



MINISTERIAL BRIEFING

**Thursday, April 20, 2023
10:30 am – 12:30 pm**

A/Commissioner Larkin

WEEKLY MINISTERIAL BRIEFING

Thursday, April 20, 2023
10:30 am – 12:30 pm

Location: Microsoft Teams Meeting

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AGENDA**Weekly Ministerial Briefing – April 20, 2023
10:30 am to 12:30 pm****1) Prep for Appearance at PROC on Election Interference on April 25***Lead: PS/NCSB with PS/PACB and RCMP***2) Response to Mass Casualty Commission Report***Lead: PS/CPB with RCMP***** RCMP to drop off ******3) Update on FI Consultations***Lead: PS/NCSB***4) Deck to SSE on April 25: Canadian Response Options to Malicious Cyber Activity – Cab Doc TBC***Lead: PS/NCSB*

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HOT ISSUES NOTE

COUNTERING FOREIGN ACTOR INTERFERENCE: RCMP ROLE AND ACTIVITIES; THE FAI THREAT

RCMP SPEAKING POINTS:

- The RCMP is aware of foreign actor interference activity in Canada. These activities are being perpetrated by different foreign states, including the People's Republic of China.
- The RCMP's primary focus is the safety and protection of the public at all times, and we have the primary responsibility to respond to, investigate, and lay charges against illegal activities relating to foreign actor interference.
- The RCMP can investigate criminal offences related to foreign actor interference under the *Security of Information Act*; there are also *Criminal Code* offences that can be leveraged, such as criminal harassment and intimidation.
- The RCMP also educates on foreign actor interference threats through engagement efforts with the public sector, private entities, and impacted communities.

QUESTIONS AND ANSWERS:

Role and Activities

What is the RCMP doing to counter Foreign Actor Interference?

- As Canada's Federal law enforcement agency, the RCMP is uniquely positioned to combat foreign actor interference.
- The RCMP's Federal Policing National Security program has a multidisciplinary team dedicated to countering foreign interference and identifying criminality. The Program is responsible for responding to reports of foreign actor interference, in collaboration with its Security and Intelligence and Law Enforcement partners.
- The RCMP also has investigative teams strategically located across Canada to respond to and investigate national security-related illegal activities, including foreign actor interference.
- The RCMP works with our domestic and international partners to investigate,

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detect, and disrupt illegal activities where foreign actor interference is suspected.

Can you describe how the RCMP counters Foreign Actor Interference?

- Because this activity takes a variety of forms, the RCMP uses various methods and techniques to counter foreign actor interference.
- While I cannot provide specific details on these methods, what I can say is that should there be criminal activity occurring in Canada that is found to be backed by a foreign state, it is within the RCMP's mandate to prevent, disrupt, and investigate this activity.

Authorities & Legislation

Where does the RCMP draw its authorities from to counter foreign actor interference?

- The RCMP is mandated under the *Security Offences Act* to investigate offences that constitute a threat to the security of Canada, including foreign actor interference.
- In addition, there is legislation, including the *Security of Information Act* and the *Criminal Code*, which contain a broad range of offences related to foreign interference.
- The RCMP may leverage any relevant piece of legislation to counter foreign interference.

Can you provide more information? What pieces of legislation can the RCMP use to counter Foreign Actor Interference?

- The RCMP is mandated to investigate foreign interference activities. The RCMP's national security program investigates these threats to the security of Canadians by upholding various laws for the purpose of preventing offences from happening and bringing to justice those who contravene Canadian legislation, including:
 - *Security Offences Act* – designates the RCMP as the primary enforcement body in relation to national security.
 - *Security of Information Act* – contains numerous offences in relation to FI, such as economic espionage, release of classified information, and foreign influence threats and violence.

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- *Criminal Code* – contains numerous offences that can be leveraged, including breach of trust, criminal harassment, unauthorized use of a computer, intimidation, bribery etc.
- *Investment Canada Act* – review of foreign investments that may be injurious to Canada's national security.
- *Immigration and Refugee Protection Act (IRPA)* - working with partners, IRCC may cancel, refuse to issue or revoke a passport.

Is the current legislation available to the RCMP for countering FAI sufficient?

- As I noted previously, the RCMP may leverage the *Criminal Code*, *Security Offences Act*, *Security of Information Act*, and other pieces of legislation to counter FAI.
- However, any relevant piece of legislation may be used to counter this activity.
- While existing legislation allows the RCMP to investigate criminal actors in the FAI space for certain activities, the RCMP would welcome any improvements to legislation that could be leveraged to counter FAI.

