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CANADA

QUESTION OF PRIVILEGE RELATED TO THE MEMBER FOR WELLINGTON—HALTON HILLS AND OTHER MEMBERS

**Report of the Standing Committee on Procedure and
House Affairs**

Honourable Bardish Chagger, Chair

**APRIL 2024
44th PARLIAMENT, 1st SESSION**

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Chair**

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Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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has the honour to present its

SIXTY-THIRD REPORT

Pursuant to its mandate under Standing Order 108(3)(a), the committee has studied the question of privilege related to the member for Wellington—Halton Hills and other members and has agreed to report the following:

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LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That mandatory information and training sessions on foreign interference threats, activities and tactics be made available to all members and their staff by the House of Commons, both as part of the Members’ Orientation Program, and on a continual basis. These sessions ought to be developed by the Office of the Sergeant-at-Arms and Corporate Security, working in collaboration with national security and intelligence agencies and partners, and the recognized parties..... 108

Recommendation 2

That a contact person be assigned by the House of Commons Administration to liaise with members on all matters related to foreign interference threats. 108

Recommendation 3

That the government work with recognized parties’ whips to facilitate security clearances, at Secret level or higher, of caucus members who are not Privy Councillors (particularly those who sit on committees with mandates concerning foreign affairs, national defence and national security), who shall be taken as satisfying requirements for a “need to know,” to ensure that they may be adequately briefed about important national security matters, including foreign intelligence threat activity directed toward Parliament, or their party or its caucus members..... 108

Recommendation 4

That the government instruct and work closely with the Canadian Security Intelligence Service to provide improved and additional support to Parliament. 109

Recommendation 5

When a threat is identified, Canadian Security Intelligence Service must immediately and directly inform individual members about specific foreign interference threat activity which targets them, directly or indirectly, including information on the identity of the persons and/or entities involved in the threat activity. The briefing on the threat must include measures being taken to ensure their safety. Updated briefings must continue throughout the duration of the threat..... 109

Recommendation 6

The Speaker, under the guidance of the Sergeant-at-Arms, will work to create a clear protocol and a reasonable threshold about informing the whips of all recognized parties about foreign interference threats, who will then inform their members, with the Speaker contacting Independent members for the duration of the threat. Further, additional support must be provided to members and their offices. 109

Recommendation 7

That the Canadian Security Intelligence Service undertake to improve and increase outreach to diaspora communities most impacted by foreign interference and intimidation, in order to increase public trust and transparency and create a space for Canadians who are harassed and intimidated by foreign entities to be able to come forward..... 109

Recommendation 8

That the government encourage a culture change at the Canadian Security Intelligence Service in respect of communicating about foreign interference threat activity to enable better targeted individuals and diaspora groups, and all Canadians, to identify, mitigate and overcome these efforts, and that the Canadian Security Intelligence Service report to the House on its progress about the culture change referred to in this recommendation in the service’s annual report to Parliament under section 20.2(1) of the *Canadian Security Intelligence Service Act*..... 110

Recommendation 9

That the government address concerns about systemic “over-classification” of intelligence products and analyses by revisiting its classification levels and processes for these documents, with a view to being more in line with transparency and disclosure practices of Canada’s Five Eyes partners, and that the government report to the House, in a year’s time, an update on its progress. 110

Recommendation 10

That the government undertake to lead a process to determine the declassification of information to enhance transparency. 110

Recommendation 11

That the government urgently introduce legislation to establish a registry of foreign agents aimed at promoting transparency regarding foreign influence on Canadian soil, ensuring that governments, elected officials, and citizens have access to this registry. 110

Recommendation 12

That the government undertake a thorough national security review and create an updated national security strategy that defines the range of national security threats that Canada faces, the responses to those threats, and the manner in which the strategy fits into a democratic framework for a society engaging with these threats. 111

Recommendation 13

That the government work with national security and law enforcement agencies to clarify and reconcile the definition of foreign interference threats. 111

Recommendation 14

That the government conduct a legislation review to modernize the *Canadian Security Intelligence Service Act* with a focus on foreign interference threats to national security and democratic institutions. 111

Recommendation 15

That the overdue statutory review of the *National Security and Intelligence Committee of Parliamentarians Act* be undertaken by a committee of the House forthwith with a view that that committee be transformed into a joint parliamentary committee, along the lines of similar committees in the United Kingdom and the United States. 111

Recommendation 16

That the government introduce legislation to amend the *Canadian Security Intelligence Service Act* in order to permit greater sharing of information concerning foreign interference threat activity directed towards democratic institutions and processes with both Houses of Parliament, their committees, individual parliamentarians, federal recognized political parties, and provincial and municipal governments. 111

Recommendation 17

That the government urgently consider measures to address the “intelligence to evidence” challenge in law, policy and operations, so that charges of offences related to foreign interference threat activity may be prosecuted more effectively and frequently, and that the government report to the House, in a year’s time, an update on its progress in the Canadian Security Intelligence Service’s annual report to Parliament under section 20.2(1) of the *Canadian Security Intelligence Service Act*. 112

Recommendation 18

That the government review the position of the National Security and Intelligence Advisor and consider establishing a committee to focus on actionable intelligence. 112

Recommendation 19

That the government consider establishing a fixed five-year term for the role of the National Security and Intelligence Advisor. 112

Recommendation 20

That a cabinet committee on National Security and Foreign Interference regularly discuss matters pertaining to Canada’s security interests. 112

Recommendation 21

That the government and its intelligence and national security agencies strengthen the internal governance and accountability process around the sharing of information and intelligence with relevant ministers and the Prime Minister. 112

Recommendation 22

That the government work with its national security agencies to establish clear lines of responsibility and recommendations on how to react to intelligence and the flow of information when intelligence becomes a threat..... 113

Recommendation 23

That the government establish a clearer process for funneling intelligence to top officials (i.e., the most senior public service and political levels,) including greater accountability for ensuring that the right people see the right intelligence. 113

Recommendation 24

That the government put in place tracking protocols to allow for a reconstruction of whom saw what document, and when. 113

Recommendation 25

That the government consider establishing a position within the Privy Council Office with the power to flag important intelligence to the Prime Minister and other ministers..... 113

Recommendation 26

An appropriate process be considered to provide security and intelligence briefing for election candidates. 113

Recommendation 27

That Elections Canada consider implementing an awareness campaign to reassure voters and the Canadian public that the electoral process in Canada is secure and that measures are in place to combat any attempt at foreign interference. Further, that it also educate citizens on how to identify foreign interference and where to report any suspicious activity. 113

Recommendation 28

That individuals involved in the work of the Security and Intelligence Threats to Elections Task Force and the Critical Election Incident Public Protocol Panel, or any successor bodies, be adequately briefed, in advance of a general election, about ongoing or recent foreign interference threat activity targeting parliamentarians so that they might better appreciate the context of activities which could carry over into an election period..... 114

Recommendation 29

That the government amend the Cabinet Directive on the Critical Election Incident Public Protocol with a view to empowering the non-partisan public servants on the Critical Election Incident Public Protocol (a) with greater discretion on whether to inform the public about events or incidents of foreign interference; and (b) with greater authority to direct national security agencies to directly brief candidates, political parties or Elections Canada, as the case may be, who are affected by events or incidents of foreign interference. 114



QUESTION OF PRIVILEGE RELATED TO THE INTIMIDATION CAMPAIGN AGAINST THE MEMBER FOR WELLINGTON—HALTON HILLS AND OTHER MEMBERS

INTRODUCTION

On 10 May 2023, the Standing Committee on Procedure and House Affairs (the Committee) received the following order of reference from the House of Commons:

That the prima facie contempt concerning the intimidation campaign orchestrated by Wei Zhao against the Member for Wellington—Halton Hills and other Members be referred to the Standing Committee on Procedure and House Affairs.

On 16 May 2023, the Committee commenced its study. That day, it also agreed to a motion that included, among other things, that in relation to its 10 May 2023 order of reference, the Committee:

[M]ake use, for the purposes of this study, of the evidence received during its study on foreign election interference, without limiting the witnesses who may be called.

Further, at the Committee's Meeting 87, which spanned three separate calendar days (26 September 2023, 28 September 2023, and 5 October 2023), the Committee agreed to a motion that expanded its study. In particular, it agreed to:

[E]xpand the scope of this study, further to the Speaker's ruling of Wednesday, May 31, 2023, and the evidence of the Acting Clerk of the House on Thursday, June 8, 2023, to include the matters raised in the House by the Honourable Erin O'Toole on Tuesday, May 30, 2023.¹

During its study, the Committee heard from 35 witnesses during 14 meetings. The Committee wishes to thank all of the witnesses for contributing their testimony to this study. The Committee reserves a special thank you to those witnesses who have endured

1 House of Commons, Standing Committee on Procedure and House Affairs (PROC), *Minutes of Proceedings*, 26 September 2023.



intimidation efforts by foreign states but who, in the face of potential reprisals, nonetheless came forward and shared their experiences and perspectives.

Lastly, the Committee notes that on 7 September 2023, the Government of Canada established the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions. The Public Inquiry will be led by Justice Marie-Josée Hogue, who was appointed its Commissioner.² Under the terms of the Orders in Council that established the Commission and the deadlines for the completion of its work, the Commissioner must be given access to certain confidential cabinet documents, and the Commission is required to submit two reports: an interim report by 3 May 2024 and a final report by 31 December 2024.

BACKGROUND

A. The Speaker's 8 May 2023 Ruling Regarding the Honourable Michael Chong, P.C., M.P.'s Question of Privilege

On 8 May 2023, the Speaker of the House of Commons ruled on the question of privilege raised by the Honourable Michael Chong, P.C., the member for Wellington—Halton Hills. Mr. Chong raised his question of privilege in the House on 2 May 2023, concerning alleged intimidation against him and his family by the Government of the People's Republic of China (PRC).³

Mr. Chong told the House that he had learned from a newspaper article, published in the *Globe and Mail* on 1 May 2023, that he and his family had been the subject of acts of intimidation carried out by Mr. Wei Zhao, a diplomat representing the PRC in Canada. The article stated that acts of intimidation on the part of Mr. Zhao came as a reprisal against Mr. Chong for having moved a motion on 18 February 2021⁴ regarding the recognition of a genocide carried out by the PRC against Uyghurs and other Turkic Muslims living in China.

Mr. Chong asserted that the alleged acts carried out by Mr. Zhao constituted intimidation against him as a member of the House and interfered with its proceedings, both of which, in his view, amounted to breaches of House privileges.

2 Government of Canada, *Foreign Interference Commission*. The Commission was established under [Order in Council 2023-0882](#).

3 House of Commons, *Debates*, 8 May 2023 (The Honourable Anthony Rota), 1540. Further, the Committee notes that the terms “PRC” and “Chinese” are used interchangeably in this committee report.

4 House of Commons, *Journals*, 18 February 2021.

The Speaker's ruling addressed the following three points about Mr. Chong's question of privilege:

- Mr. Chong had raised his question of privilege in a reasonably timely manner.
- The contention that the alleged intimidation carried out by Mr. Zhao has not been corroborated and may have occurred outside of Canada was, in the Speaker's view, immaterial in his making a prima facie finding. The Speaker ruled that, at this stage, the matter appeared serious enough to warrant priority of debate.
- The right possessed by Canada's parliamentarians to carry out their parliamentary work free from obstruction, interference, intimidation and molestation, was constitutionally founded and recognized by procedural precedent in the House.

As such, the Speaker concluded that, in his view, the matter raised by Mr. Chong was serious enough to take priority of debate over all other parliamentary proceedings. The Speaker stated that a foreign entity, which attempted to intervene in the conduct of the House's proceedings through a retaliatory scheme targeting a member and his family, squarely touched upon the privileges and immunities that underpin the House's collective ability to carry out its parliamentary duties unimpeded.

B. The Speaker's Ruling Made on 31 May 2023 Regarding the Honourable Erin O'Toole, P.C., M.P.'s Question of Privilege

On 31 May 2023, the Speaker ruled on a question of privilege raised in the House, on 30 May 2023, by the Honourable Erin O'Toole, P.C., the member for Durham.⁵ Mr. O'Toole alleged that PRC officials and agents had been carrying out an ongoing campaign of foreign interference against him, which dated back to the 43rd Parliament (i.e., from December 2019 to August 2021). Mr. O'Toole stated that his question of privilege was distinct from Mr. Chong's because the PRC campaign carried out against him was not related to a single event (i.e., the opposition motion of 18 February 2021). Further, Mr. O'Toole indicated that the alleged interference was carried out on such a large scale that it violated not only his privileges, but those of many more members of the House.

5 House of Commons, *Debates*, 31 May 2023, 1620 (The Honourable Anthony Rota).



In his ruling, the Speaker stated that the points raised by Mr. O’Toole were extremely serious. He agreed that they needed to be addressed properly. However, the Speaker noted that in his finding of a prima facie case of privilege on 8 May 2023, his ruling referred to actions taken against a member by a “foreign entity,” rather than the actions taken by “one specific individual” against a member.⁶

As such, the Speaker stated that he believed the appropriate forum for further discussion on Mr. O’Toole’s question of privilege was the Committee, which had already been instructed to investigate the matter of foreign interference. He invited Mr. O’Toole, and any other member impacted, to make representations to the Committee, as part of its study on the intimidation campaign carried out by the PRC against certain members.⁷

C. Parliamentary Privilege in Canada and Members’ Right to Freedom From Obstruction, Interference, Intimidation and Molestation

Canada’s Parliament and its members possess rights, immunities and privileges, collectively referred to as parliamentary privilege, which have been claimed over centuries of parliamentary tradition. These exist to assure the institution and its members have the necessary independence to perform their constitutional functions without outside interference.

In Canada, parliamentary privilege is rooted in the preamble and section 18 of the *Constitution Act, 1867*, and is further claimed in section 4 of the *Parliament of Canada Act*. Through these measures, both houses of Canada’s Parliament, and the members of these houses, have claimed the parliamentary privileges enjoyed by the U.K. House of Commons at the time of Confederation, as well as certain privileges that were established since that time.

There is a recognized list of rights and immunities, under parliamentary privilege, that is possessed by the House as a collectivity and members individually. Among the rights possessed by members is their right to go about their parliamentary duties undisturbed, free from threats, intimidation, interference and any other form of obstruction.

6 *Ibid.*

7 The Committee wishes to note that only Mr. Chong and Mr. O’Toole opted to make representations, as part of its study on the intimidation campaign carried out by the PRC. However, Kenny Chiu, the former member for Steveston—Richmond East, appeared before the Committee, on [9 May 2023](#), as part of its linked study on Foreign Election Interference.

This privilege has been clearly and repeatedly confirmed by parliamentary authorities. According to *House of Commons Procedure and Practice*:

Assaulting, threatening, or insulting a Member during a proceeding of Parliament, or while the Member is circulating within the Parliamentary Precinct, is a violation of the rights of Parliament. Any form of intimidation of a Member with respect to the Member's actions during a proceeding in Parliament could amount to contempt.⁸

According to Maingot's *Parliamentary Privilege in Canada*:

Members are entitled to go about their parliamentary business undisturbed. The assaulting, menacing, or insulting of any Member on the floor of the House or while he is coming or going to or from the House, or on account of his behaviour during a proceeding in Parliament, is a violation of the rights of Parliament. Any form of intimidation [...] of a person for or on account of his behaviour during a proceeding in Parliament could amount to contempt.⁹

While an enumerated list of rights and privileges exists under parliamentary privilege, there is no exhaustive list of what constitutes a contempt of Parliament. To that end, "the House may consider any misconduct to be contempt and may deal with it accordingly."¹⁰

With respect to past Speakers' rulings, examples include 19 September 1973, when Speaker Lamoureux affirmed in the House of Commons that the "principle that parliamentary privilege includes the right of a member to discharge his responsibilities as a member of the House free from threats or attempts at intimidation."¹¹

Further, attempts by improper means to influence or obstruct members in carrying out duties directly connected to their parliamentary work could constitute a finding of

8 Marc Bosc and André Gagnon, eds., "[Chapter 3: Privileges and Immunities – Freedom from Obstruction, Interference, Intimidation and Molestation](#)," *House of Commons Procedure and Practice*, 3rd ed., 2017.

9 J. P. Joseph Maingot, *Parliamentary Privilege in Canada*, 2nd ed., 1997, pp. 230–231.

10 Marc Bosc and André Gagnon, eds., "[Chapter 3: Privileges and Immunities – Freedom from Obstruction, Interference, Intimidation and Molestation](#)."

11 House of Commons, *Debates*, 19 September 1973 (The Honourable Lucien Lamoureux), p. 6709.



contempt by the House. The decision on what constitutes “improper means” depends on the facts of each individual case.¹²

D. Role of Various Agencies With Regard to Foreign Interference

On 30 January 2019, the federal government announced an action plan to safeguard Canada’s elections and democratic institutions in anticipation of the October general election that same year. Since then, elements of the plan have been evaluated, and measures have been improved and renewed for subsequent elections. The plan has four pillars of action:

- enhancing citizen preparedness;
- improving organizational readiness;
- combatting foreign interference; and
- building a safe information ecosystem.

The third pillar includes:

- establishment of the Security and Intelligence Threats to Elections (SITE) Task Force, which seeks to prevent and pre-empt “covert, clandestine or criminal” activities from influencing the electoral process;
- implementation of the G7 Rapid Response Mechanism, an initiative to “strengthen coordination across the G7 in identifying, preventing and responding to threats” to the democratic processes of G7 democracies; and
- cooperation with various partners from academia, industry and civil society to identify foreign threats to electoral processes.

Several security and intelligence organizations share responsibility for threats to Canada’s democratic institutions. The roles and activities of the partners that make up the task force are outlined in Table 1.

12 *Ibid.*, p. 235.

**Table 1—Security and Intelligence Threats to Elections Task Force—
 Partner Roles**

Partner	Mandate/Role	Activities
Communications Security Establishment (CSE)	<p>Information Technology Security:</p> <ul style="list-style-type: none"> • Providing advice, guidance and services to help ensure the protection of electronic information and of systems of importance. <p>Foreign Intelligence:</p> <ul style="list-style-type: none"> • Collection of foreign intelligence for Government of Canada on threat actors. <p>Supporting CSIS and RCMP:</p> <ul style="list-style-type: none"> • Providing assistance on technical operations. 	<ul style="list-style-type: none"> • Providing intelligence and cyber assessments on the intentions, activities and capabilities of foreign threat actors. • Protecting government systems and networks related to elections through cyber defence measures. • Providing cyber security advice and guidance to political parties, provinces and other institutions involved in democratic processes.
Canadian Security Intelligence Service (CSIS)	<p>Intelligence and Threat Reduction:</p> <ul style="list-style-type: none"> • Collection of information about foreign influenced activities that are detrimental to the interest of Canada and are clandestine or deceptive or involve a threat to any person. • Countering such activities through threat reduction measures. <p>Intelligence Assessment:</p> <ul style="list-style-type: none"> • Providing advice, intelligence reporting and intelligence assessments to Government of Canada about foreign influenced activities. 	<ul style="list-style-type: none"> • Providing threat briefings and intelligence reporting to Elections Canada and the Commissioner of Elections. • Providing an assessment of hostile state activity methodologies and capabilities to • Government of Canada decision makers.
Global Affairs Canada (GAC)	<p>Mandate/Role:</p> <ul style="list-style-type: none"> • Open source research on global trends and data on threats to democracy. • Partnership with G7 countries to share information and coordinate responses to threats as appropriate. 	<ul style="list-style-type: none"> • Providing research on disinformation campaigns targeting Canada by foreign actors. Reporting on global trends, metrics and incidents. • Coordinating attribution of incidents.



Partner	Mandate/Role	Activities
Royal Canadian Mounted Police (RCMP)	<p>Mandate/Role:</p> <ul style="list-style-type: none"> • The primary responsibility for preventing, detecting, denying and responding to national security–related criminal threats in Canada. • Investigates criminal offences arising from terrorism, espionage, cyber attacks, and foreign influenced activities. • The key investigatory body for Elections Canada if criminal activity is suspected. 	<ul style="list-style-type: none"> • Investigates any criminal activity related to interference or influence of Canada’s electoral processes. • Works closely in partnership with intelligence, law enforcement and regulatory agencies.

Source: Table prepared by the Library of Parliament using information obtained from Government of Canada, [Security and Intelligence Threats to Elections \(SITE\) Task Force](#).

E. Documents and Other Matters Referred to in the Committee’s Report

This section contains explanatory information about particular documents, reports, and other matters, which came up during the course of its study and appear in this report.

The May 2021 Canadian Security Intelligence Service information management note:

The Canadian Security Intelligence Service (CSIS) has developed a process for producing a specific type of document for when it has remarked that a matter of high importance has occurred and needs to be brought to the attention of, at a minimum, the Department of Public Safety and the Privy Council Office. This type of document was referred to by witnesses as an “information management note” (IMU). IMUs are sent to individuals within the recipient departments, who are able to access, print and pass along IMUs.¹³

According to the *First Report - The Right Honourable David Johnston Independent Special Rapporteur on Foreign Interference*, the May 2021 CSIS IMU noted that CSIS had intelligence about the PRC intending to target Mr. Chong and another member of the House of Commons, along with any of their family in China. Further, the First Report noted that:

13 PROC, Evidence, 1st Session, 44th Parliament, Meeting 83, 13 June 2023 (David Vigneault, Director, Canadian Security Intelligence Service), 1850; and PROC, [Evidence](#), 1st Session, 44th Parliament, Meeting 83, 13 June 2023 (Cherie Henderson, Assistant Director, Requirements, Canadian Security Intelligence Service), 1945.

- CSIS intended to provide Mr. Chong and the other member of Parliament with a defensive briefing;
- the May 2021 CSIS IMU was sent to the then Minister of Public Safety, his Chief of Staff, and his Deputy Minister, although neither the Minister, nor his Chief of Staff received the IMU; and
- the IMU was provided for the then Minister’s information and did not recommend any particular action or ask for any direction from the Minister.¹⁴

The 20 July 2021 CSIS intelligence assessment: CSIS produces intelligence reports that contain analysis, as opposed to raw intelligence, on the intelligence available about a specific topic.¹⁵ This type of report was referred to by witnesses as an “intelligence assessment.” These are shared with the Department of Public Safety, who then curates them for examination by the minister. However, it is for the department to decide what information the minister will have access to.¹⁶

In respect of the 20 July 2021 CSIS intelligence assessment, the Committee heard that its purpose was to raise awareness on the topics it covered but was not intended to spur any action by those who read it. Further, the report did not contain the name of any member of the House of Commons.¹⁷

June 2017 Privy Council Office memorandum: Within the Privy Council Office (PCO), the national security and intelligence advisor’s team drafts memoranda in instances where “enough factors have come into play, making it essential for the Prime Minister to be informed or for recommendations to be made.”¹⁸

In respect of the June 2017 Privy Council Office memorandum, the Committee heard that it was drafted by Daniel Jean, the then National Security and Intelligence Advisor. He noted to the Committee that this memorandum had earlier drafts and a final version.

14 [*First Report - The Right Honourable David Johnston Independent Special Rapporteur on Foreign Interference*](#), 23 May 2023, pg. 27.

15 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 83, 13 June 2023 (David Vigneault, Director, Canadian Security Intelligence Service), 1935.

16 *Ibid.*, 1850.

17 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (David Morrison, Deputy Minister of Foreign Affairs, Department of Foreign Affairs, Trade and Development), 1105.

18 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (Daniel Jean, former National Security and Intelligence Advisor to the Prime Minister, as an individual), 1245.



He recalled that the reason it was written was that his office was increasingly concerned about “all kinds of foreign interference activities” being engaged in by the PRC. Further, the 2016 U.S. election had, at that time, recently occurred during which the matter of cyber foreign interference emerged as topic of concern.¹⁹

Canada declared Zhao Wei persona non grata:²⁰ On 8 May 2023, the Honourable Mélanie Joly, Minister of Foreign Affairs, issued a statement which indicated that Zhao Wei was declared a persona non grata in Canada. The statement noted that:

- Canada will not tolerate any form of foreign interference in the country’s internal affairs;
- diplomats in Canada had been warned that if they engaged in this type of behaviour, they would be sent home; and
- this decision had been taken after careful consideration of all factors at play.

EVIDENCE

A. Appearance of Members of the House of Commons Who Raised the Questions of Privilege

1. Appearance of the Honourable Michael Chong, P.C., M.P.

a) Chronology of Events as Stated by Mr. Chong

Mr. Chong told the Committee that on 24 June 2021, he received a briefing, which was general in nature, from CSIS about foreign interference threat activities. He indicated that the briefing gave him helpful information about the tactics used by authoritarian states, like the PRC, and that all members of the House could benefit from such a briefing. He noted that no mention was made at the briefing about Wei Zhao, a consular officer for the PRC who was posted in the Chinese Consulate General in Toronto.²¹

19 Ibid., 1215.

20 Government of Canada, [*Canada declares Zhao Wei persona non grata*](#).

21 PROC, [*Evidence*](#), 1st Session, 44th Parliament, Meeting 74, 16 May 2023 (The Hon. Michael Chong, P.C., M.P.), 1835 and 1900.

Mr. Chong stated that he met with CSIS on three occasions (5 August 2021, 25 February 2022 and 18 July 2022) in the 13 months following the initial briefing to provide information about threats or threat activities aimed at him that he believed were carried out by the PRC.²²

Mr. Chong stated that he first learned that Mr. Zhao was collecting information on his family from a 1 May 2023 *Globe and Mail* newspaper article. In it, the article stated that Mr. Zhao's purpose in collecting this information was to potentially use it in the future to sanction and put pressure on Mr. Chong and other members of the House of Commons, in respect of debates going on in the House.²³

Lastly, Mr. Chong indicated that on 2 May 2023, David Vigneault, Director, CSIS, told him that Mr. Zhao was involved in gathering information about him.²⁴

b) Impact on the Member of the PRC Intimidation Campaign

Mr. Chong told the Committee that the threats and intimidation campaign carried out against him, which he believed were related to the PRC, had resulted in a trying time for himself and his family in Canada.²⁵ He told the Committee that he did not want to share the specific threats that were directed at him for the past several years.

With respect to his family living in Hong Kong, he noted that he had deliberately decided, long ago, not to communicate with them, out of an abundance of caution. He stated that that many Canadians with family who live in authoritarian states face similar situations. Further, Mr. Chong stated that his case was but one of many in which Canadians have suffered in silence after having been threatened on Canadian soil by agents acting on behalf of authoritarian governments.²⁶ He noted that, for too long, Canada's government has not taken action to defend these Canadians.

He noted that he hoped that real change will result from the intimidation campaign carried out against him, and that Canada's national security and intelligence will be strengthened to better protect its citizens and institutions.

22 *Ibid.*, 1930.

23 *Ibid.*, 1835.

24 *Ibid.*, 1905.

25 *Ibid.*, 1835 and 1850.

26 *Ibid.*, 1835 and 1930.



c) Observations About the Canadian National Security and Intelligence System

In his testimony, Mr. Chong provided the Committee with his viewpoints on a range of topics related to the operation of Canada's national security and intelligence system.

Mr. Chong stated that the unauthorized release of intelligence to the media was, in his view, injurious to Canada's national security and diminished the Five Eyes Alliance's²⁷ confidence in the security of Canada's intelligence.

However, he told the Committee that, in his view, such releases would not have happened in a national security and intelligence system that was functioning properly. He criticized Canada's government for not releasing information in a controlled and timely manner to Parliament or its committees.²⁸ He noted that in the United Kingdom and the United States, a long history existed of security officials briefing legislators on highly sensitive national security and intelligence issues. He stated that legislators were responsible and effective in how such information was shared and used.

Mr. Chong indicated that, in his view, the failures of Canada's national security and intelligence system were the sole responsibility of the head of government (i.e., the Rt. Honourable Justin Trudeau). He stated that in the Privy Council Office document entitled *Open and Accountable Government*, the sole individual responsible for the machinery of government is the Prime Minister.

As such, if Mr. Trudeau did not know about Mr. Chong's case, then, according to Mr. Chong, this meant that there was a breakdown in the machinery of government for which Mr. Trudeau is responsible. Mr. Chong found it inexplicable that the government had information about his case but did not act.²⁹

With respect to intelligence products produced by CSIS, Mr. Chong indicated that it was his understanding that CSIS transmits these products to 17 national security points within the federal government's departments and agencies, including the PCO. He told the Committee that this transmission system has a record tracking system.³⁰ In his view, it was important to clarify who had been in receipt of the 20 July 2021 CSIS intelligence

27 The Five Eyes is an intelligence alliance composed of Australia, Canada, New Zealand, the United Kingdom and the United States.

