

Government of Canada Gouvernement du Canada Privy Council Office

Bureau du Conseil privé

Ottawa, Canada K1A 0A3

SECRET

MEMORANDUM FOR JOHN HANNAFORD

NEXT STEPS FOR CRITICAL ELECTION INCIDENT PUBLIC PROTOCOL PANEL RETREAT

(For Decision)

SUMMARY

 This note seeks your approval for an approach and agenda with respect to a Critical Election Incident Public Protocol Panel retreat, following your direction to identify opportunities for the Panel to hear from external groups, and continue planning and preparation discussions for the next election.

 A retreat would provide an important opportunity to foster Panel cohesion, set the trajectory for the Panel's recurring meetings and deepen Panel understanding of the threat environment and the information ecosystem.

The Privy Council Office-Democratic Institutions Secretariat (PCO-DI) 0 recommends a half-day retreat for Panel members, consisting of four proposed agenda items:

- 1. Threat assessment briefing by the Security and Intelligence Threats to Elections Task Force;
- 2. Briefing by the Canadian Digital Media Research Network;
- 3. Introducing the Panel to Canadians;
- 4. Scenario exercises; and
- 5. Forward planning.
- PCO-DI will work with your office to identify a suitable date in March 2024 0 for a half-day retreat as proposed in the attached draft agenda (TAB A). Do you agree? SFUA Yes.

The Panel met most recently at the end of January 2024. Attached is a 0 draft record of discussion, to be ratified at the next Panel meeting (TAB B).

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Background

- You instructed that Critical Election Incident Public Protocol (CEIPP) Panel meetings be held at six-week intervals outside of election periods. You chaired the latest Panel meeting on January 24, 2024, at which you noted your desire to consider a retreat for the Panel.
- The Privy Council Office-Democratic Institutions Secretariat (PCO-DI) has drafted a record of discussion from this meeting (TAB B). It is proposed that the record of discussion be ratified at the next Panel meeting.

Proposed approach for the retreat

- PCO-DI recommends that a half-day retreat be held in late February or early March 2024, with an agenda that would include four substantive items (TAB A):
 - The Security and Intelligence Threats to Elections (SITE) Task Force would provide an update on the threat environment. Regular briefings on the threat environment will allow Panel members to develop an understanding of the baseline level of threats and of the work undertaken by national security agencies to monitor and reduce them.
 - 2) A briefing by representatives of the Canadian Digital Media Research Network (CDMRN). The CDMRN, established in June 2023, is an independently administered research network led by two of Canada's leading mis-and disinformation researchers, Peter Loewen of University of Toronto and Taylor Owen of McGill University. The CDMRN brings together key Canadian organizations and academics to study how the quality of information, including disinformation, impacts Canadians' attitudes and behaviours. The briefing would focus on the CDMRN's efforts in monitoring the Canadian information ecosystem, specifically its new, landmark mis-and disinformation alert system. The briefing would allow for a discussion on the role of the CDMRN, notably how it can complement the Panel in its work, as well as deepen understanding of the role of civil society more generally in identifying and countering false narratives both during and outside an election period. It is suggested that, following the briefing, Panel members have an opportunity to have an in camera discussion to reflect on the briefing.

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- 3) Laurie-Anne Kempton, Assistant Secretary to the Cabinet, Communications and Consultations, will lead a discussion on Introducing the Panel to Canadians to solicit views from the Panel members on how best to proactively familiarize Canadians about the CEIPP well ahead of the next federal general election.
- 4) Scenario exercises would help bolster preparedness among Panel members of incidents or a series of incidents that may require response during the election period. s. 39 - Cabinet Confidence
 - s. 39 Cabinet Confidence
- 5) Finally, the retreat could support future planning efforts for the work of the Panel over the coming months by identifying potential ways to ensure the Panel is supported and by prioritizing the Panel's needs and interests as part of the preparation process. A preliminary menu of potential agenda items the Panel could consider is attached (TAB C).