What are the RCMP's thoughts on a foreign agent registry and would such a registry be beneficial for countering FAI?

- A foreign agent registry would be valuable for Canadians, as a registrable activity would ensure that foreign actors undertaking certain activities are operating in the interests of the Canadian public.
- The RCMP cannot speak to whether or not a registry could be implemented, as such an endeavor would not be led by the RCMP.

Threats

What are the most common Foreign Actor Interference threats?

- The RCMP is aware that Foreign Actor Interference may present itself in many forms.
- FAI can pose a threat to public safety, including the state-backed harassment and intimidation of individuals.
- FAI also targets Canada's economic interests, including state-backed theft of intellectual property from public or private entities, or Canada's critical infrastructure.
- FAI can also target Canada's sovereignty and democratic institutions.

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Is the RCMP aware of specific countries conducting foreign actor interference activities in Canada?

- The RCMP, and its security and intelligence partners, are aware of foreign actor interference activity in Canada, being perpetrated by different foreign states, including the People's Republic of China.
- States perpetrate foreign interference to gain certain strategic advantages (e.g. economic, military, political), outside of political and democratic norms. This activity threatens the security of Canada and Canadians.
- Those targeted by foreign actor interference may be unaware that they can report these activities to Canadian authorities. The RCMP is working with Canadian communities and local police of jurisdiction on these issues and encourages anyone who suspects FAI to contact their local police at the earliest possible opportunity.

Reporting

What should be done if a member of the public is experiencing foreign actor interference?

- The RCMP takes threats to the security of individuals living in Canada very seriously and wants to reassure all Canadians that our primary focus is the safety and protection of the public at all times. Anyone who feels threatened online or in person, should report these incidents to their local police.
- If someone in the public is in immediate danger, they should call 9-1-1 or contact their local police.
- Individuals may also contact the RCMP National Security Information Network by phone at 1-800-420-5805 or by email at RCMP.NSIN-RISN.GRC@rcmp-grc.gc.ca. Service is available in Canada's both official languages.

Can you tell us more about the NSIN? What types of reports do the NSIN and phone line address?

- The National Security Information Network responds to confidential reports of suspicious behaviour or activities that may pose a threat to national security only. Information about the network (including the phone number and email address) is publically available through the RCMP's website.
- These activities include but are not limited to the following:
 - signs of terrorist-planning activities

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- radicalization to violence
- violent extremism that is either ideologically motivated (IMVE), politically motivated (PMVE), or religiously motivated (RMVE)
- cyber-attacks
- espionage
- foreign interference or state-backed harassment and intimidation

Can you tell us more about the NSIN? In what language is service offered? When can an individual expect to hear back from the RCMP?

- The NSIN provides services in both official languages (French and English).
- Should the RCMP receive information that is in a language other than French or English, then efforts to translate such content would be undertaken.
- The timeframe to translate requests in a different language may vary; however, the RCMP addresses each piece of information received.
- The turnaround time for responses to the public for information received through the NSIN (including the phone line) may also vary, depending on the complexity of the information received by the RCMP – this is the same regardless of the language in question.

Are there any investigations underway relating to reports of FAI to the NSIN?

If pressed:

- The RCMP has received reports through the NSIN.
- While we are investigating those reports, I cannot comment further at this time to maintain the integrity of the investigation.

Partnerships (Domestic and International)

Who are your main domestic partners in addressing foreign actor interference?

- The RCMP works with several domestic security and intelligence partners in addressing foreign actor interference.
- In relation to elections security, the RCMP provide criminal intelligence collection, analysis, and assessments to support its role in the Security and Intelligence Threats to Elections Task Force (SITE TF).
- In the broader counter-FAI context, CSIS is the RCMP's principal partner as they are responsible for investigating activities that may constitute a threat to the security of Canada, and for reporting on these to the Government of Canada.

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- The RCMP also relies on the Communication Security Establishment (CSE) to provide intelligence relevant to threats such as FAI.

Do Police of Jurisdiction know how to report suspected FAI to the RCMP?

- Local police of jurisdiction play an important part in the RCMP's response to national security threats and criminality, as they may be the first to encounter suspected or alleged NS-related criminality.
- The RCMP has reporting and triaging processes in place to facilitate the exchange of information between local police of jurisdiction and our Federal NS program.
- The RCMP also engages with, and provides training to, police of jurisdiction and first responders on various national security-related issues, including how to report suspected NS incidents to the RCMP.
- This work is ongoing and necessarily includes foreign actor interference.

How does the RCMP collaborate and coordinate internationally on foreign actor interference?

