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

Enquête publique sur l'ingérence étrangère
dans les processus électoraux et les
institutions démocratiques fédéraux

In Camera Examination Summary: Shawn Tupper, Tricia Geddes, Sébastien Aubertin-Giguère

Commission Counsel examined Mr. Shawn Tupper, Ms. Tricia Geddes, and Mr. Sébastien Aubertin-Giguère during *in camera* hearings held in July and August 2024. Counsel for the Attorney General of Canada appeared on behalf of the Government of Canada and had the opportunity to examine the witnesses. The hearing was held in the absence of the public and other Participants. This summary discloses the evidence that, in the opinion of the Commissioner, would not be injurious to critical interests of Canada or its allies, national defence or national security.

Notes to Reader:

- Commission Counsel have provided explanatory notes in square brackets to assist the reader.

1. Witnesses

- [1] The witnesses confirmed the accuracy of the summary of their panel interview and adopted its content as part of their evidence before the Commission. The PS unclassified institutional report and classified annex were entered into evidence.
- [2] Shawn Tupper was appointed Deputy Minister (“**DM**”) of Public Safety Canada (“**PS**”) in October 2022. Mr. Tupper previously served as Deputy Secretary to Cabinet for Operations, where he was responsible for supporting most of the Cabinet committees. As DM, Mr. Tupper is the senior deputy within the PS portfolio, giving him an oversight role across a range of activities within the portfolio. He is the accountability officer for PS, which means that he is responsible for advancing the work of PS, understanding relevant legislation, and ensuring that PS officials act in accordance with that legislation.
- [3] Tricia Geddes was appointed Associate Deputy Minister (“**DMA**”) of PS on June 20, 2022. In that capacity, she supports the Minister of Public Safety as well as the DM and,

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in his absence, acts for the DM. She previously served as the Deputy Director, Policy and Strategic Partnerships, in the Canadian Security Intelligence Service (“**CSIS**”) from 2017–2022, and before that, served as the Director General, Policy and Foreign Relations from 2014–2017.

- [4] Sébastien Aubertin-Giguère was appointed Associate Assistant Deputy Minister (“**Associate ADM**”) in the National and Cyber Security Branch (“**NCSB**”) of PS in June 2022. In March 2023, Mr. Aubertin-Giguère was also appointed National Counter-Foreign Interference Coordinator (“**NCFIC**”). He previously served on the COVID-19 taskforce and worked nine years at the Canada Border Services Agency (“**CBSA**”). His role as NCFIC is to coordinate on policy, operational, and engagement issues relating to foreign interference (“**FI**”). As Associate ADM, Mr. Aubertin-Giguère supports the NCSB Senior ADM across the range of his functions.

2. Examination by Commission Counsel

2.1 Role of PS

- [5] Mr. Tupper described the activities of PS as falling into the areas of emergency management, community safety and criminal justice, and national security. In explaining how much of his attention is focused on national security issues, Mr. Tupper stated that it is situational. As an example, he noted that, in 2023, Canada had its worst forest fire season in history. As a result, Mr. Tupper split his time equally between emergency management and national security. In general, however, he spends more time on national security issues than on community safety and criminal justice-related or emergency management-related issues. As DM, Mr. Tupper manages his time to best ensure he is advancing the entirety of the department’s agenda.
- [6] Mr. Tupper confirmed that PS is a consumer of intelligence. A large part of PS’s broad mandate is to advance policy and provide advice to the government on national security, community safety and criminal justice, and emergency management issues. As a result, the department needs to be well-informed, to compile relevant information, and to articulate strategic frameworks and policy advice upon which the government can act. PS receives intelligence primarily from Communications Security Establishment (“**CSE**”)

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and CSIS, and, to a lesser extent, from the Royal Canadian Mounted Police (“RCMP”) and the Canada Border Services Agency.

- [7] Mr. Tupper summarized the role of PS by explaining that the Department compiles the relevant information, convenes discussions that allow the government to interpret that information, and then contributes to the decisions on how the government reacts to it.