PCO Comment

- Given scheduling complexities of Panel members, a half-day retreat, as opposed to a full day retreat, is proposed. Recurring Panel meetings would then follow the retreat, beginning approximately six weeks later in early or mid-April.
- To ensure that Panel members develop close working relationships and a common understanding of the considerations in applying the CEIPP, it is proposed that the half-day retreat attendees be limited to Panel members, relevant PCO officials and representatives from the SITE Task Force.
- However, an exception to this would be the briefing by the CDMRN, which provides an opportunity for Panel members to engage with leading academics in this area, Taylor Owen and Peter Loewen. This also aligns with a recommendation by Morris Rosenberg in his independent assessment of the CEIPP following the 2021 general election (Rosenberg report) for the Panel to hear from external voices.
- An effort will be made to develop scenarios that have complex

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communications elements, thereby providing the Panel with an opportunity to grapple with the possible communications dimensions of an incident. Armed with this experience, Panel discussions of the communications, both above and below the threshold, will be central to subsequent Panel meetings. As part of these discussions, it will be useful to have the Panel consider the recommendations of the Rosenberg report and the commitments in the LeBlanc-Charette report.

 In the event a half-day retreat cannot be scheduled for March 2024, in line with the six-week cadence of Panel meetings, a regular meeting of the Panel, potentially incorporating a threat assessment briefing and scenario exercises, could be scheduled for that time, and the retreat could be held in April 2024.

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Mala Khanna Deputy Secretary to the Cabinet Governance

Attachments (3)

/Stinson/Sutherland/

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TAB A 2024-DEM-REF-00009

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PROPOSED AGENDA / ORDRE DU JOUR PROPOSÉ

CRITICAL ELECTION INCIDENT PUBLIC PROTOCOL PANEL RETREAT

DATE TBD, 2024

8:30AM to 1:00PM LOCATION TBD

AGENDA

- 1) Retreat welcome (5 minutes)
- Threat briefing by the Security and Intelligence Threats to Elections Task Force (25 minutes)
- Briefing by Taylor Owen (McGill University) and Peter Loewen (University of Toronto) of the Canadian Digital Media Research Network (CDMRN) and questions/discussion (70 minutes)

Health break (10 minutes)

- Panel discussion on CDMRN briefing (15 minutes)
- Introducing the Panel to Canadians (30 minutes)
- 6) Scenario(s) discussion (45 minutes)
 - Scene-setting
 - Discussion
 - Panel direction for further refinement

Health break (10 minutes)

 Working lunch: Panel forward planning (60 minutes)

GROUPE D'EXPERTS SUR LE PROTOCOLE PUBLIC EN CAS D'INCIDENT ÉLECTORAL MAJEUR

DATE À DÉTERMINER, 2024

8:30 à 13:00 LIEU À DÉTERMINER

ORDRE DU JOUR

- 1) Accueil (5 minutes)
- Séance d'information sur l'évaluation de la menace par Groupe de travail sure les menaces en matière de sécurité et de renseignements visant les élections (25 minutes)
- Séance d'information par Taylor Owen (Université McGill) et Peter Loewen (Université de Toronto) du Réseau canadien de recherche sur les médias numériques (RCRMN) – questions et discussion (70 minutes)

Pause santé (10 minutes)

- Discussion sur le RCRMN séance d'information (15 minutes)
- Présenter le Groupe d'experts à la population canadienne (30 minutes)
- Discussion sur le(s) scénario(s) (45 minutes)
 - · Mise en scène
 - Discussion
 - Orientations du groupe d'experts en vue d'un affinement ultérieur

Pause santé (10 minutes)

 Dîner de travail: Planification prospective (60 minutes)

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CRITICAL ELECTION INCIDENT PUBLIC PROTOCOL PANEL

Record of Discussion

80 Wellington, Ottawa, Ontario January 24, 2024, 10:00 a.m. to 11:30 a.m.

Attendees:

Panel Members:

- o John Hannaford, Clerk of the Privy Council, Privy Council Office
- Jody Thomas, National Security and Intelligence Advisor to the Prime Minister, Privy Council Office
- o David Morrison, Deputy Minister of Foreign Affairs, Global Affairs Canada
- o Shawn Tupper, Deputy Minister of Public Safety Canada, Public Safety Canada
- Shalene Curtis-Micallef, Deputy Minister of Justice and Deputy Attorney General of Canada, Department of Justice

Other invitees

- o Nathalie Drouin, Deputy Clerk of the Privy Council, Privy Council Office
- o Paul MacKinnon, Deputy Secretary to the Cabinet (Governance), Privy Council Office
- Allen Sutherland, Assistant Secretary to the Cabinet (Machinery of Government and Democratic Institutions), Privy Council Office
- Nabih Eldebs, Assistant Secretary to the Cabinet (Security and Intelligence), Privy Council Office
- Laurie-Anne Kempton, Assistant Secretary to the Cabinet, Communications and Consultations, Privy Council Office
 - Chief of Staff to the Clerk of the Privy Council, Privy Council Office
- Manager of Policy Development (Protecting Democracy Unit), Privy Council Office (Secretary)
- Nicole Giles, Senior Assistant Deputy Minister, Canadian Security Intelligence Service (Security and Intelligence Threats to Elections Task Force (SITE TF) briefing)
- Bo Basler, Foreign Interference Coordinator, Canadian Security Intelligence Service (SITE TF briefing)

