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UNCLASSIFIED**ANNEX 1 - COUNTERING FOREIGN INTERFERENCE: ELEMENTS OF AN EFFECTIVE RESPONSE BY GAC (AUTHORITIES, TOOLS, AND DECISIONMAKING PROCESSES)****TALKING POINTS FOR MINA – INTERVIEW WITH THE ISR****GAC Authorities**

- GAC undertakes numerous activities related to countering foreign interference as part of general departmental business, and under the authority of the Crown Prerogative (power to do acts of an international character).
- The DFATD Act outlines the mandate of the Minister of Foreign Affairs, such as conduct of diplomatic and consular relations on behalf of Canada, management of international negotiations and expansion of Canada's international trade and commerce.
- Additional sources of authorities include the *Foreign Missions and International Organizations Act* (implementation of the Vienna Conventions and other bilateral and multilateral agreements), the *Special Economic Measures Act* (Sanctions), the *Export and Import Permits Act* (Export controls) and the CSE Act Subsection 30(2) (need for my consent as Minister of Foreign Affairs for any CSE Active Cyber Operations activities).
- Lastly, as it relates to data collection, Section 16 of the CSIS Act provides that I as Minister of Foreign Affairs may make a request for CSIS to collect foreign intelligence within Canada.

GAC Activities

- The Department and myself as Minister carry out a range of activities pursuant to the Crown Prerogative as well as the above authorities to respond to or counter foreign interference. Responses vary significantly in severity and scale. Examples include but are not limited to:

(1) Diplomatic response, sanctions and attribution:

- Leveraging strategic communications to counter disinformation on public platforms.
- Public attribution of hostile activities by foreign actors, including as it relates to cyber incidents, using the GAC-led GoC attribution framework.
- Issuing demarches, planning or cancelling high level visits, taking retaliatory measures,
- Reducing or suspending diplomatic engagement, denying visas, declaring diplomatic personnel posted in Canada as *Persona Non Grata* (as a measure of last resort), close Missions abroad, or reduce /limit the performance of Canada's obligations under Canada's bilateral agreements.
- Issuing sanctions under the *Special Economic Measures Act*.

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UNCLASSIFIED**(2) Tools to prevent and counter FI:**

- a. Implementing the Indo Pacific Strategy, which includes both an international and domestic component – working in partnership with PS and agencies.
- b. Ensuring coherence of Active Cyber Operations with Canada's foreign policy priorities, including as it relates to foreign interference.
- c. Export restrictions are an additional tool GAC has to counter proliferation of arms and dual use goods and technologies – and reduce the risk that they could be leveraged by foreign powers to conduct foreign interference activities.

(3) Proactive bilateral and multilateral collaborations to counter FI

- Sharing best practices and lessons-learned through diplomatic engagement.
- Deepening bilateral and multilateral cooperation with likeminded partners and allies to address and counter foreign interference, notably via the G7 RRM and the UK/US led International Partnership to counter state-sponsored disinformation.

These activities are complementary with mandates of other members of the Canada's Security and Intelligence Community, and done in close consultation with them where appropriate.

Information sources

- Classified intelligence collection performed by Canada's intelligence community as well as our partners is an important source of information for GAC.
 - GAC's intelligence bureau provides me with relevant intelligence to support decision making, notably as it relates to foreign interference and its response.
 - The Department feeds into the biannual intelligence collections priority setting exercise, and ensures that requirements reflect GAC needs to support foreign policy development. In addition, GAC updates its intelligence requirements as required in light of shifting priorities.
 - Within the S&I community, GAC is a major consumer of intelligence.
- GAC also produces specialized diplomatic reporting and open source reporting on foreign interference related issues, as well as strategic intelligence assessments.
- The Department's recommendations rely on in-house foreign policy analysis as well as intelligence assessments performed by both GAC and OGDs.

GAC's decision making process

- My office is briefed on intelligence on a regular basis, via weekly reading packages and verbal briefings covering a range of recent international topics and developments of interest to support foreign policy development, but also as part of situation-specific briefings.

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- Apart from weekly briefings, intelligence is normally briefed to my office alongside any relevant open source information available as well the broader situational analysis and a proposed approach to tackling the situation – in the context of comprehensive issue-based briefings.
- These briefings usually include a range of available information (assessed intelligence, geographic and/or thematic expertise, bilateral relations, like-minded considerations, etc) as a basis for the Department's analysis, and ultimately to inform Ministerial decision on the tools that can be leveraged or the actions that can be taken.
- When it has been determined that a situation potentially warrants action, the Department provides issue-based briefings, which are typically based on all the information available – including both open source and classified intelligence. This information serves to support the Department's recommendation on what actions can be taken.