2.2. Intelligence Flow

2.2.1 General

- [8] Mr. Tupper testified that, historically, PS had not been able to account, as well as it could have, for the flow and tracking of information and intelligence. This issue was the subject of ongoing discussion when he assumed his role. Since then, PS has taken very specific steps to make sure they are tracking information, including using systems that allow them to know who has seen what information and when they saw it, and to ensure the information is properly managed, stored, or destroyed. These refinements have resulted in better awareness of the need for discipline when it comes to information-management. Mr. Tupper is now confident that PS is properly tracking and can account for information.
- [9] Ms. Geddes added that PS made these improvements to its information-management processes in the context of, and in line with, a larger conversation within the national security community about intelligence-tracking. As an example of such an improvement, Ms. Geddes noted that a CSIS Liaison Officer joined the department, which helps PS ensure that senior leaders receive the right kind of information and allows PS to consistently track and report who has access to what.
- [10] Mr. Aubertin-Giguère stated that this also coincided with the arrival of CSE’s new database system, which tracks intelligence dissemination, readership, feedback and destruction. The witnesses do not personally use the database as it is used by the CSIS Liaison Officer.
- [11] Mr. Tupper noted that this is an important distinction, explaining that he does not sit at a computer to access classified documents, nor do other senior officials, in contrast to the

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opposite perception in discussions on this issue. He does not have time to do that. This is why it is important to invest in people who have an expertise in information-management and understand the needs of senior officials. Having these individuals now in place to assist senior officials is a “real win” for the department.

- [12] Mr. Tupper described the panel as mature users of the Client Relations Officer (“**CRO**”)/Liaison Officer system whose intelligence needs and interests are well-known. He and his colleagues often provide direction about the type of intelligence or information they want to receive. The CSIS Liaison Officer responsible for disseminating intelligence is aware of Mr. Tupper’s interests and can direct reports on these issues to his attention. The CSIS Liaison Officer also curates intelligence based on his own expertise and his understanding of the PS portfolio, and brings this intelligence to them.
- [13] Ms. Geddes added that the CSIS Liaison Officer also brings intelligence which the CSIS Director has specifically asked for them to see, or if another senior official has directed a piece of intelligence to their attention. She described the circulation of intelligence as a continuous feedback loop.
- [14] Mr. Aubertin-Giguère agreed and described himself as a voracious consumer of intelligence. When he sees something useful, he flags it to his colleagues.
- [15] Mr. Tupper confirmed that the CSIS Liaison Officer also serves both the Minister and the Minister’s staff. Having a coordinated intelligence process allows the department to know where information goes and who knows what, when.

2.2.2 Warrants

- [16] Mr. Tupper explained a tight process at PS for processing CSIS warrant applications. Few people have access to the information in a warrant application, compared to other national security matters. Applications are prioritized as they are processed, though the timelines vary depending on the complexity of the warrant application. CSIS produces the application package, which is brought to Mr. Tupper in his capacity as DM. Mr. Tupper also receives a note from the department that summarizes the application and sets out the department’s perspective. Once Mr. Tupper approves the package, it then proceeds to the Minister’s Office. Mr. Tupper said that PS has an efficient process for

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getting the package to the Minister's Office to ensure the Minister is able to review in a timely way.

- [17] Once Mr. Tupper receives the warrant application package, he tries to ensure it is processed and sent to the Minister's Office within 48 hours. The package is presented to the Minister for review in a secure facility. There is relatively little wait-time in this process, because warrants can impact CSIS operations and so PS needs to advance the warrant application promptly.
- [18] Ms. Geddes added that PS has a departmental liaison officer in the Minister's Office who tracks warrant application packages. The departmental liaison officer usually provides the package to the Minister's Chief of Staff for transmission to the Minister.

