

TOP SECRET

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**HOW CSIS EVALUATES THE RELIABILITY OF HUMAN SOURCES
(SIRC STUDY 2010-03)**

**Security Intelligence Review Committee
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1 INTRODUCTION

Human source intelligence is obtained from people who are not professionally trained as intelligence agents, but instead are recruited to provide information to which they have access and which would be difficult for the state to obtain through other means. This may encompass everything from threats posed by terrorists and foreign intelligence services, to non-threat related information pertaining to a foreign state that can subsequently be used to provide economic and diplomatic advantage. In order to obtain such information, a human source will frequently be required to betray the trust of individuals, groups and/or states. For this reason, human source operations can be dangerous and difficult, necessitating special controls to ensure the safety of the source, as well as to mitigate risks to the intelligence service responsible for managing this form of collection.

The Service has long regarded its human source program as the most cost effective and efficient means of accessing privileged information.

human sources
penetration of, and reporting on, the "Toronto 18" terrorist cell
were instrumental in the successful prosecution of the main conspirators.

Paradoxically, source exclusivity to targets also increases the risk of over-reliance on a source's information. This is why assessing the reliability of sources is central in determining the value or weight ascribed to collected information.² This danger has been examined by various domestic and international commissions and public inquiries,³ and illustrated in recent legal cases. The security certificate case of

² Perhaps the best known foreign example of questionable human source validation is "CURVEBALL," a source who provided the CIA erroneous with information on Iraq's weapons of mass destruction program.

³ These bodies warned about the dangers of imprecise human source intelligence for those who rely on it (e.g. the Government of Canada), and possibly for those who are the subjects of the inaccuracies (e.g. Maher Arar). In Canada: O'Connor (Arar), Iacobucci (Almaki, et., at.) and Major (Air India); Britain: Butler (WMD); United States: Silberman & Robb (WMD) and Kean & Hamilton (9/11).

Mohamed Harkat, for example, revealed that CSIS omitted to inform the Federal Court that a human source had failed a lie-detector test, resulting in an unintentional, albeit distorted, picture of the source's reliability.⁴

Past SIRC reviews have examined a number of human source issues, but always with a focus on assessing the degree to which CSIS conducted human source operations in conformity with legislation and operational policy.⁵ This review marks a departure, moving beyond these considerations to an assessment of the efficiency and effectiveness of CSIS's human source validation process. In pursuing this goal, the following review examines the operational policies that provide the framework for human source validation, as well as the developments that are creating challenges for the validation process. The study concludes with suggestions as to how the Branch responsible for human source operations

could streamline and improve the validation process by implementing practices designed to build on existing corporate knowledge.

⁴ Andrew Duffy, "Polygraph results put CSIS under fire, undermine Harkat Case," *Ottawa Citizen*, June 5, 2009.

⁵ For example, SIRC has examined how CSIS recruits human sources and the challenges as well as the impact of the *Anti-Terrorism Act* (2001) on such operations. Refer to SIRC reviews, respectively, 2001-01, 2007-05, 2008-04.

2 METHODOLOGY

The purpose of this review was to examine the processes and/or methods CSIS uses to validate human sources by answering the following core questions:

1. What methodology(s) and/or 'best practices' exist to help determine source reliability: what are they, how are they used and why?
2. What guidance and procedures are used to enhance human source management?
3. How does CSIS guide IOs in the field in making source reliability determinations (e.g. general training, including atypical source cases)?

The review examined a wide assortment of CSIS corporate and operational information. Researchers also attended briefings with CSIS representatives

covers March 1, 2007 to January 1, 2010.

The study period

3 THE HUMAN SOURCE VALIDATION PROCESS

According to CSIS policy, human sources are validated through the application of various instruments, methods and requirements that assess a source's information access, reliability and reporting history. The validation process is crucial to CSIS's recruitment and development of successful human source operations,

If this process is hastened in an effort to access time-sensitive information that could conceivably be of urgent use to government, the potential outcome is a lack of rigour on validation.⁸ In order to avoid this problem, CSIS policy outlines numerous validation techniques

Essential validation techniques are required in all source operations, irrespective of operational duration, operating environment or the source's history as a Service asset.

Once a person becomes a human source,

Operational policy therefore provides a framework for validation by outlining numerous techniques that IOs can rely upon to help in their assessment of human source reliability. However, policy cannot assist IOs in deciding when to apply one technique over another, nor how to apply a given technique. In other words, policy provides IOs with the tools but it is not, appropriately, a 'how to' manual on the human source validation process. Rather, in search of guidance and advice on the best day-to-day management of their human source operations, IOs will often turn to the professional judgment of senior investigators and/or managers within their regional office. In broader or more complex matters relating to human source validation,

Although CSIS operational policy provides an adequate framework for human source validation, a fast-changing and more complex operational environment has compelled CSIS to take a closer look at its validation process. The following section now turns to these issues.