- The RCMP works closely with international allies through the G7, and Five Country Ministerial forums and other international fora.
- The RCMP also engages with its law enforcement partners in the Five Eyes, through the Five Eyes Law Enforcement Group, or FELEG.
- The goal of the FELEG is to exchange best practices, to learn from other partners on how they are managing the threat, as well as to enhance collaboration for a more comprehensive Five Eyes law enforcement approach to countering foreign actor interference.
- The RCMP is dedicated to developing close bilateral operational relationships with its international allies to facilitate a coordinated response to counter foreign actor interference.

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HOT ISSUES NOTE

RCMP ROLE IN PROTECTING DEMOCRATIC INSTITUTIONS (GENERAL)

RCMP SPEAKING POINTS:

- The RCMP has an important role to play in protecting Canada's democratic institutions from foreign interference-related threats and criminal activities. This focus necessarily includes safeguarding elections.
- Under its law enforcement duties, the RCMP has the primary responsibility for preventing, detecting, denying, and responding to national security-related criminal threats in Canada. This includes investigating illegal activities targeting Canada's democratic institutions, with a view to laying criminal charges.
- The RCMP also partners with other Security and Intelligence agencies on initiatives to safeguard Canada's federal elections, including: The Critical Election Incident Public Protocol and Security and Intelligence Threats to Election Task Force.

QUESTIONS AND ANSWERS:

Inter-agency Efforts: SITE and CEIPP

What is the RCMP role in the Security and Intelligence Threats to Elections Task Force (SITE TF)?

- The RCMP's main operational focus within SITE is to provide criminal intelligence collection, analysis, and assessments to support the SITE mandate of reporting on covert, clandestine, or criminal activities interfering with, or influencing, electoral processes in Canada.
- The RCMP also participates in SITE-related briefings to Government of Canada senior management, the Panel of Five, and to the campaign leaders of the various political parties, as required.
- SITE does not alter any of its member's mandates or responsibilities. It provides a means for participants to share information and collaborate on responding to potential FAI and election security issues.

What role does the RCMP play in the Critical Election Incident Public Protocol (CEIPP)?

- The CEIPP is the process by which Canadians and federal political party leaders would be notified of a threat to the integrity of the federal election.

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- The RCMP participates, alongside its SITE partners, in the Critical Election Incident Public Protocol, led by the Panel of Five.
- The RCMP contributes information and intelligence to the CEIPP to support their awareness and decision making.
- The CEIPP uses SITE assessments to inform their decision-making on whether this threshold is met.

RCMP Role in Elections Security: Canada Elections and Commissioner of Canada Elections

What role does the RCMP play in safeguarding electoral processes?

- The RCMP supports investigations of potential violations of the *Canada Elections Act*, which are conducted by the Commissioner of Canada Elections and their office, on an *ad hoc* basis, and only when requested.
- The relationship between the RCMP and Commissioner of Canada Elections is formalized in a Memorandum of Understanding, which is co-signed by the Commissioner of Canada Elections and me.

Can you provide more details on elections security? For instance, what are the roles of Elections Canada, and the Commissioner of Canada Elections?

- Elections Canada is an independent agency responsible for administering and securing federal elections and referendums pursuant to the *Canada Elections Act (CEA)*.
- The Office of the Commissioner of Canada Elections (CCE), in turn, is the independent office that considers and potentially investigates any potential violations of the CEA.
- Violations are brought to the CCE's attention through a complaints process – from the public, political entities, and from referrals from Elections Canada.
- The Commission may also launch an investigation in the absence of a complaint when the facts and circumstances warrant.
- The Chief Electoral Officer at CCE determines what will be investigated as that role is responsible for the administration of the *Canada Elections Act*. The SITE TF and the Panel of Five work closely with CCE on these issues.

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What role does the RCMP fulfil specifically with respect to foreign actor interference and federal elections?

- Any illegal action against federal elections – either covert, coercive or clandestine - may be investigated by the RCMP upon request of the CCE as per the *Canada Elections Act*.
- As per the MoU between the RCMP and CCE, the RCMP agrees to conduct joint investigations of suspected offences when requested by the CCE, and may also provide assistance to the CCE in relation to crime prevention measures, technical investigations services, and the provision of other advice or recommendations.
- Any instances of foreign actor interference will be investigated by RCMP Federal Policing National Security.
- The RCMP, working in conjunction with other police forces, will use existing intake, assessment and response processes to track and investigate any other election-related criminal incidents.
- Any formal exchange of threat information between CSIS and the RCMP would be accomplished through the One Vision framework.