2.3. National Security Governance Structure

- [19] Commission Counsel referred the witnesses to a document that outlines proposals to review the national security governance structure.¹
- [20] Mr. Tupper said that there has been a realization within the national security community that there are a lot of committees, which sometimes address the same issues. As a result, the Privy Council Office ("PCO") has sought input from DMs on how to improve governance. Mr. Tupper was supportive of this process and of PCO's work to convene the relevant departments and agencies.
- [21] As committees are restructured, Mr. Tupper's primary concern is to ensure the right departments and agencies, with the right roles and responsibilities, are present for the right conversations. He said that inter-agency politics about who should chair committees has not concerned him, and he is confident that the resulting governance structure will meet those requirements.
- [22] Mr. Aubertin-Giguère testified that, when the community was heavily focused on FI, an additional governance structure specific to the issue was created. Since that time, the security and intelligence community has had many discussions about whether a separate stream for FI governance needs to continue. The collective view is that they

¹ CAN037056.

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are in a good space to manage FI issues and can leverage the general national security governance structures to effectively manage these issues. Mr. Aubertin-Giguère sits on the ADM National Security Operations (“**ADM NS Ops**”) Committee and the associated tactical sub-table. He also regularly sits at the ADM National Security Policy committee and attends other ADM conversations whenever the topic is relevant to his mandate.

2.4 Responses to FI

2.4.1 Memorandum to Cabinet: Modernizing Canada’s Approach to Addressing Threats from Hostile State Actors (“HASA MC”)

- [23] Commission Counsel referred the witnesses to the HASA MC, dated May 2022, though counsel acknowledged that it pre-dated their tenures at PS. Mr. Tupper explained that the HASA MC is the result of extensive policy work by PS. Public policy is challenging because it involves weaving together a large number of issues in a complex manner, with analysis, an evidentiary base, and the design of a framework. This needs to then be presented as advice to the government that allows it to make choices about the way forward. This process takes a lot of time, may not address all issues at once, and decisions have to be made as to what should be prioritized. Although these challenges are all reflected in the HASA MC, it was nevertheless a good articulation of the complex set of issues that needed to be addressed.
- [24] Work on the department’s strategy to counter HASA was complicated by a myriad of external factors, including but not limited to the government’s response and management of COVID-19.
- [25] Mr. Tupper explained that every MC contains a section outlining Ministerial recommendations which are authored in the Minister’s voice. The section articulates key issues, considerations, options, and recommendations on government decision-making. Mr. Tupper’s view of the HASA MC was that it was informative and articulated the challenges well.
- [26] Mr. Tupper described Bill C-70 [*An Act Respecting Countering Foreign Interference*] as a significant milestone for PS. The Bill’s components—including amendments to the *Security of Information Act* (“**SOIA**”), the *Canada Evidence Act*, the *Criminal Code*, and

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the *CS/S Act*—were important steps forward in strengthening Canada’s toolkit to address FI. Mr. Tupper also referred to the new Foreign Influence and Transparency Registry and the Transparency Commissioner as examples of the policy dialogue which takes place as part of every MC process. In addition, Mr. Tupper noted that different parts of the government were also working on many other aspects of FI, such as work around democratic institutions, cyber security and critical infrastructure, and social cohesion. While not all of these efforts are evident to the public, the act of articulating them in a written format is beneficial to the public service because it sets out a clear framing and approach to help everyone focus on the different aspects of this work.

- [27] Ms. Geddes noted that the 2019 Annual Report of the National Security and Intelligence Committee of Parliamentarians (“**NSICOP**”), concluded that the FI threat was relatively well understood by the intelligence agencies but less well understood by other parts of the system. She believes that, through the HASA MC and other initiatives, the government has: (1) better articulated the FI threat, particularly to Canadians; (2) set out how it needs to work to support and protect communities that have been affected by FI; and (3) aligned and focused the tools available to the government when it comes to the threat posed by FI. She testified that transparency and education are key to building Canada’s resiliency to FI.
- [28] Mr. Aubertin-Giguère stated that PS operated consistently with the broad strategic framework of the HASA MC. In relation to the proposal that PS implement a whole-of-government strategic communications approach, Mr. Aubertin-Giguère explained that the 2022-2023 media leaks complicated strategic communications. The environment was changing rapidly, as the government needed to make complex policy decisions. However, the focused work on FI in a short time frame has changed the way the government communicates with Canadians about FI. Mr. Aubertin-Giguère noted the passage of *An Act Respecting Countering Foreign Interference*, and related consultations, the creation of the Office of the NCFIC at PS and additional funding for the RCMP as important advancements in the government’s work to counter FI.

