

Watchdog 'misled' by CSIS

Secret report blasts agency's investigation of public servant it deemed a security risk

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The Canadian Security Intelligence Service "purposefully misled" the agency charged with overseeing it in a likely attempt to "suppress information that was embarrassing to the Service," a new report finds.

"I wish that such events never occur again," Paule Gauthier, former chairwoman of the Security Intelligence Review Committee, writes in a secret report obtained yesterday by The Globe and Mail and other news organizations.

In one of the most strongly worded official criticisms of CSIS to date, Ms. Gauthier faults the agency for a hasty, slipshod investigation and a "regrettable" attitude that supporting Arab causes can be suspicious.

The long-anticipated report follows a complaint from Bhupinder S. Liddar, a public servant whom CSIS declared a security risk after his 2003 diplomatic posting to India.



The Kenyan-born Sikh Canadian never got to start his job. CSIS flagged him as untrustworthy during standard background checks. The government feared that Mr. Liddar might take bribes or sell information if sent abroad.

As had been widely speculated, the spy agency had concerns about Mr. Liddar partly because he worked as a parliamentary assistant in the 1970s and 1980s for MPs who were sympathetic to Middle Eastern causes. Some of this work put him into contact with the Palestine Liberation Organization and Arab lobby groups.

The new report shows that CSIS was concerned about these relationships and others Mr. Liddar developed as he hobnobbed with diplomats in the 1990s as founder of an Ottawa-based magazine explicitly geared for the staff of foreign embassies in the capital.

Ms. Gauthier, who was first appointed to SIRC in 1984, has reviewed the case and doesn't share any of CSIS's suspicions.

She upholds the character of Mr. Liddar as "honest and forthright" and says that "there is no reliable evidence that supports a conclusion that Mr. Liddar may engage in activities that would constitute a threat to the security of Canada."

She says CSIS engaged in an "inaccurate and misleading" probe that leaped to "unqualified, alarming" findings that relied on "uncorroborated and/or unreliable sources."

She was particularly disturbed that when she asked for its security-clearance report about Mr. Liddar, she was initially told it didn't exist.

Ms. Gauthier later learned that CSIS had done security checks, but the spy service was of the opinion that

security checks were far different than clearances.

Today she accuses CSIS of playing semantic games to frustrate her probe. "I conclude the service provided me with misleading answers to my questions in order to prevent Mr. Liddar or the review committee from having information . . . brought to our attention," she writes.

She adds that she feels "that the committee was purposefully misled by the Service in the incident" in an attempt to shield the spy agency from fallout that might prove "embarrassing to the Service in the context of Mr. Liddar's appointment and its subsequent suspension."

In a separate finding that might have broader implications, Ms. Gauthier said Mr. Liddar was considered suspect because he had long made no secret of his desire to help Arab causes. "I find that many of the conclusions concerning Mr. Liddar . . . result from the transfer of suspicions about a person who would support Arab causes," she said.

Such concerns seem to have dogged him since the 1970s, but what's "even more regrettable is the fact that this attitude, and its distorting effect on the interpretation of Mr. Liddar's actions, has persisted into the present time," Ms. Gauthier writes.

Portions of the report are blacked out for security reasons, but it is clear that Ms. Gauthier feels CSIS's security screening was a hurried, slipshod probe by a rookie agent who destroyed his notes before the case could be reviewed.

Ms. Gauthier says she's getting tired of seeing this happen.

"The issue of what was said during security-screening interviews is a perennial source of argument in the course of the review committee's investigation of complaints," she wrote.

"Complainants alleged that the investigators' report of their interview is not accurate: That their answers are incomplete or have been distorted or taken out of context," Ms. Gauthier wrote.

". . . There is no reason why such notes could not be preserved for a reasonable period so they are available to the review committee."

Mr. Liddar has demanded that Foreign Affairs reinstate his diplomatic appointment. The department has already granted him the top-secret security clearance that was denied to him.

Mr. Liddar draws a salary for the posting and is negotiating with the federal government.

He would not comment on the SIRC report yesterday. CSIS officials would not comment because the report has not been officially released.

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