detention, deportation), the vetting of individuals claiming refugee status, and the reviewing applications for citizenship.”<sup>8</sup>

The Service’s authority for immigration screening, within this cooperation, is derived from sections 14 (Advice to Ministers) and 15 (Investigations) of the *CSIS Act*:

14. The Service may

- (a) advise any minister of the Crown on matters relating to the security of Canada, or
- (b) provide any minister of the Crown with information relating to security matters or criminal activities,

that is relevant to the exercise of any power or the performance of any duty or function by that Minister under the *Citizenship Act* or the *Immigration Act*.

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<sup>8</sup> Security Intelligence Review Committee, *Annual Report 1997-1998* (1998), 9.

15. The Service may conduct such investigations as are required for the purpose of providing security assessments pursuant to section 13 or advice pursuant to section 14.

The assistance rendered by the Service takes the form of information sharing on matters concerning threats to the security of Canada as defined in section 2 of the *CSIS Act*<sup>9</sup> and advice to CIC in respect to the inadmissibility classes of section 19 of the *Immigration Act*. Section 19 is presented later, in the discussion regarding grounds for refusal.

Finally, as part of its cooperation with CIC, the Service carries out immigration screening investigations, including any necessary interviews.

## **2.2 PROTECTING CANADIANS**

On April 30, 1998, the Solicitor General at that time, Andy Scott, told the House of Commons that Canada was developing a range of “tough measures” against terrorists. The measures included, among other matters, the “introduction of major amendments to the laws governing extradition to help ensure Canada is not a safe haven for terrorists and other criminals” and measures “making it

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<sup>9</sup> Section 2 of the CSIS Act states that “threats to the security of Canada” means (a) espionage or sabotage that is against Canada or is detrimental to the interests of Canada or activities directed toward or in support of such espionage or sabotage, (b) foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person, (c) activities within or relating to Canada directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political objective within Canada or a foreign state, and (d) activities directed toward undermining by covert unlawful acts, or directed toward or intended ultimately to lead to the destruction or overthrow by violence of, the constitutionally established system of government in Canada, but does not include lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to in paragraphs (a) to (d).

more difficult for terrorists to enter Canada and abuse our immigration process to avoid justified removal from the country.”<sup>10</sup>

The main objective of the CSIS in its task regarding immigration screening is to protect Canadians against what the *CSIS Act* refers as ‘threats to national security’<sup>11</sup> (section 2). Definition of what constitutes a threat to national security is very broad and can easily lead to the refusal of an immigrant’ application. In fact, immigration officers can refuse visas or deny/revoke admission to anyone whom they have reasonable grounds to believe is posing a threat to national security. While we all agree on the importance of national security, especially because of our geographic situation and our open borders with the United States, the CSIS should not have complete discretion when conducting immigration screening. It has to demonstrate ‘reasonable grounds’. Consequently, a review procedure of CSIS’ activities - including immigration screening - has been put in place and will be discussed later in this paper.

The United States and Canada are equally concerned about the movement of terrorists across their shared border. They recognize that their immigration policies can be used by criminals in order to enter the country to perpetrate their misdeed or to escape after committing a crime. While the geophysical nature of the border makes total control impossible, the Canadian Embassy in Washington was of opinion that ‘the best enforcement strategy against terrorists is a regional one

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<sup>10</sup> Solicitor General Canada, (visited on December 10, 1999), Canada developing range of tough measures against terrorists says Solicitor General Andy Scott, [Online], URL: <http://www.csis-scrs.gc.ca/eng/backgrnd/back9e.html>

<sup>11</sup> See *supra*, note 9.

that focusses key screening efforts at the two countries' external borders through the use of joint intelligence and harmonized look-outs. This is a much more effective way of increasing public safety than spending billions of dollars (in infrastructure costs alone) to develop an entry-exit control system that offers no added enforcement value"<sup>12</sup> (April 1999).