28 Chong, 1835.

29 Ibid., 1905.

30 Ibid.

assessment, in order to ascertain where systemic problems within the government exist and must be addressed.

With respect to Mr. Zhao, Mr. Chong stated that the Globe and Mail newspaper article indicated that CSIS had “a significant intelligence file on this individual” upon his arrival in Canada in 2018.³¹ Further, the article stated that Global Affairs Canada knew for three years that Mr. Zhao was targeting Mr. Chong and other members of the House.

In Mr. Chong’s view, the government should use every tool at its disposal to combat foreign election interference. He stated that expelling one diplomat was “pointless” when considering the overall issue of foreign interference.³² He noted that Canada’s democratic allies have been much more willing to expel diplomats of authoritarian states where their conduct runs counter to their diplomatic or consular status.

d) Foreign Election Interference in Past Federal and Provincial Ministries

In response to a question asked about foreign interference during the ministry of the Rt. Honourable Stephen Harper, Mr. Chong provided the Committee with his recollection of previous instances of foreign interference in Canadian elections. Mr. Chong stated that he recalled that under Mr. Harper’s ministry, CSIS had been authorized to brief the provincial governments in Ontario under former Premiers Dalton McGuinty and Kathleen Wynne on foreign interference threat activities.³³

Mr. Chong also noted that information provided about foreign interference from the then National Security advisor, Richard Fadden, during Mr. Harper’s ministry “should have been relayed to the [then] prime minister, but I do know that action was taken on that foreign interference because it was a bit of a controversy at the time.”³⁴

Further, Mr. Chong explained that, in his view, the nature of the PRC changed significantly around the time when the President of the PRC, Xi Jinping, assumed a second term in power, in March 2018. Mr. Chong stated that:

[t]he form and the nature of President Xi became much clearer, and it became clearer that this was a much more authoritarian state that was using foreign interference threat

31 ibid.

32 ibid., 1910.

33 ibid., 1935.

34 ibid.



activities as a way to promulgate its authoritarian model of governance around the world and to defend its interests.³⁵

e) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Chong provided the Committee with the following recommendations for its consideration:³⁶

- That Mr. Zhao be censured by the House of Commons for his foreign interference threat activities targeting a Canadian member of Parliament.
- That the Committee obtain the documents and track records related to the 20 July 2021 CSIS intelligence assessment entitled *People's Republic of China Foreign Interference in Canada: A Critical National Security Threat*.
- That CSIS inform individual members of the House of Commons directly about specific, detailed foreign interference threat activities targeting them and their family. Such briefings should include information on the identity of the persons involved in the threat activity.
- That CSIS inform the Speaker of the House of Commons about the identity of any persons in Canada involved in foreign interference threat activities targeting members of the House and their families. The Speaker would then, in turn, inform all members of the House of the identity of these persons. Mr. Chong noted that, in 2022, the Speaker of the United Kingdom's House of Commons was informed by MI5 about an agent of the PRC who was engaged in foreign interference threat activities, and that the Speaker subsequently notified all members of the House via email about this individual.
- That the National Security and Intelligence Committee of Parliamentarians (NSICOP) be made into a joint parliamentary committee, similar to of the U.K. and the U.S.

35 *Ibid.*

36 *Ibid.*, 1835 and 1925.

- That the government introduce legislation creating a registry for foreign agents.
- That the government commit to holding a public inquiry focused on PRC foreign interference threat activities.
- That the government undertake a national security review as soon as possible.

Mr. Chong also noted to the Committee that the definitions of foreign interference in the *Security of Information Act* and in the *Canadian Security Intelligence Service Act* (CSIS Act) are different from each other and need to be reconciled. Similarly, he stated that the security community's definition of foreign interference needed to be reconciled with the Royal Canadian Mounted Police's (RCMP) differing definition.

Further, Mr. Chong stated that it was important to ensure that the RCMP has the resources it needs to prosecute foreign interference and espionage. He indicated that there was a whole range of things that should have previously been done to protect Canadians from foreign interference and espionage.³⁷

2. Appearance of the Honourable Erin O'Toole, P.C., former M.P.

a) Defining Foreign Interference Threats and Motives

The Honourable Erin O'Toole, former leader of the Conservative Party of Canada (CPC) (August 2020 to February 2022), former member for Durham, defined foreign interference by using the definition given by Richard Fadden, the former director of CSIS, during a parliamentary committee appearance in 2010. That is, foreign interference was an attempt by agents of a foreign state to influence the opinions, views, and decisions of Canadians with the aim to obtaining a political, policy, or economic advantage.³⁸

Mr. O'Toole noted that Canada is a diverse and free country. At the same time, he held concerns that the diversity and freedom of Canada could be "turned against us in this age of unprecedented disruption, misinformation and geopolitical realignment."³⁹ In his

37 Ibid., 1920.

38 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 91, 26 October 2023 (The Hon. Erin O'Toole, President, ADIT North America, as an individual), 1115.

39 Ibid., 1110.



view, Canada needs to take a serious, non-partisan approach to dealing with foreign interference.

b) Threat and Intimidation Campaign Against Mr. O'Toole

Mr. O'Toole briefed the Committee on the four types of threats identified by CSIS and carried out against him by the PRC. He noted that he would not discuss them in further detail so as not to disclose elements that could undermine Canada's intelligence-gathering efforts. These threats were.⁴⁰

- foreign funding was used to undermine his electoral prospects, and those of the CPC, the party for which he was the leader;
- people were used on the ground in Canada through the United Front Work Department;
- foreign controlled and directed social media messaging was used to spread disinformation to electors using foreign-language channels like WeChat; and
- efforts were made by the PRC to suppress voting in one electoral constituency in Canada.

Mr. O'Toole stated that the PRC had targeted him. Further, he noted that the usage of the term target can mean observation or tracking, rather than having a more aggressive meaning. He stated that either form of being targeted was equally concerning. He was also advised that the concerns he previously raised about the PRC means he will continue to be targeted by that regime.

In response to questions about how being a PRC target had impeded his ability to carry out his parliamentary functions, Mr. O'Toole stated that it was important for each member of the House to have the right to freedom of expression, without limits.⁴¹ He stated that every member:

deserves the ability to make the decision themselves on whether they would exercise their privilege as a member. I was always trying to put the public good and what was best for Canada first, but I believe every member is entitled to make that decision, and if there was a dossier on a member, I believe it's a breach of his or her privilege for them

40 ibid., 1115.

41 ibid., 1200.

not to be aware of it at the moment it comes to the attention of the responsible minister.⁴²

c) Observations About the Canadian National Security and Intelligence System

Mr. O'Toole provided the Committee with his perspectives on several aspects of Canada's security and intelligence system and community. Among these, were that:

- The breakdown in the machinery of government whereby neither he, Mr. Chong, nor Jenny Kwan, the member for Vancouver East, was briefed about being a target of the PRC amounted to one of the “largest breakdowns of accountability with respect to sensitive intelligence and members of Parliament that I’m aware of.”⁴³
- He wanted Prime Minister Trudeau to take “some more responsibility” and be accountable for this breakdown. Further, Mr. Trudeau should have responded to the more aggressive style of conduct of the PRC post-2017. In his view, that the public is learning years later about matters he believes Mr. Trudeau was briefed on should trouble Canadians.⁴⁴
- The *Report on the assessment of the 2021 Critical Election Incident Public Protocol* had numerous important flaws, such that he viewed it to be “a colossal failure.” These flaws included that its author, Morris Rosenberg, did not speak with any of himself, either of his two security-cleared designated officials, or Kenny Chiu, the former member for Steveston—Richmond East made “his report completely incomplete to a point of professionally negligent in my view.” Mr. O'Toole also considered the timing of the release of the report, which was made public less than two weeks after the appearance of the *Globe and Mail* article about foreign interference, to be very suspicious.⁴⁵
- The conduct of the panel of five senior public servants needed to be examined because foreign interference incidents that had occurred in 2019 had, in his view, met a threshold for telling political parties at the start of

42 Ibid., 1130.

43 Ibid., 1125.

44 Ibid.

45 Ibid., 1205.



the 2021 election about the current risks in the environment. In his view, not informing the parties was an error. Instead, Mr. O’Toole stated that he and the CPC were led to believe that there were no serious problems with the 2019 federal general election.⁴⁶ He also noted that concerns that he and the CPC raised with security and intelligence officials were dismissed.⁴⁷

- Jody Thomas, National Security and Intelligence Advisor, told the Committee that the CPC was “given a robust response to our concerns, that was incorrect. She never sent the letter to us.”⁴⁸
- Mr. Blair, whom he described as a “key minister of the Crown” was “not checking emails, not reading intelligence briefs.”⁴⁹
- The Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference, whom Mr. O’Toole has profound respect for, “really disappointed me.” Mr. O’Toole stated that during his meeting with Mr. Johnston, he was told that the draft of Mr. Johnston’s report was written and was being translated. As such, Mr. O’Toole felt like his meeting with Mr. Johnston “was like I was a checkbox on a list.” Further, Mr. O’Toole stated that, in his view, Mr. Johnston only received a partial intelligence briefing, and that the outcome of his report was predetermined.⁵⁰

d) Observations About the People’s Republic of China

Mr. O’Toole indicated that Canada’s relations with China had

always been a challenge for Liberal and Conservative governments alike because the economic opportunities were so important and that meant there would be a risk that some of the conduct of China at home and abroad might be ignored.⁵¹

He employed the metaphor of Canada being like a frog in a pot of boiling water. Multiple governments, of both stripes, had ignored warnings from Canada’s intelligence agencies

46 *Ibid.*, 1145.

47 *Ibid.*, 1135.

48 *Ibid.*, 1220.

49 *Ibid.*

50 *Ibid.*, 1140 and 1205.

51 *Ibid.*, 1110.

about the heat in the water from China. In his view, Canada has been waking up to the heat in the last few years.

Mr. O’Toole recalled that in his first year as a member of the House, he spoke about China for the first time in a debate on counterfeit goods. At that time, he stated that all political parties knew of the risks with China, but the importance of economic relations with China took priority.⁵²

He stated that his approach to viewing Canada’s relations with the PRC has always been one that is serious and non-partisan. He indicated that this was reflected in his 2019 motion to create the special committee on Canada-China relations. He viewed his motion as advocating for a chance to pause and reset Canada’s interests and values with respect to its relationship with China. He told the Committee that his motion was the result of “many years of questions about the handling of this relationship by Prime Minister Trudeau.”⁵³

e) Public Inquiry Into Foreign Interference

Mr. O’Toole told the Committee that he wished to raise some questions for the potential consideration by Justice Marie-Josée Hogue, who was tasked with leading a public inquiry into foreign interference. These questions were:⁵⁴

- If CSIS had flagged concerns about a senior Ontario Liberal party elected official for review in 2010, why did it take Minister Blair four months to authorize a CSIS warrant for this same person in 2021?
- Why did Mr. Rosenberg, who was selected by Mr. Trudeau and the PCO to perform an assessment on the Critical Election Incident Public Protocol, not interview the Conservative leader or its campaign chair who was his designated and security-cleared representative?
- Who made the decision to say that there was no significant cause for concern in the 2021 election? This given that the public now knows: that there were intelligence reports involving clandestine funding by China in the 2019 election; that there were multiple intelligence briefings to Mr. Trudeau in 2021; that there was a threat assessment involving a

52 Ibid.

53 Ibid.

54 Ibid., 1115.



Chinese embassy official and the family of Mr. Chong just before the 2021 election; and that other members of the House were targeted and that NSICOP had reported in 2019.

f) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. O’Toole provided several potential recommendations about foreign interference for the Committee’s consideration. These were:⁵⁵

- establish a foreign agent registry, like Canada’s allies;
- create a mechanism for foreign interference risks to be outlined to members of Parliament; and
- ensure there is a mechanism to flag threats made by foreign states to Canadian parliamentarians, inform the parliamentarian of the threat, and equip and protect parliamentarians.

B. Appearance of Cabinet Ministers

1. Appearance of the Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness

The Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness (October 2021 to July 2023) appeared before the Committee twice during this study. The first time (on 1 June 2023) he was the Minister of Emergency Preparedness, while the second (on 23 October 2023) he was the Minister of National Defence.

a) Observations on the Question of Privilege Related to the Intimidation Campaign Against the Member for Wellington—Halton Hills and Other Members

At his first appearance, Mr. Blair underscored his belief that no parliamentarian or their family should be threatened for advocating their beliefs.⁵⁶

55 Ibid., 1140 and 1145.

56 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 79, 1 June 2023 (The Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness), 1200.

Mr. Blair explained that he only learned about the possible threats against Mr. Chong when *The Globe and Mail* published its report on 1 May 2023.⁵⁷ He stressed that had he been briefed about a threat of violence towards an individual parliamentarian he would have quickly referred the matter to law enforcement.⁵⁸

Mr. Blair noted that CSIS had expressed concern that members of the House may be subjected to foreign interference.⁵⁹ He had a number of discussions with the director of CSIS on this issue, and specifically activities by the PRC, but at no time was he informed that any particular member of the House was being targeted.⁶⁰ Upon learning that there were possible threats of foreign interference, he asked CSIS to provide targeted parliamentarians with awareness briefings.⁶¹

Mr. Blair explained that CSIS did not communicate with him or his office through email. Instead, CSIS would either brief him in person at a secure location, or they would send information to a secure terminal.⁶² Information sent through the secure terminal would then be printed and given to Mr. Blair.⁶³

Mr. Blair explained that he never saw the May 2021 information management note (IMU) regarding possible threats against Mr. Chong and his family.⁶⁴ He understands that CSIS authorized the IMU to be shown to him, but he never received it. Mr. Blair also noted that CSIS never provided a brief on the issue.⁶⁵ He told the Committee that if had been made aware of a threat against Mr. Chong, or any member, he would have called the police and taken steps to protect them.⁶⁶

At his second appearance, Mr. Blair reaffirmed much of what he shared during his first appearance. In particular, he stated unequivocally that he never saw the IMU mentioning potential threats against Mr. Chong, which was sent to a secure terminal. He further explained that neither he, nor any members of his staff, had log-in credentials to access

57 Ibid., 1 June 2023.

58 Ibid., 1 June 2023.

59 Ibid., 1 June 2023, 1205.

60 Ibid.

61 Ibid., 1 June 2023, 1230.

62 Ibid., 1 June 2023, 1210.

63 Ibid.

64 Ibid.

65 Ibid.

66 Ibid., 1 June 2023, 1230.



the secured terminal, which was located in an office at the Department of Public Safety.⁶⁷ Mr. Blair explained that neither CSIS nor the Department of Public Safety took steps to make him aware of the IMU.⁶⁸

b) Observations About the Canadian National Security and Intelligence System

During his first appearance, Mr. Blair explained that intelligence can take many forms. He noted that CSIS is responsible for collecting intelligence, determining its credibility, and deciding whether that intelligence requires action from the government.⁶⁹ Mr. Blair noted that he can only act on information that is shared with him.⁷⁰

From Mr. Blair's perspective, while transparency within the intelligence system is very important, to protect information and people it is not always possible.⁷¹

Soon after Mr. Blair became Minister of Public Safety and Emergency Preparedness, COVID-19 was declared a pandemic. Mr. Blair explained that during the ensuing years there was "an observable increase in activity from hostile foreign actors attempting to interfere with Canada's national interests."⁷²

Mr. Blair was asked about reports that he took four months to approve a warrant request from CSIS to conduct surveillance on Michael Chan, former member of the Legislative Assembly of Ontario. Mr. Blair explained that he took an oath not to discuss the details of these proceedings but noted that reports that it took him four months to approve the warrant are fundamentally incorrect.⁷³

During his second appearance, Mr. Blair highlighted that Canada's intelligence system collects and holds enormous amounts of information.⁷⁴ From his perspective, the role of

67 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 90, 24 October 2023 (The Honourable Bill Blair, P.C., M.P., Minister of National Defence), 1205.

68 Ibid., 24 October 2023, 1205.

69 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 79, 1 June 2023 (The Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness), 1215.

70 Ibid.

71 Ibid., 1 June 2023, 1225.

72 Ibid., 1 June 2023, 1200.

73 Ibid., 1 June 2023, 1235 and 1250.

74 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 90, 24 October 2023 (The Honourable Bill Blair, P.C., M.P., Minister of National Defence), 1240.

an intelligence officer is to analyze the credibility of a source and determine what is happening to better inform action.⁷⁵

c) Measures Taken to Counter Foreign Interference Threats in Democratic Processes

In his first appearance, Mr. Blair highlighted some of the work the government has done to combat foreign interference. This includes:

- The establishment of NSICOP to provide parliamentarians with insight into the intelligence that is collected and the resulting actions.⁷⁶
- Set aside \$48.9 million in Budget 2023 for the RCMP to strengthen its capacity to protect Canadians from hostile foreign actors.⁷⁷
- Set aside \$13.5 million in Budget 2023 to establish a national counter-foreign interference office at Public Safety Canada.⁷⁸
- Holding consultations to create a foreign interference transparency registry.⁷⁹

Additionally, in December 2020, Mr. Blair sent every member of Parliament a letter outlining political interference by the PRC. This letter was also tabled in Parliament and posted online (see Appendix A).⁸⁰

In his second appearance, Mr. Blair told the Committee that since his previous appearance, the Prime Minister created a new cabinet committee, the National Security Council, whose purpose is to routinely brief members on top secret and classified material.⁸¹

75 Ibid.

76 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 79, 1 June 2023 (The Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness), 1240.

77 Ibid.

78 Ibid.

79 Ibid.

80 Ibid., 1 June 2023, 1255.

81 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 90, 24 October 2023 (The Honourable Bill Blair, P.C., M.P., Minister of National Defence), 1210.



d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his first appearance, Mr. Blair noted that the *CSIS Act*, which was written in 1984, is due to be modernized to account for current and emerging challenges.⁸² Further, at his appearance on 24 October 2023, he stated that Canada would benefit from a foreign agent registry and that this measure would help protect country's interests.⁸³

2. Appearance of the Honourable Marco Mendicino, P.C., M.P., the Then Minister of Public Safety

a) Defining Foreign Interference Threats and Motives

During his opening remarks, the Honourable Marco Mendicino, P.C., M.P., the then Minister of Public Safety (October 2021 to July 2023), indicated to the Committee that foreign hostile actors were continuing to undermine Canada's national interests and threaten its security. Among these hostile actors were the Russian Federation, the PRC, and the Islamic Republic of Iran.

b) Measures Taken to Counter Foreign Interference Threats in Democratic Processes

Mr. Mendicino told the Committee that the government has a four pillared plan to combat foreign interference. These pillars are prevention, protection, accountability and transparency.⁸⁴

In respect of prevention, Mr. Mendicino called the Committee's attention to the Digital Citizen Initiative, a program that works to develop "citizen resilience to foreign interference and online disinformation and by establishing partnerships to support a healthy information ecosystem."⁸⁵ He noted that under this program, the Canadian Digital Media Research Network was conducting activities to help Canadians become more resilient and to think critically about the information they consume online. Further,

82 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 79, 1 June 2023 (The Honourable Bill Blair, P.C., M.P., Minister of Emergency Preparedness), 1245.

83 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 90, 24 October 2023 (The Honourable Bill Blair, P.C., M.P., Minister of National Defence), 1220.

84 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (The Honourable Marco Mendicino, P.C., M.P., Minister of Public Safety), 1105 and 1110.

85 *Ibid.*, 1105.

he noted that, in 2020, the Honourable Bill Blair, in his capacity as Minister of Public Safety, had issued a letter to all parliamentarians providing them with information and supporting resources. Also, CSIS continues to provide protective briefings to parliamentarians.

In respect of protection, Mr. Mendicino referred to a budgetary increase of \$48.9 million for the RCMP earmarked to help “protect Canadians from harassment and intimidation by foreign actors, to increase its investigative capacity and to proactively support communities most at risk of being targeted.” Further, he noted that his department was working with the Sergeant-at-Arms and the Parliamentary Protective Service (PPS) to provide more security for parliamentarians and their staff, and that his department had recently established a new national counter-foreign interference coordinator.

In respect of holding hostile actors more accountable, Mr. Mendicino noted that the RCMP had reported shutting down all of the PRC’s unofficial and illegal foreign police stations opened in Canada, and launching over 100 investigations into the matter. Further, he reminded committee members that the Honourable Mélanie Joly, P.C., M.P., Minister of Foreign Affairs, had expelled Mr. Zhao from Canada and was “implementing a system of sanctions against the Iranian regime.”⁸⁶ Also, he noted that the government was pursuing the creation of a foreign influence transparency registry.

In respect of transparency, Mr. Mendicino reiterated that his department had created a national counter-foreign interference coordinator, along with its work on a foreign influence transparency registry. Further, he highlighted the work of the National Security and Intelligence Committee of Parliamentarians, the NSIRA, and the work completed by the Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference, in his first report. Mr. Mendicino told the Committee that the government and Canada’s national security agencies “being more open than ever about the threats we are facing is the best way to protect and strengthen our democracy.”⁸⁷

c) Unofficial and Illegal Foreign Police Stations Opened in Canada and the May 2021 Canadian Security Intelligence Service Issues Management Brief

During Mr. Mendicino’s appearance, some members of the Committee raised questions about two separate matters: first, statements that he had made about foreign police

86 Ibid., 1110.

87 Ibid.



stations that opened in Canada at a previous appearance before the Committee, and second, his handling of a May 2021 CSIS IMU.

During his 27 April 2023 appearance before the committee, Mr. Mendicino indicated that all PRC unofficial and illegal foreign police stations opened in Canada were closed. Some members held the view that testimony heard after that committee meeting contradicted Mr. Mendicino's assertion. In some members' view, his statement was inaccurate and incomplete.

In response, Mr. Mendicino stated that he stood by his "statements before this committee. The RCMP have been clear and consistent in regard to these foreign activities in relation to the so-called police stations."⁸⁸ He further acknowledged that these PRC activities uncovered problems that required reinforced protocols for combating foreign interference.⁸⁹ He commented that a challenge faced by the RCMP was distinguishing between legitimate activities and potential foreign interference activities. He noted that the PRC was deploying a wide array of tactics when it came to foreign interference, not only through unofficial and illegal foreign police stations opened in Canada but equally targeting the economy, academia, and other democratic institutions.⁹⁰

Also, committee members questioned Mr. Mendicino about his lack of receipt, and his predecessor's lack of receipt, of a May 2021 CSIS IMU that the agency sent to the Department of Public Safety's Deputy Minister. In response, Mr. Mendicino stated his department had "addressed this issue through the ministerial directive, which requires CSIS to directly brief me where there's foreign interference with parliamentarians, as well as the Prime Minister."⁹¹

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Mendicino provided committee members with suggestions for strengthening Canada's ability to combat foreign election interference, which included:⁹²

88 *Ibid.*, 1115.

89 *Ibid.*, 1130.

90 *Ibid.*, 1120.

91 *Ibid.*, 1115.

92 *Ibid.*, 1135, 1150, 1155 and 1200.

- Introducing legislation that would create a new foreign agent registry as quickly as possible.
- Strengthening internal governance around the sharing of information and intelligence.
- Examining a legislative route, in particular the *Canada Evidence Act*, to convert intelligence into evidence. He noted that provisions in this Act allow for court proceedings in which “judges can access classified information and make determinations based on privileges that can be asserted by the government to protect national security and the people who work within those institutions, with the relevance and the probity of that evidence so that it can then be used in open proceedings.”
- Engaging directly with diaspora communities through bodies and forums such as The National Security Transparency Group and the Cross-Cultural Round Table on Security.
- Working closely with CSIS to provide additional support to parliamentarians and their offices on foreign interference matters. He noted that in 2022, CSIS provided protective briefings to 49 federal parliamentarians. He further stated that such briefings would be made available to candidates during elections.

C. Evidence From the Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference

1. First Report—The Right Honourable David Johnston, Independent Special Rapporteur on Foreign Interference

Mr. Johnston provided the Committee with a high-level overview of the findings reached in his first report on foreign election interference and responded to questions about the report’s content and conclusions.

Mr. Johnston stated that the production of the report followed eight weeks of intensive examination of top secret intelligence and interviews conducted with, among others, senior intelligence, security and elected officials. The report found that foreign



governments, including the PRC, were “working in hostile and clandestine ways to undermine our democracy.”⁹³

Further, the report outlined very serious shortcomings in Canada’s systems of dealing with foreign interference, indicating that these require a very substantial review and improvement. In particular, he stated that greater clarity is required when matters are moved from intelligence to being considered a threat. He stated that the current system “simply does not deal with information as well as it possibly should.”⁹⁴

Mr. Johnston stated that the report paid full respect to the confidentiality of classified information, while making public “what we could.” He indicated that the report’s annex contains some of the classified information he used to reach his conclusions. This classified annex was provided to the National Security and Intelligence Review Agency (NSIRA) and NSICOP committees.⁹⁵ Also, an invitation to review the annex was extended to the leaders of parties represented in the House of Commons, should they obtain the necessary security clearance. Mr. Johnston noted that the purpose of seeking this review of the annex was to elicit corrections regarding his conclusions and to find out if there was fault in not assessing responsibility where it lies.⁹⁶

Mr. Johnston encouraged members of the Committee to read the report and focus their attention on its conclusions about the clear, present and pervasive foreign interference in Canada’s elections.

Questions on several topics about Mr. Johnston’s report were raised by some committee members during his appearance. These questions included:

- That while disinformation about the Conservative Party of Canada’s platform was recirculated on social media accounts sponsored by the PRC, Mr. Johnston’s conclusion in the report was that social media recirculation could not be attributed to any state actor. In response, Mr. Johnston indicated that when drafting his report, he based his conclusions on the intelligence then available from CSIS and other

93 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 80, 6 June 2023 (The Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference), 1055.

94 Ibid., 1150.

95 Ibid., 1030.

96 Ibid., 1120.

sources. At that time, the information he had did not permit him to conclude that there was a state-sponsored source.⁹⁷

- That the report indicated that in May 2021, a CSIS IMU was sent to the then Minister of Public Safety, Mr. Blair, but not received, due to a lack of access to a top secret email network.⁹⁸ However, in his appearance before the Committee, Mr. Blair stated that there was no email. In response, Mr. Johnston stated that it was his understanding that Mr. Blair did not receive the email in question though his name or office was on it. Mr. Johnston considered this to be a “very substantial flaw in how information is crystallized and finds its way into the hands of recipients who have the accountability to act on it.”⁹⁹
- That Mr. O’Toole had stated that during a briefing with CSIS, he was told that he had been the target of a sophisticated misinformation and voter suppression campaign orchestrated by the PRC before and during the 2021 general election. However, the report stated that there was no clear evidence that it was state sponsored. In response, Mr. Johnston stated that the evidence available to him at that time permitted him to come to the conclusions he made in his report.¹⁰⁰
- That the report noted irregularities, tied to the PRC consulate in Toronto, which were observed with the 2019 Liberal Party of Canada nomination contest for Don Valley North. However, the report did not conclude that the Prime Minister should have taken some action. In response, Mr. Johnston indicated that the Prime Minister was aware that there were some questions about the actual nomination. He also noted that CSIS does not cast its attention in great depth to party nomination contests because these are governed by the rules of each party. He stated that nomination

97 Ibid., 1140 and 1145.

98 The Committee notes that, in documents that it received, the May 2021 CSIS IMU was sent to Mr. Blair, his Deputy Minister and his Chief of Staff. Further, the Committee learned that CSIS’ secured communications systems are not in fact conventional email systems. This should be borne in mind should any witness make reference to CSIS utilizing a top secret “email” network.

99 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 80, 6 June 2023 (The Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference), 1215.

100 Ibid., 1100.



contests have been a difficult area to regulate, and that “one looks to the parties to develop appropriate rules.”¹⁰¹

2. Role of the Independent Special Rapporteur on Foreign Interference

Mr. Johnston told the Committee that on 15 March 2023, he was appointed by the government as the Independent Special Rapporteur on Foreign Interference.¹⁰² He indicated that in this role, he was given a broad mandate to “assess the extent of foreign interference and make recommendations on how to better protect our democracy.”¹⁰³

During his appearance, he noted that he was approaching his mandate in phases. The first phase of his mandate had lasted about eight weeks and entailed the examination of documents and papers, conducting interviews with relevant witnesses, and the preparation of his first report.

