

ADVICE FOR THE MINISTER

CSE COMMISSIONER'S REPORT

ISSUE: Mr. Speaker, in his last annual report, the Communications Security Establishment Commissioner complained about the fact that the privacy of Canadians could be threatened by the legislation's lack of clarity. What is this government waiting for to ensure a better balance between national security and the right to privacy?

- I am aware of the Commissioner's concerns and can tell you that CSE is working with officials from the Department of Justice to clarify aspects of the legislation.
- I would like to emphasize however that the CSE Commissioner states in his report that he found no evidence the CSE operates unlawfully. His recommendations are used by CSE to continually refine its operational procedures.
- I would also note the Office of the CSE Commissioner has full access to all of CSE's information and personnel, and can review any of CSE's activities.

BACKGROUND: CSE COMMISSIONER'S REPORT

– On 13 Jun 2007, *Le Droit* reported that Communications Security Establishment (CSE) Commissioner Charles Gonthier had stated in his annual report that the *National Defence Act* should be amended in order to ensure that the privacy of Canadians was respected.

Responsible Principal(s): CSE

Contacts: CSE,

Dominique Desrosiers (D Parl A 2-4) 996-5011
13 Jun 2007

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BACKGROUND: CSE COMMISSIONER'S REPORT

- On 14 Jun 2007, the *Edmonton Journal* reported that Communications Security Establishment (CSE) Commissioner Charles Gonthier had stated in his annual report that due to a lack of clarity in the legislation, it was difficult to determine whether the CSE was acting lawfully when it intercepted private telephone calls.
- On 13 Jun 2007, *Le Droit* reported that CSE Commissioner Charles Gonthier had stated in his annual report that the *National Defence Act* should be amended in order to ensure that the privacy of Canadians was respected.

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