The objective of protecting Canadians against threats to national security seems to be legitimate and justified but criticisms sometimes arise on the issue of the delays. Indeed, a security check can take a lot of time and, when necessary, the reliance on foreign agencies for criminal and security checks can result in more lengthy processing delays. On September 19, 1997, Lucienne Robillard, then Minister of Citizenship and Immigration, had to respond to criticisms levelled by members of the Quebec financial community and by her Quebec counterpart, Minister André Boisclair, concerning delays in granting visas to business immigrants. It has been alleged that these delays were tying up \$85 million in potential investments in Quebec. "While the processing of immigrant investors who want to come to Canada must be treated as promptly as possible, I cannot ignore my responsibilities towards protecting the health and security of Canadians," said Minister Robillard. "We must be prudent in screening out potential fraud and criminal activity. Does Minister Boisclair want us to put a price tag on the safety of Canadians or the integrity of our system?"<sup>13</sup>

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<sup>12</sup> Canadian Embassy in Washington, D.C., (visited on December 14, 1999), Terrorism and the United States-Canada Border, [Online], URL: <http://www.cdnemb-washdc.org/section110/terror.html>

<sup>13</sup> Citizenship and Immigration Canada, (visited on December 14, 1999), Minister Robillard will not sacrifice the health and safety of Canadians for economic benefit, [Online], <http://cicnet.ci.gc.ca/english/press/97/9735-pre.html>

Finally, in his recent Statement on National Security, the current Solicitor General of Canada, Lawrence MacAulay (December 16, 1999)<sup>14</sup>, stated that

the federal government is very concerned to protect the integrity of our immigration and refugee program and to apprehend those who would try to circumvent the process. The Government is reviewing immigration and refugee policies with the aim of making them more responsive to Canada's needs, something the Committee [the Special Senate Committee on Security and Intelligence] urged the Government to do. [...] We work with the Americans year-round through our Cross-Border Crime Forum. And this forum has made valuable suggestions to improve security and law enforcement along our common border. In this context, I announced in April an extra \$15 million a year to post 100 more RCMP officers at our three largest international airports.

### **3. PROCESS AND STATISTICS**

This section presents an overview of the background checks conducted by the CSIS and some interesting statistics related to the immigration security screening in Canada.

#### **3.1 THE SECURITY SCREENING**

Under the authority of sections 14 and 15 of the *CSIS Act*, the Service may investigate and provide the Minister of Citizenship and Immigration with information relating to security and criminal matters that are relevant to the exercise of any power or the performance of any duty or function by that Minister under the *Immigration Act* or the *Citizenship Act*<sup>15</sup>.

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<sup>14</sup> Solicitor General Canada, (visited on December 17, 1999), Statement on National Security, [Online], URL: <http://www.sgc.gc.ca/speeches/e19991216.htm>

<sup>15</sup> See *supra*, page 4

Such information relates directly to the security inadmissibility criteria contained in section 19(1) of the *Immigration Act* (grounds for refusal, presented below). All relevant information collected by the CSIS under the Immigration Screening program, on either prospective immigrants or refugee claimants, is exhaustively analysed in order to assist CIC in its subsequent decision as to whether they are inadmissible under the *Immigration Act*.

‘The term ‘security screenings’ refers to the procedures used to identify persons seeking admission to Canada who are, or have been, involved in espionage, subversion, or terrorism.’<sup>16</sup> Although the term refers to the scrutiny of an applicant’s political orientation, beliefs and activities, as part of the normal immigrant selection process, criminal records checks are also conducted wherever possible. In every day use, the term “security screening” has sometimes been expanded to include the measures to identify those who have been convicted of criminal offenses. It should be noted, however, that a security screening clearance does not mean that the individual does not have a criminal record.

In fact, they are actually two forms of screening. There is a clear distinction between the police clearance, which is undertaken by the applicant, and the background clearance, in which the applicant does not have an active involvement. Usually, any applicant for immigration to Canada over the age of 18 years must provide proof of no criminal record in any country in which he or she has resided within the previous 10 years and sometimes longer. In most cases, applicants have little

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<sup>16</sup> Campbell, Cohen, (visited on December 14, 1999), Security (Background) Clearance, [Online], URL: [http://www.canadavisa.com/documents/sec\\_bac.htm](http://www.canadavisa.com/documents/sec_bac.htm)

difficulty obtaining such “police certificates” (police clearance documents) certifying the absence of criminal record. But in all cases of immigration, a background clearance is conducted to ensure that applicants who “are, or have been, involved in espionage, subversion, or terrorism” are detected.

### **3.2 DELAYS**

“Unfortunately, a common price for this additional measure of security, is that applications can be delayed by the requirement for the background clearance, while the applicant had already completed police clearances. This is a price, however, which all applicants will appreciate once they are established Canadians.”<sup>17</sup> In 1995- 1996, the Service' s average processing time for CIC requests was 62 days. Although, in the past year, the CSIS decreased the time required for processing immigration requests, the Service must sometimes rely on the cooperation of foreign agencies to provide criminal and security checks.

