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Roles and Responsibilities for National Security in Canada

July 18, 2017

Canada 

Overview



BUILDING A **SAFE** AND **RESILIENT** CANADA

- Provide an overview of Canada's threat environment
- Highlight the roles and responsibilities that government departments and agencies play in national security
- Outline Canada's Counter-Terrorism Strategy and key national security legislation
- Give an update on recent developments related to Canada's national security framework



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Threat Environment



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Canada, in general, is a peaceful and safe country. We do, however, face a broad spectrum of threats:



Threat Environment



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1. Terrorism

- Domestic
 - 2006 Toronto 18, Via Rail 2013, Victoria Legislature 2013, 2014 attacks, Strathroy 2016
 - Approximately 180 individuals with a link to Canada have travelled abroad for the purpose of engaging in terrorism-related activity. A number of these individuals have returned to Canada.
- Global
 - Daesh, al-Qaida, etc.

2. Proliferation of CBRN Weapons

- A number of states and non-state actors aspire to develop and use chemical, biological, radioactive, and nuclear (CBRN) weapons.
- Canada possesses cutting-edge research and innovation, borders open for trade, and a modern and efficient financial system—strengths which could be exploited by CBRN weapon proliferators.



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Threat Environment



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3. Espionage

- Canada remains a target of espionage from foreign entities looking to obtain political, economic, and military information from Canada

4. Cyber Threats and Critical Infrastructure

- Canadian organizations, governments, and individuals rely heavily on the internet and on critical infrastructure.
- Individuals, groups, organizations, and states with malicious intent can cause significant damage to Canada



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Role and Responsibilities of Key Federal Departments and Agencies



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- There are a number of Government Departments and Agencies tasked with national security activities:



Role and Responsibilities of Key Federal Departments and Agencies



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The Prime Minister of Canada

- **Privy Council Office**
 - Coordinates the Government of Canada's policies relating to the security and intelligence activities of all federal departments and agencies.
 - The Privy Council Office also houses the National Security and Intelligence Advisor (NSIA). The NSIA advises the Prime Minister directly on national security and intelligence matters.



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Role and Responsibilities of Key Federal Departments and Agencies



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Minister of Public Safety and Emergency Preparedness

- **Public Safety Canada Portfolio**

- Ensures coordination across all federal departments and agencies responsible for national security and the safety of Canadians.

- **Canadian Security Intelligence Service**

- Investigates activities suspected of constituting threats to the security of Canada, and reports these threats to the Government of Canada. May also take measures to reduce threats.

- **Royal Canadian Mounted Police**

- Enforces federal laws, investigates criminal offences related to espionage and terrorism and collects and analyzes evidence to support prosecutions.

- **Canadian Border Services Agency**

- Manages Canada's borders by administering and enforcing the regulations that govern trade and travel
- First line of defense in preventing inadmissible people and weapons into Canada



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Role and Responsibilities of Key Federal Departments and Agencies



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Minister of National Defence

- **National Defence and the Canadian Armed Forces**

- Provides advice and support to the Minister of National Defence and implements Government decisions regarding the defence of Canadian interests at home and abroad.

- **Communications Security Establishment**

- Collects and analyzes foreign signals intelligence. Protects Government of Canada's telecommunications.



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Role and Responsibilities of Key Federal Departments and Agencies



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Minister of Foreign Affairs

- **Global Affairs Canada**

- Manages day-to-day relations with foreign governments.
- Develops international response to security issues
- Helps protect Canadians and government facilities abroad



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Canada's Counter-Terrorism Strategy Framework



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- Canada's Counter-Terrorism Strategy is organized into four mutually reinforcing elements:
 1. **Prevent** individuals from engaging in terrorism
 2. **Detect** the activities of individuals and organizations who may pose a terrorist threat
 3. **Deny** terrorists the means and opportunity to carry out their activities
 4. **Respond** proportionately, rapidly and in an organized manner to terrorist activities and mitigate their effects
- Included under this strategy is a commitment to release an annual Public Report on the Terrorist Threat to Canada.



National Security Legislation in Canada



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There is a number of relevant legislation that guides the government's national security efforts. These pieces of legislation can be grouped into three main categories:

- 1.** Enabling national security legislation
- 2.** The *Anti-Terrorism Act, 2015 (Bill C-51)*
- 3.** The proposed *National Security Act, 2017*



Enabling NS Legislation in Canada



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- **The National Defence Act**
 - Enabling legislation of DND and the Canadian Armed Forces
- **Canadian Security and Intelligence Act**
 - Enabling legislation of CSIS and the Security and Intelligence Review Committee (SIRC)
- **Investment Canada Act**
 - Provides for the review of significant investments in Canada by non-Canadians in a manner that encourages investment, while safeguarding national security
- **Security of Information Act**
 - Addresses national security concerns including espionage by foreign entities, mishandling of safeguarded information, foreign-influence threats, and others.