Mr. Johnston stated that the planned next phase of his mandate would last about five months and would involve holding public hearings, where he would hear from witnesses such as government representatives, security and intelligence officials, and diaspora communities. In this second phase, his work would be supported by three special advisors with expertise in national security intelligence, law, and diaspora community matters.¹⁰⁴

He noted the issues that he hoped his remaining work would address, including:¹⁰⁵

- placing a strong focus on the urgency of dealing with foreign interference;
- encouraging Canada’s parliamentary institutions to develop and implement appropriate reforms, thereby building the public’s trust in Canada’s democracy;
- putting a real light on the threats that diaspora communities face;

101 Ibid., 1200.

102 Order in Council [PC 2023-0323](#) appointed Mr. Johnston to be special advisor to the Prime Minister, a role which carried the title of Independent Special Rapporteur on Foreign Interference.

103 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 80, 6 June 2023 (The Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference), 1005.

104 Ibid., 1005 and 1035.

105 Ibid., 1005, 1050, 1055 and 1130.

- developing more effective ways to equip Canadians and Canada’s intelligence agencies to deal with foreign interference threats more effectively;
- acquainting Canadians with the fact that many people in diaspora communities are the unwitting victims of foreign states;
- giving consideration to whether NSICOP was properly constituted as a committee of the executive, rather than a committee of Parliament; and
- examining NSIRA to see whether it was working properly in its role as an oversight body.

Mr. Johnston noted that his mandate was only one part of “an array of work and initiatives that can be undertaken to address this threat.” To that end, he encouraged contributions from other bodies, such as the Committee, NSICOP and NSIRA, to help ensure Canada is well equipped to detect, deter, and combat foreign interference.

Further, Mr. Johnston acknowledged knowing the results of the motion passed by the House of Commons on 31 May 2023, which, among other things, called on him “to step aside from his role as special rapporteur.”¹⁰⁶ He told the Committee that he held “a deep respect for the House of Commons, and for its right to express an opinion on my work.”¹⁰⁷ He stated that he heard clearly that there was disagreement about his recommendation not to call a public inquiry, along with allegations about his integrity and independence. He told the Committee that these allegations were false and that repeating them did not make them true.

During Mr. Johnston’s appearance, some committee members raised questions about his appointment as Special Rapporteur, along with matters corollary to this appointment. Some members expressed the view that, by accepting the role of Special Rapporteur, Mr. Johnston was in a conflict of interest. To support this contention, examples and media excerpts were cited that contained statements about the relationship between Mr. Johnston and Mr. Trudeau, his family and/or his extended family.¹⁰⁸ For example, a quote was raised in which Mr. Trudeau referred to Mr. Johnston in the media as a lifelong family friend. In response, Mr. Johnston told the Committee that he was friends

106 House of Commons, *Journals*, 31 May 2023.

107 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 80, 6 June 2023 (The Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference), 1010.

108 Ibid.



with the Rt. Honourable Pierre Trudeau, through his life in politics. With respect to his relationship with Mr. Justin Trudeau, Mr. Johnston stated that over the course of almost 40 years, the two had had no meetings, no dinners, and no particular contact.¹⁰⁹

Further, questions were raised by some members about:

- Mr. Johnston’s association with the Pierre Elliott Trudeau Foundation. In response, Mr. Johnston clarified that he was not a member of the foundation’s board of directors. Rather, he was a member of the foundation, a role which he stated was akin to being a shareholder in a general meeting. He told the Committee that he resigned as a member in March 2023, when he was appointed as Special Rapporteur.¹¹⁰
- The legal opinion that Mr. Johnston had received that concluded his acceptance of the role of Special Rapporteur did not put him in a conflict of interest. This opinion was prepared by Frank Iacobucci, a retired Justice of the Supreme Court of Canada. Some members noted that Mr. Iacobucci is a current member of the Pierre Elliott Trudeau Foundation. In response, Mr. Johnston stated that he and Mr. Iacobucci are lifelong friends and that he made Mr. Iacobucci’s acquaintance when he was around 25 years old, when the two were law professors at the University of Toronto.¹¹¹
- Mr. Johnston’s choice of Sheila Block as senior counsel to the Special Rapporteur. Some members stated that, in their view, Ms. Block is a “lifetime donor and supporter of the Liberal Party, including attending fundraising events with the Prime Minister in recent time.”¹¹² In response, Mr. Johnston stated that:¹¹³
 - she is a pre-eminent senior counsel who is renowned for the quality of her work and that he has every confidence in her;
 - he does not believe her role as senior counsel to the Special Rapporteur put her in a conflict of interest;

109 Ibid., 1010 and 1015.

110 Ibid., 1100.

111 Ibid., 1020.

112 Ibid., 1025.

113 Ibid., 1025, 1200 and 1210.

- with respect to her contributions to the Liberal Party, Ms. Block also made contributions to other parties, all while serving Canada with great eminence;
- he was extremely fortunate to have her skills, integrity, and commitment to improving Canada's way of dealing with foreign interference; and
- she served him faithfully as senior counsel when he was invited by the then Prime Minister, Mr. Harper, to review allegations of the involvement of Karlheinz Schreiber with former Prime Minister, the Rt. Honourable Brian Mulroney.

On the point of having his integrity and non-partisanship called into question, Mr. Johnston told the Committee that he hoped to have given good evidence of non-partisanship and integrity during his 55 years of public life. He cited his service as Governor General and his involvement as chair or member of around two or three dozen advisory committees.

He stated that his appointment as Special Rapporteur was the first time that either his impartiality and integrity have ever been called into question or that suggestions have been made that he was in a conflict of interest. Mr. Johnston suggested that, on the matter of his potential conflict of interest, Canadians look at his record of service and draw their own conclusion. He further pleaded with the Committee to focus its attention on foreign interference and his report.¹¹⁴ To this end, Mr. Johnston stated that:

quite apart from changes of positions by people on whether my integrity evaporated three or four years ago for some reason with the change of government, I'm anxious that we get to the real issue here, which is foreign interference.¹¹⁵

3. Merits of Holding Public Hearings Versus a Public Inquiry

Mr. Johnston provided the Committee with his reasons for deciding to hold public hearings rather than recommend that a public inquiry be established. He commented that he had deliberated long and hard over this matter.

Mr. Johnston indicated that, in his view, the dilemma centred around how to deal with classified information. It cannot be discussed in public, nor can it appear in any report.

114 *ibid.*, 1105.

115 *ibid.*, 1025.



He stated that this same issue arose in other past inquiries. As an example, he cited the Commission of Inquiry Into the Actions of Canadian Officials in Relation to Maher Arar. Upon its completion, its Commissioner, Dennis R. O'Connor, commented that public inquiries held under the *Inquiries Act* were

very difficult tools to use for something whose job is to shed light on situations, particularly situations of negligent responsibility and so on. Because they are led by lawyers with cross-examination, they have difficulty getting at information that is classified. We can't do that in public. They are very expensive and very time-consuming and often do not result in providing that light.¹¹⁶

Mr. Johnston stated that his proposed public hearings would offer witnesses the option giving testimony in camera, while offering them all of the appropriate protections. He further foresaw in camera proceedings to hear from officials who possess classified information.¹¹⁷ Further, witnesses who did not feel comfortable appearing at a public hearing could provide him with a written submission. He noted that he had already received about a half-dozen submissions from diaspora communities, which eloquently set out the burdens that they are bearing and asking for help.¹¹⁸

Members of the Committee expressed a mix of views about whether potential witnesses on foreign interference, who fear reprisals for speaking out, would participate in public hearings.

- Some members noted that for the witnesses, public hearings that offer an option for in camera testimony would be tantamount to the proceedings of a public inquiry, which would presumably offer witnesses the option to appear in public or in camera.
- Some members expressed the hope that Mr. Johnston would address how to make families from diaspora communities feel safe to come forward and participate in public hearings.
- Some members told Mr. Johnston that they knew of witnesses who would not come forward and participate in public hearings for fear of reprisals. Instead, their preference was to hold a public inquiry, with proceedings

116 Ibid., 1040.

117 Ibid., 1155.

118 Ibid., 1055.

that can be held in camera, while also possessing the power to summon persons and compel documents.

Further, some members raised with Mr. Johnston that, in their view, the expense of a public inquiry was not relevant. A member asked, rhetorically, what was the price and value of democracy?

4. Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Johnston provided committee members with his views on how Canada's regime for combatting foreign election interference could be strengthened. These included:¹¹⁹

- examining the role and structure of NSICOP and NSIRA with a view of reinforcing and strengthening their work;
- contemplating amendments to the *CSIS Act* that might assist in fighting foreign interference;
- establishing a national security committee of cabinet to deal with foreign interference at the highest level and with a sense of urgency and importance; and
- seeking out lessons from other jurisdictions, especially those in the Five Eyes, which have gained considerable experience in dealing with similar challenges;

In respect of machinery of government, he raised issues to the Committee about:

- improving the processes for funnelling intelligence to top officials (i.e., the most senior public service and political levels), including greater accountability for ensuring that the right people see the right intelligence;
- putting tracking protocols in place to allow a reconstruction of whom saw what document, and when;

119 *Ibid.*, 1125 and 1240.



- establishing clearer lines of responsibility for recommendations as to how to react to intelligence; and
- commencing a government-led process (rather than an agency-led process) for declassification of information to enhance transparency.

D. Evidence From Officials From the House of Commons

1. Eric Janse, Acting Clerk of the House of Commons

a) Parliamentary Privilege and the Role of the Committee

Eric Janse, Acting Clerk of the House of Commons, provided the Committee with information about parliamentary privilege. Mr. Janse quoted a report from the Special Committee on Rights and Immunities of Members, in the 30th Parliament (September 1974 to March 1979), which stated that, “the purpose of parliamentary privilege is to allow Members of the House of Commons to carry out their duties as representatives of the electorate without undue interference.”¹²⁰

Mr. Janse explained that it is not the Speaker’s role, when ruling on a question of privilege, to make a finding of fact.¹²¹ Instead, the Speaker’s role is to determine whether the matter appeared to affect members’ privileges in a way that “warranted priority consideration by the House.”¹²² Mr. Janse noted that by referring the matter to the committee, the House determined that it required further investigation.¹²³

Mr. Janse outlined the process that a committee typically undergoes when examining a question of privilege. He explained that the steps normally include establishing the facts of what occurred, considering whether the events represented a breach of members’ privilege or a contempt of the House, and considering proposed remedies.¹²⁴

120 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 81, 8 June 2023 (Eric Janse, Acting Clerk of the House of Commons), 1215.

121 Ibid.

122 Ibid.

123 Ibid.

124 Ibid.

Mr. Janse urged members to phrase recommendations carefully, if the Committee chooses to make a report to the house, explaining that they should be “be actionable, and should fall squarely within the Committee’s mandate.”¹²⁵

b) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Janse told the Committee that House administration could help to coordinate the flow of information between an intelligence agency and members.¹²⁶ He highlighted that a memorandum of understanding had been signed between the House and CSIS on 30 March 2023 but noted that the details of the agreement had not been finalized.¹²⁷

2. Michel Bédard, Interim Law Clerk and Parliamentary Counsel, House of Commons

a) Parliamentary Privilege and the Role of the Committee

Michel Bédard, Interim Law Clerk and Parliamentary Counsel, House of Commons, told the Committee that, in general, parliamentary privileges are rooted in the Constitution and have constitutional status.¹²⁸ He explained that one of the parliamentary privileges that the House’s committees have is to send for records and papers, including those dealing with national security.¹²⁹

Mr. Bédard informed the Committee that the Office of the Law Clerk and Parliamentary Counsel have the capacity and appropriate clearances and facilities to review and, if needed, redact top secret documents.¹³⁰ He stated that his office had previously reviewed and redacted classified documents, but had never dealt with documents containing national security information.¹³¹

125 Ibid.

126 Ibid., 1235.

127 Ibid., 1240.

128 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 81, 8 June 2023 (Michel Bédard, Interim Law Clerk and Parliamentary Counsel, House of Commons), 1220.

129 Ibid.

130 Ibid., 1225 and 1245.

131 Ibid. 1250.



Mr. Bédard underscored that the power of the House and its committees is limited to Canadian territory and would not extend to persons outside of the country.¹³² He noted that there is no known case in Canada where a committee compelled the attendance of a diplomat.¹³³ Furthermore, Mr. Bédard suggested that even if compelling a diplomat would be allowed by parliamentary law and procedure, there would be important public policy considerations to weigh before making such a decision.¹³⁴

3. Patrick McDonell, Sergeant-at-Arms and Corporate Security Officer, House of Commons

a) Observations About the Canadian National Security and Intelligence System

Patrick McDonell, Sergeant-at-Arms and Corporate Security Officer, House of Commons, told the Committee that if CSIS wished to share information with all members of the House of Commons, it could go through his office.¹³⁵ Conversely, if CSIS had concerns of foreign interference for an individual member, it would reach out to that person and their staff directly instead of going through his office.¹³⁶

Mr. McDonell noted that his office's level of involvement with respect to CSIS briefing members of Parliament on foreign interference threats is that of "logistics officers" to facilitate CSIS briefing members of the House on foreign interference threats.¹³⁷

132 Ibid., 1225.

133 Ibid., 1245.

134 Ibid.

135 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 81, 8 June 2023 (Patrick McDonell, Sergeant-at-Arms and Corporate Security Officer, House of Commons), 1230.

136 Ibid.

137 Ibid., 1240.

b) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. McDonnell referenced a memorandum of understanding between the House and CSIS' Integrated Threat Assessment Centre.¹³⁸ He noted that the House and CSIS had consulted with Five Eyes as they developed the details of the memorandum of understanding.¹³⁹

Mr. McDonnell outlined his office's plan to organize a series of briefs to members of Parliament with regular awareness sessions to follow.¹⁴⁰ Additionally, his intention is to include more information about national security and foreign interference in orientation material for newly elected members of the House.¹⁴¹

E. Evidence From Election Administrators

Stéphane Perrault, the Chief Electoral Officer (CEO), appeared three times for the Committee's related study on foreign election interference: on 1 November 2022, 22 November 2022 and 2 March 2023.¹⁴² At his first appearance, Mr. Perrault was accompanied by Serge Caron, Deputy CEO and Chief Security Officer, Digital Transformation Sector, Elections Canada.¹⁴³

Caroline Simard, the Commissioner of Canada Elections (CCE), appeared twice on the Committee's related study foreign election interference: on 1 November 2022 and 2 March 2023.¹⁴⁴ At her first appearance, Ms. Simard was accompanied by Marc Chénier, Deputy Commissioner and Chief Legal Counsel, Office of the CCE.¹⁴⁵

138 Ibid., 1235.

139 Ibid.

140 Ibid., 1300.

141 Ibid.

142 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada); PROC, [Evidence](#), Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada); and PROC, [Evidence](#), Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada).

143 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Serge Caron, Deputy Chief Electoral Officer and Chief Security Officer, Digital Transformation Sector, Elections Canada).

144 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections); and PROC, [Evidence](#), Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections).

145 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Marc Chénier, Deputy Commissioner and Chief Legal Counsel, Office of the Commissioner of Canada Elections).



The CEO and the CCE play separate but complementary roles in elections and referenda. The CEO is responsible for administering elections and referenda at the federal level, as well as other aspects of election infrastructure. The CCE is responsible for ensuring compliance with and enforcement of the [Canada Elections Act](#) (CEA) and the [Referendum Act](#). The CCE conducts investigations independently of Elections Canada, the government and the public service.¹⁴⁶

1. Definitions and Legal Framework

a) Current Framework

Mr. Perrault told the Committee that the term “foreign interference” refers to threats that can take various forms, such as cyberattacks; illicit funding of candidates, parties or third parties; disinformation; and intimidation. Because of this diversity and because it involves state-to-state relations, addressing foreign electoral interference requires coordinated efforts between a range of departments and agencies. Mr. Perrault also noted that the CEA does not define foreign interference.¹⁴⁷

As Mr. Perrault explained, the CEA prohibits various actions through which foreign pressure on elections could be exercised, particularly through the political financing regime. Moreover, some offences could result in various penalties, including up to five years in prison.¹⁴⁸ However, under the current legal framework, foreigners can have some level of influence – for example, by making a statement encouraging electors to vote for a specific candidate or party, or by expressing an opinion.¹⁴⁹

Mr. Perrault gave examples of offences:

- the CEA provides that only individuals who are citizens or permanent residents are authorized to make a political contribution;

146 PROC, [Evidence](#), Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1030.

147 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100.

148 PROC, [Evidence](#), Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1050.

149 PROC, [Evidence](#), Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100; and PROC, [Evidence](#), Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1020.

- the CEA prohibits foreigners from registering as third parties;
- the CEA prohibits third parties from using foreign funds for their regulated activities; and
- the CEA prohibits certain activities constituting “undue influence by foreigners,” such as incurring any expense to directly promote or oppose a candidate or party during the election.¹⁵⁰ This prohibition is limited to the election period.¹⁵¹

If there is information that would assist the investigation of illegal contributions from a foreign entity, it should be sent to the CCE.¹⁵²

2. Recommendations on the Legal Framework

Mr. Perrault stated that Canada’s political financing regime is “very robust,”¹⁵³ and it is “the envy”¹⁵⁴ of many countries. The regime includes a mix of private and public funding, strong disclosure rules and low contribution limits. Canada’s regime also regulates a range of political entities, including nomination contestants, electoral district associations, political parties and leadership contestants.

Mr. Perrault believes one of the key strengths of Canada’s political financing regime is that it is reviewed on a regular basis, including through the Committee’s examination of the CEO’s recommendations after every election. In addition, independent election administration, including the appointment of the CEO by the House of Commons rather than by the government, is a strength of the current system.¹⁵⁵

In his testimony, Mr. Perrault discussed some of the recommendations to strengthen the electoral legal framework that were presented in his most recent recommendations report. Mr. Perrault said that, under the current legislative framework, foreign funding

150 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100.

151 PROC, *Evidence*, Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1105.

152 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1205.

153 *Ibid.*, 1215.

154 *Ibid.*, 1220.

155 *Ibid.*, 1255.



can find its way through to political parties. As a result, although third parties are required to disclose the source of funding for a regulated activity, foreign financing for general purposes can flow through a third party. On this point, Mr. Perrault noted that he had made a recommendation to resolve this potential breach in his most recent recommendations report. He recommended that groups that receive a certain amount of funding in the form of contributions be limited, for the purposes of activities regulated by the CEA, to using contributions from a bank account containing donations only from eligible Canadian donors.¹⁵⁶

The CEA provides for certain prohibitions regarding foreign interference during the election period. In his most recent report, Mr. Perrault recommended that the period in which these prohibitions apply be extended to the pre-election period. However, he told the Committee that it could also have the prohibitions apply at all times.¹⁵⁷

Mr. Perrault also remarked that he had recommended increasing the transparency of digital platforms in the context of elections. In Mr. Perrault's view, Canadians would have more confidence in the electoral process if social media platforms' internal policies for handling misinformation, disinformation and illegal content were public.¹⁵⁸

Mr. Chénier clarified that the CEA prohibits circumventing the prohibition on using foreign funds and that, after the *Elections Modernization Act* was enacted in 2018, new measures to strengthen the electoral system to reduce the ability of foreign money to get into the system were implemented. Mr. Chénier also noted that Yves Côté, Ms. Simard's predecessor, had recommended that Parliament expand the concept of "undue influence" in the CEA. Under the current legislative framework, undue influence occurs when expenses are incurred to promote or oppose a party or candidate, or when an activity that is carried out to promote or oppose a party or candidate contravenes a federal or provincial law. Mr. Côté had recommended that the CEA recognize a third way of exercising undue influence – that is, when a foreign entity or person sows confusion or intentionally disseminates disinformation.¹⁵⁹

156 Ibid., 1245; and PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1110.

157 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1235.

158 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1140.

159 PROC, *Evidence*, Meeting 37, 1 November 2022 (Marc Chénier, Deputy Commissioner and Chief Legal Counsel, Office of the Commissioner of Canada Elections), 1115, 1120 and 1125.

In response to a question, Ms. Simard explained that, since the *Elections Modernization Act* was enacted in 2018, additional powers concerning administrative monetary penalties were given to the CCE. However, Ms. Simard said that more administrative powers are required, including with respect to the preservation and disclosure of evidence.¹⁶⁰ She also stated that current administrative sanctions are “grossly inadequate.”¹⁶¹ For example, the cap for penalties on entities is \$5,000.

3. Defining Foreign Interference Threats and Motives

Mr. Perrault stated that Elections Canada did not experience any breaches of its IT infrastructure or interference with its election operations during the 2019 and 2021 general elections. The organization had also not been made aware of any efforts to undermine the ability of electors to vote.¹⁶² While there were no breaches of the organization’s IT infrastructure, Mr. Perrault nevertheless noted that Elections Canada experiences cyberattacks on a regular basis, “as does any institution.”¹⁶³ There is no way of knowing whether the attacks are from foreign or domestic actors.

Mr. Perrault also told the Committee that, in preparing for the 2019 election, national security agencies took part in a meeting of the Advisory Committee of Political Parties, under the auspices of Elections Canada, to raise parties’ awareness of the risk that foreign state actors would interfere in the election. According to Mr. Perrault, political parties, electoral district associations and local campaigns also have crucial roles to play to counter foreign interference.¹⁶⁴ He also noted that the existence of risks of foreign interference became clear after the 2016 presidential election in the United States.¹⁶⁵

Regarding the media reports of alleged foreign interference in the 2019 and 2021 elections, Mr. Perrault said that he was not in a position to comment on the accuracy of what was published and that he did not have any details on any potential interference campaign by Beijing, other than what he had read in the newspapers. He stated that

160 PROC, *Evidence*, Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1020.

161 Ibid.

162 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100.

163 Ibid., 1155.

164 PROC, *Evidence*, Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1005.

165 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1205 and 1250.



this information was not shared with him before or since the articles were published, and he had not met with the Office of the Prime Minister on this matter. He also said that he had not received any reports regarding specific instances of non-compliance with the legislation or Chinese interference in the election.¹⁶⁶ In response to a question, Mr. Perrault further indicated that, based on the information he has, he has no reason to believe that the 2019 and 2021 elections were not “free and fair,”¹⁶⁷ although some incorrect information on the voting process was disseminated.

Mr. Perrault noted the need for caution before using information in the media to make a statement about the fairness of an election. Without questioning the work that journalists do, Mr. Perrault pointed out that no investigations into the allegations have occurred and that we do not know what happened or which constituencies were targeted. He warned that drawing premature conclusions risks unjustifiably discrediting the electoral process. Mr. Perrault also remarked that the CCE will decide to investigate if she deems there is sufficient evidence to do so and that she will take appropriate action depending on the outcome of the investigation.¹⁶⁸

According to Mr. Perrault, it is “extremely difficult” to establish a causal relationship between the existence of financial irregularities in the electoral process and the outcome of an election.¹⁶⁹ He said it would be “very speculative” to conclude that the results were affected based only on financial contributions to candidates discussed in newspaper articles. Mr. Perrault pointed out that all kinds of irregularities take place in an election, but they do not undermine its overall fairness. However, if an individual believes that the results of an election have been influenced, the CEA provides a mechanism for deciding the issue: challenging the election in court.¹⁷⁰

Still, Mr. Perrault explained that, while one cannot “draw a straight line” between the existence of foreign influence and the outcome of a particular election, acts of foreign

166 Ibid., 1205; and PROC, *Evidence*, Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1005 and 1040.

167 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1210 and 1215.

168 Ibid., 1220 and 1240.

169 Ibid., 1235.

170 Ibid.

interference nonetheless affect the fairness of the electoral process and must be addressed to protect Canadian democracy.¹⁷¹

Mr. Perrault reminded the Committee that he submits a report to Parliament after every election. He noted that he would never hesitate to report concerns about the fairness of the election and what worked well and what did not.¹⁷²

During her first appearance before the Committee, Ms. Simard noted that she had not observed any change in the number of issues giving rise to complaints about foreign interference in the last two general elections.¹⁷³ Her office did receive complaints about interference, but no official action was taken.¹⁷⁴ She also stated that she was not in a position to discuss the details of files that may be or may have been the subject of a complaint.¹⁷⁵ However, she said that, in the 44th general election, 13 situations involving foreign interference were brought to the attention of her office in 16 complaints, out of a total caseload of 4,000. Mr. Chénier said that, in the 43rd general election, there were complaints about 10 situations that could involve foreign interference. The existence of a complaint, and therefore allegations of interference, does not mean that the underlying facts have been proven.¹⁷⁶

In her second appearance before the Committee, Ms. Simard reported that, since November 2022, allegations of foreign interference had circulated in public and had led to the filing of new complaints with her office. She stated that her office was conducting a rigorous and thorough review of every complaint and piece of information brought to its attention in this regard and that this review was continuing in order to determine whether any tangible evidence of wrongdoing under the CEA exists. At the time of her appearance, Ms. Simard could not provide further details on the ongoing review, the complaints or any other information received, as her office is bound by confidentiality

171 PROC, *Evidence*, Meeting 56, 2 March 2023 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1010.

172 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1230.

173 PROC, *Evidence*, Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1105.

174 *Ibid.*, 1120.

175 *Ibid.*, 1105.

176 *Ibid.*, 1145; and PROC, *Evidence*, Meeting 37, 1 November 2022 (Marc Chénier, Deputy Commissioner and Chief Legal Counsel, Office of the Commissioner of Canada Elections), 1150.



rules to protect the presumption of innocence and to avoid compromising the integrity of the investigations.¹⁷⁷

4. Measures to Combat Foreign Interference Threats to Democratic Processes

a) Role of Election Administrators

Mr. Perrault told the Committee that the role of Elections Canada is to administer elections and protect the electoral process from threats, irrespective of their source. The organization must take appropriate steps with the advice and support of various security partners to protect election information technology (IT) infrastructure. According to Mr. Perrault, Elections Canada has made significant progress on IT security in recent years and receives support from the Canadian Centre for Cyber Security to closely monitor its infrastructure.¹⁷⁸

In addition, Elections Canada ensures Canadians have correct information about the electoral process, in part to enable electors to register and vote, and to enhance trust in the electoral process and its results. Mr. Perrault stated that Elections Canada continually monitors publicly available information to counter the spread of inaccurate information about the electoral process from foreign or domestic sources. Accordingly, the agency monitors 67 social media platforms in 15 languages.¹⁷⁹ In its monitoring, the agency focuses on content related to voting processes and electoral administration, as its mandate is not to scrutinize misinformation circulating about candidates or political party platforms.¹⁸⁰

Mr. Perrault further noted that Elections Canada prefers to use the term “inaccurate” information rather than “disinformation.” He encouraged political parties to refer voters to Elections Canada in case of doubt about information shared on the voting process. He also clarified that Elections Canada is not equipped to ascertain the scope of foreign

177 PROC, *Evidence*, Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1005 and 1030.

178 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100; and PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1215.

179 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100 and 1120.

180 *Ibid.*, 1100.

efforts to influence elections; for instance, Elections Canada cannot identify who is behind particular criticisms of parties or candidates.¹⁸¹

Mr. Perrault also stated that some groups of voters are more vulnerable to disinformation than others, partly because of a lack of knowledge about federal political institutions and the electoral process as a whole. Consequently, some of Elections Canada's outreach activities are geared towards these groups. For example, Elections Canada is working on a pilot project with Indigenous communities in northern Ontario to develop a civic education program specifically for Indigenous peoples.¹⁸²

According to Mr. Perrault, if Elections Canada has reason to believe or even suspect the law has been breached, the agency refers the case to the CCE to decide whether the facts warrant launching an investigation or a review. That process may lead to various penalties, ranging from administrative monetary penalties to criminal prosecutions.¹⁸³

Ms. Simard stated that her role as the CCE is to ensure compliance with and enforce the CEA, including the provisions prohibiting activities that could be attempts at foreign interference.¹⁸⁴ The wording of the obligations and prohibitions in the CEA define the scope of her office's work. Ms. Simard also informed the Committee that the involvement of activities, individuals or entities outside of Canada's borders can significantly increase the complexity of an investigation.¹⁸⁵ She also noted that her organization works primarily on the basis of public complaints and that she does not have a prevention role; she therefore encouraged Canadians to file complaints if they observe a possible violation of the CEA.¹⁸⁶ Investigations are conducted in a confidential manner. However, some information is made public if official action is taken.¹⁸⁷

181 Ibid., 1120, 1125 and 1135.

182 Ibid., 1130.

183 PROC, *Evidence*, Meeting 41, 22 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1215 and 1240.

184 PROC, *Evidence*, Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1105.

185 Ibid.

186 Ibid., 1105; and PROC, *Evidence*, Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1025.

187 PROC, *Evidence*, Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1045.



b) Cooperation With Various Partners

According to Mr. Perrault, ensuring secure elections is a team effort that requires a whole-of-government approach. He stated that Elections Canada works with a variety of government security and intelligence agencies, including CSIS and the Communications Security Establishment (CSE). The various partners have developed joint protocols and practices for discussing threats to elections, sharing information and ensuring that each partner plays its part in promoting secure elections.¹⁸⁸ Elections Canada also receives general briefings from the security community on the overall environment, including the interest some countries may have in Canadian elections.¹⁸⁹ The information received in this type of briefing is “fairly high-level.”¹⁹⁰ Mr. Perrault noted that a big part of the work of ensuring elections are secure is clarifying responsibilities so that everyone knows who to go to when a problem arises.¹⁹¹

Mr. Perrault also reported that Elections Canada works with various international partners, including its Australian counterpart agency. During the most recent election in Australia, a registry of misinformation was created to identify false statements circulating about the electoral process. According to Mr. Perrault, Australian authorities thought the registry was a valuable addition to their program. Elections Canada is therefore considering creating a similar registry for Canadian elections.¹⁹²

Likewise, Ms. Simard stated that she works with several national security and intelligence and law enforcement organizations to ensure effective communication and a better understanding of threats to elections.¹⁹³ For instance, memoranda of understanding for information sharing and assistance have been signed with CSIS and the RCMP.¹⁹⁴

Ms. Simard also noted that, consistent with its role of ensuring compliance with and enforcing the CEA, the office of the CCE has initiated a dialogue with various online

188 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1100.