When queries with foreign agencies are necessary, the Service remains ever-vigilant to sources of information operating from a self-serving agenda. Any information supplied to the Service by a foreign agency is evaluated against what the Service already possesses and the previous reliability of the supplier. Such vigilance and scrutiny, in addition with the delays inherent to communication between the intelligence agencies for criminal and security checks, can result in lengthy processing delays.

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<sup>17</sup> Campbell, Cohen, *supra* note 16.

### 3.3 GROUNDS FOR REFUSAL

Here are presented the grounds for refusal related to the security background of an applicant, according to the *Immigration Act*<sup>18</sup>.

#### 3.3.1 ESPIONAGE, TERRORISM OR UNACCEPTABLE POLITICAL ACTIVITY

According to Section 19(1)(e) and (f) of the *Immigration Act*, persons are inadmissible where there are reasonable grounds to believe that they:

- i. have engaged in or will engage in acts of espionage or subversion against democratic government, institutions or processes, as they are understood in Canada;
- ii. while in Canada, will engage in or instigate the subversion by force of any government;
- iii. have engaged in or will engage in terrorism; or
- iv. are members of an organization that there are reasonable grounds to believe:
  - A. have engaged in or will engage in acts of espionage or subversion against democratic government, institutions or processes, as they are understood in Canada;
  - B. will engage in or instigate the subversion by force of any government, or
  - C. have engaged or will engage in terrorism.

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<sup>18</sup> Abstract of the *Canadian Immigration Handbook* by Chang and Boos, (visited on December 10, 1999), Security Grounds of Inadmissibility, [Online], URL: <http://americanlaw.com/cdnsecurity.html>

In the case of persons who have engaged in acts of terrorism, espionage or subversion against democratic government, institutions or processes, they may be permitted to enter Canada if they satisfy the Minister that their admission would not be detrimental to the national interest.

### 3.3.2 PERSONS WHO MAY ENGAGE IN VIOLENCE

According to section 19(1)(g) of the *Immigration Act*, where there are reasonable grounds to believe that persons will engage in acts of violence that would or might endanger the lives or safety of persons in Canada or are members of or are likely to participate in the unlawful activities of an organization that is likely to engage in such acts of violence, they are inadmissible.

### 3.3.3 PERSONS WHO MAY HAVE COMMITTED WAR CRIMES

According to Section 19(1)(j) of the *Immigration Act*, where there are reasonable grounds to believe that persons have committed an act or omission outside Canada that constituted a war crime or a crime against humanity within the meaning of subsection 7 (3.76) (Offences committed on aircraft, Definitions) of the *Criminal Code*<sup>19</sup> and that, if it had been committed in Canada, would have constituted an offence against the Laws of Canada in force at the time of the act or omission, they are inadmissible.

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<sup>19</sup> R.C.S., 1985, c. C-46.

### 3.3.4 PERSONS WHO POSE A THREAT TO CANADIAN SECURITY

According to Section 19(1)(k) of the *Immigration Act*, persons who constitute a danger to the security of Canada but are not members of a class described in paragraph (e), (f) or (g) are inadmissible.

### 3.3.5 PERSONS INVOLVED WITH TERRORIST GOVERNMENTS

According to Section 19(1)(l) of the *Immigration Act*, persons who are or were senior members of or senior officials in the service of a government that is or was, in the opinion of the Minister, engaged in terrorism, systematic or gross human rights violations or war crimes or crimes against humanity within the meaning of subsection 7 (3.76) (Offences committed on aircraft, Definitions) of the *Criminal Code* are inadmissible. However, this ground does not apply to persons who have satisfied the Minister that their admission would not be detrimental to the National Interest.

According to Section 19(1.1) of the *Immigration Act*, “senior members of or senior officials in the service of a government” means persons who, by virtue of the position they hold or have held, are or were able to exert a significant influence on the exercise of government power and, without limiting its generality, includes

- a. heads of state or government;
- b. members of the cabinet or governing council;
- c. senior advisors to persons described in paragraph (a) or (b);

- d. senior members of the public service;
- e. senior members of the military and of the intelligence and internal security apparatus;
- f. ambassadors and senior diplomatic officials; and
- g. members of the judiciary.