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Enabling NS Legislation in Canada



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- **Proceeds of Crime (Money Laundering) and Terrorist Financing Act**
 - Implements measures to detect and deter money laundering and the financing of terrorist activities
 - Provides law enforcement and security agencies with the financial intelligence they need to investigate and prosecute money laundering or terrorist financing offences
 - Assists in fulfilling international commitment to fight organized crime
- **Protecting Canada's Immigration System Act**
 - Brings reforms to the secure asylum system, adds measures to address human smuggling, and adds requirement to include biometric data on visa, work permit, and study permit applications
- **The Constitution Act**
 - Establishes *Charter of Rights and Freedoms*



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The *Anti-terrorism Act, 2015* (Bill C-51)



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- The *ATA, 2015* has five components:
 - 1.** *Security of Canada Information Sharing Act (SCISA)*
 - Authorizes Government institutions, at their discretion, to disclose information to designated recipient institutions
 - 2.** *Secure Air Travel Act*
 - Expands the Passenger Protect Program's (PPP) mandate
 - Allows the Minister of Public Safety to establish a list of individuals that could threaten transportation security and/or seek to travel to committee terrorism related offences
 - 3.** *Amendments to the Criminal Code*
 - Amends conditions for terrorism peace bonds and recognizance with conditions
 - Adds offence of advocating or promoting terrorism offences and adds two warrants of seizure
 - Enhanced existing protections for witnesses



The *Anti-terrorism Act, 2015* (Bill C-51)



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4. Amendments to the *CSIS Act*

- Gives CSIS a clear mandate to take measures to reduce threats to the security of Canada

5. Amendments to the *Immigration and Refugee Protection Act* (IRPA)

- Division 9 of the IRPA (includes security certificates) allows for the use and protection of classified information in immigration proceedings
- Amendments allows the Minister to immediately appeal a judge's decision to disclose classified information publicly
- It also allows the Minister to request an exemption from providing some information to the special advocates, provided that it would not be useful to the person subject to the certificate



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The *National Security Act, 2017*



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- The proposed *National Security Act, 2017 (Bill C-59)* consists of three main themes:
 - 1.** Enhancing accountability and transparency
 - National Security and Intelligence Review Agency
 - Intelligence Commissioner
 - 2.** Fulfilling mandate commitments and making additional changes to elements of the *Anti-terrorism Act, 2015* (former Bill C-51)
 - Repeals open-ended threat reduction warrant regime
 - Revises the advocacy or promotion of terrorism offence to more clearly resemble counseling
 - 3.** Updating and improving Canadian national security law to keep pace with evolving threats and clarifying the authorities of our national security and intelligence agencies.
 - *CSE Act*
 - *CSIS Act* modernization



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Other Developments and Considerations



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- Conclusion of public consultations on national security and cyber security
- Counter-proliferation efforts
- The Investment Canada Act
- Official Launch of the Canada Centre for Community Engagement and Prevention of Violence

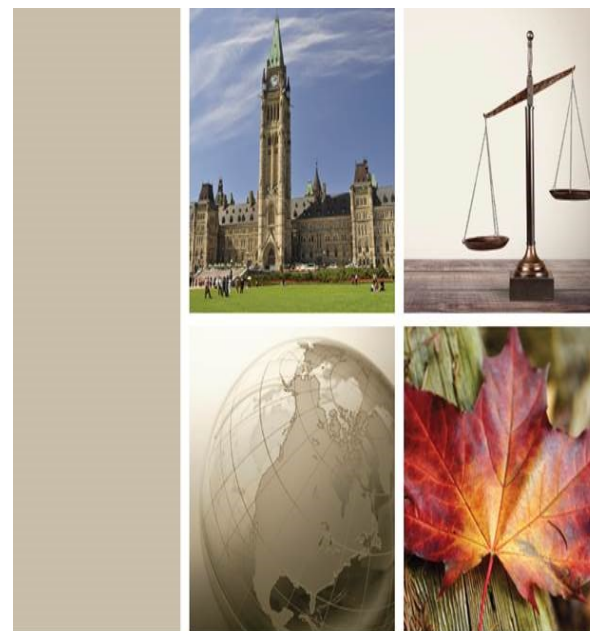


National Security Consultation



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- Spring – December, 2016- Government undertook unprecedented public consultation on a range of national security issues, which included:
- Online responses to the questionnaire; email submissions; public town halls and digital events; engagement with key stakeholders and academics; and Parliamentary Committee reviews.
- Public submissions to the consultation have been made available online and an independent report on the results of the consultation has been released.



Our Security, Our Rights

National Security Green Paper, 2016



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Cyber Security Review



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- The Government recently undertook a Cyber Security Review to evaluate evolving threats in cyberspace and to determine the appropriate role of the federal government.
- Three themes emerged from the Cyber Security Review:
 - Wide-ranging need for improved cyber security skills, information sharing, and awareness
 - Support for law enforcement to address cybercrime while also protecting privacy in cyberspace
 - Calls for federal leadership on cyber security
- Input will inform policy and program decisions that will advance cyber security capability, resilience and innovation



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Counter-Proliferation



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- Through its collaboration with international partners, the Government of Canada works to counter the proliferation of CBRN weapons.
- Over a dozen federal departments and agencies are responsible for a range of activities to prevent proliferators from using any Canadian resources that might contribute to the development of CBRN weapons.



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Investment Canada Act



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- Canada welcomes foreign investment, but at the same time, the Government remains committed to ensuring that investments made in Canada do not present a risk to national security.
- The national security review provisions of the ICA, added in 2009, are a key aspect of ensuring public safety.
- Innovation, Science and Economic Development Canada (ISED) leads the work on the ICA. However, Public Safety Canada leads the work to identify any national security concerns posed by these investments.
- To improve transparency and regulatory predictability, National Security Review Guidelines were publicly released in 2016, along with a commitment to release an annual report on the national security provisions of the legislation.



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The Canada Centre for Community Engagement and Prevention of Violence



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- The Canada Centre for Community Engagement and Prevention of Violence (CCCEPV) was recently launched in June 2017.
- The CCCEPV will lead Canada's response to radicalization to violence; work with provinces and municipalities to develop local initiatives; and support community outreach and research.



Questions?



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