

IN THE MATTER OF THE FOREIGN INTERFERENCE COMMISSION


AFFIDAVIT OF GABRIEL YIU

I, Gabriel Yiu, of the City of Vancouver, in the Province of British Columbia, MAKE OATH AND SAY:

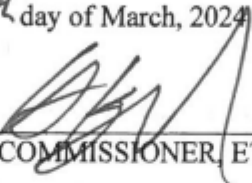
1. On March 4, 2024, I was interviewed by Counsel for the Public Inquiry into Foreign Interference in Federal Electoral Processes and Democratic Institutions ("Commission Counsel").
2. Following that interview, Commission Counsel prepared a summary of my evidence.
3. I have reviewed a summary of my evidence, a copy of which is attached as **Exhibit "A"** to this affidavit (the "Witness Summary").
4. I do not wish to make any changes, additions, or deletions to the Witness Summary. I adopt the contents of the Witness Summary as true and accurate.
5. I adopt the contents of Exhibit A as part of my evidence before the Commission.

SWORN before me by video conference by Gabriel Yiu at the City of Vancouver, in the Province of British Columbia, before me at the City of Ottawa, in the Province of Ontario, on March 29th, 2024 in accordance with O. Reg, 431/20, Administering Oath or Declaration Remotely.


A COMMISSIONER, ETC.
LSO#51332N


Signature of Deponent

This is **Exhibit "A"** to the affidavit
of Gabriel Yiu sworn before me this
28th day of March, 2024


A COMMISSIONER, ETC.



Interview Summary: Gabriel Yiu

Gabriel Yiu, former campaign manager for MP Jenny Kwan, was interviewed by Commission counsel on March 5, 2024.

Notes to reader

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.
- This summary contains information that relates to the Commission's mandate under clauses (a)(i)(A) and (B) of its Terms of Reference. Information provided during the interviews that relates to other aspects of the Commission's Terms of Reference has been omitted from this summary, but may be adduced by the Commission at a later stage of its proceedings.

1. Background

- [1] Gabriel Yiu was Jenny Kwan's campaign manager for all federal elections she ran in: 2015, 2019 and 2021. He is Ms. Kwan's assistant in her Vancouver constituency office.
- [2] For 30 years, Mr. Yiu has been an active member of the Chinese Canadian community in Vancouver including in Chinese-language media.

2. Floata restaurant incident

- [3] On August 29, 2021, during the writ period, he learned that Chinese Canadian community members were invited to come for a free lunch hosted by Fred Kwok, organized and paid for in support of the Liberal candidate in Ms. Kwan's riding. At that time, Mr. Kwok was the President of the Chinese Benevolent Association of Vancouver (CBA). Someone sent Mr. Yiu a screenshot of a message promoting the event. The lunch had taken place on August 28, 2021 at Floata Seafood Restaurant, a large, popular seafood restaurant in the heart of Chinatown.

- [4] Mr. Yiu found it odd that Mr. Kwok would pay money to provide free lunch in support of a candidate during a campaign. Mr. Yiu understood that the CBA had never taken a position vis-à-vis a political party or a candidate during the writ period. Mr. Kwok was also Chair of the Board of Directors of the Chinese Cultural Centre of Greater Vancouver, another association which Mr. Yiu stated was supposed to be non-partisan.
- [5] Mr. Yiu confirmed with some attendees that the event had, in fact, taken place and that it included a full lunch. His contacts also confirmed that 10-12 tables were used for the event.
- [6] Mr. Yiu was told by a community leader, who is involved in organizing community events, that \$1,500 would not be enough to cover the actual cost for Mr. Kwok's Floata lunch event. The community leader told Mr. Yiu that there are ways to make a restaurant bill appear smaller such as splitting the bill and paying in two transactions, in which case only one transaction is reported, or paying cash.

2.1. Determining actual cost of the lunch

- [7] After Ms. Kwan was reelected in the 2021 election, she and her team considered organizing a community swear-in ceremony in the riding. Given that Ms. Kwan's team was potentially planning the event, Mr. Yiu called the Floata restaurant to inquire about pricing. He recorded that conversation.¹ He spoke to the manager who confirmed that the cost per table was at least \$250 (which included meal, tea, use of the venue including the stage, tips and GST), and that the cost did not depend on the number of people at the table. Mr. Yiu also called another restaurant, Pink Pearl, and they quoted him \$300 per table.

2.2. Complaint to Elections Canada

- [8] When Mr. Yiu first learned about the Floata free lunch, he reported this to the provincial campaign director of the NDP, Glen Sanford, and counsel for the NDP, Rachel Roy, who filed a complaint with Elections Canada. An investigator from the Commissioner of

¹ CCC0000247

Canada Elections (CCE) was assigned to investigate this case. He understands that Mr. Kwok reported the cost of the lunch to be \$1,500. After learning that the actual cost of the Floata lunch was likely much more than \$1,500, Mr. Yiu reported this to the CCE investigator.

- [9] In 2023, a senior investigator at the CCE spoke to Mr. Yiu and Ms. Kwan, who expressed concerns that the amount reported for the lunch appeared to be too low. Ms. Kwan later emailed the CCE investigator reiterating her concerns that the cost appeared to be artificially low and that they should investigate whether the Chinese Consulate in Vancouver was contributing financially to these political activities.
- [10] At the time of his interview with Commission Counsel, Mr. Yiu was unaware of what, if anything, had resulted from that complaint. He communicated with a senior investigator with the CCE but, from Mr. Yiu's perspective, nothing came of it.
- [11] Mr. Yiu also spoke to constables of the RCMP Integrated National Security Enforcement Team in 2022 and mentioned the Floata restaurant incident to them but they did not seem to take much interest in the issue. He contacted CSIS and also reported the incident to them. Mr. Yiu and Ms. Kwan were puzzled: CSIS, RCMP, CCE, no one seemed to take much interest and no one reported back regarding any outcome of his and Ms. Kwan's concerns.