### **3.4 SOME STATISTICS**

Some statistics of the past few years, from different organizations including the CSIS, the Security Intelligence Review Committee (SIRC) and CIC, can be very interesting and help to get a better overview of the context in which CSIS' immigration security checks are conducted.

#### **3.4.1 NATURE OF THE APPLICATIONS**

- In 1995-1996, the CSIS received 51,010 applications from the department of Citizenship and Immigration. Of these, 2,769 were applications for citizenship, 9,585 were under the Refugee Determination Program (RDP), and 129 requests were under the RDP backlog program.
- In 1997-1998, of the nearly 26,000 refugee claims made in Canada, 60 percent were made at border points and the remainder at Immigration offices inland.

### 3.4.2 PROCESSING TIME

- The Service' s average processing time for security screening requests is 62 days. Fifty-one percent of all cases were completed within this time frame. The remaining 49 percent of requests averaged 110 days to complete. Less than one percent of all cases took longer than twelve months<sup>20</sup> as compared to a little more than one percent of all cases in 1994-95.
- In 1997-1998, the Service processed 53,029 requests from CIC under the Immigration Screening program. The average processing time was 24 days and approximately 51 percent of all cases were completed within this time-frame. The remaining 49 percent averaged 73 days to complete. Less than one percent of all cases took longer than 12 months to process.

### 3.4.3 CRIMINALS AND CRIMINAL OFFENCES

- In 1998, 15,378 *Immigration Act* violations have been investigated.
- In 1997-1998, 7,080 persons have been placed in detention.
- In 1998, 8,012 persons were removed from Canada.
- In 1998, 1,764 criminals have been removed from Canada, representing 22 percent of all people removed.
- In 1997, 7,968 persons were removed from Canada, an increase of 36.5% over 1996.
- Removals in 1997 included 1,446 criminals and 4,800 failed refugee claimants.

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<sup>20</sup> In the Fall of 1995, the Service' s screening branch introduced a greater degree of automation which resulted in faster processing times.

#### 3.4.4 REFUGEES

- Since 1993, the overwhelming majority (99 percent) of refugee claimants have been ruled as eligible to seek refugee status, and an individual claiming refugee status can count on staying in Canada for much longer before a final decision is made. In recent years, close to 60 percent of claimants have presented themselves to Canadian officials without a passport, personal identification, or travel documents.

#### 3.4.5 CITIZENSHIP APPLICATIONS

- The implementation of new arrangements in 1996-1997 introduced the inception of Electronic Data Exchange (EDE), which resulted in the decreasing of processing time for Citizenship applications to one day. In 1997-1998, the CSIS received 144,597 requests in relation to the Citizenship Screening program.

### **4. REVIEW OF SECURITY SCREENINGS**

#### 4.1 INVESTIGATION BY THE SIRC

There are two statutory review bodies of CSIS: the Office of the Inspector General of CSIS and the SIRC, which does not form a part of the Ministry. The SIRC is a non-partisan committee of Privy Councillors that conducts independent external review of CSIS as mandated by the Canadian

Security Intelligence Act to, among other things, ‘investigate complaints concerning denials of security clearances, and denials of citizenship or immigration status based on security considerations.’<sup>21</sup>

The SIRC, in its role to guard against any infringement upon human rights and freedoms by CSIS, has a mandate to receive and investigate complaints from individuals whose security clearance has been denied or revoked in the case of public service employment, or in the supply of goods or services to the government of Canada (section 42 of the *CSIS Act*). SIRC may also review reports concerning immigration applications that have been rejected on security or criminal grounds.

## 4.2 PUBLIC ENQUIRIES

Individuals sometimes ask the CSIS for information regarding the status of their immigration screening or citizenship screening file. There are procedures in place for individuals to enquire about the status of the security assessment request forwarded by a client department or agency to the CSIS.

Individuals wishing to know the status of a security assessment request received from CIC under either the Immigration Screening or Citizenship Screening programs should contact the officer managing their file at CIC. This officer can check with CSIS to determine if the assessment process has been completed or is still ongoing.

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<sup>21</sup> Solicitor General Canada, (visited on December 10, 1999), The Ministry of the Solicitor General Reference Guide, [Online], URL: <http://www.sgc.gc.ca/EPub/othpub/erefbook/efinal.htm>

## CONCLUSION

National security has been and is still today a great concern in Canada, for various reasons. Since the first intelligence service in December 1864, Canadian intelligence service had to face great challenges and sometimes very serious threats to national security. A way for terrorists and criminals to enter our peaceful and welcoming country is to use flaws of the immigration system and it is why a security screening program has been put in place by CIC and involving the CSIS as well as other agencies like the RCMP.