189 Ibid., 1115 and 1135.

190 Ibid., 1135.

191 Ibid., 1115.

192 Ibid., 1130.

193 PROC, *Evidence*, Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1105.

194 PROC, *Evidence*, Meeting 56, 2 March 2023 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1015 and 1020.

publishing platforms, which has so far been “extremely positive.”¹⁹⁵ Ms. Simard said that some content had been removed from this type of platform at her office’s request.

5. Other Considerations

Mr. Perrault was questioned about certain mail-in ballots that were allegedly not counted during the most recent general federal election, which made some people say that the results of the election would perhaps have been different if these votes had been counted. Mr. Perrault said that there were no indications that the mail-in ballots had any swing effect on the election; furthermore, the 200,000 ballots in question were not uncounted; rather, these were ballots that were either not received or not cast. According to Mr. Perrault, the voters who had requested the mail-in ballots may have opted to vote in person, may not have mailed in their ballot, the ballot may have been received late, or the ballot may have been completed in a manner that invalidated it.¹⁹⁶

F. Evidence From Current and Former Security Officials

1. Tara Denham, Director General, Office of Human Rights, Freedoms and Inclusion, Department of Foreign Affairs, Trade and Development

a) Measures Taken to Monitor Foreign Interference Threats in Democratic Processes

Tara Denham, Director General, Office of Human Rights, Freedoms and Inclusion, Department of Foreign Affairs, Trade and Development, provided the Committee with an overview of the functioning of the G7 Rapid Response Mechanism (RRM), which was created in 2018. Ms. Denham noted that the RRM:¹⁹⁷

- is led by Canada on a permanent basis and supported by a secretariat located at Global Affairs Canada;

195 PROC, *Evidence*, Meeting 37, 1 November 2022 (Caroline Simard, Commissioner of Canada Elections, Office of the Commissioner of Canada Elections), 1130.

196 PROC, *Evidence*, Meeting 37, 1 November 2022 (Stéphane Perrault, Chief Electoral Officer, Elections Canada), 1115.

197 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 88, 17 October 2023 (Tara Denham, Director General, Office of Human Rights, Freedoms and Inclusion, Department of Foreign Affairs, Trade and Development), 1105 and 1130.



- strengthens the G7 partners' collective understanding of foreign threats to democracy as well as its own capacity to counter these threats;
- uses open-source intelligence techniques, and operates under an ethical and methodological framework;
- identifies potential tactics or campaigns used by foreign states, to identify information, and to provide updates; and
- supports, during writ periods, Canada's SITE Task Force and the Critical Election Incident Public Protocol by monitoring the online information environment for signs of foreign information manipulation and interference.

Ms. Denham stated that the RRM's objective was to understand and shed light on the information environment, and the manipulative tactics being used in that space.¹⁹⁸ She noted that existence of information and disinformation operations carried out by foreign states may not, in and of themselves be significant enough to affect the results of an election. Rather, this was a high threshold.¹⁹⁹ She further noted that it was not the RRM's role to counter disinformation campaigns but instead to shed light on their existence and raise awareness about their tactics.

Ms. Denham commented that Canada and the Netherlands collaborated on the creation of a declaration of information integrity, which calls on states to not promote disinformation campaigns and invites private companies to increase their transparency in their handling of such matters.²⁰⁰

b) Federal by-Elections Held in June 2023

Ms. Denham told the Committee that, in the summer of 2023, the SITE Task Force monitored and reported on federal by-elections for the first time – a task it had only previously done for general elections. The Committee notes that officials from both the SITE Task Force and the RRM appeared it previously in relation to its study on foreign election interference.

198 Ibid., 1115.

199 Ibid., 1135.

200 Ibid., 1125

During the by-elections, their monitoring role consisted of seeking out potential issues of foreign interference and violent extremism in the information environment. The Site Task Force provided daily updates on their findings, along with a publicly-available final report following the by-elections. Ms. Denham noted that the Site Task Force made no observations of foreign interference or violent extremism in the June 2023 by-elections.²⁰¹

However, in the course of monitoring the by-elections, Ms. Denham stated that the RRM Canada team discovered activity unrelated to the by-elections, but appeared to potentially be information manipulation targeting Mr. Chong. This activity took place between 4 and 13 May 2023. It is worth noting that Mr. Chong was not a candidate in the June 2023 by-elections.²⁰²

An investigation ensued that validated the initial indications of suspicious activity. This led the RRM to alert the appropriate partners within Canada's security and intelligence community. Further, a statement was issued by Global Affairs on 9 August 2023, indicating that the RRM had detected an information operation targeting a member of Parliament.²⁰³

The suspicious activity detected by the RRM included the spreading of false and misleading narratives about Mr. Chong, foreign information manipulation and interference that included coordinated content and timing, abnormal shifts in the volume and scope of online activity and engagement, and the concealment of state involvement.

Ms. Denham stated that upon concluding their investigation, Global Affairs briefed Mr. Chong on the foreign interference activity, raised their concerns with the Ambassador of the People's Republic of China to Canada, and engaged with Tencent, which is the parent company of WeChat, about the activity.²⁰⁴ In respect of the latter engagement, Ms. Denham indicated that foreign disinformation campaigns more often than not violate the terms of service of social media platforms and that it should be the responsibility of these companies to actually adhere to their terms and conditions.²⁰⁵

In response to questions about the challenges faced by the RRM in determining whether a disinformation campaign was state-sponsored, including the timeliness of the results of

201 *ibid.*, 1105.

202 *ibid.*, 1115.

203 *ibid.*, 1105.

204 *ibid.*

205 *ibid.*, 1120.



the RRM's work, Ms. Denham indicated that there needed to be strong indications of a link between foreign information manipulation and a government entity. She noted that it was not unusual to find state-affiliated news sites that have disinformation on them. However, for the disinformation campaign to be state-sponsored manipulation, the RRM must determine that the elements of the campaign are linked, and that coordinated efforts have been made to try and artificially amplify the disinformation to make it sound louder and give it the appearance of a natural conversation.²⁰⁶

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Ms. Denham indicated that her department places a high priority on protecting parliamentarians from foreign interference campaigns. She noted that during the writ period, political parties were continuously briefed by security and intelligence officials about their findings. Ms. Denham indicated that her department would continue to consider how these briefings could be strengthened.²⁰⁷

She further noted that Canada's population is comparatively inexperienced when it came to exposure to disinformation campaigns. However, currently, foreign interference had become a live conversation, and that a greater collective understanding of foreign interference tactics and how to identify them would benefit the country.²⁰⁸

2. Michael Duheme, Commissioner, Royal Canadian Mounted Police, and Mark Flynn, Deputy Commissioner, Royal Canadian Mounted Police

a) Defining Foreign Interference Threats and Motives

Michael Duheme, Commissioner, RCMP, told the Committee that the RCMP considers foreign interference to be activities undertaken by a foreign state to advance their strategic interests using threats of violence, coercion, or surveillance of the public.

Those subjected to foreign interference may include culturally or linguistically diverse groups, human rights defenders, political dissidents, pro-democracy advocates, and

206 Ibid., 1140.

207 Ibid., 1135.

208 Ibid., 1130.

politicians at all levels.²⁰⁹ A number of states engage in foreign interference, such as the PRC, the Russian Federation and the Islamic Republic of Iran, among others.

Mr. Duheme stated that foreign interference poses a complex threat to the security of Canada and Canadians. As such, the RCMP has been actively utilizing all the tools at its disposal to combat foreign interference. He noted that the RCMP's role in combatting foreign interference has been to intervene when interference falls into the criminal realm, which is distinct from CSIS, whose focus is on gathering intelligence. He noted the challenge faced by the RCMP of converting intelligence into evidence.²¹⁰

b) Measures Taken to Counter Foreign Interference Threats in Democratic Processes

Mr. Duheme told the Committee that the RCMP has opened an investigation of reported allegations of intimidation targeting Mr. Chong.²¹¹ Mark Flynn, Deputy Commissioner, RCMP, added that no investigation had been opened for the alleged cases of intimidation involving Mr. O'Toole and Ms. Kwan. Mr. Flynn stated that the RCMP had learned of the allegations of foreign interference against these members through their public disclosures.²¹²

Further, Mr. Flynn noted that, in accordance with a memorandum of understanding, the RCMP had contacted the Commissioner of Canada Elections to offer its assistance in their investigation of incidents involving the alleged intimidation of members.

Mr. Duheme added that the RCMP currently has about 100-plus files open on foreign interference. Duheme clarified that foreign interference is a broad problem, which encompasses matters beyond those related to elections, such as intellectual property theft.²¹³

Mr. Duheme told the Committee that the RCMP has many tools at its disposal to address foreign interference. He noted that its investigative teams probe potential offences

209 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (Michael Duheme, Commissioner, Royal Canadian Mounted Police (RCMP)), 1005.

210 Ibid., 1020.

211 Ibid., 1005.

212 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (Mark Flynn, Deputy Commissioner, RCMP), 1010.

213 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (Michael Duheme, Commissioner, RCMP), 1055.



carried out by state actors under the *Criminal Code* (e.g., threats of violence, harassment and intimidation) and/or offences under the *Security of Information Act* (e.g., breach of trust, intimidation, criminal harassment and foreign-influenced threats or violence). Further, the RCMP works closely with CSIS under their co-operation agreement, and collaborates with domestic and international law enforcement and security and intelligence partners, to adapt to the criminal methods used by foreign actors.²¹⁴

On the matter of the PRC's unofficial and illegal foreign police stations opened in Canada, Mr. Duheme stated that the RCMP was confident, based on its criminal intelligence, that the policing activities at these sites have been shut down, although investigations into their activities continued. As a caveat, he noted that the buildings which were being used had also been used, at times, as community halls.²¹⁵

In terms of preventing future unofficial and illegal foreign police stations from being opened in Canada, Mr. Duheme indicated that the RCMP needed to build stronger relationships with diaspora communities.²¹⁶ Mr. Flynn added that part of the RCMP's approach to shutting down these stations was to demonstrate public visibility, in terms of uniformed members and police cars, in the affected communities. This approach was meant to help build trust and confidence in the RCMP so that community members would feel comfortable coming forward and reporting illegal activities. However, Mr. Flynn noted that a challenge in this matter, for both the RCMP and diaspora communities, was that the threats faced by these communities and their families were coming from outside of Canada.²¹⁷

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Duheme told the Committee that a key operational area that the RCMP continues to examine for resolution is converting intelligence into evidence. He stated that intelligence that is actionable allows an investigation to begin. In law enforcement, when the RCMP lay

214 Ibid., 1005.

215 Ibid., 1010.

216 Ibid., 1020.

217 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (Mark Flynn, Deputy Commissioner, RCMP), 1030.

charges, they need to be able to disclose the information and/or intelligence about how they started the investigation.²¹⁸

Mr. Duheme indicated that in 2018, an Operational Improvement Review was conducted, which focused on the challenges of using intelligence as evidence. Of the 76 recommendations that resulted from the review, 18 have yet to be fully implemented to facilitate the full use of intelligence to prosecute criminal cases.²¹⁹

3. Cherie Henderson, Assistant Director, Requirements, Canadian Security Intelligence Service

a) Observations About the Canadian National Security and Intelligence System

Cherie Henderson, Assistant Director, Requirements, Canadian Security Intelligence Service, told the Committee that CSIS defensive briefings are intended to inform the individual member of the House of Commons and create awareness about foreign interference.²²⁰

Ms. Henderson explained to the Committee that CSIS established IMUs in 2015 to allow it to “inform on a specific event at a specific time.”²²¹ Ms. Henderson explained that IMUs are sent to specific individuals within a department.²²² Ministers and deputy ministers do not have access to the system that receives IMUs. Instead, if CSIS determines that a minister should see an IMU, a note indicating this is added to the document.²²³

Ms. Henderson told the Committee that CSIS determines whether to share information by assessing each piece of information on its own merit and considering how it fits into

218 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (Michael Duheme, Commissioner, RCMP), 1040.

219 Ibid., 1005.

220 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 83, 13 June 2023 (Cherie Henderson, Assistant Director, Requirements, Canadian Security Intelligence Service), 1925.

221 Ibid., 1945.

222 Ibid.

223 Ibid., 1950.



the larger picture.²²⁴ She further added that sharing information before it is thoroughly vetted could undermine the credibility of the organization.²²⁵

4. Daniel Jean, Former National Security and Intelligence Advisor to the Prime Minister

a) Defining Foreign Interference Threats and Motives

Daniel Jean, former National Security and Intelligence Advisor to the Prime Minister (16 May 2016 to 22 May 2018), told the Committee that, in his view, foreign interference was a “much broader issue than the electoral one.”²²⁶ He indicated that a great concern to him remained the surveillance, intimidation and harassment of diaspora communities living in Canada. He noted that, recently, there was an increase in the number of people from these communities coming forward and with this issue, as well as the revelation in the media that suggested that a member of Parliament had been targeted by foreign interference.

b) Observations About the Canadian National Security and Intelligence System

Mr. Jean indicated that he had contributed to the authorship of two recent reports that evaluated the current state of Canada’s national security strategy. The reports’ authors noted Canada’s absence of a national security and intelligence culture. He stated that they had wondered whether the only time that there was political interest in security and intelligence was during some kind of crisis. In his view, Canada needed to demonstrate greater maturity when it came to national security.²²⁷

In respect of Canada’s membership in the Five Eyes Alliance, Mr. Jean noted that the country will never be in a position to contribute as much as the U.S. or the United Kingdom, as we do not have the resources. However, he noted that in his conversations with Five Eyes partners, he would always stress that the quality of a country’s contribution was more important than its quantity.²²⁸

224 Ibid., 2020.

225 Ibid.

226 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (Daniel Jean, former National Security and Intelligence Advisor to the Prime Minister, as an individual), 1210.

227 Ibid., 1230.

228 Ibid.

c) Evidence About Miscellaneous Canadian National Security and Intelligence Matters

Mr. Jean provided the Committee with information about the June 2017 PCO memorandum, for which he was the final author. He noted that the memorandum was sent to the Prime Minister and later was disclosed without authorization to the Global News.

He stated that the national security and intelligence advisor's team will write memoranda in cases when it is a matter that needs to be addressed by the PCO and "enough factors have come into play" whereby it becomes "essential for the Prime Minister to be informed or for recommendations to be made."²²⁹

As for the reasons for writing the June 2017 memorandum, Mr. Jean stated he and his office was increasingly concerned about some of the activities by the PRC. In particular, they were very concerned, at that time, about economic security and the PRC attempting to acquire sensitive technologies.²³⁰

Further, at that time, Mr. Jean recalled that President Xi Jinping was leading a major anti-corruption campaign. Some in the security community held the view that some of the targets of this campaign were likely Mr. Xi's political rivals. As such, Mr. Jean's office wanted to be clear with the PRC that they should not in any way attempt to undertake activities in Canada, such as pursuing individuals that the PRC claimed were fugitives. Mr. Jean stated that he had a number of conversations with the PRC on the importance of going through normal diplomatic channels.²³¹

In response to a question from a committee member about the apparent omission of a sentence, in the June 2017 PCO memorandum, from one draft to another, Mr. Jean indicated that at that time, CSIS had "not yet started to name China in its annual CSIS foreign interference.... It's only recently that we started to name China."²³²

229 Ibid., 1245.

230 Ibid., 1215.

231 Ibid., 1220.

232 Ibid., 1240.



d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Jean provided committee members with suggestions for their consideration about strengthening Canada's regime for combatting foreign election interference. These included:²³³

- Updating the *CSIS Act*. He expressed concerns that CSIS may have been very limited in what it could share with Mr. Chong, because of the lack of legislation. Further, he stated that other countries update their national security legislation every three or four years. He also noted that "if you go too far with a ministerial directive in the absence of legislation, at some point, people, the courts, will say that you may be out of your boundaries."
- Putting in place a foreign registry. He noted that such a registry would not be a panacea in and of itself. Also, the registry should not have "huge" exemptions and should have meaningful penalties, whether criminal or monetary, for those who choose not to comply. He also suggested that the registry could be modelled after the *Lobbying Act*.
- Creating a mechanism to convert intelligence into evidence. He suggested that "we do something narrow to start with and then we test it."
- Changing the culture at CSIS with respect to its outreach to people that they know are being targeted by foreign interference, to make sure that they are able to defend themselves.
- Creating space for Canadians who are harassed and intimidated by foreign entities to be able to come forward.

In addition, Mr. Jean recounted the steps taken in Australia to combat foreign interference. He stated that in 2017, they called upon John Garnaut, a journalist who is an expert on China, for his assistance. Mr. Garnaut worked with the Australian equivalent of CSIS to produce a report classified as secret. This report was the basis for the measures taken by Australia, in respect of "their policies, their registry of foreign agents, their stiffer sanctions for foreign interference, and their measures to protect elected representatives."²³⁴

233 Ibid., 1235, 1300 and 1305.

234 Ibid., 1250.

5. Michel Juneau-Katsuya, Former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service

a) Defining Foreign Interference Threats and Motives

Michel Juneau-Katsuya, former Chief of the Asia-Pacific Unit, CSIS, explained to the Committee that an understanding of how the PRC government and its intelligence services function still eluded many western intelligence agencies, particularly CSIS. In that regard, he stated that CSIS tends to analyze the intelligence world using a Russian or Eurocentric perspective. However, in his view, the PRC operates differently because the government there is never elected and, as such, its intelligence operations can have lifespans of 5, 10, 15 and 20 years.²³⁵

Mr. Juneau-Katsuya stated that since the mid-1990s, CSIS had noticed foreign interference activities coming from the Chinese embassy in Canada. He estimated that, in his experience working at CSIS, more than 70% of PRC embassy staff are spies.²³⁶

Further, a committee member read an excerpt about the PRC's 2017 National Intelligence Law, which states that “[a]s long as national intelligence institutions are operating within their proper authorities, they may, according to Article 14, ‘request relevant organs, organisations, and citizens provide necessary support, assistance, and cooperation’.”²³⁷ In response, Mr. Juneau-Katsuya indicated that he viewed this law as sending an aggressive message to other countries and the entire Chinese diaspora. With respect to the diaspora, he stated that this law signifies to them that they must collaborate with the PRC, whether or not their collaboration makes them traitors to the country where they reside.²³⁸

Mr. Juneau-Katsuya stated that Canadians needed to understand that the PRC's intelligence services are almost in direct line with the PRC central committee, which gives them their marching orders.

Mr. Juneau-Katsuya also noted that, according to allegations found in media reports, some individuals residing in Canada were on the payroll of the PRC. In that respect,

235 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (Michel Juneau-Katsuya, former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service (CSIS)), 1250.

236 Ibid., 1305.

237 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (Sherry Romanado, the member for Longueuil—Charles-LeMoine), 1245.

238 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 84, 15 June 2023 (Michel Juneau-Katsuya, former Chief of the Asia-Pacific Unit, CSIS), 1250.



domestic foreign interference is not only carried out by foreign diplomats but also by Canadians who help assist foreign countries in a way that approximates treason.²³⁹

b) Observations About the Canadian National Security and Intelligence System

Mr. Juneau-Katsuya provided his views to the Committee on communications issues within Canada's national security and intelligence system, and the challenges of converting intelligence into evidence.

He noted that communication problems within the national security and intelligence system existed both in the vertical and horizontal directions. The horizontal communication problem was that information was not circulating among security and intelligence agencies as it should.²⁴⁰ He indicated that this lack of horizontal information sharing has undermined national security, citing examples in which CSIS, the RCMP, and the other agencies, failed to communicate with each other as they should have. He cited Air India Flight 182, the Adil Charkaoui affair, the Ahmed Ressam affair, and the Jeffrey Delisle affair as notable examples.

In respect of the vertical communication problem, he stated information was not being effectively transmitted from the agencies to leadership (e.g., the Prime Minister's Office and relevant Ministers).

In terms of the dilemma of converting intelligence into evidence, Mr. Juneau-Katsuya stated that this problem has existed since CSIS' creation. In his view, CSIS was created for the wrong historical reasons with its order to never put themselves in a position where they would have to testify in court.²⁴¹

In the cases that Mr. Juneau-Katsuya cited in which information was not shared horizontally between agencies, he indicated that the blame lay with CSIS, as its agents did not want to testify or provide information. He stated that when CSIS provides information to the RCMP for a court proceeding, the RCMP must identify the origin of that information. However, CSIS has avoided testifying in court at all costs.

239 Ibid., 1235.

240 Ibid., 1205.

241 Ibid.

c) Foreign Election Interference in Past Federal and Provincial Ministries

Mr. Juneau-Katsuya told the Committee that every Prime Minister, since the ministry of Mr. Mulroney, has been “compromised one way or the other and led to decisions that were questionable in terms of the interests of Canada.”²⁴² In his view, this was the result of “the agent of influence that succeeded in gaining access to the decision process.”²⁴³ As such, in his view, while Mr. Harper was guilty of wrong decisions, he was not the only Prime Minister to have done so.

Mr. Juneau-Katsuya also provided the Committee with his perspective on the government’s decision to ban Huawei Technologies from being involved in Canada’s fifth generation wireless network. He stated that, faced with the same decision as Canada about involving Huawei or not, its Five Eyes partners made a relatively quick decision to ban the company. Meanwhile, Canada lagged far behind its partners in arriving at a decision. In his view, the ambivalence that Canada displayed on this matter supported the evidence that since the 1990s, the U.S. had engaged in an operation called Dragon Lord. The purpose of this operation was to monitor Canadian political activities and actions, as the country was suspected of having been influenced, infiltrated, or having failed to take appropriate steps to protect the Five Eyes alliance, along with Canadian security generally. In his view, the events of Huawei appear to be consistent with the view that Canadian decisions needed to be monitored by its U.S. security partner.²⁴⁴

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Juneau-Katsuya provided to the Committee a recommendation that every candidate who participates in a federal election must sign a declaration, on their honour, that they are neither influenced by or under the authority of a foreign state. He proposed that the same declaration be signed by the staff of the candidates.²⁴⁵

242 ibid., 1225.

243 ibid.

244 ibid.

245 ibid., 1235.



6. Mike MacDonald, Senior Assistant Deputy Minister, Office of the Chief Information Officer, Treasury Board Secretariat

a) Observations About the Canadian National Security and Intelligence System

Mike MacDonald, Senior Assistant Deputy Minister, Office of the Chief Information Officer, Treasury Board Secretariat (TBS) told the Committee that about his background in Canada's national security and intelligence community. From 2020 to 2023, he held the position of assistant secretary of the security intelligence secretariat, housed in the PCO. In 2021, he served as the acting national security and intelligence adviser for a period of two and a half weeks (15 July 2021 to 3 August 2021), which coincided with the distribution of the 20 July 2021 CSIS intelligence assessment concerning threats to Mr. Chong.²⁴⁶

He noted that his current role was with TBS, which advises and supports the national security and intelligence adviser and provides management functions for interdepartmental security and intelligence committees.

Mr. MacDonald stated that, in his view, Canada has in place robust tools to combat foreign election interference, such as the Critical Election Incident Public Protocol, which established both the panel of five and the SITE Task Force. Further, he noted that both NSIRA and NSICOP were conducting studies on foreign interference.²⁴⁷

However, he indicated that Canadians should be under "no illusions about the threat posed by foreign interference against our institutions."²⁴⁸ Indeed, the seriousness of these threats dictated that extreme due diligence was needed. At the same time, Mr. MacDonald noted that, in security and intelligence operations, a balance needed to be struck between identifying facts and taking action. He noted that it takes a judgement call to determine whether action needed to be taken, versus continuing to monitor, assess and advise.²⁴⁹

246 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 88, 17 October 2023 (Mike MacDonald, Senior Assistant Deputy Minister, Office of the Chief Information Officer, Treasury Board Secretariat), 1205 and 1215.

247 Ibid., 1205.

248 Ibid.

249 Ibid., 1225.

Mr. MacDonald also indicated that, in his view, there was confidence that Canada's 2019 and 2021 federal elections were free and fair.²⁵⁰

b) The Canadian Security Intelligence Service's 20 July 2021 Intelligence Assessment

During Mr. MacDonald's appearance, questions arose regarding the 20 July 2021 CSIS intelligence assessment. Mr. MacDonald acknowledged that he was the acting national security and intelligence adviser to the Prime Minister at the time that this report was produced. However, he only first learned about its existence from the Globe and Mail news article on 1 May 2023.

Mr. MacDonald told the Committee that he had checked his personal holdings from the time when he worked at PCO and confirmed that he did not directly receive the 20 July 2021 CSIS report. He stated that he was unaware of what offices received the report. He surmised that it "went to places in the PCO where most intelligence is sent for forward distribution and/or printing in packages and so on."²⁵¹

Mr. MacDonald stated that, in his experience working in the national security community, intelligence was sent out and shared with individuals through various means. These included:²⁵²

- through the electronic system or the top secret classified system;
- directly by intelligence analysts;
- in prepared briefing packages; and
- at his request, the client relations officer at CSE would create intelligence and information based on the issues of the day and his requirements.

Mr. MacDonald indicated that the matter of the 20 July 2021 CSIS report demonstrated that, at that time, the communications process was insufficient and ended up breaking

250 Ibid., 1205.

251 Ibid., 1210.

252 Ibid.



down. He stated that systems have been put in place since that time to address the fact that information was not shared when it should have been.²⁵³

Lastly, he underscored the enormous volume of intelligence created by Canada, which amounts to 60,000 intelligence reports annually. A volume that does not account for reports created by the Five Eyes. He stated that the sheer volume of information was hard to go through and distill and be aware.²⁵⁴

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. MacDonald shared with the Committee lessons that he had learned from senior officials in the security and intelligence community, which were that members of the House of Commons:²⁵⁵

- as consumers of intelligence, needed to challenge the intelligence that they received. This was because intelligence was often not a complete picture, but rather a moment in time;
- needed to assess and contextualize the intelligence they received to seek clarity and create a bigger picture of what it shows or does not show; and
- needed to give informed advice on what intelligence means and what the options are for senior decision-makers.

He also noted that there needed to be better ways in which intelligence can be both shared, and identified and flagged for individuals when needed.²⁵⁶

253 ibid., 1215.

254 ibid.

255 ibid., 1220.

256 ibid., 1235.

7. David Morrison, Deputy Minister of Foreign Affairs, Department of Foreign Affairs, Trade and Development

a) The Canadian Security Intelligence Service's 20 July 2021 Intelligence Assessment

David Morrison, Deputy Minister of Foreign Affairs, Department of Foreign Affairs, Trade and Development, served as the acting national security and intelligence adviser for six months, starting in early July 2021 (July 2021 to 21 January 2022). He told the Committee that he had undertaken this role while simultaneously serving as the foreign and defence policy adviser.

Mr. Morrison provided information and responded to questions about a CSIS intelligence assessment on Chinese foreign interference, which was disseminated on 20 July 2021, and later, in May 2023, was disclosed without authorization to The Globe and Mail.

He stated that Privy Council Office records indicate that the 20 July 2021 CSIS intelligence assessment was included in his reading pack on 17 August 2021. According to Mr. Morrison, he had “no recollection of receiving it or reading it on that date.”²⁵⁷ Rather, he recalled being fully occupied, at the time, with the Taliban having taken control of Afghanistan on 15 August 2021, and the related evacuation efforts.