Goals

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- Receive a threat update
- Consider the evolving context for Panel operations in 2024 and beyond
- Chart forward planning for Panel and how best to support effective delivery of the Panel's mandate

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Agenda

1) Introduction:

 The Panel noted the importance of resuming meetings to ensure readiness for the next election.

2) Threat Update (CSIS):

- CSIS noted that SITE TF stands ready to support the Panel, and that an updated threat assessment is coming in February 2024.
- CSIS provided an update of the current threat environment, including a high-level
 overview of the tools, techniques and objectives of state adversaries.
- In response to questions, it was noted that Canada's recent efforts at deterrence and awareness raising appear to be changing the methodology of adversaries, but may not be changing their objectives.
- The Panel noted that more information on examples of attempts at foreign election interference from recent international elections would support the Panel's readiness.
- The Panel thanked SITE TF for the update and noted the importance of observing and learning from the large number of elections scheduled around the world in 2024.

3) The evolving context:

- The Panel discussed Canadians' increased expectations with regards to transparency in the context of recent allegations of election interference and the public inquiry on foreign interference.
- The Panel noted the importance of seeking to be as deliberate and thorough as
 possible in raising Canadians' awareness both to an understanding of the baseline
 level of foreign interference that exists, and to the planned operations and
 functioning of the Panel. This effort to 'normalise' communications with Canadians
 on the subject of foreign election interference was viewed as especially important
 in light of the central role that sunlight and transparency can play in mitigating the
 threat.
- The development of a communications plan and protocol, both to (re)socialize Canadians to the Panel and to prepare for the election period were discussed as important elements for short-term planning.

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- Efforts could be undertaken to reach Canadians where they are as opposed to relying on governmental communications channels.
- The Panel discussed considerations related to when and how it would determine that an intervention by the Panel would be appropriate and consistent with the Cabinet Directive on the CEIPP.
- In this regard, it was noted that there is an essential role for non-governmental actors to play, and that the Panel could work both to understand the capacities and roles of these other actors in the ecosystem and to socialize them to the role of the Panel. This could include ensuring that future Panel meetings include briefings by outside actors and by inviting non-governmental thought leaders, potentially including journalists or others from the media, to attend Panel meetings.
- It was noted that one of the key considerations for Panel intervention could be when it is in possession of relevant and sharable information that nongovernmental actors do not possess.
- It was further noted that the Panel, in its deliberations and its review of intelligence during an election period, could focus on coordinating and documenting the full range of options and actions at the disposal of the Public Service to respond or mitigate to the attempt or the threat, as opposed to thinking of its mandate as limited to whether or not to make an announcement.
- The Panel noted that, in light of recent decisions to stand up SITE TF for byelections, there is likely a mandate to consider whether announcements are warranted in the context of incidents at the riding level.
- The Panel discussed that there could be opportunity to provide advice for consideration on the Cabinet Directive on the CEIPP and whether revisions could be warranted. It was noted that the Government has committed to considering changes to the Cabinet Directive in the context of updating the Plan to Protect Canada's Democracy.

4) Scenario Discussion:

This item was deferred for future meetings.

5) Conclusion and Forward Planning:

Action items resulting from the meeting were as follows:

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- Development of a proposal for a Panel retreat in the near future that would allow for briefings from external groups and to undertake continued planning discussion.
- Development of a communications plan and protocol, both for the reintroduction
 of the Panel to Canadians in the coming months and in the event an announcement
 must be made during an election period with a recognition that the evolving
 context may provide an opportunity to have enhanced transparency be a key
 objective in the development of these plans.
- Development of a backgrounder on examples of foreign election interference in other recent elections around the world.
- 4. Finalization of an updated SITE TF Threat Assessment.