This study was aimed to present an overview of what is the purpose of the immigration security screening and how it is conducted by the Canadian Intelligence Security Service. Various reports and ministers' statements have identified flaws within the process, since the beginning of the CIC-CSIS cooperation, but a lot has been done in order to make the Canadian security checks reliable, fair and reasonably fast.

There is probably still a lot to be done but, since the intelligence activities are, by definition, secret and undercover, it is difficult to evaluate the fairness and the exact procedures of how the security screening is actually conducted by the Canadian Intelligence Security Service. But, we can ask ourselves if we must have greater concerns about the flaws of the immigration screening or about how it is conducted.

Although the Security Intelligence Review Committee exists to investigate complaints concerning denials of security clearances, and denials of citizenship or immigration status based on security considerations, as Quebec notorious journalist Normand Lester stated in his book on intelligence activities in Canada<sup>22</sup>

le CSARS [the SIRC] me paraît être un organisme très mal équipé pour remplir sa mission. Ses membres, souvent des hommes d' affaires ou des avocat(e)s ayant des relations partisans, ne consacrent au Comité de surveillance que quelques jours par mois. [...] Les rapports du Comité ne parviennent au Parlement qu' après avoir été revus et corrigés par le ministre [du Solliciteur général], qui a un intérêt évident à cacher certaines affaires embarrassantes pour le gouvernement. [...] S' il juge agir dans l' intérêt de la "sécurité nationale", le SCRS peut demander au Comité d' en modifier le contenu.

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<sup>22</sup> N. Lester, *Enquêtes sur les services secrets* (1998), 18.

## ANNEX

### THE CSIS RECRUITS IMMIGRANTS

Here is presented an article of the Toronto Star of October 29, 1998, with the title ‘Watchdog slams spy agency for recruiting refuge seekers; But CSIS cleared of any connection with Mossad affair’, written by Allan Thompson and Tonda MacCharles.

OTTAWA - Canada' s spy agency has been slammed by a watchdog committee for its attempts to recruit refugee claimants as informants.

The annual report of the Security Intelligence Review Committee, which oversees the Canadian Security Intelligence Service (CSIS), takes aim at the role CSIS plays in screening refugees who are seeking permanent residence in Canada.

In a series of articles this spring, The Star reported on refugees and refugee claimants who claimed that CSIS agents promised to help them get landed immigrant status if they worked as informants, or threatened to hold up their approval if they refused to spy.

Since then, more than 14 refugees have come forward to file complaints that are being examined by the review committee.

‘It must be clear when the officer is doing these interviews that they do that for a certain purpose and the purpose is not to recruit persons,’ review committee chairperson Paule Gauthier said in an interview yesterday.

‘We have all these complaints so you will hear more about that, for sure,’ she said.

‘BALANCE NEEDED’

The report states: ‘The committee wishes to underscore the need for CSIS to maintain a balance between the need to provide complete and meaningful advice (to the immigration department on whether to grant landing) and the rights of those being interviewed.’

The committee also criticized the manual used by CSIS agents who screen refugee claimants. Right now, the manual tells investigators not to give them the impression that co-operating with CSIS will help their immigration case.

The committee said the guidelines should ‘state clearly that immigration interviews will not be used for recruiting or other unrelated purposes.’

In the same report, the spy agency was cleared of any involvement in last fall's passport caper, when Israeli Mossad agents used forged Canadian passports during a botched assassination attempt against a Hamas leader.

The committee found there was no evidence CSIS played any role in the September, 1997, attempt to assassinate Khaled Meshal, the political head of the Islamic opposition group Hamas, in Amman, Jordan.

The incident caused a diplomatic dust-up. Canada recalled its ambassador to Tel Aviv in protest, and relations were frosty until Israel apologized.

The committee also said clearer guidelines for joint operations are needed and that ambiguous or weak operating guidelines plague CSIS arrangements with more than half the 212 countries with which Canada has security agreements.

A spokesperson for Solicitor-General Andy Scott says the department is working on clearer operating guidelines for CSIS, and noted the immigration screening procedures are also being updated.