UNCLASSIFIED

2.4.2 The NCFIC

- [29] Mr. Aubertin-Giguère was appointed NCFIC in March 2023. The position was granted funding through Budget 2023. Before the funding was unlocked, PS had to risk-manage resources, meaning that existing resources within PS were used to support the work of the NCFIC. Together, Mr. Aubertin-Giguère and his team (consisting of eight individuals, mostly from the National Security Operations Division of the NCSB) worked on a wide range of FI issues, including coordination, managing relations with allies, and driving the extensive policy work and consultations that preceded the *Act Respecting Countering Foreign Interference*.
- [30] Mr. Tupper said that the work of the NCFIC has to be placed in the context of several new issues in 2023 that placed demands on the department. As DM, Mr. Tupper has to allocate existing resources in a manner consistent with the government's priorities, of which FI was one. PS continues to work to find efficiencies within the national security domain, the NCFIC is hiring additional staff, and progress is being made on this front.
- [31] Commission Counsel referred the witnesses to the meeting minutes of a Deputy Minister Committee for Intelligence Response ("**DMCIR**") meeting on October 12, 2023,² which indicate that there were still discussions about the role of the NCFIC.
- [32] Mr. Tupper explained that those discussion minutes reflect a healthy debate about the NCFIC's place in the national security community. Today, there is a clearer understanding of the roles and responsibilities of the NCFIC. The community has seen the rationale for having the NCFIC's work be coordinated within PS as it has the mandate, legislation, and policy capacity to develop FI-related work.
- [33] Ms. Geddes stated that the national security community really is a "community". Different DMs have different responsibilities, accountabilities and interests across the various policy, operational and coordination organizations. Conversations about how to best leverage new positions or pieces of governmental machinery are healthy and not unexpected. She opined that the October 12, 2023, meeting was really productive, and

² CAN044228.

UNCLASSIFIED

a good opportunity to take stock and to ensure members of the national security community are collectively aligned in their view on the NCFIC's role.

- [34] In response to a question about whether the community has agreed on whether the NCFIC's role is in policy coordination, operational coordination, or a combination of both, Mr. Tupper first emphasized that PS does not interfere in the operations of agencies like CSIS, CSE, RCMP and CBSA. Their independence is highly protected, both within the public service and from the political perspective. However, PS has the ability to lead the discussion on what the government should do in response to the intelligence which has been gathered.
- [35] Mr. Aubertin-Giguère added that "operational coordination" means different things to different people. The NCFIC role was never intended to direct operational activities or resources. Rather, the NCFIC's role is to help bring together decision-makers and coordinate collective responses to FI issues. He noted that this type of operational coordination is already taking place at an ADM table, where intelligence collectors – typically CSIS – bring intelligence and the group discusses how to respond. Mr. Aubertin-Giguère observed that this larger group can bring a broader set of tools and policy responses to bear on a problem, beyond what any single agency can do. Once the group is satisfied with the proposed response, they take it to DMs for a final decision. He noted that the first time this process was used was in coordinating the collective response to the Chinese overseas police stations ("**OPS**").
- [36] In terms of policy coordination, Mr. Aubertin-Giguère explained that the implementation of *An Act Respecting Countering Foreign Interference* is a significant area of focus, and his Office is involved in many aspects of that work. In addition, his Office is tracking other FI policy issues, such as disinformation and transnational repression. While also working on implementing Bill C-70, Mr. Aubertin-Giguère has tried to focus on smaller, manageable chunks of policy which he can advance using existing resources. It is often issues like transnational repression, which do not neatly fit into a single department's mandate, and which have a mix of "policy" and "operational" considerations, which may be useful for the NCFIC to address.