What is the RCMP's role with respect to foreign actor interference in provincial and municipal elections?

- A number of provinces have their own legislation regarding threats to election security.
- Investigations at this level are normally the responsibility of the applicable Police of Jurisdiction.
- As local police of jurisdiction may be the first to encounter suspected or alleged NS-related criminality, including that which may target elections, the RCMP has reporting and triaging processes in place to facilitate the exchange of information between local police of jurisdiction and our Federal NS program.
- The RCMP also engages with, and provides training to, police of jurisdiction and first responders on various national security-related issues, including how to report suspected NS incidents (including foreign interference) to the RCMP.

Other Protecting Democracy Efforts

Are there other protecting democracy initiatives to which the RCMP contributes?

- Yes. Along with the SITE TF and CEIPP, the RCMP also participates in the G7 Rapid Response Mechanism (G7 RRM).

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What does the G7 Rapid Response Mechanism do? And how is the RCMP involved?

- Global Affairs Canada (GAC) leads the Rapid Response Mechanism, which is a G7 initiative established in 2018 that seeks to strengthen coordination across the G7 in identifying, preventing and responding to threats to G7 democracies.
- The G7 RRM monitors and produces reporting on the evolving threat environment of foreign interference-related activities targeting Canada's, and the broader G7's, democratic institutions.
- Officials from Federal Policing participate in the G7 RRM.

State-specific Threats

Is the RCMP aware of specific countries conducting foreign interference activities in Canada?

- While the RCMP is aware of threats emanating from countries including the Russian Federation, Iran, and the People's Republic of China, I want to underline that it does not target any particular country or government in its investigations.
- Rather, the RCMP investigates suspected illegal activities, with a view to laying criminal charges.

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HOT ISSUES NOTE

ALLEGATIONS OF OVERSEAS POLICE STATIONS

RCMP SPEAKING POINTS:

- The RCMP takes threats to the security of individuals living in Canada very seriously and wants to reassure all Canadians that our primary focus is the safety and protection of the public at all times.
- The RCMP is currently investigating reports of illegal activity, including criminal offences, in relation to the allegations of police stations, which are allegedly affiliated with the People's Republic of China and operating in Canada.
- I want to encourage any members of the public that may have been targeted by the alleged police stations to please contact the police. If you are in immediate danger, please call either your local police or 9-1-1. Individuals may also contact the RCMP National Security Information Network by phone at 1-800-420-5805 or by email at RCMP.NSIN-RSIN.GRC@rcmp-grc.gc.ca.
- As the RCMP is currently investigating this matter, no further information will be provided at this time.

QUESTIONS AND ANSWERS:

How is the RCMP addressing the police stations issue? And can you provide specific details (e.g. numbers of investigations, are these police stations actually operating, charges being considered, etc.)?

- Since October 2022, the RCMP has publicly communicated that it is investigating reports of criminal activity in relation to the police stations allegedly operating on behalf of the PRC in two locations: The Greater Toronto Area and Montreal.
- As the RCMP is currently investigating this matter, no further information will be provided at this time.

Why can't you provide these details to this committee?

- This is a standard policing practice that is followed to ensure that the integrity of a criminal investigation is maintained.
- There are several reasons to do this, including:
 - to avoid inadvertently sharing sensitive information related to an investigation,

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- to protect methods and techniques used during criminal investigations,
- to safeguard witnesses, personal or sensitive information, and
- to allow for due process in the event of a potential legal proceeding.

Safeguard Defenders wrote the report that prompted media reporting on this issue. What is this group? And does the RCMP endorse or confirm their reporting?

- Safeguard Defenders is a non-government and not-for-profit human rights organization. They have released several reports and investigations on topics relating to their focus on protecting and promoting human rights.
- The RCMP can neither confirm nor attest to either their reporting or the investigation they conducted, which has informed media reports. However, as noted previously, the RCMP is currently investigating reports of illegal activities in relation to the allegations of these “police” stations.

If a member of the public is facing threats from these stations, what should they do?

- Anyone who feels threatened online or in person, should report these incidents to their local police. If someone in the public is in immediate danger, they should call 9-11 or contact their local police.
- Individuals may also contact the RCMP National Security Information Network by phone at 1-800-420-5805 or by email at RCMP.NSIN-RSIN.GRC@rcmp-grc.gc.ca.

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BACKGROUND / CURRENT STATUS:

In September 2022, the non-governmental organization Safeguard Defenders released a report entitled "*110 Overseas – Chinese Transnational Policing Gone Wild*" which alleged that the People's Republic of China (PRC) established 54 overseas police stations (OPS) in 30 different countries, including in Canada. A follow-on report in December claimed that OPS were present in 53 countries.