Analysis – key considerations

- Key considerations as part of the analysis include:
 - Can we confirm, using the information available, that this is a case of foreign interference, as opposed to legitimate foreign influence (see Annex 2 for a detailed explanation and examples)? Note Canadian diplomats regularly engage in legitimate foreign influence activities – important to draw a line.
 - What are the authorities and tools available for GAC vs OGDs?
 - Is there publicly available information to back GAC's action? It should be noted that for many tools GAC has its disposal to tackle foreign interference (such as sanctions), the information has to be in the public domain already in order for us to take action. Also important when making a decision based on intelligence to ensure we do not compromise precious intelligence sources and techniques by our action.
 - Are there risks of retaliation and do benefits outweigh risks? Notably, actions such as PNG or visa removal are always met with reciprocal, if not asymmetrical, reactions from the Chinese side.

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UNCLASSIFIED**EXAMPLES OF GAC ACTIONS****Chinese police stations**

- GAC briefed the Minister's office on Chinese interference (i.e. police stations) and a proposed GAC response primarily based on open source information.
- Available intelligence often served to back up, corroborate or complement the information that came out in the media.
- Given the availability of open source information, GAC did not have to declassify intelligence in order to take action in this case.
- There were clear signs that China was conducting interference, i.e. going beyond regular influence activities, including a range of covert and non transparent activities.
- The Vienna Convention on Diplomatic Relations (VCDR) and Consular Relations guide the management of diplomatic relations between countries around the world.

Demarches

- GAC has demarched the Ambassador and senior Chinese government repeatedly about our concerns related to foreign interference, including as recently as February 24, 2023.
 - Through these demarches, GAC has been clear with the Chinese government that foreign interference activities are unwelcome on Canadian soil. This includes the harassment and intimidation of individuals (reports of police stations in Canada), as well as undue influence in Canadian democratic processes.
 - Canada also reminded the Chinese about what is appropriate and inappropriate conduct as outlined in the Office of Protocol Circular Note to all foreign missions in Canada.
 - We have conveyed specific consequences to the Chinese Embassy, and have elevated bilateral interventions to the highest level.

Persona Non Grata

- In general terms, the expulsion of any diplomat would be a measure of last resort.
- No decision would be taken without considering all factors and risks.

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- The context for a decision to declare a foreign representative *Persona Non Grata*, either under Article 9 of the Vienna Convention on Diplomatic Relations (VCDR) or Article 23 of the Vienna Convention on Consular Relations (VCCR), varies from case to case, and each decision would be based on specific circumstances.
- The Convention provides that, in declaring a foreign diplomatic or consular representative *Persona Non Grata*, the receiving State (Canada) does not have to explain its decision to the Sending State.

Attribution of hostile activities*Attribution of malicious actions to Russia, China and Iran*

- Through the GAC-led GoC attribution framework, Canada has formally attributed malicious actions to Russia, China, and Iran over the last two years (although not specific to activity related to democratic processes).
- Public statements that draw attention to counter-normative state behaviour in cyberspace are part of a broader toolkit of deterrence and response to cyber incidents.

G7 RRM Annual report

- The G7 RRM published an Annual Report that in 2022 named Russia, China, and Iran as states that use covert foreign interference activities in the pursuit of their goals, from disinformation campaigns to targeting critical infrastructure.

Strategic Communications

- GAC and other departments are publicly and vehemently countering the Russian and Chinese governments' false claims and disinformation narratives about the war in Ukraine and providing guidance for detecting information manipulation on a growing number of online platforms.¹

Diplomatic actions (guided by the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations).

- **Writ Period Protocol Circular Note** – in advance of federal general elections, GAC's Office of Protocol sends a Circular Note to all foreign missions in Canada, outlining appropriate and inappropriate behaviour and activities under *Vienna Conventions*.
- **Accepting or reducing/suspending diplomatic engagement** – decisions by GAC officials impact Canada's bilateral relationships. A choice to not engage countries suspected of interfering in Canadian democracy, or to do so at a more junior level, is an indication of Canada's positions.

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Annex 1 – Summary of GAC Authorities

Annex 2 – Foreign Interference vs Foreign Influence – key definitions and examples

Annex 3 – Q&A on diplomatic actions

¹ See this webpage: [Countering disinformation with facts](#).

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