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Our File Number: LEX-500144654

November 21, 2023

Shantona Chaudhury  
Lead Commission Counsel  
Public Inquiry into Foreign Interference in Federal  
Electoral Processes and Democratic Institutions

Dear Ms. Chaudhury:

**Re: Canada's Standing Submissions**

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Enclosed please find Canada's Standing Submissions. These brief submissions are being provided pursuant to the Commission's *Rules of Standing and Funding and Application to Participate and for a Funding Recommendation*.

Yours truly,

Tzemenakis, Gregory  
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OU=Jus-Jus, CN="Tzemenakis, Gregory"  
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Gregory Tzemenakis  
A/Senior General Counsel

Barney Brucker  
A/ Senior General Counsel

Encl. Canada's Standing Submissions



# Public Inquiry Into Foreign Interference in Federal Electoral Processes and Democratic Institutions

## Application to Participate and for a Funding Recommendation

All Applicants seeking standing or standing and funding must use this form and may file supporting materials related to the topics set out below. All applications, along with any supporting materials, must be sent via email to [standing-qualite@pifi-epie.gc.ca](mailto:standing-qualite@pifi-epie.gc.ca) no later than 5 PM EST on Wednesday, November 22, 2023, or on any other date with leave of the Commissioner.

The Rules governing applications for standing and funding for the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions can be accessed [here](#).

*Please note, this form is available as a fillable .pdf on a desktop computer*

### 1. The Applicant

#### a. Individual (if applicable)

- i. Name:
- ii. Email address:
- iii. Mailing address:
- iv. Telephone number:

#### b. Organization, government, agency, institution, association or other entity (if applicable)

- i. Name:
- ii. Contact (name and position)
- iii. Email address:
- iv. Mailing address:
- v. Telephone number:

#### c. Legal representative (if applicable)

- i. Representative's name:
- ii. Firm:
- iii. Email address:
- iv. Mailing address:

v. Telephone number: 613-297-2670; 416-520-4301

## 2. Standing to Participate

Participation in the Commission’s mandate may relate to its fact-finding function, its policy-related function, or both.

Participation in the Commission’s fact-finding function may include:

- Producing factual documents relevant to the Inquiry's mandate
- Creating or participating in the creation of factual summaries or reports to be introduced into evidence
- Identifying, tendering or representing witnesses who may testify on factual issues
- Examining or cross-examining witnesses
- Making submissions on factual issues and related evidentiary issues

Participation in the Commission’s policy-related function may include:

- Creating or producing policy papers to the Inquiry relevant to its policy-related function
- Participating in policy roundtables or discussions
- Making submissions on policy-related issues

### a. Does the Applicant seek standing in relation to: (check one box only)

- |   |                                     |
|---|-------------------------------------|
| The fact-finding function of the Commission   | <input type="checkbox"/>            |
| The policy-related function of the Commission | <input type="checkbox"/>            |
| Both  | <input checked="" type="checkbox"/> |

### b. Participation is based on the following criteria:

- i) A substantial and direct interest in the subject matter of the Inquiry;
- ii) The Applicant’s participation would provide necessary contributions or otherwise further the conduct of the Inquiry; and
- iii) The Applicant’s participation would contribute to the openness and fairness of the Inquiry.

In the space below, please explain how each of these criteria are met.

In particular, please specify the nature of the Applicant's “substantial and direct interest” in the subject matter of the Inquiry, with reference, where applicable, to paragraphs (a)(i) (A)-(E) of the Terms of Reference, and the Commission’s Notice dated November 10, 2023.

Please also identify those factual, legal or policy issues falling within the Inquiry's mandate that the Applicant wishes to address as a Participant.

In establishing the Public Inquiry into Foreign Interference (“PIFI” or the “Inquiry”), Order in Council P.C. 2023-0882 (the “OIC”) set parameters for participants in the Inquiry.

Canada is a unique participant in the Inquiry by virtue of its role in national security and as the custodian of relevant records, including classified material. Its unique position as it relates to the subject matter of the Inquiry is reflected in subparagraph (iii)(J) of the OIC, which directs the Commissioner to "provide the Government of Canada with an opportunity to fully participate in the Public Inquiry."