Mr. Morrison indicated that he read the 20 July 2021 report once the situation in Afghanistan stabilized. He commissioned a follow-up memo from analysts at PCO, in order to gain the fullest possible picture of Chinese foreign interference in Canada.²⁵⁸ This memo, which was intended for information purposes and not for action by any individual, was not finalized before Mr. Morrison ceased to be the acting national security and intelligence adviser, though he acknowledged that much of the memo's contents were reported on by Global News. He stated that he was aware that the PRC's United Front workers department had existed, in one form or another, in Canada since the 1950s, and was interested in knowing more about their activities.²⁵⁹

257 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 82, 13 June 2023 (David Morrison, Deputy Minister of Foreign Affairs, Department of Foreign Affairs, Trade and Development), 1105.

258 Ibid.

259 Ibid., 1225.



Further, Mr. Morrison told the Committee that, in his view, two important aspects about the 20 July 2021 CSIS intelligence assessment seem to have been widely misunderstood. These were that:²⁶⁰

- Firstly, the report’s purpose was to raise awareness on the topics it covered but was never intended to spur action by those who read it. It was meant to establish “a ‘baseline for understanding the intent, motives and scope’ of Beijing’s foreign interference in Canada.” The report did not contain the name of any member of the House of Commons. According to Mr. Morrison, CSIS reports of this type were meant to be lengthy periodic assessments, designed to build understanding of complex issues. He indicated that, for these types of reports, it was “certainly not something that I would have rushed to brief up the Prime Minister on.”
- Secondly, anyone who read it could “have safely assumed that any necessary action on any of the specific points raised had already been taken.” Indeed, this was the case for the reference in the report to PRC actions against Canadian members of the House.

As background information about the 20 July 2021 report, Mr. Morrison stated that following Mr. Chong’s 18 February 2021 motion in the House of Commons, regarding the recognition of a genocide carried out by the PRC against Uyghurs and other Turkic Muslims living in China, the PRC built profiles and contemplated action against Mr. Chong and other members of the House.

Mr. Morrison noted that, in February and March 2021, when the intelligence first surfaced of a threat to members of the House, the information was alarming but there was no physical threat. He stated that it was up to others in the security and intelligence system to determine, at that point, how loud the alarm was ringing and what actions were required to be taken.²⁶¹

In response to this activity on the part of the PRC, CSIS wrote an IMU in May 2021, directed to the Minister of Public Safety. The purpose of the IMU was to inform the minister that CSIS intended to provide defensive briefings to members of the House

260 ibid., 1105.

261 ibid., 1140.

who, according to the intelligence, the PRC had intended to target. However, the IMU was not an action note seeking a decision from the minister.²⁶²

Overall, Mr. Morrison stated that the security and intelligence system did function according to the protocols that were in place at that time. He noted that the system has since been changed, including a new ministerial directive that was issued on 16 May 2023 requiring ministers to be briefed on any intelligence received about specific members of the House.²⁶³ He also stated that the focus on the 20 July 2021 report has been misplaced because action by the relevant authorities with respect to the targeting of members of the House had already been taken before the report was even published.²⁶⁴

Some members of the Committee expressed astonishment that, upon reading that a member of the House and his family were being targeted by the PRC, Mr. Morrison did not ensure that the member was informed, as well as the relevant minister and the Prime Minister. Similarly, some members expressed concerns that Mr. Morrison, who served as a member of the Critical Election Incident Public Protocol panel for the 2021 federal general election, did not appear to link the significance of the memo concerning threats to politicians provided to him two days after the election was called with the information that he was subsequently briefed on during the election about suspicious activity.

In response, Mr. Morrison indicated that the reports and memos he received in his role as acting national security and intelligence adviser, and deputy minister, were for information only, and not for action.

b) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Morrison told the Committee that, in his view, the current set-up of Canada's national security system was to combat terrorism. He indicated that this system was put in place starting around 1989, and that, following September 2001, the primary national security threat was deemed to come from terrorists. However, after Russia's invasion of the Ukraine, he indicated that terrorism continues to be Canada's primary national security threat.²⁶⁵

262 Ibid., 1110.

263 Ibid.

264 Ibid.

265 Ibid., 1135.



8. Dan Stanton, Former Executive Manager, Canadian Security Intelligence Service

a) Observations About the Canadian National Security and Intelligence System

Dan Stanton, former Executive Manager, CSIS, told the Committee that he is very proud of his 30 years of service with the agency and the important work it does to keep Canadians safe.²⁶⁶ However, he believes that the system is not working. Mr. Stanton asserted that Mr. Chong should have been told, on a priority basis, that he and his family members were being targeted by the PRC as soon as credible information was made available to CSIS.²⁶⁷ In fact, Mr. Stanton believes that CSIS should have told Mr. Chong directly rather than waiting for the information to move through the machinery of government.²⁶⁸

Mr. Stanton is concerned by the way in which information flows, or doesn't, from CSIS to ministers. He believes there are gaps in the information sharing process that need to be rectified. He stressed that that critical information must be shared with ministers so that they can make decisions.²⁶⁹

Regarding Mr. Chong, Mr. Stanton's understanding is that CSIS collected intelligence, determined that it needed immediate attention, they sent it through the routine system, but it was not read.²⁷⁰ Mr. Stanton described this as "disheartening," noting that he spent 32 years collecting information.²⁷¹ As there is considerable risk and expense associated with producing intelligence reports, they should be read.²⁷²

While the existing mechanisms for sharing information are not working from Mr. Stanton's perspective, he also warned against a system where intelligence agencies are shaping the narrative by telling policymakers what they must read.²⁷³

266 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 77, 30 May 2023 (Dan Stanton, Former Executive Manager, Canadian Security Intelligence Service), 1105.

267 Ibid.

268 Ibid.

269 Ibid.

270 Ibid.

271 Ibid.

272 Ibid.

273 Ibid., 1115.

Mr. Stanton also expressed concerns about the information leaks.²⁷⁴ He believes that because Canadians have distrust with the institution, there is a “nobility” among the leakers. He wants to see a stop to the leaking of information.²⁷⁵

b) Merits of Holding a Public Inquiry

A public inquiry, in Mr. Stanton’s opinion, is needed so that Canadians can regain trust in our intelligence institutions.²⁷⁶ He is not persuaded by the argument that a public inquiry would upset the Five Eyes.²⁷⁷ Mr. Stanton told the Committee that he worked with nine of the twelve Five Eyes partners’ intelligence agencies and that they have high regard for Canada’s intelligence agencies and national security infrastructure.²⁷⁸ If Five Eyes reporting was captured by a public inquiry, it could be “sanitized” for disclosure.²⁷⁹ Additionally, if a public inquiry came across sensitive materials, it could hold in camera discussions to protect that information.²⁸⁰

Mr. Stanton told the Committee that there are precedents for public inquiries on national security matters, highlighting Justice John Major’s commission inquiry into the bombing of Air India flight 182.²⁸¹

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Stanton explained that CSIS, CSE, the Canadian Armed Forces and others are subject to an annual review of their performance and compliance with policy.²⁸² Mr. Stanton suggested that the same type of review needs to occur for policymakers receiving

274 Ibid., 1140.

275 Ibid., 1155.

276 Ibid., 1130.

277 Ibid.

278 Ibid., 1105.

279 Ibid.

280 Ibid., 1145.

281 Ibid.

282 Ibid., 1115



intelligence.²⁸³ Mr. Stanton argued for increased ministerial accountability where each department takes responsibility for briefing up intelligence.²⁸⁴

9. Rob Stewart, Deputy Minister, International Trade, Department of Foreign Affairs, Trade and Development

a) Measures Taken to Combat Foreign Interference Threats in Democratic Processes

Rob Stewart, Deputy Minister, International Trade, Department of Foreign Affairs, Trade and Development told the Committee that foreign interference is an ongoing challenge. It is clandestine and deceptive, and seeks to influence our democratic processes. He stated that foreign interference is a serious problem that needs to be taken very seriously.²⁸⁵

Mr. Stewart stated that, as the Deputy Minister of Public Safety during the 2021 federal general election, he was a member of the panel of five, which was entrusted with administering the Critical Election Incident Public Protocol.²⁸⁶

He told the Committee that for both the 2019 and 2021 federal general elections, the panel concluded that foreign interference did not impact the integrity of either election. However, he stated that the threat to Canadian democracy is real.²⁸⁷

Mr. Stewart provided information about the government's whole-of-society plan to protect Canada's democracy ahead of the 2019 federal general election. He began by noting that the Critical Election Incident Public Protocol was integral to informing Canadians about any impact on free and fair elections during the caretaker convention period (i.e., during the election period).

He stated that the protocol is administered by a panel of five senior public servants. Drawing on information and intelligence sources, from within and outside the public service, the panel is entrusted with exercising significant judgment in determining whether an incident or series of incidents meets the threshold for public announcement.

283 Ibid.

284 Ibid.

285 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 89, 19 October 2023 (Rob Stewart, Deputy Minister, International Trade, Department of Foreign Affairs, Trade and Development), 1115.

286 Ibid., 1100.

287 Ibid.

The threshold for public announcement by the panel is high and considered to be a last resort. Determinations made by the panel are made on a consensual basis.²⁸⁸

Further, Mr. Stewart indicated that the panel had interpreted its job as being to determine whether there is a threat to the integrity of the election in broad terms, rather than whether there was a threat to the election in a specific riding. To that end, he noted that the panel was informed of “questionable activity in various ridings.”²⁸⁹

The Committee notes that it holds concerns about how the criteria are established for meeting the threshold for a public announcement to be made, and whether the threshold, as it stood in the past two federal general elections, is too high. Similarly, the Committee holds concerns that the panel was informed of questionable activities that were observed in various ridings and yet none of the affected parties were informed, in a timely fashion, if at all, about these matters.

In respect of information and intelligence sources, Mr. Stewart stated that, for the 2021 election, the panel received briefs from SITE, which consisted of the CSE, CSIS, the RCMP, and the RRM at Global Affairs Canada.²⁹⁰

b) Observations About the Canadian National Security and Intelligence System

Mr. Stewart provided the Committee with information about intelligence collection in Canada and resulting reports. He stated that, domestically, Canadian agencies collected two kinds of intelligence: human intelligence (i.e., human sources) and signals intelligence (i.e., electronic transmissions).

He explained that the veracity of intelligence, particularly raw intelligence, ranged from some degree of certainty to very speculative. As such, intelligence required a credibility assessment. He noted that in the security and intelligence community, the language used about matters tended to state that “we assess this to be the case” rather than “we know it to be true.”²⁹¹

Mr. Stewart stated that human and signals intelligence was turned into two types of reports: raw reports and assessed intelligence. The latter have been distilled and

288 *ibid.*

289 *ibid.*, 1125.

290 *ibid.*, 1100.

291 *ibid.*, 1115.



analyzed for credibility and verifiability. Further, he noted that “a couple of units in the government” create stand-alone intelligence pieces that generate views of the world that are informed by top secret intelligence, and have top secret information embedded in them. Lastly, Canada obtains intelligence through the Five Eyes network, which are the product of various agencies in those countries.

Mr. Stewart stated that the intelligence from these sources were bundled into a binder every couple of days. In his role as Deputy Minister of Public Safety, he stated that “[y]ou flip through the binder, and you try to detect trends or issues of interest. Those tend to be from a public safety point of view, the larger ones.”²⁹²

Mr. Stewart noted that intelligence gleaned from social media was very opaque and not at all easy to understand. Certainty in assessing this type of intelligence is difficult because “we can’t be certain as to how social media work or who’s doing what.”²⁹³ As such, he stated that when a situation arises, the security and intelligence community has to take the time to carry out an in-depth investigation, using their tools.

c) The Canadian Security Intelligence Service’s May 2021 Issues Management Note, and Its Report Dated 20 July 2021

During his appearance, Mr. Stewart responded to questions about his knowledge of both a May 2021 CSIS IMU, and a CSIS intelligence assessment dated 20 July 2021. It was noted that the IMU contained information about the PRC targeting Mr. Chong and other members of the House of Commons.

In respect of the May 2021 CSIS IMU, Mr. Stewart told the Committee that he likely would have read it in May 2021. He did not brief Mr. Blair about the IMU, as the responsibility for raising IMUs to senior decision-makers generally belonged to CSIS, as part of their discussions with Public Safety Canada. Further, Mr. Stewart did not recall of an operational decision not to inform Mr. Blair about the IMU.²⁹⁴

In respect of the 20 July 2021 report, Mr. Stewart indicated that his job as Deputy Minister of Public Safety did not include informing the many people in Canada, who, on an ongoing basis, are being targeted by foreign interference, that they are targets.

292 Ibid., 1110.

293 Ibid., 1120.

294 Ibid., 1105.

He stated that there are processes in places for informing people that they are being targeted, and that he was not tracking other people’s work on this front.

Mr. Stewart also told the Committee that intelligence information is circulated in Canada through secured communications technology. He stated that these secured systems had end points, located in secure spaces. Normally, a minister or their staff would not have access to the systems, as access was “tightly controlled and generally run by bureaucrats.”²⁹⁵

Mr. Stewart noted that the secured communications systems were not conventional email systems. However, there was mail on the systems, but that it was contained within the systems. As such, he noted that he did not believe that Mr. Blair would have been sent the May 2021 CSIS IMU by email. Rather, it would have sent on a top secret system to a secured end point, downloaded, printed, then packaged for Mr. Blair. Mr. Stewart noted that, at Public Safety, intelligence moved through the department in paper form. Mr. Stewart told the Committee that he receives briefing binders on a regular basis with the contents of intelligence produced by various systems.²⁹⁶

10. Jody Thomas, National Security and Intelligence Advisor, Privy Council Office

a) Observations About the Canadian National Security and Intelligence System

Ms. Jody Thomas, National Security and Intelligence Advisor, Privy Council Office (11 January 2022 to 26 January 2024), told the Committee that Canada’s security agencies collect between 3,000 and 4,000 pieces of intelligence every month.²⁹⁷ This is in addition to intelligence that Canada receives from Five Eyes.²⁹⁸ Ms. Thomas explained that intelligence agencies cannot share all intelligence in their holdings.²⁹⁹ Instead, client relations officers identify and distribute intelligence.³⁰⁰

295 Ibid., 1110.

296 Ibid.

297 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 79, 1 June 2023 (Ms. Jody Thomas, National Security and Intelligence Advisor, Privy Council Office), 1010.

298 Ibid.

299 Ibid.

300 Ibid.



In her role as National Security and Intelligence Advisor, Ms. Thomas is provided with a daily reading file that contains somewhere between 50 and 100 pieces of intelligence.³⁰¹ Ms. Thomas noted that, in some cases, intelligence is sent to her and then she decides who within PCO should receive that intelligence.³⁰²

Ms. Thomas explained that she receives different types of intelligence in her role. In some cases, she receives intelligence that has been assessed by the Intelligence Assessment Branch within PCO.³⁰³ At other times, she may receive single-source, uncorroborated intelligence.³⁰⁴ In her remarks to the Committee, Ms. Thomas explained that it is rare that a single piece of intelligence is a “smoking gun.”³⁰⁵ Intelligence reveals pieces of a story built over time that requires analysis.³⁰⁶

Members of the Prime Minister’s Office receive daily reading packages on intelligence similar to those Ms. Thomas receives. Packages for the PMO are put together by client relations officers. In addition to these daily reading packages, Ms. Thomas and the intelligence assessment secretariat in PCO provide members of the PMO with weekly briefings on a range of issues.³⁰⁷

Ms. Thomas told the Committee that Canada’s elections have been free, open and safe.³⁰⁸

From Ms. Thomas’ perspective, Canada’s intelligence agencies do a good job of collecting and assessing intelligence, but do not provide government with adequate advice.³⁰⁹ She noted that the critical part of intelligence is what you do with it, which requires discussion about what it means and how it should be used.³¹⁰

301 Ibid.

302 Ibid.

303 Ibid.

304 Ibid.

305 Ibid.

306 Ibid.

307 Ibid.,1040.

308 Ibid., 1020.

309 Ibid.

310 Ibid.,1025.

Finally, Ms. Thomas also told the Committee that CSIS is limited by its Act, the *Canadian Security Intelligence Service Act*. She explained that CSIS is only able to share information through a formal threat reduction measure.³¹¹

b) Measures Taken to Counter Foreign Interference Threats in Democratic Processes

Ms. Thomas told the Committee that there should be no single point of failure within the intelligence system.³¹² She said that, in the case of Mr. Chong, there was not only a breakdown in process, but insufficient process to begin with.³¹³ Ms. Thomas explained that steps have been taken to rectify the issues identified by this case. Ms. Thomas told the Committee that on 6 April 2023, the Honourable Dominic LeBlanc, the then Minister of Intergovernmental Affairs, Infrastructure and Communities (October 2021 to July 2023) and the Clerk of the Privy Council submitted a report to the Prime Minister outlining a number of actions that have been taken in response.³¹⁴

- In the spring of 2023 Public Safety Canada completed a public consultation on a foreign influence transparency registry.
- Work is being done to develop legislative proposals to modernize legislation so that intelligence and law enforcement agencies can better detect the threat, assist Canadians in protecting themselves against it, and hold to account foreign interference actors.
- The SITE Task Force began enhanced monitoring and assessment of foreign interference threats during by-elections.
- Improvements to the way intelligence is communicated and coordinated within government.

311 Ibid.,1030. Moreover, according to CSIS, a threat reduction measure is “[a]n operational measure undertaken by the Service, pursuant to section 12.1 of the CSIS Act, whose principal purpose is to reduce a threat to the security of Canada as defined in s. 2 of the CSIS Act.” For more information, please see National Security and Intelligence Review Agency, [Review of CSIS threat reduction activities: A Focus on Information Disclosure to External Parties](#).

312 Ibid.,1105.

313 Ibid., 1010.

314 Ibid.,1000.



- Public Safety Canada has established a national counter-foreign interference coordinator, who will drive the government’s proactive response to the threat of foreign interference.
- The creation of the deputy minister committee on intelligence response, which will examine intelligence, direct appropriate response and develop related advice for the government.
- A direction made by the Minister of Public Safety that parliamentarians will be informed of threats to them, whenever possible and within the law, while protecting the integrity of investigations.³¹⁵

With regard to the last point, Ms. Thomas explained that the Prime Minister and Mr. Mendicino have given clear direction to CSIS and other intelligence agencies that there is an expectation that members of the House be briefed on all intelligence holdings about them, regardless of the severity or reliability of those holdings.³¹⁶ Additionally, moving forward, intelligence that references a member of the House will be brought to the NSIA directly and to deputy ministers.³¹⁷

In addition to briefing the member in question, Ms. Thomas told the Committee that the Prime Minister has directed that any intelligence mentioning foreign interference and a member of the House must be briefed up, regardless of its credibility.³¹⁸ This direction was formalized by a ministerial directive issued by Mr. Mendicino.³¹⁹

Ms. Thomas told the Committee that briefings with members of the House regarding intelligence requires trust that the member will not make information shared with them public.³²⁰

315 *ibid.*, 1000.

316 *ibid.*, 1010.

317 *ibid.*, 1045.

318 *ibid.*, 1015.

319 *ibid.*

320 *ibid.*,1055.

c) Observations on the Question of Privilege Related to the Intimidation Campaign Against the Member for Wellington—Halton Hills and Other Members

Ms. Thomas explained to the Committee that she was not in the role of national security and intelligence advisor in 2021 when CSIS identified the threats against Mr. Chong.³²¹ Ms. Thomas became aware of the targeting of Mr. Chong when it was published in the *Globe and Mail* in the Spring of 2023.³²² She explained that she also became aware of the targeting of Ms. Kwan and Mr. O’Toole around the same time.³²³

Once the targeting of Mr. Chong was made public, the Prime Minister organized a meeting between Mr. Chong and Ms. Thomas where she provided a briefing.³²⁴ Following this meeting, Ms. Thomas conducted a review to determine who the July 2021 CSIS memo was sent to.³²⁵ As a result of this review, Ms. Thomas learned that the memo was sent to PCO in July of 2021 and was presented to the acting NSIA in August of that year.³²⁶ Additionally, the memo was sent to the deputy ministers of public safety, foreign affairs and national defence, but was not shared with any Minister.³²⁷ Ms. Thomas shared the results of the investigation with Mr. Chong.³²⁸

In July 2021 Ms. Thomas was Deputy Minister of Defence, and therefore was one of the deputy ministers who were sent the July 2021 CSIS memo.³²⁹ However, Ms. Thomas was on leave during that time. Ms. Thomas explained that the Deputy Minister of Defence was the only person within the Department of National Defence that was approved to read the memo.³³⁰ The memo would have been destroyed through regular destruction processes and was never read by Ms. Thomas.³³¹ Ms. Thomas noted that had the July 2021 CSIS

321 Ibid.,1005.

322 Ibid.

323 Ibid.

324 Ibid.,1030.

325 Ibid., 1035.

326 Ibid., 1100.

327 Ibid.

328 Ibid.

329 Ibid.

330 Ibid., 1045.

331 Ibid., 1100.



memo been “relevant to the operating of the department of National Defence” somebody else in the department would have read it and actioned it while she was away.³³²

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Ms. Thomas believes that there must be a better system of management for intelligence that is sent to deputy ministers’ offices, ministers’ offices and the NSIA so that they can properly brief the Prime Minister and ministers.³³³ Ms. Thomas also stressed that sharing intelligence is just one element. The second important element is that intelligence agencies are giving advice on what to do with that intelligence.³³⁴

Ms. Thomas believes that CSIS is limited by its Act in what it can share with MPs, opposition parties and other levels of government.³³⁵ Ms. Thomas believes that a modernizing the *CSIS Act* and providing CSIS with a broader ability to share information would be “extraordinarily useful.”³³⁶

11. David Vigneault, Director, Canadian Security Intelligence Service

a) Observations on the Question of Privilege Related to the Intimidation Campaign Against the Member for Wellington—Halton Hills and Other Members

David Vigneault, Director, Canadian Security Intelligence Service, told the Committee that in May 2021 an IMU was sent from CSIS to the Minister of Public Safety, Mr. Bill Blair (at the time), warning that Mr. Chong and his family were being targeted by the PRC.³³⁷ The IMU included a specific directive that it be forwarded to the Minister.³³⁸ The purpose of the IMU was to highlight the information and bring it to the Minister’s attention.³³⁹ When asked whether the information contained in the May 2021 IMU was

332 Ibid.

333 Ibid., 1005.

334 Ibid.

335 Ibid., 1110.

336 Ibid.

337 PROC, Evidence, 1st Session, 44th Parliament, Meeting 83, 13 June 2023 (David Vigneault, Director, Canadian Security Intelligence Service), 1845.

338 Ibid., 1910

339 Ibid., 1850

information that Mr. Blair did not need to know, Mr. Vigneault stated that “the fact that we did an issue management note speaks to the notion that we wanted to highlight the information” to Mr. Blair.³⁴⁰ However, it was Mr. Vigneault’s understanding is that it was clear that Mr. Blair never saw the IMU and that he had no reason to doubt Mr. Blair on that point.³⁴¹

Mr. Vigneault explained that he, or other senior CSIS officials, would meet with Mr. Blair to brief him on information they thought he should be aware of. In some cases, information was also shared through documentation.³⁴² Documents are sent electronically to the department where it is printed and made available to the minister.³⁴³ Mr. Vigneault explained that he did not have any specific discussions with Mr. Blair about the May 2021 IMU.

Mr. Vigneault estimated that CSIS sends zero to three IMUs per week.³⁴⁴

Mr. Vigneault believes that this situation highlighted that the processes in place at the time were not working.³⁴⁵ He noted that CSIS and other intelligence organizations take risks to collect intelligence and that it’s important for it to be made available to the right people.³⁴⁶

CSIS provided Mr. Chong with a threat reduction briefing in May 2023, during which classified information was shared that made him aware of potential threats against him.³⁴⁷

b) Observations About the Canadian National Security and Intelligence System

Mr. Vigneault described to the Committee how CSIS collects, analyses and shares intelligence. First, CSIS collects intelligence from open sources, technical intercepts, human sources, partners, interviews and other investigative techniques.³⁴⁸ Second,

340 Ibid.
341 Ibid.
342 Ibid., 1845.
343 Ibid.
344 Ibid., 1915.
345 Ibid.
346 Ibid., 1930.
347 Ibid., 1940.
348 Ibid., 1835.



intelligence professionals analyse the information and build an intelligence picture that is developed over time.³⁴⁹ This analysis consists of several steps including an assessment of the source and reliability of the information, the ability to corroborate the information and historical trends and context.³⁵⁰ Finally, CSIS determines what information to share and with whom.³⁵¹ CSIS may share “raw” intelligence, or it may share intelligence products that provide a better understanding of the whole picture.³⁵² Mr. Vigneault explained that “the threshold for sharing intelligence and advice is not an exact science.”³⁵³ When making this determination, CSIS considers the government’s intelligence priorities and requirements. Intelligence products are shared to inform Government of Canada decisions.

Mr. Vigneault explained that IMUs are one type of product CSIS produces. This tool was created so that CSIS could bring information to the attention of particular people, sometimes ministers but often other personnel within the federal public service.³⁵⁴ Mr. Vigneault explained that IMUs can contain intelligence, or another message they want particular people to be aware of.³⁵⁵

Mr. Vigneault explained to the Committee that Canada benefits from belonging to a number of collective defence organizations including NATO.³⁵⁶ Additionally, CSIS has a significant international component with agents posted around the world.³⁵⁷

Mr. Vigneault noted that CSIS has been investigating foreign interference since its inception in 1984.³⁵⁸ As a result of this ongoing investigation, CSIS has long been advising Canadians of the threat from foreign interference and from the PRC.³⁵⁹ In response to these ongoing threats, for the last 30 years CSIS has reported on foreign interference in its annual operational and public report. Additionally, it has published unclassified

349 ibid.
350 ibid.
351 ibid.
352 ibid.
353 ibid.
354 ibid., 1940.
355 ibid.
356 ibid., 1900.
357 ibid., 2025.
358 ibid., 1850.
359 ibid., 1835.

reports, including “Foreign Interference and You” in over seven languages.³⁶⁰ CSIS has also conducted outreach and awareness campaigns with communities, universities and the research sector.³⁶¹

CSIS prioritizes providing elected officials with briefings tailored to their individual circumstances.³⁶² Mr. Vigneault noted that CSIS strives to provide elected officials with as much detail as they need in order to mitigate threats.³⁶³ Defensive briefs are carried out by trained, professional intelligence officers.³⁶⁴ If there is a threat to the personal safety of an elected official, it is immediately referred to law enforcement and the proper authorities.³⁶⁵

Mr. Vigneault expressed concern over leaks from the intelligence community. He noted that leaks have damaged the morale and reputation of the organization.³⁶⁶ Mr. Vigneault explained that there are ongoing investigations, and he expressed his hope that the results of the investigation will be public.³⁶⁷

In response to a question about CSIS’s budget, Mr. Vigneault confirmed that the 2021–2022 budget was \$20 million less than the 2020–2021 budget.³⁶⁸

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

Mr. Vigneault told the Committee that there is broad support for reviewing and updating the *CSIS Act*. He noted that Mr. Mendicino, Mr. LeBlanc, NSICOP, the Honourable Paul Rouleau who was the Commissioner of the Public Order Emergency Commission, and the Federal Court have all expressed a need for the Act to be modernized. Mr. Vigneault agrees and explained that a modernization of the *CSIS Act* would be an opportunity for

360 Ibid.
361 Ibid.
362 Ibid.
363 Ibid.
364 Ibid., 1905.
365 Ibid., 1835.
366 Ibid., 2025.
367 Ibid.
368 Ibid., 2015.



CSIS to respond to parliamentarians more fully.³⁶⁹ In particular, CSIS needs broader authority to share information.³⁷⁰

12. Artur Wilczynski, Former Assistant Deputy Minister and Director General, Intelligence Operations, Communications Security Establishment

a) Observations About the Canadian National Security and Intelligence System

Artur Wilczynski, former Assistant Deputy Minister and Director General, Intelligence Operations, Communications Security Establishment, told the Committee that the “dissemination, consumption and use of information in Canada must be modernized.”³⁷¹

Mr. Wilczynski explained to the Committee that, in Canada, intelligence is produced by a wide range of actors which includes CSIS, the Canadian Forces Intelligence Command, FINTRAC, CBSA, the Privy Council Office and Global Affairs, with additional information flowing to Canada through the Five Eyes, NATO and other arrangements.³⁷²

Mr. Wilczynski suggested to the Committee that it is “almost impossible to effectively manage” the large volume of classified information flowing to consumers of intelligence.³⁷³ Mr. Wilczynski suggested that Canada needs to invest more in the assessment and consumption of this intelligence.³⁷⁴

b) Merits of Holding a Public Inquiry

Mr. Wilczynski spoke in favour of an independent inquiry as a way of establishing trust in our democracy and institutions.³⁷⁵ Mr. Wilczynski noted that there have been cases of

369 Ibid., 1945

370 Ibid., 1850.

371 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 77, 30 May 2023 (Artur Wilczynski, Former Assistant Deputy Minister and Director General, Intelligence Operations, Communications Security Establishment), 1110.

