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Transmittal Note / Bordereau de transmission

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To / Pour : Clerk		Date : Jan 29, 2024
Subject / Objet: Enhancing Federal Engagement with Provinces and Territories on National Security Issues		
From / De :		Via:
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Approved By / Approuvé par :		Drafting Officer / Rédacteur :
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For the attention of / À l'attention du:

Prime Minister / Premier ministre
 Clerk / Greffier
 Minister / Ministre

Remarks / Observations :
As this is not an urgent item, the national file date could be Thursday Feb 28/24. DC/NSIA approval of note would enable S&I & IGA to co-develop their provinces & territories engagement on NB approach.

Proactive Disclosure / Divulguation proactive

Should the briefing note title be released to the public? / Le titre de la note d'information peut-il être divulgué au public?

Yes / Oui
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 No / Non**

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Name / Nom	Signature
+ Nabih Eldebs	<i>Nabih Eldebs</i>

Reference Numbers / Numéros de référence :

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MEMORANDUM FOR THE CLERK

c.c.: Christiane Fox, Tushara Williams

**ENHANCING FEDERAL ENGAGEMENT WITH
PROVINCES AND TERRITORIES ON NATIONAL SECURITY ISSUES**

(Information)

SUMMARY

- o Canada faces an array of complex and converging national security threats, including foreign interference, economic and research security, cyber security and violent extremism. Addressing these threats will require whole of society responses.
- o Both publicly and directly with the Prime Minister, Premiers have called on the federal government to meaningfully engage on national security issues.
- o To enhance engagement, PCO will re-establish a dedicated Assistant Deputy Minister (ADM)-level working group comprised of federal security and intelligence organizations, and provincial and territorial counterparts. This working group will develop tangible cooperation proposals for consideration and endorsement by Federal-Provincial-Territorial (FPT) Clerks and Cabinet Secretaries.
- o The objective of these exchanges will be to strengthen strategic partnerships, enable direct FPT collaboration, improve information sharing and support provincial and territorial resiliency against national security threats.

Background

- o Canada's security and intelligence organizations have noted a rise in sophisticated national security threats including foreign interference, violent extremism, cyber security and economic security threats. Provinces and Territories (PT) are calling on the federal government to increase engagement on national security matters so that they can be better positioned to address threats within their jurisdictions.

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- o While mechanisms are in place to foster cooperation between orders of government to support tactical or operational law enforcement activities, PTs have highlighted a gap in strategic-level engagement and intelligence sharing by the federal government.
- o An existing forum of FPT Ministers of Justice and Public Safety has been leveraged on an *ad hoc* basis to discuss national security issues at a strategic level. However, its focus is on policing, crime prevention and the criminal justice system and not national security.
- o To address the collaboration gap, PCO-Security and Intelligence (S&I), in coordination with PCO-Intergovernmental Affairs (IGA), Public Safety, Canadian Security Intelligence Service (CSIS), the Communications Security Establishment (CSE), the Department of National Defence (DND)/Canadian Armed Forces (CAF), the Royal Canadian Mounted Police (RCMP) and other federal security and intelligence organizations, will engage PT counterparts to re-establish an ADM-level FPT working group on national security.
- o S&I and IGA plan to use the working group to develop a comprehensive workplan to make progress on priority national security issues and present concrete proposals for endorsement by FPT Clerks and Cabinet Secretaries. At their April 2023 meeting, the then-Clerk noted legislative changes were being considered to allow for more information sharing and that federal organizations would welcome more effective partnerships with PTs.
- o A focused and dedicated FPT exchange on national security issues would facilitate closer engagement and position all PTs to build expertise. Among the immediate actions that could take place include the exchange of best practices in addressing foreign interference and in securing elections. For example, the Government of Canada (GC) could offer to support PT background checks and security clearances for senior officials and Cabinet members. It is anticipated this support would be welcome, following recent requests such as from Premier Eby during his engagement with former NSIA Thomas in late 2023. PCO plans to use the venue to work with PTs to build and strengthen their process to manage classified information to enable increased sharing.

PCO Comment

- o PCO S&I notes that the *CSIS Act* permits the sharing of intelligence with federal partners but does not contain provisions for sharing intelligence with other levels of government. While amendments are being considered as part of ongoing consultations, PCO will need to work with CSIS to establish a mechanism to support PT national security needs in a manner consistent with the Act. As well, if s. 39 - Cabinet Confidence the proposed structure would be well placed to develop mechanisms for implementation.

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- o PCO S&I also notes the variance in the capacity of PTs to address national security matters and in existing relationships with PCO. Some PTs do not have senior officials focused primarily on national security and have few if any security-cleared personnel. While Ontario has several officials who hold security clearances and has established a dedicated senior-level Provincial Security Advisor, who has served as a useful interlocutor for engagement with the GC, the participation of all PTs in the ADM-level national security working group is intended to help address the imbalance.



Nathalie G. Drouin

Walshe/Eldebs/Rogers
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