TAB C 2024-DEM-REF-00009

CRITICAL ELECTION INCIDENT PUBLIC PROTOCOL PANEL MEETINGS

PRELIMINARY MENU OF POTENTIAL AGENDA ITEMS

Proposed agenda items for retreat

- 1. Threat assessment briefing by the Security and Intelligence Threats to Elections (SITE) Task Force
 - SITE Task Force will provide Panel members a threat assessment briefing, based on the most recent information available to SITE Task Force.
 - <u>Outcome</u>: Regular threat assessment briefings by SITE Task Force will help the Panel with forming a baseline understanding of the threat landscape, as well as ensure that Panel members are able to track how threats may be evolving over the course of time.
- 2. External briefing by the Canadian Digital Media Research Network (CDMRN)
 - Taylor Owen (McGill University) and Peter Loewen (University of Toronto) of the CDMRN will present their recent report on the state of the Canadian information ecosystem, their tool for analysing the online information environment, and their new, landmark mis-and disinformation alert system. Owen and Loewen will only brief the Panel, excusing themselves afterwards to permit Panel members to discuss what they have heard among themselves.
 - Outcome: Panel would learn about how the CDMRN may help fill gaps in information and analysis during and outside of the election period. The Panel would learn about the CDMRN's alert system which could complement Panel activities, contributing to the Panel's awareness of and approach to responding to election-related incidents. The CDMRN's work could also help the Panel with forming – and maintaining – a baseline understanding of features present in the Canadian information ecosystem.

3. Scenario discussion

- Panel members work through as many scenarios are they are able to in the time allocated, developing a common approach to, and understanding of, applying the CEIPP.
- <u>Outcome</u>: Panel will work towards a common understanding and approach to applying the CEIPP while also surfacing potential gaps or challenges in how the Panel is supported, what information is available to Panel members, and how the CEIPP itself could be improved.

4. Panel forward planning

- Panel members are engaged in a draft forward agenda to help sketch out what a sixweek meeting schedule, as expressed by the Clerk, would include.
- <u>Outcome</u>: Panel will provide direction with respect to agenda items that Panel meeting should cover in the future.

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Potential agenda items for future meetings

- 5. CEIPP communications plan
 - In addition to the Panel retreat's discussion on how to re-introduce the Panel to Canadians, there are three communications components that the Panel members may wish to discuss: (1) the approach for an announcement in the case of an incident that threatens the ability to have a free and fair election; (2) a more consistent communication with Canadians about the threat of foreign interference, as per recommendations by Morris Rosenberg and commitments in the LeBlanc-Charette report; and, (3) whether and how to communicate about incidents below the threshold.
 - Outcome: Panel members will provide direction with respect to what an improved communications approach should entail and how such work will be undertaken.

s. 39 - Cabinet Confidence

7. SITE brief on international election incidents

- SITE is invited to brief the Panel members on examples of incidents that have occurred in other elections globally.
- Outcome: Panel members will have awareness of incidents that have occurred elsewhere, and that could occur, in a Canadian context.

8. Briefing by technology company (or companies)

- One or more technology companies (Adobe, Google, etc) presents on their threat analysis capabilities, how they could interact with, or add value to, the Panel in administering the CEIPP.
- <u>Outcome</u>: Panel is aware of how the technology company could help fill gaps in information and analysis during and outside of the election period.

9. Briefing by Canadian academic(s) or journalist(s)

- One or more journalists or academics (Justin Ling, Wesley Wark, Tim Caulfield) to brief the Panel on their observations on the state of disinformation in Canada and their views on the role of traditional and social media in ensuring a healthy information ecosystem during an election period.
- <u>Outcome</u>: The Panel will have a practical perspective on the role and responsibilities of journalists and media in pre-bunking and debunking false narratives, particularly during the election period.

10. Briefing by one or more social media platforms

 One or more social media platforms (Meta, X, TikTok, Google, Reddit, etc) will brief the Panel on their assessment of the online information environment, as well as measures they intend to have in place during election periods to address content that could violate the Canada Elections Act or other Canadian statutes, or otherwise hamper Canadians' ability to exercise their vote.

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- <u>Outcome</u>: Panel will have an improved understanding of when and how social media platforms may take action, and how platforms intend to interact with the Government, Panel, and political parties and candidates during the election period.
- 11. Briefing by the Chief Electoral Officer and the Commissioner of Canada Elections
 - CEO and CCE will brief the Panel on key elements of the CEA including existing prohibitions and offences and how their agencies work with the broader election security infrastructure in place including SITE agencies.
 - <u>Outcome</u>: Panel members will have an understanding of when incidents fall under the purview of Elections Canada, how Elections Canada works with national security agencies, and how the Commissioner applies their investigative powers under the Canada Elections Act.

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