372 Ibid.

373 Ibid.

374 Ibid.

375 Ibid., 1130.

public inquiries involving classified documents and that this shouldn't be a deterrent for proceeding with an independent investigation.³⁷⁶

Additionally, Mr. Wilczynski expressed concern over House of Commons staff being responsible for reviewing and redacting classified documents. He suggested a public inquiry would be better suited for this role.³⁷⁷

c) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

At his appearance, Mr. Wilczynski suggested that Canada needs to have greater transparency in intelligence and that this should be the role of the office of the NSIA.³⁷⁸

Mr. Wilczynski believes that deputy ministers should be more accountable for how their organizations use the intelligence they ask for.³⁷⁹ He suggested that consumers of intelligence should communicate with the organizations that collect information and tell them how the intelligence was used.³⁸⁰ Mr. Wilczynski noted that without adequate feedback, clients are receiving a higher volume of information.³⁸¹

Mr. Wilczynski told the Committee that Canada needs to modernize and improve the coordination of the client relations officer. Mr. Wilczynski explained that the purpose of this role is to meet with clients to ensure the timeliness of information.³⁸² He believes that there are too few of these positions, and that they ought to be at a more senior level to properly engage with deputies and senior officials.³⁸³

Mr. Wilczynski discussed the importance of establishing a threshold for reporting information to members of Parliament.³⁸⁴ Mr. Wilczynski suggested that in the face of

376 Ibid., 1135.

377 Ibid., 1145.

378 Ibid.

379 Ibid.

380 Ibid.

381 Ibid., 1125.

382 Ibid.

383 Ibid.

384 Ibid., 1140.



a threat against an individual, assessments to determine whether engaging with those targeted could help them manage the risk.³⁸⁵

G. Evidence From Academics, Political Observers, Former Public Servants and Civil Society Groups

1. Peter German, Chair of the Advisory Committee, Vancouver Anti-Corruption Institute

a) Observations on National Security Literacy in Canada

Peter German, Chair of the Advisory Committee, Vancouver Anti-Corruption Institute, told the Committee to not underestimate the national security literacy of Canadians. He said that he suspected every Canadian would have an opinion on national security, in particular the members of the diasporas who have been targeted by authoritarian governments in countries where they formerly resided. He indicated that he lived in greater Vancouver, and that the large Iranian and Chinese diasporas knew full well about the implications of the issues related to foreign election interference, and that they held positions on the topic.³⁸⁶

b) Observations on Money Laundering

Mr. German stated that while national and international law enforcement bodies did not necessarily know how foreign states moved their money abroad, it was nonetheless important that this money be followed. For this to happen, he indicated that enforcement agencies need to have the necessary expertise and resources to track the money back to its source. He stated that most money can be traced back to its source, with the exception of cash.³⁸⁷ With respect to China, Mr. German indicated that the PRC was tough on organized crime and drug crimes within China. However, the PRC did little to pursue its citizens or persons of Chinese ethnicity who commit these crimes outside of China. As such, there is a lot of organized crime outside China with connections to the home country.

385 Ibid.

386 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 78, 30 May 2023 (Peter German, Chair of the Advisory Committee, Vancouver Anti-Corruption Institute), 2010.

387 Ibid., 2020.

c) Access for Parliamentarians to Confidential Documents

In response to a question about whether the members of the House of Commons who were offered the opportunity to examine the sensitive information reported on by Mr. Johnston ought to avail themselves of the opportunity, Mr. German responded yes but qualified his response. He stated that if the member considered that this intelligence was going to be of use in their work, they should certainly avail oneself of that intelligence.³⁸⁸ However, he noted that non-disclosure agreements have the downside of disallowing a person to talk about the sensitive information that they have learned about.

d) Proposals for the Committee's Consideration

During his appearance, Mr. German provided committee members with the following suggestion for their consideration about strengthening Canada's regime for combatting foreign election interference. He noted that Parliament should strengthen the ability of the Commissioner of Canada Elections to investigate cases of electoral interference. He noted that the investigative unit in that office, in his view, did not have the necessary tools to carry out a money-laundering investigation. As an example, he indicated that he did not believe that the office of the Commissioner of Canada Elections had access to intelligence from FINTRAC, which is Canada's financial intelligence agency, due to various restrictions. Further, he did not believe that the office could obtain a wiretap for electronic eavesdropping.³⁸⁹

2. Thomas Juneau, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa

a) Observations About the Canadian National Security and Intelligence System

Thomas Juneau, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa, provided the Committee with his perspective on several aspects of Canada's national security and intelligence system. These aspects included systematic issues with the current functioning of Canada's national security and intelligence departments and agencies, and the relationship between the security and intelligence apparatus, Parliament and the public.

388 *Ibid.*, 2025.

389 *Ibid.*, 2030.



According to Mr. Juneau, there remains an ongoing disconnect between the national intelligence community and parliamentarians. He stated that the national intelligence community has a culture that remains too insular, closed and resistant to change. Further, it suffers from weak policy literacy. On the other hand, the consumers of intelligence products, including Parliament and the bureaucracy, were not optimally positioned to ask for the right intelligence support, while also suffering from weak intelligence literacy.³⁹⁰

To help remedy this issue, Mr. Juneau advocated for better training for the intelligence community, stating that their training programs are often mediocre and have very little measurement about how training money was spent. He also spoke favourably of increasing secondments and exchanges for intelligence officers into different policy areas, indicating that this could help break silos and foster mutual understanding.

Mr. Juneau stated that, in his view, there currently existed an epidemic of over-classification of documents by Canada's national security partners. He considered this issue to be "a major obstacle to information sharing between clients and the intelligence world."³⁹¹

Mr. Juneau also raised anecdotal issues that he had come across during his research about human resource problems in the national intelligence community. These included challenges related to recruitment, retention, morale, and career paths. Further, he noted that there were massive backlogs in receiving security clearance. He indicated that he had heard of new hires having to wait six to 12 months to finalize their security investigation.³⁹²

Mr. Juneau recommended that, within Canada's national security organizations, low-level promotions be contingent on "more ambitious criteria of diversity of experience requirements."³⁹³ He noted that within several intelligence organizations, officials have been promoted up to the Assistant Deputy Minister level without ever having worked outside that particular agency.

390 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 78, 30 May 2023 (Thomas Juneau, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa), 1835.

391 Ibid.

392 Ibid., 1845.

393 Ibid., 1855.

Mr. Juneau also raised that, in his view, Canada’s intelligence community does not engage with civil society, academics and the media “as much as [it] should.”³⁹⁴ He noted that when such engagement occurs, the intelligence community tends to view it as an opportunity to tick a box. He stated that there was a need for serious engagement and two-way conversation between the intelligence community and Canadian diaspora communities being affected by foreign interference. Similarly, Mr. Juneau indicated that the intelligence community needed to engage better, in quantitative and qualitative terms, about foreign interference, with both the national media and smaller local media organizations. In his experience, he found that media do not receive answers from the intelligence community for days, and the answers they receive are “meaningless boilerplate speaking points.”³⁹⁵ In his view, this approach is deeply counterproductive because an educated population, buttressed by the media playing an important transmission role, forms a stronger national defence against foreign interference.

Mr. Juneau stated that, overall, in his view Canada was actively taking steps to counter foreign interference. He indicated that he had heard comments made by witnesses who had appeared before the Committee and members of the public stating that Canada is not doing anything. In his view, such statements in relation to the current or previous government were not true.³⁹⁶

b) Merits of Holding a Public Inquiry

Mr. Juneau told the Committee that a public inquiry could be held, while, at the same time, ensuring that important information remained secret. In his view, the argument against holding an independent public inquiry because it would reveal too much sensitive information was not a very convincing one.³⁹⁷

However, he stated that, in his view, a public inquiry “would not make much of a difference” and would “add little value.”³⁹⁸ He indicated that those who were in favour of holding a public inquiry overestimated its potential benefits, while underestimating the contribution that could be made by the Committee, NSICOP, NSIRA, and other agencies.

394 Ibid., 1905.

395 Ibid., 1925.

396 Ibid., 1850.

397 Ibid., 1845 and 1925.

398 Ibid.



In response to a question about comparing the benefits of the Committee’s study with the potential benefits of holding a public inquiry, Mr. Juneau noted that the Committee’s study was necessary and useful but that public hearings would have a less politicized context since they would not be held by elected politicians. Further, the public hearings would generate debate. However, he did not believe that public hearings would have a major impact.³⁹⁹

c) Miscellaneous Observations

Mr. Juneau stated that he did not find it surprising to learn that a minister would not use their top secret email. He noted that the system was not yet perfect and rather than describe those involved as having displayed “incompetence,” Mr. Juneau said that he preferred to use the word “imperfection.”⁴⁰⁰ In his view, the greater problem was that senior officials and politicians are not actually very interested in intelligence issues.

However, he stated that, compared to 10 or 20 years ago, today’s security and intelligence system has shown a trend of progressing and does function better. Nonetheless, it has not at all reached where it should be.

Further, Mr. Juneau stated that, in his view, the discussions about foreign interference have focused too much on China. While China was the main source of foreign interference, other threats included countries such as Iran, Russia, Turkey, Saudi Arabia, among others.⁴⁰¹

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Juneau provided committee members with suggestions for their consideration about reforming the current national security and intelligence system. These included:⁴⁰²

- Creating a register of foreign agents. He suggested that it be implemented carefully.

399 Ibid., 1845.

400 Ibid.

401 Ibid., 1850.

402 Ibid., 1835 and 1850.

- Creating a cabinet committee on national security to provide sustained attention at the political level on national security issues. This committee would need stronger bureaucratic support through a strengthened national security and intelligence adviser position.
- Conducting a comprehensive national security review. He indicated that one had not been conducted since 2004 and that the need for a review was glaring. In his view, conducting such a review would have several benefits, such as responding to questions about identifying threats, responding to threats, and reassessing institutional governance and human resource functions. Further, a review would signal to the Canadian public and international allies that the country places a high level of importance on national security. It would also help raise awareness of national security and provide for a more informed debate on the topic.
- Strengthening the policy capacity in Public Safety Canada, which plays an important coordination role. In his view, Canada's main threats, including foreign interference, need to be countered by both a whole-of-government effort and a whole-of-society effort.

3. Margaret McCuaig-Johnston, Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa

a) Observations about the First Report by the Rt. Honourable David Johnston, Independent Special Rapporteur on Foreign Interference

Margaret McCuaig-Johnston, Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa, provided the Committee with her perspective on the First Report by the Rt. Hon. David Johnston, Independent Special Rapporteur on Foreign Interference. She indicated her surprise and disappointment that Mr. Johnston had decided against recommending an independent public inquiry.⁴⁰³ She noted that his report stated that the basis for rejecting an inquiry was that a public examination of the leaked materials could not be undertaken given the sensitivity of the intelligence. However, Ms. McCuaig-Johnston indicated that the contents of Mr. Johnston's report did

403 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 78, 30 May 2023 (Margaret McCuaig-Johnston, Senior Fellow, Graduate School of Public and International Affairs, University of Ottawa), 1940.



exactly that. She stated that Mr. Johnston’s thorough analysis proved that a person could assess intelligence and speak about it publicly.⁴⁰⁴

Further, Ms. McCuaig-Johnston added the following about Mr. Johnston’s report:⁴⁰⁵

- The report proposed that Canadian diaspora communities, such as the Uyghurs, Tibetans, Falun Gong, Hong Kongers, etc. attend the proposed public hearings but to do so would put these communities at further risk.
- By concluding that public hearings should be held, Mr. Johnston’s report demonstrates that it does not understand that the diaspora would never want to participate in them.
- A failing in the report is that it does not recommend any actions be taken against the PRC. Further, a failing on the part of the Canadian government is that it has not taken firmer action to combat the foreign interference Canada has seen so far.
- While the report indicates that Mr. Johnston has confidence in the integrity of the previous two federal general elections, she stated that “if even one riding was adversely affected by Chinese interference, that is a reflection of the Canadian electoral system and it should never, ever happen again.”

Further, she indicated that, in her view, it was very possible that PRC interference could account for the difference of 3,500 votes, which separated the first place and second place candidates, in 2015, in the federal riding of Steveston–Richmond East. It should be noted that the veracity of Ms. McCuaig-Johnston’s assertion on this matter was vigorously refuted by a member of the Committee.⁴⁰⁶

404 Ibid., 1940.

405 Ibid., 1950, 2005 and 2025.

406 Ibid., 2025.

b) Merits of Holding Public Hearings Versus a Public Inquiry

Ms. McCuaig-Johnston told the Committee that she favoured holding a public inquiry over holding the public hearings proposed in Mr. Johnston's report. She cited the following reasons:⁴⁰⁷

- documents could be subpoenaed during a public inquiry;
- a public inquiry would receive more intelligence from CSIS and CSE that could be analyzed and assessed to determine the extent of foreign interference in Canada and to what extent Parliament and the public needs to be kept informed about it;
- in her view, public hearings would be seen to be superficial as it would not delve deeply into the issues that CSIS and others have exposure to; and
- that, in her view, the process for public hearings would be that public meetings would be held and would result in recommendations about the intelligence information-sharing process and governance, but would not delve into the details of the interference that China has been conducting in Canada.

Further, Ms. McCuaig-Johnston indicated that an NSICOP report on foreign election interference could be treated the same way as past NSICOP studies, whereby their important recommendations were ignored. She also noted that NSICOP reports to the Prime Minister, rather than to the House of Commons or Parliament.

c) Observations About the Unauthorized Release of Top Secret Documents to the Media

Ms. McCuaig-Johnston expressed her gratitude to the public servants who leaked to the media the top secret documents about foreign interference by the PRC in Canada. In her view, they risked their careers and personal freedom to do this. She stated that without the leaked documents, the public would still be oblivious to the threat of foreign interference. Further, in her view, the leaks have "not caused the great harm to the Canadian interest that Mr. Johnston invoked."⁴⁰⁸

407 Ibid., 1955 and 2005.

408 Ibid., 1940.



d) Observations About the Chinese Diaspora Living in Canada and the PRC Consulates in Canada

Ms. McCuaig-Johnston compared the number of Chinese diplomats present in Canada (i.e., 176 diplomats) with the number present in the United States (i.e., 178 diplomats). She stated that Canada's Chinese, Hong Kong and Taiwan diaspora counts about 1.4 million Canadians. However, she wondered why are the PRC was paying so much attention to Canada? She stated that, in her view, the PRC was attempting to use the diaspora as an extension of "the motherland," have them support positions taken by the PRC, and not do anything to undermine those positions.⁴⁰⁹

e) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During her appearance, Ms. McCuaig-Johnston provided committee members with suggestions for their consideration about strengthening Canada's regime for combatting foreign election interference. These included:⁴¹⁰

- establishing a national security committee of cabinet, which would meet regularly to receive CSIS-related intelligence, and would have the Prime Minister and other ministers as members; and
- creating a register of foreign agents that focused on the countries that Canada considered to be "a problem."

4. Andrew Mitrovica, Writer

a) Observations About the Canadian National Security and Intelligence System

Andrew Mitrovica, Writer, expressed concern with the intelligence leaks emanating from the intelligence community. He noted that Mr. Johnston was correct in his report when he wrote that leaks involved "unsubstantiated speculation," "limited intelligence" and a "lack of...context."⁴¹¹

409 Ibid., 1955.

410 Ibid., 2010 and 2015.

411 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 77, 30 May 2023 (Andrew Mitrovica, Writer), 1210.

Mr. Mitrovica also suggested that intelligence officers can and do make mistakes.⁴¹² He noted that intelligence must be considered in context and corroborated.⁴¹³

b) Miscellaneous Observations

Mr. Mitrovica suggested the Committee show less deference to security officials who appear before it.⁴¹⁴

5. Vincent Rigby, Visiting Professor, Max Bell School of Public Policy, McGill University

a) Observations About the Canadian National Security and Intelligence System

Vincent Rigby, Visiting Professor, Max Bell School of Public Policy, McGill University, expressed his condemnation of the individual or individuals who have leaked highly classified intelligence.⁴¹⁵ He stressed that the leaks undermine Canada's national security, and could put peoples' lives at risk.⁴¹⁶ Furthermore, Mr. Rigby noted that isolated intelligence without context could present a misleading and incomplete picture of Canada's national security concerns.⁴¹⁷

Mr. Rigby served as national security and intelligence advisor from 22 January 2020 to June 2021. He told the Committee that while he was in that role, he spoke with Mr. Trudeau about foreign interference on at least one occasion.⁴¹⁸ Mr. Rigby noted that through his work he understood that foreign interference was a long-standing and growing problem in Canada.⁴¹⁹

412 Ibid.

413 Ibid.

414 Ibid., 1225.

415 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 81, 8 June 2023 (Vincent Rigby, Visiting Professor, Max Bell School of Public Policy, McGill University), 1305.

416 Ibid.

417 Ibid.

418 Ibid.

419 Ibid.



During his 18-months as NSIA, Mr. Rigby estimates that he read between 5,000 and 7,000 intelligence reports. He suggested that the “vast majority” of these documents represented threats to Canadian democracy.⁴²⁰

Mr. Rigby explained that the July 2021 report on the targeting of Mr. Chong and other members was produced after his departure from the role of NSIA.⁴²¹ He told the Committee that he was not surprised that this intelligence was not raised to the political level. From Mr. Rigby’s perspective, Canada’s intelligence system lacked a formal system to flag important pieces of intelligence.⁴²² Mr. Rigby described the system as “ad hoc, and...inconsistent.”⁴²³ He expressed concern about sending too much information on foreign interference for fear that it could “potentially gum up the system.”⁴²⁴

Mr. Rigby told the Committee that during his tenure as NSIA, hard-copy intelligence packages of intelligence were presented to him.⁴²⁵ He told the Committee that he could not speak to the processes in Mr. Blair’s office.

While Mr. Rigby was NSIA, the Prime Minister received daily and weekly intelligence briefs prepared specifically for him.⁴²⁶ Mr. Rigby recalled briefing the Prime Minister on foreign interference but could not remember the specific pieces of intelligence.⁴²⁷

Mr. Rigby expressed some concern over news reports that the Minister of Public Safety did not see a July 2021 memo with intelligence about foreign interference.⁴²⁸

Mr. Rigby pointed to two reports published between December 2021 and May 2022, one authored by Wesley Wark and Aaron Shull, the other by Thomas Juneau and Mr. Rigby. Mr. Rigby told the Committee that both reports came to identical conclusions, that the national security structure in Canada was in peril, and that changes were required.⁴²⁹

420 Ibid., 1205.

421 Ibid., 1105.

422 Ibid.

423 Ibid.

424 Ibid., 1155.

425 Ibid., 1110.

426 Ibid.

427 Ibid.

428 Ibid., 1115.

429 Ibid., 1125.

b) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Rigby recommended the following measures be implemented:

- A position within the PCO with the power to flag important intelligence to the Prime Minister and other ministers.
- A cabinet committee be created on national security, chaired by the Prime Minister, that meets regularly to receive intelligence briefings and discuss responses.
- Transparency be increased by producing annual public threat assessments, responding to NSICOP reports, publishing intelligence priorities and sharing more intelligence with Members of Parliament.⁴³⁰

Additionally, Mr. Rigby suggested that the position of the NSIA be reviewed and strengthened.⁴³¹ He suggested the current NSIA should consider establishing a committee to focus on actionable intelligence.⁴³²

6. Wesley Wark, Senior Fellow, Centre for International Governance Innovation

a) Observations About the Canadian National Security and Intelligence System

Wesley Wark, Senior Fellow, Centre for International Governance Innovation, told the Committee that to strengthen the Canadian national security and intelligence system a three-part evaluation needed to be undertaken, consisting of: intelligence collection, analysis and reporting. He stated that improvements made to the machinery of government alone would not fix deficiencies in this broader intelligence cycle.⁴³³

Further, he commented on the challenges faced by Canada's intelligence community in combating foreign interference. He noted that threat actor intentions, capabilities and

430 Ibid., 1155.

431 Ibid., 1150.

432 Ibid., 1155.

433 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 78, 30 May 2023 (Wesley Wark, Senior Fellow, Centre for International Governance Innovation), 1830.



opportunities were all distinct elements that needed to be understood. He cautioned that threat actor intentions do not always translate into capabilities on the ground to carry out these intentions. He also noted that a key aspect to intelligence is timeliness.⁴³⁴

Mr. Wark indicated that, in his view, a country's intelligence culture is based on a shared understanding, between ministers, governmental departments and citizens, that good intelligence is a serious matter and vital for decision-making. He stated that Canada only episodically takes intelligence matters seriously, which leaves the country "offside" with its Five Eyes partners.⁴³⁵

In Mr. Wark's view, greater action could have been taken by CSIS to inform Parliament about foreign election interference. He noted that the CSIS Act provides it with the power to apply threat reduction measures against identified actors engaged in foreign interference, including those who operate in sensitive sectors such as the political arena. He stated that had CSIS taken this approach, it would have been similar to the action taken, in January 2022, by the U.K. security service, MI5, when it alerted the U.K. Parliament about the activities of a Chinese agent of influence.⁴³⁶

He noted that it was incumbent on intelligence agencies to frame their reports and analysis in a manner that clearly shows what information they consider to be significant. In the case of the CSIS report that warned of potential foreign interference targeting Mr. Chong, Mr. Wark indicated that it was a nine-page intelligence assessment in which the warning about the targeting of unnamed members of the House was buried in the middle. He stated that a minister, staff or senior deputy minister cannot be expected to read through a nine-page report and see a vague reference in the middle that they really should have paid attention to, but nobody actually asked them to do that.⁴³⁷

Mr. Wark noted that the intelligence system was not simple, had extremely voluminous intelligence flows and multiple classified systems to handle different levels of classification. However, he stated that it was inexcusable that intelligence can get lost.⁴³⁸

Mr. Wark also raised a hypothetical concern with the Committee about the ministerial directive issued on 16 May 2023 by the Minister of Public Safety.⁴³⁹ This directive

434 Ibid., 1830.

435 Ibid., 1900.

436 Ibid., 1830.

437 Ibid., 1915.

438 Ibid., 1910.

439 Ibid., 1830.

requires CSIS to investigate all threats to the security of Canada that target Parliament and parliamentarians and to inform parliamentarians directly about such threats where possible. Mr. Wark stated that the directive was an appropriate expression of ministerial accountability. However, he raised the concern about the potential politicization of intelligence, should a future Minister of Public Safety get too drawn into a decision-making role.

b) Merits of Holding a Judicial Inquiry Versus Public Hearings

Mr. Wark told the Committee that he advocated for public hearings rather than a judicial inquiry when it came to investigating and making recommendations to combat foreign interference.⁴⁴⁰ In his view, Canadians lack literacy about national security, a deficiency which could be improved by holding public hearings on national security, as these could increase public understanding and education about this aspect of governance.

Mr. Wark stated that, in his view, the public hearings planned by Mr. Johnston would have served as an important opportunity to come up with fresh ideas for reforming Canadian intelligence.⁴⁴¹

Mr. Wark noted that judicial inquiries were important instruments for specific purposes. He indicated that these inquiries delved deeply into a matter and, as such, were meant to take time.⁴⁴²

Further, he noted there were very significant secrecy protection issues involved in judicial inquiries. To that end, he stated that some of the media revelations, based on top secret documents, clearly compromised Canadian sources and methods.⁴⁴³ These documents revealed, among other things, that national security had intercepted communications flowing between Chinese diplomatic officials in Canada.

440 *Ibid.*, 1855.

441 *Ibid.*, 1830.

442 *Ibid.*, 1915.

443 *Ibid.*



c) Observations About the Position of National Security and Intelligence Advisor

Mr. Wark stated that, in recent times, the position of national security and intelligence advisor has been “a bit of a revolving door.”⁴⁴⁴ He indicated that while very good people have occupied the position, they have not done so for nearly long enough.

He further noted that a broader problem existed with the set-up of the office at present. He stated that the office of the National Security and Intelligence Advisor had only a skeleton staff and insufficient resources. Nonetheless, the office was being asked to deal with a vast flow of intelligence. As such, he stated that he was not surprised to hear that pieces of intelligence can get missed.⁴⁴⁵

He noted that, should Canada make changes to this position, it may wish to take inspiration from the equivalent office in the U.K. There, the National Security and Intelligence Advisor is a senior civil servant who is in their last posting, and as such, does not hold concerns about career progression. Their role is to provide advice to cabinet.

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

During his appearance, Mr. Wark provided committee members with suggestions for improving the relationship between Parliament and the national security apparatus. These included:⁴⁴⁶

- providing parliamentarians, especially new ones, and their staff, with formal training about the nature of national security;
- making available to members of the House of Commons, senators and their staff more unclassified information on national security and intelligence; and
- creating a national security strategy that defines the understood range of national security threats that Canada faces, the responses to those threats, and the manner in which the strategy fits into a democratic framework for a society engaging with these threats.

444 Ibid., 1900.

445 Ibid.

446 Ibid., 1905.

7. Michael Wernick, Jarislowsky Chair in Public Sector Management, University of Ottawa

a) Observations about the Privy Council's Office

Michael Wernick, Jarislowsky Chair in Public Sector Management, University of Ottawa was the Clerk of the Privy Council for Canada from January 2016 to April 2019.⁴⁴⁷ He explained that within PCO, the NSIA acts as the coordinator for the various security and intelligence agencies.⁴⁴⁸ Information flows into the NSIA who then makes decisions about what to share and with who based on areas of interest and security clearance.⁴⁴⁹ As Clerk, Mr. Wernick met with the NSIA about once a week and trusted that the NSIA would share information that he needed to know.⁴⁵⁰

Mr. Wernick explained that PCO keeps track of documents that it sends to the PMO. Documents are sent either for information, or for a decision.⁴⁵¹ The Prime Minister shares his decisions through what is called “a PM return.”⁴⁵²

As the Prime Minister cannot read everything, intelligence services, the public service and political staff use their judgment to identify what should be brought to the Prime Minister's attention.⁴⁵³ The NSIA, the Clerk and the Chief of Staff are also responsible for establishing a processes that minimizes the risk of errors.⁴⁵⁴ Mr. Wernick believes that this situation exposed gaps that need to be addressed.⁴⁵⁵ In particular, Mr. Wernick stated that the CSIS memo citing threats against Mr. Chong should have been brought to the Prime Minister's attention.⁴⁵⁶

447 PROC, *Evidence*, 1st Session, 44th Parliament, Meeting 77, 30 May 2023 (Michael Wernick, Jarislowsky Chair in Public Sector Management, University of Ottawa).

448 Ibid., 1220.

449 Ibid.

450 Ibid.

451 Ibid.

452 Ibid.

453 Ibid.

454 Ibid., 1240.

455 Ibid.

456 Ibid., 1220.



b) Observations About the Canadian National Security and Intelligence System

In general, Mr. Wernick believes that there is a lack of trust in Canada's democratic processes and institutions.⁴⁵⁷ In particular, Mr. Wernick is concerned that leaks within the intelligence community may damage CSIS's reputation with Five Eyes partners.⁴⁵⁸ He worries that allies could hesitate to share information with Canada if they cannot trust that it will be protected.⁴⁵⁹

c) Merits of Holding a Public Inquiry

Mr. Wernick expressed his support for a public inquiry, stressing the importance of selecting the right person to lead such an inquiry. He suggested that the right person may be from outside of Canada.⁴⁶⁰

From Mr. Wernick's perspective, a public inquiry should not prevent the government from addressing the issues that have already been identified.⁴⁶¹ He suggested that a public inquiry could happen simultaneously with the establishment of necessary safeguards.⁴⁶²

d) Measures Proposed by Witnesses to Counter Threats of Foreign Interference in Democratic Processes

In Mr. Wernick's opinion, Canada must develop comprehensive foreign interference legislation.⁴⁶³ This should include legislating the role of the national security and intelligence advisor. In particular, the legislation should identify the powers of the NSIA, and make that role accountable for the flow of information so that a break down

457 *ibid.*, 1230.

458 *ibid.*, 1225.

