

CSIS promises on torture baseless, watchdog says

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OTTAWA -- The Canadian Security Intelligence Service has been giving false assurances to the government that it can guarantee the intelligence it receives from foreign agencies is not obtained by torture, a review committee said.

"CSIS was not in a position to provide such an absolute assurance" and should stop saying so, the Security Intelligence Review Committee said in its report to Parliament yesterday.

The issue came to light because SIRC, an independent watchdog established by Parliament, wanted to know more about the hundreds of intelligence-sharing agreements CSIS has with foreign services after U.S. allies deported Canadian Maher Arar to Syria, where he was tortured. SIRC discovered that CSIS had been telling the Department of Foreign Affairs and ministers for years that it would scrutinize the information for other countries.

CSIS reported it would "closely scrutinize the content of the information provided to, or received from, a foreign agency in order to ensure that none of the information sent to, or received from, that agency is used in the commission of, or was obtained as a result of, acts that could be regarded as human rights violations."

This guarantee was provided each time CSIS proposed entering into a new intelligence-sharing agreement.

In fact, the review committee said, CSIS "is rarely in a position to determine how information that went to a foreign agency is used, or how information it receives was obtained."

The committee, headed by former Manitoba premier Gary Filmon, said CSIS must rely on intelligence received from foreign partners. The report does not say what CSIS should do, however, if it receives information it believes was obtained under torture.

Canada's most important intelligence-sharing arrangements, particularly in the counterterrorism field, are with the United States. The U.S. administration has argued that it has the wartime right to use harsh military-intelligence interrogation techniques that human-rights groups say cross the line and are torture.

At various times Canada has also co-operated with Syria, whose government imprisoned and tortured Mr. Arar and three other Canadian Muslim men, an independent fact-finder reported last week.

The four say their torturers asked them questions based on information that they suspect came from Canadian government sources.

The review committee also found fault with the fact the Public Safety Minister Anne McLellan has given CSIS a mandate to investigate Japan's Aum Shinrikyo cult and Colombia's Autodefensas Unidas even though "neither organization has committed a terrorist act on Canadian soil, nor does either have any obvious presence or support apparatus in Canada."

The two groups fall outside the CSIS Act's definition of "threats to the security of Canada," the committee

said.

Ms. McLellan's spokesman, Alex Swann, said CSIS has to remain informed of "potential threats to the security of Canada" and Canada's security interests are closely linked to the global community.

Meanwhile, CSIS director Jim Judd told a Senate committee he was asking his intelligence officers to be more sensitive about interviewing people at their place of work.

Muslim leaders say Canadian Security Intelligence Service officers have shown up unannounced too many times at offices, shops and other workplaces to question members of their community, creating tensions and raising unwarranted suspicions in the process.

Mr. Judd acknowledged that it can be rather daunting for anyone to be caught off guard by the unexpected arrival of a CSIS officer to ask a few questions.

Such workplace interviews are "just a bit of a practice" that has grown up because it's easiest to reach people during the day on the job, he said. But the service is reviewing the procedure in light of complaints from members of the Muslim community and others.