Furthermore, in September and October 2022, several media outlets, reported on the actions of the Chinese Fuzhou Public Security Bureau's (PSB) offices, which are located across five continents, including three in the Greater Toronto Area. These offices purport to assist Chinese nationals in Canada on a variety of fronts, from renewing driver's licenses, to reporting incidents to local police. Media reports claim that these offices are being used as "clandestine hubs" for the Chinese state to target and compel alleged criminals to return to China to face justice. Media are also reporting that foreign agents operate out of these offices and use overt threats against Chinese nationals living abroad (including in Canada), and their family members living abroad to get Chinese nationals to comply.

On October 27, 2022, the RCMP issued a media statement informing the public that it is investigating reports of criminal activity in relation to the police stations alleged to be operating on behalf of the PRC in the Greater Toronto Area. As the RCMP is currently investigating this, it cannot comment further.

It is important to note that the Chinese government and Chinese law enforcement are permitted to pursue criminal investigations in Canada, but their activities are guided by the Foreign Criminal Investigator's Protocol (FCIC). This Protocol sets out Canada's notification and approval requirements for regulating the entry and monitoring of foreign criminal investigators pursuing foreign criminal investigations in Canada. Should the Chinese state be using PSB offices to threaten or intimidate Chinese nationals, they would be circumventing existing international agreements.

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Weekly Ministerial Briefing

Thursday, April 20
Meeting Location

Key Messages

- The RCMP is following the advice of the Mass Casualty Commission (MCC) to take the time to thoroughly review and process the report.
- The RCMP Mass Casualty Event Implementation Team has conducted a thorough analysis of the recommendations. Based on this analysis it is likely the RCMP will be the lead or partner on a majority of recommendations. Many of the recommendations have several components and will require engagement and collaboration with a variety of partners.
- Regular updates on the progress, challenges and implementation of the MCC recommendations will be provided when they become available.

OUTLINE/OVERVIEW

As the Mass Casualty Commission (MCC) has released its final report the RCMP Mass Casualty Event Implementation Team (MCEIT) is working diligently to fully review the relevant documents. The report has an executive summary, seven (7) volumes, three (3) annexes and an online digital timeline. There are 6,605 pages in totality.

BACKGROUND

Following the mass casualty event that occurred in Nova Scotia in April 2020 the (MCC) began a fulsome inquiry into this event. The MCC public proceedings ended in September, 2022, and the commission has since drafted and released its final report detailing the event and associated recommendations.

STRATEGIC CONSIDERATIONS

National and international media and social media coverage is focussed on concerns raised by families, advocates and critics around the ability of the RCMP to respond and make meaningful change.

The report found a number of findings of failures regarding critical incident command and decision making, with related recommendations around emergency planning, command structure and internal policies.

The RCMP is working with partner agencies, including counterparts at Public Safety to identify where the RCMP is implicated as a lead or partner relative to recommendations, as well as where recommendations are outside the RCMP mandate. It is critical that the RCMP continues to be transparent and accountable in its response to the MCC report.

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**Commissioner Briefing Talking Points
Weekly Ministerial Briefing
Thursday, April 20**

Mass Casualty Commission Report

- The RCMP is following the advice of the Mass Casualty Commission (MCC) to take the time to thoroughly review and process the report.
- We welcome the Commission's recommendations and are committed to act on those that fall within the scope of the RCMP's authorities, and we will work closely with our public safety and security partners as they respond to recommendations that fall under their authorities.
- The RCMP has a team in place to study the Commission's findings and recommendations, and coordinate the RCMP's response. We plan to report publicly on our progress, and expect to have an update on what that will look like in the coming weeks.
- The RCMP identified a number of areas to address and began making changes in advance of the final MCC report. The most significant changes we have made to date have been in the areas of emergency alerting, emergency response team resourcing, radio communications, and personnel wellness.
- Part of our work ahead must be done together with our partners, and in a way that makes our respective services stronger, and Nova Scotia and Canada safer.
- Many recommendations may require multi-level governmental involvement, agreement and direction prior to implementation action. Other recommendations will require work with diverse groups such as victims and their families, community organizations, other experts in a variety of fields and Indigenous communities. A collaborative approach with our federal, provincial and territorial partners will be important.

Responsive lines

- The MCC acknowledged that the full scope of recommendations could take months and years to implement. The RCMP is committed to the process of implementation, with the recognition that it will require sustained effort and attention in the coming years.