459 *ibid.*

460 *ibid.*

461 *ibid.*, 1230.

462 *ibid.*, 1230.

463 *ibid.*

in communication like this one does not happen again.⁴⁶⁴ Additionally, he stated that the role of NSIA should be a fixed five-year term.⁴⁶⁵

Mr. Wernick suggested that more members of Parliament, both federally and in provincial legislatures, should obtain security clearances so that they can access more information.⁴⁶⁶

DISCUSSION AND RECOMMENDATIONS

During the Committee's study, Mr. Chong and Mr. O'Toole stated that they had been apprised by CSIS that the PRC had targeted them, as members of the House of Commons, with threats meant to intimidate them.

In the case of Mr. Chong, these threats were leveled against both him and his family. For his part, Mr. O'Toole experienced threats meant to undermine his electoral prospects and those of the Conservative Party of Canada, coordinate the use of people on the ground in Canada through the PRC's United Front Work Department and the use of social media disinformation, and suppress voters.

The Committee heard from numerous security and intelligence observers and current and former officials about the real, immediate and perilous threat posed to Canadian democracy by foreign election interference. At no point during the Committee's study did it hear testimony to the effect that Mr. Chong, Mr. O'Toole and other members were not the targets of a PRC intimidation campaign.

Mr. Chong, Mr. O'Toole and all members of the House of Commons possess privileges that are based on the pre-eminent right of the House to the services of its members free from intimidation, obstruction and interference. In carrying out their parliamentary duties and functions, no member is to be threatened, challenged, intimidated, or otherwise obstructed. Such behaviours can impede members in carrying out their parliamentary duties and functions, and therefore, could constitute contempt of Parliament.

464 Ibid., 1225.

465 Ibid., 1235.

466 Ibid., 1235 and 1250.



The scope of the threats carried out by Mr. Zhao and others in the PRC, were not limited to Mr. Chong and Mr. O’Toole, but were aimed at all members of the House of Commons, and by doing so, took aim at Canada’s democracy.

As such, the Committee can only conclude, unequivocally, that the coordinated campaign carried out by Mr. Zhao constitutes a contempt of Parliament. This Committee condemns in the strongest possible terms the actions of those involved.

A. Foreign Interference Training and Briefings for Members and Their Staff

The Committee recommends:

Recommendation 1

That mandatory information and training sessions on foreign interference threats, activities and tactics be made available to all members and their staff by the House of Commons, both as part of the Members’ Orientation Program, and on a continual basis. These sessions ought to be developed by the Office of the Sergeant-at-Arms and Corporate Security, working in collaboration with national security and intelligence agencies and partners, and the recognized parties.

Recommendation 2

That a contact person be assigned by the House of Commons Administration to liaise with members on all matters related to foreign interference threats.

Recommendation 3

That the government work with recognized parties’ whips to facilitate security clearances, at Secret level or higher, of caucus members who are not Privy Councillors (particularly those who sit on committees with mandates concerning foreign affairs, national defence and national security), who shall be taken as satisfying requirements for a “need to know,” to ensure that they may be adequately briefed about important national security matters, including foreign intelligence threat activity directed toward Parliament, or their party or its caucus members.

B. Information Sharing Between the Canadian Security Intelligence Service, the House of Commons and Parliamentarians

The Committee recommends:

Recommendation 4

That the government instruct and work closely with the Canadian Security Intelligence Service to provide improved and additional support to Parliament.

Recommendation 5

When a threat is identified, Canadian Security Intelligence Service must immediately and directly inform individual members about specific foreign interference threat activity which targets them, directly or indirectly, including information on the identity of the persons and/or entities involved in the threat activity. The briefing on the threat must include measures being taken to ensure their safety. Updated briefings must continue throughout the duration of the threat.

Recommendation 6

The Speaker, under the guidance of the Sergeant-at-Arms, will work to create a clear protocol and a reasonable threshold about informing the whips of all recognized parties about foreign interference threats, who will then inform their members, with the Speaker contacting Independent members for the duration of the threat. Further, additional support must be provided to members and their offices.

C. The Canadian Security Intelligence Service

The Committee recommends:

Recommendation 7

That the Canadian Security Intelligence Service undertake to improve and increase outreach to diaspora communities most impacted by foreign interference and intimidation, in order to increase public trust and transparency and create a space for Canadians who are harassed and intimidated by foreign entities to be able to come forward.



Recommendation 8

That the government encourage a culture change at the Canadian Security Intelligence Service in respect of communicating about foreign interference threat activity to enable better targeted individuals and diaspora groups, and all Canadians, to identify, mitigate and overcome these efforts, and that the Canadian Security Intelligence Service report to the House on its progress about the culture change referred to in this recommendation in the service’s annual report to Parliament under section 20.2(1) of the *Canadian Security Intelligence Service Act*.

D. Review of the Classification of Intelligence Documents

The Committee recommends:

Recommendation 9

That the government address concerns about systemic “over-classification” of intelligence products and analyses by revisiting its classification levels and processes for these documents, with a view to being more in line with transparency and disclosure practices of Canada’s Five Eyes partners, and that the government report to the House, in a year’s time, an update on its progress.

Recommendation 10

That the government undertake to lead a process to determine the declassification of information to enhance transparency.

E. Creation of a Foreign Agent Registry

The Committee recommends:

Recommendation 11

That the government urgently introduce legislation to establish a registry of foreign agents aimed at promoting transparency regarding foreign influence on Canadian soil, ensuring that governments, elected officials, and citizens have access to this registry.

F. National Security Policy and Strategy Review

The Committee recommends:

Recommendation 12

That the government undertake a thorough national security review and create an updated national security strategy that defines the range of national security threats that Canada faces, the responses to those threats, and the manner in which the strategy fits into a democratic framework for a society engaging with these threats.

Recommendation 13

That the government work with national security and law enforcement agencies to clarify and reconcile the definition of foreign interference threats.

G. The Review and Update of Existing Legislation: *Canada Evidence Act, Canadian Security Intelligence Service Act, National Security and Intelligence Committee of Parliamentarians Act and National Security and Intelligence Review Agency Act*

The Committee recommends:

Recommendation 14

That the government conduct a legislation review to modernize the *Canadian Security Intelligence Service Act* with a focus on foreign interference threats to national security and democratic institutions.

Recommendation 15

That the overdue statutory review of the *National Security and Intelligence Committee of Parliamentarians Act* be undertaken by a committee of the House forthwith with a view that that committee be transformed into a joint parliamentary committee, along the lines of similar committees in the United Kingdom and the United States.

Recommendation 16

That the government introduce legislation to amend the *Canadian Security Intelligence Service Act* in order to permit greater sharing of information concerning foreign interference threat activity directed towards democratic institutions and processes with both Houses of Parliament, their committees, individual parliamentarians, federal recognized political parties, and provincial and municipal governments.



Recommendation 17

That the government urgently consider measures to address the “intelligence to evidence” challenge in law, policy and operations, so that charges of offences related to foreign interference threat activity may be prosecuted more effectively and frequently, and that the government report to the House, in a year’s time, an update on its progress in the Canadian Security Intelligence Service’s annual report to Parliament under section 20.2(1) of the *Canadian Security Intelligence Service Act*.

H. National Security and Intelligence Advisor

The Committee recommends:

Recommendation 18

That the government review the position of the National Security and Intelligence Advisor and consider establishing a committee to focus on actionable intelligence.

Recommendation 19

That the government consider establishing a fixed five-year term for the role of the National Security and Intelligence Advisor.

I. Government/Executive and Security and Intelligence Matters

The Committee recommends:

Recommendation 20

That a cabinet committee on National Security and Foreign Interference regularly discuss matters pertaining to Canada’s security interests.

Recommendation 21

That the government and its intelligence and national security agencies strengthen the internal governance and accountability process around the sharing of information and intelligence with relevant ministers and the Prime Minister.

Recommendation 22

That the government work with its national security agencies to establish clear lines of responsibility and recommendations on how to react to intelligence and the flow of information when intelligence becomes a threat.

Recommendation 23

That the government establish a clearer process for funneling intelligence to top officials (i.e., the most senior public service and political levels,) including greater accountability for ensuring that the right people see the right intelligence.

Recommendation 24

That the government put in place tracking protocols to allow for a reconstruction of whom saw what document, and when.

Recommendation 25

That the government consider establishing a position within the Privy Council Office with the power to flag important intelligence to the Prime Minister and other ministers.

J. Matters Related to Federal Elections

The Committee recommends:

Recommendation 26

An appropriate process be considered to provide security and intelligence briefing for election candidates.

Recommendation 27

That Elections Canada consider implementing an awareness campaign to reassure voters and the Canadian public that the electoral process in Canada is secure and that measures are in place to combat any attempt at foreign interference. Further, that it also educate citizens on how to identify foreign interference and where to report any suspicious activity.



Recommendation 28

That individuals involved in the work of the Security and Intelligence Threats to Elections Task Force and the Critical Election Incident Public Protocol Panel, or any successor bodies, be adequately briefed, in advance of a general election, about ongoing or recent foreign interference threat activity targeting parliamentarians so that they might better appreciate the context of activities which could carry over into an election period.

Recommendation 29

That the government amend the Cabinet Directive on the Critical Election Incident Public Protocol with a view to empowering the non-partisan public servants on the Critical Election Incident Public Protocol (a) with greater discretion on whether to inform the public about events or incidents of foreign interference; and (b) with greater authority to direct national security agencies to directly brief candidates, political parties or Elections Canada, as the case may be, who are affected by events or incidents of foreign interference.

APPENDIX A

RESPONSE TO THE DECEMBER 18, 2020 MOTION ON FOREIGN INTERFERENCE

Colleagues,

Foreign interference has recently been a topic of interest and discussion in the House of Commons.

In response to the motion that passed in the House on November 18th, 2020, I am writing to provide you with an overview of what the Government of Canada is doing to address these threats to the security, prosperity and democratic institutions of our country.

As we have adjourned for the winter break, I want to ensure you have something in writing before the session restarts in 2021.

I am happy to formally table the contents of this letter next month.

First-and-foremost, our Government does not, and will never, tolerate these types of activities.

Before I explain some of the ways in which the Government works to protect Canadians and counter these threats, I would like to emphasize that regarding this motion, particularly clause (b), the Government of Canada is always working to refine and further its plans to address foreign interference in Canada.

Work in this area has been longstanding and remains ongoing. This motion provides an opportunity to inform Canadians of what steps have been taken while assuring them that our agencies will always adapt to meet evolving threats.

We understand foreign interference to be hostile activity undertaken by foreign states that is purposely covert, malign, clandestine and deceptive. It can include threats, harassment and intimidation. These activities can be directed at Canadians, or residents of Canada, or against Canadian institutions to advance their strategic interests at the expense of our national interest and values. Hostile foreign states cross a line anytime they go beyond standard diplomacy to conduct activities against Canada that attempt to threaten our citizens, compromise our way of life, undermine our democratic processes, or damage our economic prosperity.

Modern foreign interference represents a complex threat. It poses a significant threat to the integrity of our political system, democratic institutions, social cohesion, academic freedom, economy and long-term prosperity as well as fundamental rights and freedoms. It can also affect the safety of our citizens and those who live here. This is not new. But it remains unacceptable as it targets all orders of government - federal, provincial and territorial, and municipal, as well as Canadian communities.

Foreign threat actors can use human intelligence operations, state-sponsored or foreign-influenced media, and sophisticated cyber tools, among others, to achieve their objectives. These include advancing their interests, sometimes at our expense, in an effort to achieve geopolitical influence, increase their economic advantages, access sensitive research, technology or information, revise the rules-based international order, enhance their domestic stability, and gain military advantage.

The 2019 Canadian Security Intelligence Service (CSIS) Public Report states that foreign interference activities are directed at Canadian entities both inside and outside of Canada, and directly threaten Canada's national security and strategic interests. Further, the Annual Report of the National Security and Intelligence Committee of Parliamentarians (NSICOP) outlined foreign interference activities, including the targeting of Canadian institutions and certain communities.

I will note that the Prime Minister took the important step of permitting the unclassified, publicly-released version of the NSICOP report to, for the first time, specifically name the People's Republic of China (PRC) and Russia as being particularly active in Canada. This was intended to raise public awareness of the threats posed by these countries. Additionally, the Canadian Centre for Cyber Security Report on National Cyber Threat Assessment 2020 also included reference to these countries as well as Iran and North Korea. Recently, the Standing Committee on Public Safety and National Security heard testimony from Mr. Scott Jones who declared that decisions about whether to list countries in these publications are not easy, but ultimately we need to acknowledge that these countries pose a risk while working to raise Canadians' awareness.

With an open and stable economy, skilled workforce, and advanced infrastructure, Canada is an attractive destination for foreign investors. The vast majority of foreign investment in Canada is conducted in an open and transparent manner and is beneficial to Canada's economy. However, the Government of Canada is increasingly concerned that certain types of investment transactions undertaken by foreign adversaries can harm national security. Foreign investments that give these entities control over, or access to, sensitive technologies, critical infrastructure or the sensitive personal data of significant numbers of Canadians are of particular concern.

Certain governments, and their proxies, are prepared to use illicit means to obtain goods, sensitive information and technology. These proxies could include state-owned enterprises, individuals engaged with academic institutions and trade organizations, or other entities that are not directly linked to a state itself but may still serve its interests.

For example, talent programs are an acceptable part of the modern research enterprise, however some foreign threat actors can use them for malicious purposes. The requirement to transfer or replicate research, requirements to attribute research to foreign institutions, or to conceal affiliations to foreign military or intelligence services, are ways in which foreign actors, including the PRC, use talent programs to acquire sensitive technology and knowledge to further their economic and security interests to the detriment of Canada's. For instance, CSIS actively investigates threats of foreign interference and espionage and supports the Government of Canada's collective effort to respond, including acting to reduce the threat of specific foreign espionage activities through its lawful mandate.

In addition, foreign states, including the PRC, attempt to threaten and intimidate individuals around the world, including in Canada, through various state entities and non-state proxies. We strongly denounce this behavior wherever it may occur. We know that states may attempt to threaten and intimidate individuals in order to pursue fighting alleged corruption or to bring alleged criminals to justice. However, we are aware that these tactics can also be used as cover for silencing dissent, including on university campuses, pressuring political opponents and instilling a general fear of state power no matter where a person is located. The PRC's Operation Fox Hunt is one such example.

The PRC uses this program as a means to identify and try to repatriate to China individuals who they allege are corrupt. The PRC has conducted this operation in Canada since 2014* I will note that as per the 2019 NSICOP report, initially the response was often to work with Chinese officials to "support their investigations of corrupt officials." However, "increasingly stringent criteria" on the People's Republic of China investigators involved in this program has been added as time passed following 2015.

When foreign states target Canadians, persons residing in Canada, or their families, they are seeking to deprive members of Canadian communities of their fundamental rights and freedoms. Such actions are unacceptable. If anyone feels intimidated or threatened it is of the utmost importance to contact your local police, and I can assure you that your concerns will be dealt with in a serious and appropriate manner.

Foreign Interference and COVID-19

The COVID-19 pandemic has accelerated these trends by providing foreign threat actors with unique opportunities to pursue their hostile activities. The impacts of disinformation, coercive use of trade and economic-based threats to national security, and threats to Canada's supply chain are ongoing concerns.

This past year, we have observed state-sponsored information manipulation, or disinformation by certain regimes against Canada and our allies. These campaigns aim to sow doubt about the origins of the COVID-19 virus and the means required to counter it; discredit responses to COVID-19 while casting their own as superior; and erode confidence in our shared values of democracy and human rights.

Canada's security and intelligence community, which is at the forefront of Canada's efforts to combat foreign interference, is taking coordinated and integrated action to protect the safety, security and strategic interests of Canadians. I would like to provide you with an overview of these efforts.

CANADA'S RESPONSE TO FOREIGN INTERFERENCE

There is no more fundamental role for the Government than to keep Canadians and communities safe. The Government takes this responsibility seriously. Though I am unable to share operational information regarding ongoing counter foreign interference activities, Canadians can be confident that the Government of Canada applies a whole-of-government approach to protect Canadians from national security threats, including threats to institutions that play a key role in Canada's response to the COVID-19 pandemic.

Investigations and Monitoring

CSIS has longstanding investigations into foreign interference threat activities that target Canada, and uses the full mandate of the CSIS Act to investigate, advise the government and take action to reduce the threat. CSIS works closely with other government partners, inside and outside the security and intelligence community, to address clandestine, deceptive or threatening interference activities that can pose significant harm to Canada's democratic institutions and processes.

The Royal Canadian Mounted Police (RCMP) have a broad, multi-faceted mandate that allows them to investigate, and disrupt threats from foreign actors by drawing upon

various legislation, including investigations with a view to laying charges under the Criminal Code of Canada.

The Communications Security Establishment (CSE) provides intelligence and cyber assessments to the Government of Canada on the intentions, activities and capabilities of foreign threat actors, and can also carry out active cyber operations to degrade, disrupt, respond to or interfere with the capabilities, intentions or activities of foreign individuals, states, and organizations. CSE also provides advice, guidance, and services to help protect electronic information and information infrastructures of federal institutions and of systems of importance to the Government of Canada,

In addition, in an effort to counter foreign interference against the 2019 Federal Election, the Government created the Security and Intelligence Threats to Elections (SITE) Task Force, composed of officials from CSE, CSIS, RCMP and Global Affairs Canada (GAC). Throughout the 2019 Federal Election, the SITE Task Force raised awareness and assessed foreign interference threats, briefing members of the Government of Canada's Critical Election Incident Public Protocol on any threat activities to ensure nothing affected Canada's ability to have a free and fair election. The SITE Task Force continues to monitor and advise the Government of Canada on foreign interference-related threats to federal elections.

The Canada Border Services Agency (CBSA) works closely with its partners to ensure that individuals that pose a security threat to Canada, including those who engage in acts of espionage or acts of subversion against democratic governments, do not gain entry into Canada. Those who have previously entered and are deemed inadmissible will be removed from Canada. Through its robust Intelligence and National Security Screening programs, the CBSA aims to detect such inadmissible persons at various points in the travel continuum and advise other security and intelligence partners of possible threats.

Through investigations and monitoring, we continue to identify and shed light on the multiple ways foreign interference manifests itself in Canada, allowing us to be well-armed with the knowledge needed to deploy our tools to counter it.

Protecting Against Economic-Based Threats to National Security

The Government has never and will never compromise Canada's national security, and will take action where necessary to protect it. As reported in the 2018-19 Investment Canada Act Annual Report, for the four fiscal years 2015–16 to 2018–19 the Governor in Council issued eight 25.4 final orders: six blocking or ordering the foreign investor to

divest of its investment and two imposing conditions that protect national security while allowing those investments to proceed.

To protect Canadians in this current economic environment shaped by COVID-19, the Government of Canada announced in April 2020 that it is applying increased scrutiny to all foreign direct investments, controlling or non-controlling, into Canadian businesses that are vital to public health and the security of supply of critical goods and services to Canadians or to the Government of Canada. The Government also announced that all foreign investments by state owned enterprises, or private investors assessed as being closely tied to or subject to direction from foreign governments, would be subject to enhanced scrutiny under the national security provisions of the Investment Canada Act. Innovation, Science and Economic Development (ISED) and Public Safety Canada work together, in conjunction with 18 other federal departments, to meet the legislative requirements of this Act on behalf of the Government of Canada and Canadians.

The Government of Canada purchases approximately \$22B worth of goods and services each year. The potential exists for foreign threat actors to exploit procurement processes to their advantage. State-owned enterprises use their vast resources as a competitive advantage that allows them to underbid Canadian companies, and insert themselves into our infrastructure and services, and undermine our security. The Government is committed to addressing procurement-based national security threats. For example, we are working to enhance risk awareness and ensure due diligence throughout the procurement process. This has included the development of national security guidance material, which has been distributed to employees of departments and agencies with duties that include, or may be impacted by, procurement activity, as well as to Provinces and Territories, and the Canada City Alliance, which represents 12 of Canada's largest cities.

The Government is aware of the ongoing attempts by some foreign states to undermine our economy for their own benefit. Our many efforts to counter these threats help protect Canadians' prosperity and maintain Canada as an economic leader.

Protecting Our Democracy

In January 2019, the Government announced its plan to defend Canadian democracy from threats ahead of the 43rd General Election. This plan was built on four mutually supporting pillars:

- 1) Enhancing Citizen Preparedness by supporting an informed and engaged citizenry;

- 2) Improving Organizational Readiness by strengthening coordination to identify threats, emerging tactics and systems vulnerabilities;
- 3) Combatting Foreign Interference by preventing covert, clandestine or criminal activities by foreign actors aimed at interfering in our democratic processes; and
- 4) Expecting Social Media Platforms to Act by guiding social and digital platforms to ensure integrity, transparency and authenticity.

The plan was internationally recognized as illustrating Canada's leadership in countering foreign interference in democratic processes, and key components are being evaluated for on-going implementation.

In addition, the Canada Elections Act contains provisions that aim to protect the federal electoral process, including strong regulations related to financial and non-financial contributions to political actors, and prohibitions against bribing or intimidating electors. The *Elections Modernization Act*, which received Royal Assent in December 2018, further strengthened protections against foreign interference through amendments that:

- Prohibit third parties from using foreign funds for their partisan activities and advertising, irrespective of when it takes place;
- Prohibit foreign entities from spending any money to influence federal elections;
- Require registered third parties to have a Canadian bank account; and,
- Prohibit any organizations - online or offline - that sell advertising space from knowingly running election advertisements paid for with foreign funds.

A pre-election period was also established, extending spending limits for third parties and subjecting third parties to enhanced reporting obligations. To improve transparency, the amended law also requires online platforms such as social media sites to publish a registry of all partisan or other political advertising they have carried, including who authorized the advertisements, and to keep that information available for a minimum of two years after the advertisements are posted.

As democratic processes were being targeted in multiple countries around the world by foreign threat actors, it was clear Canada needed to take action here at home. As a

result, we took these key measures to bolster the robustness of our democratic and electoral institutions to tackle this threat head on.

Reaching out to Canadians

What the Government does to counter foreign interference is often done behind the scenes, given the sensitivity of the tools and techniques involved. But in light of the breadth of foreign interference and its impact on so many areas of society, our agencies have been engaging with Canadians to assist with the signs of what to look for, and who to call when they encounter it.

In this respect, CSIS provides briefings to private companies, universities and research institutions to help them better understand how to protect their work. In the context of the pandemic, Canada's security and intelligence agencies moved quickly to work with the life sciences sectors involved in Canada's response to COVID-19 to help protect them from foreign interference activities. As an example, CSIS has undertaken a national outreach campaign aimed at sensitizing these sectors from the threat they could face from foreign interference,

The RCMP also engages with the Canadian Association of Chiefs of Police to help inform local law enforcement agencies of threats from foreign interference and to establish mechanisms for reporting foreign interference incidents,

With respect to foreign interference and other cyber threats, CSE's Canadian Centre for Cyber Security (Cyber Centre) recently released the National Cyber Threat Assessment 2020 report, which highlights cyber threats facing individuals and organizations in Canada in order to help Canadians shape and sustain our nation's cyber resilience. This includes threats from activities sponsored by countries such as the PRC, covering cyber espionage, intellectual property theft, online influence operations, and disruptive cyber incident* The Cyber Centre also provides cyber security guidance and best practices, including through CSE's Get Cyber Safe public awareness and education campaign.

The Government is committed to continued engagement with Canadians on the issue of foreign interference to build awareness and bolster resilience.

Protecting Canadian Knowledge and Research

The Government of Canada is committed to an open and collaborative environment for science and research, and recognizes the importance of Open Science as essential for research discoveries and innovation. At the same time, espionage and foreign

interference activities pose real threats to Canadian research integrity, intellectual property, and business interests.

Universities, government departments, the federal granting councils, and national security agencies are regularly in contact as part of ongoing engagement activities, and collaborate to understand, identify and respond to potential threats to research security- This dialogue includes a joint Government of Canada-Universities Working Group which facilitates the identification, sharing and promotion of best practices to minimize security risks, protect data and intellectual property.

As part of this work, the Government of Canada and the academic sector worked collaboratively to develop and launch an online resource portal called "Safeguarding Your Research." The portal provides information, best practices and tools to help researchers identify and mitigate potential security risks to their work. Earlier this year CSIS gave a briefing to the Canadian Chamber of Commerce which flagged China and Russia as countries actively involved in commercial espionage.

Recognizing the elevated threat of foreign actors targeting COVID-19 related research in Canada, the Government of Canada also released a policy statement on research security - signed by the Minister of Innovation, Science and Industry, the Minister of Health, and myself - in September 2020. The statement identifies the potential threats to research security and the need to take appropriate measures to safeguard research and innovation, particularly in the context of COVID-19.

Furthermore, the Government has instructed federal research funding agencies, including the Canada Foundation for Innovation, the Canadian Institutes of Health Research, the Natural Sciences and Engineering Research Council, and the Social Sciences and Humanities Research Council, to review their security policies and processes and to promote awareness of the best practices and tools available to the Canadian researchers and innovators they fund, so that Canada, rather than our adversaries, maximizes benefits from the Government's significant investments in science and research.

Additionally, direct engagement between Canadian universities, federal laboratories and security institutions on the risks posed by foreign interference has been ongoing since 2016 through the Safeguarding Science initiative led by Public Safety Canada, in partnership with 10 other federal departments.

This initiative aims to raise awareness within Canada's research communities of the risks of proliferation; dual-use technology; research security; and cybersecurity. The initiative informs participants about tools to help recognize and mitigate the risks Canadian

institutions are facing, including those posed to their research and development. Thus far, Safeguarding Science presentations have been delivered to 33 institutions and 5 federal labs across the country. Expansion efforts are also underway to deliver additional tools and guidance to the research community, along with more workshops from coast-to-coast and within the private sector and with Provincial/Territorial partners.

Public Safety Canada has also established a Federal, Provincial and Territorial Community of Practice on Economic-based National Security Threats to bring together key officials across these jurisdictions to discuss national security threats that arise through certain economic activities.

Canada's multi-disciplinary research community is world-renowned. With the right tools and awareness of the potential risks, we can ensure that Canada continues to maximize benefits from our significant investments in science and research.

I will note that just this week it was reported that CSIS has been engaging with, and briefing government partners and companies in the vaccine and other medical supply chains. I can assure you that our agencies will continue to work closely with our partners to ensure that as many businesses and orders of government have the information they need to implement preemptive security measures to identify and mitigate all threats.

International Collaboration

Canada cannot tackle foreign interference alone. Our international allies and partners face similar threats. And so, by working together, we bring our collective resources to bear in countering threats from foreign actors. Canada has always stood up for a rules-based international order, one in which all countries abide by international norms. Consistent with these principles, Canada actively shares information and coordinates responses with allies through numerous multilateral bodies and relationships.

As a member of the Five Country Ministerial, I have committed to collaborating with my counterparts in the United States, the United Kingdom, Australia and New Zealand on the issue of foreign interference, to share information about our respective approaches and to coordinate responses and attribution as deemed appropriate.

Security and intelligence partners also collaborate to share information in an effort to counter foreign interference, including state-sponsored disinformation, through a number of fora- The security and intelligence community, for example, work with

domestic and international partners to share information that can help detect, investigate, and prevent foreign interference in Canada.

Global Affairs Canada leads the G7 Rapid Response Mechanism. In 2018, G7 leaders committed to working together to strengthen G7 coordination to identify and respond to diverse and evolving foreign threats to G7 democracies, including through sharing information and analysis and identifying opportunities for coordinated response. The G7 RRM's focus includes, but is not limited to, threats to democratic institutions and processes; disinformation and media; and fundamental freedoms and human rights. The mechanism has since expanded to include Australia, the Netherlands and New Zealand. G7 RRM information sharing was tested and proven in the COVID-19 context. The mechanism quickly shifted its focus to the pandemic, supporting a real-time exchange of analysis of foreign threats that included industry and civil society organization partners, particularly with respect to evolving foreign state-sponsored information manipulation.

Working with our international partners, we have also taken measures to publicly attribute foreign interference activities when appropriate. For example, in December 2018, Canada again joined partners in calling out the Chinese Ministry of State Security for the compromise of Managed Service Providers (MSPs). The Cyber Center reached out to MSPs in Canada to inform them of the threat and offer assistance.

The Government of Canada is committed to working with our partners and allies to share the critical information necessary to understand and counter the full spectrum and threat of foreign interference.

Protecting Our Citizens and Our Communities

Canada does not tolerate harassment or intimidation of its Any allegation of harassment or intimidation is taken seriously by the Government of Canada and will be dealt with appropriately.