In contemplation of other parties seeking to participate, the OIC authorizes the Commissioner to, in her discretion, grant participatory rights in the public portions of the Inquiry to any person she determines would both provide “appropriate and necessary” contributions to, and has a “substantial and direct interest” in, the Inquiry’s subject matter. Canada also meets this threshold for participation, as discussed below.

i) Substantial and Direct Interest in the Subject Matter of the Inquiry

Canada is uniquely situated to participate in the Inquiry. Several federal government departments and agencies were integrally involved in the subject matter listed at subparagraphs (i)(A)-(D) of the OIC. Because these government departments and agencies, Canada has a substantial and direct interest in the subject matter of the Inquiry.

ii) Necessary Contributions to the Inquiry

Canada's full participation will provide appropriate and necessary contributions to the Inquiry. Canada is a primary source for information on all subject areas of the Inquiry, including classified material, as set out in the OIC. Canada will also be directly impacted by PIFI’s findings and recommendations. It is necessary for Canada to have full participatory rights for PIFI to fulfill its mandate.

iii) Contributions to the Openness and Fairness of the Inquiry

As one of the primary sources of information germane to PIFI’s mandate, openness and fairness of the Inquiry requires that Canada be granted full participatory rights. Federal departments and agencies are the custodians of key relevant material, including classified records. Canada is in a unique position to help the Commissioner balance the desire for transparency in a public inquiry and the need to protect classified information.

**c. Is the Applicant willing to share a single grant of standing with others with whom the Applicant shares a common interest? Check one box only.**

Yes     No

Please explain your answer in the box below and indicate whether the Applicant formed or have attempted to form a group or coalition with others of similar interests.

The Government of Canada requests full standing, distinct from any other applicant.

**d. Please indicate if the Applicant is seeking standing on one or more of the following issues:**

1. interference by China, Russia and other foreign states or non-state actors, in the 43rd and 44th general elections at the national and electoral district levels;
2. the flow of information within the federal government in relation to the above, and actions taken in response;
3. the capacity of the federal government to detect, deter and counter foreign interference directly or indirectly targeting Canada's democratic processes, in particular
  - (i) the creation, sharing, assessment and distribution of intelligence and the formulation of advice to senior decision-makers and elected officials;
  - (ii) the supports and protections in place for members of a diaspora vulnerable to foreign interference;
  - (iii) the mechanisms that were in place to protect the integrity of the 43rd and 44th general elections from foreign interference;

4. the challenges, limitations and potential adverse impacts associated with the disclosure of classified national security information and intelligence to the public;
5. recommendations for better protecting federal democratic processes from foreign interference;
6. other aspects of the Commission's [Terms of Reference](#) (please specify).

Please explain in the box below.

The Government of Canada is seeking full standing on all issues. This request is not limited to one or more of the above.

**e. If granted standing, how would the Applicant like to contribute to the Inquiry's work, in light of the scope and nature of the Applicant's interest? Please check all that apply:**

- By producing factual documents relevant to the Inquiry's mandate
  - By creating or participating in the creation of factual summaries to be introduced into evidence
  - By identifying, tendering or representing witnesses who may testify on factual issues
  - By examining or cross-examining witnesses
  - By making submissions on factual issues and related evidentiary issues
  - By creating or producing policy papers to the Inquiry relevant to its policy-related function
  - By participating in policy roundtables or discussions
  - By making submissions on policy-related issues
  - Other (Specify):
- 

### **3. Funding**

**a. If given the right to participate, are you asking the Commissioner to recommend to the Clerk of the Privy Council that you be given funding? Check one box only.**

- Yes     No

**b. If “yes”, why would you not be able to participate in the Inquiry without funding?**





**c. How much funding is the Applicant seeking and for what purpose?**

**d. Please check all that apply:**

- The Applicant has an established record of concerns for and a demonstrated commitment to the interest the Applicant seeks to represent.
  
- The Applicant has special experience or expertise with respect to the Commission's mandate.

If applicable, explain how the statements above apply to the Applicant.

- e. **Please list and provide any documentation or other evidence you would like the Commissioner to consider below and attach copies of all supporting materials to the application. Please note there is a 10-page limit for supporting documents relating to standing and a 5-page limit for supporting documents relating to funding.**

I hereby certify and declare that the information set out by me in this document is true and correct to the best of my knowledge and belief.

Date: November 21, 2023

Signature: Tzemenakis, Gregory Tzemenakis, Gregory  
C=CA, O=GC, OU=Jus-Jus,  
CN="Tzemenakis, Gregory"  
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