4 CHALLENGES FACING THE VALIDATION PROCESS

The framework under which the validation of human sources occurs is well-established; in fact, it has undergone little change since CSIS was created over twenty-five years ago. However, this status quo has recently been called into question by a number of developments, including:

At the heart of the human source program is policy, training, mentorship and professional judgement. In briefings with CSIS employees, SIRC was told that policy was bolstered through investigator experience, but they also acknowledged that the Service's reliance on professional judgement – described by some as 'tribal memory' – was no longer effective at recalling what has, and has not, worked in the past.²⁶ Some have also argued that there has been a lack of consistency in how Service policy has been adhered to or interpreted from one region to the next, thereby creating problems given the mobile nature of IOs.²⁷

SIRC believes that this initiative, while commendable, will still not address the loss of corporate memory as it still relies on the person-to-person transfer of knowledge, rather than written guidelines and/or criteria.

In light of all these challenges, CSIS Executive identified a need to improve the Service's ability to cope with demographic pressures, employee training and issues related to managerial supervision and mentorship. In response to some of these concerns, the Service had created a Task Force devoted to studying ways to improve the human source program. The analysis stemming from the Task Force confirmed SIRC's own observations that the source validation system could benefit from some further improvements. This is also consistent with challenges facing allied agencies, who have likewise identified a need to improve their validation processes.³⁴

³⁴ For example, see: Report to the President of the United States, "The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction," March 31, 2005; and Report of a Committee of British Privy Counsellors, "Review of Intelligence on Weapons of Mass Destruction," 2004.

These observations are consistent with SIRC's own impression that the policies guiding the human source validation process are sound, but that the solution to the new challenges goes beyond policy. In fact, SIRC is of the opinion that CSIS's validation process could be enhanced by establishing simple practices designed to build on the strength of existing structures.

The final section of the review will address these improvements.

5 BEST PRACTICES, LESSONS LEARNED AND RANDOM FILE REVIEW

In the course of its review, SIRC enquired about guidelines, best practices and other criteria that could be used to assist IOs in making determinations on human source reliability.⁴³ By 'best practices', SIRC means applying tried and tested validation methods in like cases in order to achieve desired outcomes. However, this should not detract from the ability of handlers to remain flexible; instead, it should provide a larger spectrum of validation methods from which to choose.

SIRC also asked if 'lessons learned' from successful or failed source operations are documented and shared across CSIS regions to make improvements to future operations. This issue came to light as a result of SIRC's examination of a source file.⁴⁵

⁴³ CSIS Memo to SIRC, "File: 380-22," October 29, 2010.

SIRC recommends that develop criteria and/or 'best practices' dealing with human source validation that can be used to further complement existing training mechanisms. Although the creation of such a document or process may require considerable time at the outset, the long-term benefit of this undertaking will be to assist IOs, while reducing the burden on managers. Moreover, making amendments to such living and evolving documents will be much easier than going back to revise human source policy.

Likewise, SIRC recommends that also be responsible for incorporating lessons learned from human source operations into a central database for consideration by other regions.

As with the creation of criteria and/or 'best practices', this database would allow the IO to be aware of what has or has not worked in the past.

Finally, the Committee recommends that conduct random source file reviews to help ensure that 'best practices' are being followed and that any findings and/or recommendations are incorporated into a 'lessons learned' database. Of note, this recommendation parallels similar advice found within an internal Service study arguing the benefits of random file reviews. As the Branch that oversees the management of CSIS's human source program at the national level, is well-positioned to understand issues arising from human source validation

across all CSIS regions. On a more practical note, it is also the only centre that has the broad access to all human source files to enable it to capture relevant best practices and lessons learned.

The point of incorporating rigour into Service activities is not to increase risk aversion among CSIS employees, nor add additional layers of bureaucracy, but to enable them to take risks because they are confident that due diligence was undertaken in advance.⁵³

As a professional intelligence service increasingly called upon to operate within difficult foreign environments, CSIS requires a human source validation system that can catch operational problems early, thereby turning them into future successes.

6 CONCLUSION

This study examined source validation at the operational level; however, a distinction exists between collection of information and the formulation of intelligence. To that end, in addition to the processes described within this review, there are a host of other measures that the Service uses to help ensure information veracity. SIRC determined that the scope of these initiatives were too expansive to fully assess within the confines of this study.⁵⁴

Future SIRC reviews could therefore focus on the analytical and dissemination arm of CSIS (i.e. Intelligence Assessment Branch),

⁵⁴ SIRC is specifically appreciative of the information provided by IAB and the efforts of this Branch to explain how the 'analysis and dissemination' processes within the Service have been improved in recent years.

SUMMARY OF FINDINGS

SUMMARY OF RECOMMENDATIONS

- SIRC recommends that _____ develop criteria and/or 'best practices' dealing with human source validation that can be used to further complement existing training mechanisms.
- SIRC recommends that _____ be responsible for incorporating lessons learned from human source operations into a central database for consideration by other regions.
- SIRC recommends that _____ conduct random source file reviews to help ensure that 'best practices' are being followed and that any findings and/or recommendations are incorporated into a 'lessons learned' database.