Any Canadian who feels threatened or intimidated by a person acting on behalf of a foreign country is encouraged to contact their local police at the earliest possible opportunity. In instances where this threat rises to a level where individuals are concerned for their personal safety and security, it is essential that they report this information to local law enforcement agencies for their immediate action.

Through Integrated National Security Enforcement Teams our national security agencies investigate national security matters domestically and internationally. CSIS collects evidence and provides intelligence advice. The Police of Jurisdiction, including the RCMP,

has the authority and expertise to investigate cases whereby the evidence supports it. Canadians who are concerned that they are being targeted by state and non-state actors for the purposes of foreign interference should contact the RCMP's National Security Information Network at 1-800-420-5805, or by email at RCMP.NSINRISN.GRC@rcmp-grc.gc.ca.

Canadians may also report information related to foreign interference to CSIS by contacting 613-993-9620, or by completing the [web form](#).

Our law enforcement and security agencies are actively engaged in protecting Canadians from these threats. Canadians should feel confident that they have the skills, resources and capabilities to do what it takes to keep them safe.

Moving Forward

Colleagues, I welcome the interest you and other members of the House of Commons have shown in how the Government of Canada addresses foreign interference. Bringing these issues to the attention of Canadians and raising awareness amongst stakeholders is key to countering this threat.

It is only through raising awareness, building resilience, forging partnerships with key stakeholders and seeking innovative ways of responding to threats that we will be successful in countering the evolving and complex nature of foreign interference. We are therefore always looking for new ways of doing things, and meeting this challenge head on.

This Government values above all the wellbeing and safety of Canadians. Whenever malign foreign states seek to harm our communities, undermine our values or jeopardize the very institutions on which our country is built, we will take action. We cannot always make Government actions public in this sphere, but our sustained efforts make a difference in the lives of Canadians.

Sincerely,

The Honourable Bill Blair, P.C., C.O.M., M.P.

APPENDIX B: LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee’s [webpage for this study](#).

Organizations and Individuals	Date	Meeting
House of Commons	2023/05/16	74
Hon. Michael D. Chong, P.C., M.P., Wellington—Halton Hills		
As an individual	2023/05/30	77
Andrew Mitrovica, Writer		
Dan Stanton, Former Executive Manager, Canadian Security Intelligence Service		
Michael Wernick, Jarislowsky Chair in Public Sector Management, University of Ottawa		
Artur Wilczynski, Former Assistant Deputy Minister and Director General, Intelligence Operations, Communications Security Establishment		
As an individual	2023/05/30	78
Thomas Juneau, Associate Professor, Graduate School of Public and International Affairs, University of Ottawa		
Margaret McCuaig-Johnston, Senior Fellow, Graduate School of Public and International Affairs and Institute of Science, Society and Policy, University of Ottawa		
Wesley Wark, Senior Fellow, Centre for International Governance Innovation		
Vancouver Anti-Corruption Institute	2023/05/30	78
Peter German, Chair of the Advisory Committee		

Organizations and Individuals	Date	Meeting
House of Commons Hon. Bill Blair, P.C., M.P., Minister of Emergency Preparedness	2023/06/01	79
Department of Public Safety and Emergency Preparedness Tricia Geddes, Associate Deputy Minister	2023/06/01	79
Privy Council Office Jody Thomas, National Security and Intelligence Advisor	2023/06/01	79
As an individual The Right Hon. David Johnston, P.C., Independent Special Rapporteur on Foreign Interference	2023/06/06	80
As an individual Vincent Rigby, Visiting Professor, Max Bell School of Public Policy, McGill University	2023/06/08	81
House of Commons Eric Janse, Acting Clerk of the House of Commons Michel Bédard, Interim Law Clerk and Parliamentary Counsel Jeffrey LeBlanc, Acting Deputy Clerk, Procedure Patrick McDonnell, Sergeant-at-Arms and Corporate Security Officer	2023/06/08	81
Royal Canadian Mounted Police Michael Duheme, Commissioner Mark Flynn, Deputy Commissioner	2023/06/13	82
Department of Foreign Affairs, Trade and Development David Morrison, Deputy Minister of Foreign Affairs	2023/06/13	82
Canadian Security Intelligence Service Cherie Henderson, Assistant Director, Requirements David Vigneault, Director	2023/06/13	83
House of Commons Hon. Marco Mendicino, P.C., M.P., Minister of Public Safety	2023/06/15	84

Organizations and Individuals	Date	Meeting
Department of Public Safety and Emergency Preparedness Tricia Geddes, Associate Deputy Minister	2023/06/15	84
As an individual Daniel Jean, Former National Security and Intelligence Advisor to the Prime Minister Michel Juneau-Katsuya, Former Chief of the Asia-Pacific Unit, Canadian Security Intelligence Service	2023/06/15	84
As an individual Ward P.D. Elcock, Former Director of the Canadian Security Intelligence Service	2023/06/20	85
The Bureau Samuel Cooper, Investigative Journalist	2023/06/20	85
United Kingdom House of Commons Eve Samson, Clerk of the Journals	2023/06/20	85
Department of Foreign Affairs, Trade and Development Tara Denham, Director General, Office of Human Rights, Freedoms and Inclusion	2023/10/17	88
Treasury Board Secretariat Mike MacDonald, Senior Assistant Deputy Minister, Office of the Chief Information Officer	2023/10/17	88
Department of Foreign Affairs, Trade and Development Rob Stewart, Deputy Minister, International Trade	2023/10/19	89
House of Commons Hon. Bill Blair, P.C., M.P., Minister of National Defence	2023/10/24	90
As an individual Hon. Erin O'Toole, P.C., President, ADIT North America	2023/10/26	91

MINUTES OF PROCEEDINGS

A copy of the relevant Minutes of Proceedings ([Meetings Nos. 74, 77 to 85, 88 to 91, 96, and 102 to 110](#)) is tabled.

Respectfully submitted,

Hon. Bardish Chagger
Chair

Question of Privilege Related to the Intimidation Campaign Against the Member for Wellington—Halton Hills and Other Members: Conservative Supplemental Report

This Supplemental Report reflects the views of the Conservative Members of Parliament who serve on the Standing Committee on Procedure and House Affairs (“PROC”): MP Michael Cooper (Vice-Chair of the Committee, St. Albert—Edmonton), MP Luc Berthold (Mégantic—L’Érable), MP Blaine Calkins (Red Deer—Lacombe), and MP Eric Duncan (Stormont—Dundas—South Glengarry).

Introduction

Conservatives concur with the finding of the Committee’s report that Wei Zhao be held in contempt of Parliament for orchestrating efforts on the part of the People’s Republic of China (PRC) to intimidate MP Michael Chong and other MPs. However, we assess the Committee’s report to be inadequate. The report does not provide a sufficient account of the breakdown in the machinery of government, under Prime Minister Justin Trudeau, which allowed for this incident to occur. It further fails to acknowledge two facts which had a significant impact on the Committee’s ability to do its work in undertaking this study. Namely, that Minister Bill Blair was evidently not entirely forthcoming with the evidence he provided to the Committee, and that the sustained efforts of Liberal MPs to block the Committee from ordering relevant documents prevented the Committee from being equipped with all available facts.

This supplemental report will detail what Conservatives observe to be a proper account of the breakdown in the machinery of government that led to this contempt of Parliament. It will also provide evidence of Minister Blair’s misleading testimony, and comment on the efforts on the part of Liberal MPs to obstruct the study by preventing the Committee from ordering relevant documents.

A Breakdown in the Machinery of Government under Justin Trudeau’s Watch

The scale of the breakdown in the machinery of government, under Justin Trudeau’s watch, in relation to the subject matter of the question of privilege, was not adequately addressed in the Committee’s report. Accordingly, we will detail the significant failures on the part of Justin Trudeau, the then-Minister of Public Safety Bill Blair, and multiple Trudeau government officials. These failures resulted in MP Michael Chong being left in the dark for two years about the fact that he and his family in Hong Kong were being targeted by the PRC.

Ultimate responsibility for these failures rests with Justin Trudeau. As Prime Minister, Justin Trudeau is singularly responsible for organizing the machinery of government. This includes special responsibilities for national security.¹ These special responsibilities involve organizing the

¹ Justin Trudeau, *Open and Accountable Government*, p.58, November 27, 2015.

government such that there is an appropriate flow of information and intelligence to decisionmakers.

It is evident that there was a breakdown of the information and intelligence flow throughout Justin Trudeau's government. This is demonstrated by the fact that at least two CSIS memos warning that the PRC was targeting MP Chong and other MPs were sent to multiple points at the highest levels of Justin Trudeau's government but were not acted upon. It is likely that MP Chong would still be in the dark, and no action would have been taken in response to this interference by the PRC, had it not been reported on by *The Globe and Mail* beginning on May 1, 2023. Only then was MP Chong briefed by CSIS and the Prime Minister's National Security and Intelligence Advisor, and Wei Zhao was expelled from Canada.

The May 2021 CSIS IMU

The first CSIS memo warning that the PRC was targeting MP Chong and other MPs was a May 2021 CSIS Issues Management Brief (IMU), which was sent to then-Minister of Public Safety Bill Blair, Minister Blair's Chief of Staff, the Deputy Minister of Public Safety, and the Prime Minister's National Security and Intelligence Advisor (NSIA) via Canada's Top Secret Network (CTSN). The IMU specifically mentioned that MP Chong was being targeted by the PRC, including by Wei Zhao. According to the Director of CSIS, David Vigneault, an IMU is a type of note prepared by CSIS designed to bring to the attention of decisionmakers information deemed to be of "high importance".²

Mr. Vigneault testified at the Committee that the IMU was sent to the Department of Public Safety "with the very specific directive to forward it to the [M]inister [of Public Safety]."³ Notwithstanding this, Minister Blair claimed that he was unaware of the IMU. Minister Blair further claimed that he did not have access to the secure terminal in which the IMU was stored. This terminal was located on the same floor as Minister Blair's office, in the office of the Deputy Minister of Public Safety.

At the Committee, Minister Blair blamed the Director of CSIS for not personally briefing him on the IMU. Minister Blair stated that he was reliant on the Director of CSIS to personally bring matters of importance to his attention. Minister Blair stated:

"The way in which the information was brought to the attention of the [M]inister was that it was determined by the director of CSIS what intelligence information the [M]inister needed to know. They would then print out a copy of that and have me attend at a secure location, and the Director of CSIS would brief me."⁴

² Evidence: June 13, 2023 (David Vigneault).

³ Ibid.

⁴ Evidence: June 1, 2023 (The Honourable Bill Blair).

Minister Blair’s testimony was contradicted by Mr. Vigneault, who acknowledged that “a lot of the information that is exchanged between CSIS and the [M]inister comes directly from me or one of my senior officials.” However, Mr. Vigneault added:

“However, I think it’s important to note here that we also have a lot of exchanges of documentation. The exchanges of documentation come, as I mentioned earlier, mostly through electronic means to the department, so that it is able to be printed and made available to the [M]inister.”⁵

The foregoing is the means by which the IMU was transmitted to Minister Blair. We find it concerning that Minister Blair was not forthcoming about this common means of transmitting information to him from CSIS. This appears to be a convenient omission on the part of Minister Blair to evade responsibility.

According to the then-Deputy Minister of Public Safety, Rob Stewart, it was up to Minister Blair “to decide which briefings he wants and which he doesn’t.”⁶ When Minister Blair was asked whether he instructed his officials to brief him on IMUs, he did not provide an answer.⁷ It is alarming that Minister Blair wouldn’t confirm whether he instructed his officials to bring to his attention matters deemed by CSIS to be of “high importance”. This does not lend confidence to Minister Blair’s execution of his duties as Minister of Public Safety. In fact, it raises the question: what other matters of “high importance” flagged by CSIS did Minister Blair miss?

Minister Blair also testified that his Chief of Staff, Zita Astravas never reviewed the IMU. Likewise, neither Mr. Stewart nor the NSIA at the time, Vincent Rigby, reviewed the IMU. Notwithstanding that the IMU contained information CSIS deemed to be of “high importance” transmitted specifically for their attention, the IMU effectively went into a “black hole”.

The July 2021 CSIS Memo

The second CSIS memo was a July 2021 intelligence memo (July Memo) that was sent to the Deputy Minister of Public Safety, the Deputy Minister of Foreign Affairs, the Deputy Minister of National Defence, and the NSIA. The July Memo warned that certain MPs were being targeted by the PRC. Although the memo did not expressly name MP Chong, it contained details—including about MP Chong’s family in Hong Kong—that would have made it apparent to persons familiar with the matter that MP Chong was one of the MPs who was being targeted.

No action was taken by any of the officials to whom the July Memo was sent. At Committee, then-NSIA Jody Thomas acknowledged that the memo went into a “black hole”.⁸

⁵ Evidence: June 13, 2023 (David Vigneault).

⁶ Evidence: October 19, 2023 (Rob Stewart).

⁷ Evidence: October 24, 2023 (The Honourable Bill Blair).

⁸ Evidence: June 1, 2023, (Jody Thomas).

Ms. Thomas was one of the recipients of the July Memo as the then-Deputy Minister of National Defence. Ms. Thomas was on vacation at the time the memo was received by the Department of National Defence. Ms. Thomas never read the memo. By the time Ms. Thomas returned from vacation, the memo had been destroyed through the Department's destruction processes.⁹ Notwithstanding that Ms. Thomas was the only person in the Department authorized to review the memo, there were no protocols in place to ensure that the memo was maintained for her review upon returning from vacation.

Ms. Thomas further noted that "it's incumbent upon the Deputy Ministers [who received the memo] to brief [their] ministers."¹⁰ She confirmed that the memo was sent to three Deputy Ministers but went nowhere. None of the respective Ministers were briefed. This is an indictment of the national security culture and the flow of information and intelligence within Justin Trudeau's government.

According to Ms. Thomas, although the July Memo was sent to the NSIA in July 2021, it was not "presented" to the NSIA until August 2021. Around the time that the memo was sent, the position of NSIA had become a "revolving door". In July 2021, the Prime Minister had an interim NSIA, Mike MacDonald. During this time the memo went unread. By the time that the memo was "presented" in August 2021, the Prime Minister had a new interim NSIA, David Morrison.

Mr. Morrison testified that the July Memo was in his reading package on August 17, 2021. However, he had "no recollection of receiving it or reading it then."¹¹ Mr. Morrison stated that he eventually read the memo "when the dust from Afghanistan settled." Despite the alarming contents of the memo, Mr. Morrison tried to downplay its significance, claiming that the memo "was never intended to spur action by readers."¹² Mr. Morrison was unable to explain how the memo could have been written in a way to spur action. We submit that a memo that states that the PRC "has taken specific action to target Canadian MPs"¹³ should suffice to prompt immediate action by the NSIA.

Mr. Morrison's casual dismissal of the July Memo's significance is even more concerning considering Justin Trudeau had called a federal election two days prior to the memo appearing in Mr. Morrison's reading package. At the time, Mr. Morrison was also a member of the five-member Panel as part of the government's Critical Election Incident Public Protocol ("CEIPP"). The CEIPP was established to counter and make known to the public threats of foreign interference in federal elections.

One would reasonably expect that given Mr. Morrison's dual roles, he would have been even more concerned about the contents of the memo. Mr. Morrison's disinterest in an intelligence

⁹ Ibid.

¹⁰ Ibid.

¹¹ Evidence: June 13, 2023 (David Morrison).

¹² Ibid.

¹³ Chase, Steven; Fife, Robert "CSIS head tells MP Michael Chong that he and Family were Targeted by China" *The Globe and Mail*, May 2, 2023.

memo flagging PRC interference against sitting MPs casts doubt on his judgment and fitness for the roles that he served in as the NSIA and as a member of the CEIPP Panel. This also applies to his current role as Deputy Minister of Foreign Affairs. We further observe that Mr. Morrison’s dismissive approach portended the failure of the CEIPP Panel to respond to what subsequently has been revealed to be a sophisticated strategy by the PRC to interfere in the 2021 election for the purposes of helping Justin Trudeau’s Liberals and defeating certain Conservative candidates.

After finally reading the July Memo months after it appeared in his reading package, Mr. Morrison stated that he was “interested enough to have commissioned a follow-on piece...within our intelligence community in an attempt to gain the fullest possible picture of [Beijing’s] foreign interference in Canada.”¹⁴ This follow-up memo was not finalized until January 2022—five months after Mr. Morrison had initially received the memo in his reading package. Mr. Morrison was unaware of whether the Prime Minister was briefed on the follow-up memo, and could not otherwise say what was done with it within the government.¹⁵ However, given that MP Chong first learned that he was a target of the PRC via *The Globe and Mail*, it is evident that no action was taken to inform and protect MP Chong and the other MPs from the PRC’s activities against them.

Minister Blair Misled the Committee

We conclude that Minister Blair deliberately misled the Committee during his appearance on June 1, 2023, regarding the circumstances surrounding his failure to read or otherwise be briefed on the IMU. The IMU concerned intelligence that MP Chong and his family were being targeted by the PRC.

The IMU was sent on May 31, 2021, to the attention of Minister Blair. Minister Blair claimed that he was unaware of the IMU, and otherwise did not learn that MP Chong and his family were being a targeted of the PRC until this was reported in *The Globe and Mail* on May 1, 2023.

At Committee, when probed about why he had been unaware of the IMU, Minister Blair repeatedly claimed that the Director of CSIS had made the decision not to share the information contained in the IMU with him. Minister Blair characterized this as an “operational decision” by the Director. Relevant testimony of Minister Blair on this point includes:

“The [D]irector [of CSIS] determined that this was not information the [M]inister needed to know, so I was never notified of the existence of that intelligence, nor was it ever shared with me.”

...

¹⁴ Evidence: June 13, 2023 (David Morrison).

¹⁵ Ibid.

“In this case, the national security and intelligence agency made a determination that this was not information that needed to be shared with the [M]inister, and they did not share it with me.”

...

“This is a situation where it’s an operational decision of CSIS as to what information needs to be passed along to government. In this case, they made an operational decision that this was not required. Two years later, when it was leaked to the press, that information was subsequently shared with me.”¹⁶

On its face, Minister Blair’s testimony is absurd. Why would CSIS issue an IMU to Minister Blair on intelligence about which an “operational decision” had been made not to share with him? This defies common sense and lacks credibility.

Minister Blair’s testimony was directly contradicted by the Director of CSIS, David Vigneault. Mr. Vigneault testified that CSIS issued an IMU to the attention of Minister Blair to make him aware that MP Chong and his family were being targeted by the PRC. As Mr. Vigneault stated:

“I think the fact that we did an issue management note [IMU] speaks to the notion that we wanted to highlight the information.”¹⁷

Mr. Vigneault further explained the significance of transmitting the intelligence via an IMU. According to Mr. Vigneault, CSIS issues IMU’s “when we see we have something of high importance.” As Mr. Vigneault stated:

“[W]e have instituted this process called an “information management note”. That would be shared to bring attention to something more specifically. That was the purpose of this note. It was to bring it to the attention of the people to whom it was destined to go.”¹⁸

We also need not rely simply on Mr. Vigneault's testimony. Contemporaneous CSIS records, released under the *Access to Information Act*, validate Mr. Vigneault's evidence. A copy of the IMU, as released by CSIS and which Conservatives tabled with the Committee, is annexed.

Minister Blair made a second appearance at the Committee where he was asked to clarify his earlier testimony. Minister Blair explained: “I assumed that if the [D]irector did not share information with me, then he didn’t require that I see it.”¹⁹

¹⁶ Evidence: June 1, 2023 (The Honourable Bill Blair).

¹⁷ Evidence: June 13, 2023 (David Vigneault).

¹⁸ Ibid.

¹⁹ Evidence: October 24, 2023 (The Honourable Bill Blair).

We are not satisfied with Minister Blair’s explanation. It was a blatant attempt by Minister Blair to evade responsibility for having given false and inaccurate testimony on June 1, 2023. This false and inaccurate testimony was not an instance of Minister Blair merely misspeaking. Rather, Minister Blair actively misled the Committee.

To support this conclusion, we make the following observations. Minister Blair used very specific words, including that an “operational decision” had been made by CSIS. He was unequivocal in his words. Moreover, Minister Blair made the claim repeatedly. Taken together, it is evident the Minister was deliberate in his choice of words and did not misspeak.

It is shocking that Minister Blair was unaware of the intelligence concerning the targeting of MP Chong by the PRC that CSIS had specifically sent to him as a matter of “high importance” via an IMU. This constituted a serious breakdown in the flow of information and intelligence under Minister Blair’s watch. As Minister, Mr. Blair bears responsibility for this breakdown. Instead of accepting responsibility, Minister Blair pointed to the Director of CSIS and a supposed “operational decision” that had been made to keep him in the dark. Minister Blair had to have known that no such operational decision had been made, and yet he said so anyway. This is supported by Minister Blair’s later testimony when he stated that he merely “assumed” that the Director “didn’t require that I see [the intelligence].” That is markedly different from Minister Blair’s June 1, 2023, testimony where he spoke definitively of an “operational decision” by the Director of CSIS.

Minister Blair had a duty to be truthful in his testimony to the Committee. Minister Blair was not truthful. He misled the Committee, in a self-serving attempt to evade accountability for a massive failure that occurred under his watch as Minister of Public Safety.

Misleading a parliamentary committee is a serious matter; indeed, it can amount to a contempt of Parliament. It cannot be overlooked. Accordingly, we are reporting Mr. Blair’s misleading evidence to the House of Commons, since a question of privilege may be involved, to give the House an opportunity to reflect on these matters.

Liberal MPs Obstructed the Production of Relevant Documents

The Committee failed to obtain all relevant documents and evidence due to a sustained coverup campaign by Liberal MPs on the Committee. These documents included the IMU and the July Memo.

This coverup campaign was at times supported by New Democrat and Bloc Québécois MPs. Consequently, the Committee was unable to fully investigate the question of privilege concerning MP Chong and other MPs who were targeted by the PRC. It follows that the findings and recommendations of the Committee’s Report are based on incomplete evidence and information. This is unacceptable.

It is conclusive that there was a significant breakdown in the machinery of government that left MP Chong in the dark for two years that he and his family were being targeted by the PRC. The Speaker of the House of Commons found a *prima facie* contempt of MP Chong's privileges as an MP. Following the Speaker's ruling, the House unanimously passed a motion that this *prima facie* contempt of privilege be referred to the Committee to investigate.

The Committee had a responsibility to fully investigate the circumstances surrounding MP Chong being targeted by the PRC, and the fact that Justin Trudeau's government failed to inform MP Chong of this. The production of documents was critical to the Committee's ability to undertake a full investigation. The importance of document production was noted by MP Chong when he appeared at the Committee. MP Chong said that it was necessary for the Committee to "obtain the documents and tracking records" to identify the "systemic problems" that resulted in a breakdown in the machinery of government that left him in the dark.²⁰

Accordingly, Conservatives introduced multiple motions calling for the production of all relevant documents. At every step, these efforts were thwarted by Liberal MPs, undoubtedly at the direction of Justin Trudeau and his PMO.

After months of Liberal obstruction, MP Chong felt compelled to write to the Committee urging that it exercise its unfettered powers to obtain all relevant documents related to the PRC's intimidation campaign. As MP Chong observed:

"Without such information, the Committee will not be able to fully understand what took place and will not be able to make recommendations to the House to prevent future occurrences to me or other [M]embers."²¹

Liberal MPs ignored MP Chong's letter, again undoubtedly at the direction of Justin Trudeau and his PMO. Instead, they proceeded to conclude the study and prepare a report without having ordered or reviewed any relevant documents. As a result, the Committee was placed in the untenable position of writing a report and making recommendations based on an incomplete body of evidence. Incredibly, *The Globe and Mail*, which first reported that MP Chong and his family were a target of the PRC, had access to documents that Liberal MPs blocked the Committee from obtaining.

Liberal MPs feigned that their efforts to block the Committee from receiving documents were due to national security concerns. These claims are groundless. The production motions introduced by Conservatives contained a mechanism by which the Law Clerk and Parliamentary Counsel would make redactions as necessary to protect national security. Significantly, the Law Clerk and Parliamentary Counsel has a Top Secret security clearance. Given this, there was no

²⁰ Evidence: May 16, 2023 (The Honourable Michael Chong).

²¹ Evidence: Letter addressed to the Chair of the Standing Committee on Procedure and House Affairs, The Honourable Michael Chong, Dec 4, 2023.

credible risk that the production of relevant documents would have in any way compromised national security.

Instead, national security was used as a ruse by Liberal MPs, undoubtedly at the direction of Justin Trudeau and his PMO, to shield Trudeau and his Ministers from accountability for this serious breakdown in the machinery of government.

This is part of a pattern of obstruction and coverup by Justin Trudeau's Liberal government. This government cannot be trusted to be truthful and transparent with the information it provides to Parliament. Rather, it has gone to unprecedented lengths to hide the truth.

This is supported by the finding of the Ad Hoc Committee of Parliamentarians, which reviewed the Winnipeg Lab documents. The Committee, comprised of MPs from all recognized parties as well as three retired judges, found the decision by Justin Trudeau's government to withhold the Winnipeg Lab documents was "mostly about protecting [the government] from embarrassment", and not legitimate national security concerns.²²

Having regard for this record of coverup, coupled with the unfounded national security concerns raised by Liberal MPs, it is evident that the true underlying motivation of these efforts was to protect Justin Trudeau from political embarrassment. That Liberal MPs on the Committee put the political interests of Justin Trudeau ahead of getting to the bottom of why MP Chong was kept in the dark for two years is an abdication of their responsibility and casts doubt on the credibility of the Committee's report in the face of this information void.

Conclusion

The circumstances surrounding the subject matter of this question of privilege constitute a serious breakdown in the machinery of government. As Prime Minister, Justin Trudeau bears ultimate responsibility. It is evident by the conduct of Liberal MPs on the Committee that their primary objective in participating in this study was to protect Justin Trudeau from political embarrassment. This objective was put ahead of a complete investigation into what happened and holding the government to account.

Finally, we emphasize our observation that Minister Blair intentionally gave false and inaccurate testimony to the Committee in an effort to shield himself from responsibility for his failure to read an intelligence memo sent to him by CSIS and flagged for high importance. We submit that this may amount to a contempt of Parliament and ask that the matter be referred to the House for further consideration.

²² Letter addressed to the House Leaders of the recognized parties in the House of Commons, Ad Hoc Committee of Parliamentarians, February 19, 2024.

Annex


From: [REDACTED]
 To: [REDACTED]
 Cc: [REDACTED]
 Subject: Defensive briefings to two Members of Parliament regarding PRC foreign interference activity

Classification: Top Secret//Canadian Eyes Only
 Classification: Très secret//Réservé aux Canadiens
 Restriction / Restriction d'accès: NR / AR
 File Number / No. de dossier: [REDACTED]

Good afternoon,

CSIS would like to share the following information.
 Please note that the distribution is confined exclusively to: DM Public Safety, Minister Public Safety, MIN PS NSIA.

[REDACTED] CSIS
 [REDACTED] SCRS



CSIS Issues Management Brief

Note d'information relative à la gestion des enjeux du SCRS

SUBJECT / CONTEXTE	Defensive briefings to two Members of Parliament regarding PRC foreign interference activity
CLIENT:	PCO & PS
QUERY DATE:	NA
RESPONSE DATE:	2021 05 31
ORIGINAL SOURCE:	CSIS

CAUTION: RESTRICTED DISTRIBUTION REPORT
This report contains sensitive information. Distribution must be confined exclusively to:
DM Public Safety, Minister Public Safety, MIN PS CoS, NSIA

TOP SECRET//CEO

ISSUE: CSIS will be conducting defensive briefings to Members of Parliament, Michael CHONG and Kenny CHIU to sensitize both on foreign interference threats posed by the People's Republic of China (PRC).

BACKGROUND: The PRC maintains an active interest in MPs CHONG and CHIU. CSIS assesses that [REDACTED] of PRC Foreign Interference (FI) threat actors.

CSIS judges that CHONG and CHIU are of immediate interest to the PRC Mission given their involvement in the House of Commons Subcommittee on International Human Rights as well as their respective positions in Parliament. CHONG has also been personally affiliated with many efforts to highlight the PRC's threat activities targeting Canada, and CHIU is the MP of a riding of high interest to the PRC. CSIS [REDACTED] in the two MPs from multiple PRC threat actors, including the Ministry of State Security (MSS).

Defensive briefings to CHONG and CHIU are intended to:
 [REDACTED]

CHIU is the MP of Steveston-Richmond East, [REDACTED]

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[REDACTED]