UNCLASSIFIED

- [37] Commission Counsel referred Mr. Aubertin-Giguère to a preparatory note for an August 9, 2023, introductory call with his Australian counterpart, and asked what guidance or best practices he has adopted as a result of meetings with him.
- [38] Mr. Aubertin-Giguère also noted that he had also learned from several reports commissioned by an ally. These reports surveyed the perceptions of the communities and citizens about their political rights. These reports changed Mr. Aubertin-Giguère's perspective as to how we can work with communities in Canada and led him to pursue similar work.

2.4.3 Counter-HASA/FI Strategy

- [39] Commission counsel first referred the witnesses to their earlier testimony. Mr. Aubertin-Giguère confirmed his statement that there is a Counter-HASA/FI strategy in place, which is a general approach to countering FI, not a specific document. Commission Counsel then referred the witnesses to a 2019 document containing a HASA file timeline.³ Under "next steps", the document indicates a new version of the HASA Strategy incorporating a "national interests" definition is to be produced. Commission Counsel also referred the witnesses to two draft versions of a Counter-HASA Strategy document, which appear to have been created in 2019⁴ and 2023.
- [40] Mr. Tupper said that the many versions of the Counter-HASA Strategy demonstrate the challenges of working within complex policy domains over extended periods of time. The documents show an evolution of the thinking and discussion around the Strategy. Mr. Tupper emphasized that the act of doing the strategic work is, in and of itself, beneficial because it informs a dialogue amongst public servants about the work they want to advance and their priorities. He distinguishes this from the work that is made public. That public work is part of the development of a communications strategy that allows FI issues to be brought further into public view.

³ CAN011948.

⁴ CAN008418.

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- [41] Mr. Tupper reiterated that part of the struggle that all public servants had during this time period was the COVID-19 pandemic, which greatly impacted PS, because of the role it played in the coordination of the pandemic response.
- [42] Mr. Tupper noted that as the NCFIC's Office, staff and capabilities have developed, this has allowed PS to be more aggressive in pursuing its work, particularly with respect to the implementation of *An Act Respecting Countering Foreign Interference*, which is a priority. The government then needs to assess and evaluate what it has accomplished with the legislation, and to assess what gaps may remain, as it is too early to say how the legislation will impact their work and what comes next. The fact that this work is internal, rather than articulated in public, does not undermine what it has achieved.
- [43] Ms. Geddes noted that it is always a challenge to ensure that a strategy remains responsive to the threat activities and the government's objectives, given that the threat environment is dynamic and constantly evolving. The Counter-HASA Strategy (subsequently the Counter-FI Strategy) was, initially, drafted for external release, to convey to Canadians a broad appreciation of the threat and the ways in which the government was addressing it. Ms. Geddes reiterated that a very positive development is the broad public discussion around FI and its impacts on democratic processes, which started happening through many other channels as a result of conversations due to inquiries and media leaks. Furthermore, Ms. Geddes emphasized that the products developed for the consultations leading up to *An Act Respecting Countering Foreign Interference* and provided to the public during those consultations were the best public articulation of the government's strategy to counter FI. The information in those consultation documents reflected a lot of the same information that had been included in the earlier Counter-HASA/FI Strategy documents. This resulted in a more comprehensive and rigorous conversation with Canadians about the core elements of the FI threat and the tools to counter it.
- [44] Commission Counsel referred the witnesses to a memorandum for the DM indicating there was work underway to develop both an internal and a public-facing version of the Strategy.⁵ Mr. Tupper explained that the earlier versions of the draft Strategy that the

⁵ CAN030915.

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witnesses had been referred to were drafted for external release. However, he explained that the draft Strategy has been overtaken by events. A public strategy made sense at a time when the issue of FI needed to be introduced to Canadians, but since that time, FI has entered public discourse in other ways. Their work evolves in response to the current environment, which is what happened in this case. Ms. Geddes added that the work plan of the NCFIC now subsumes most of the strategic elements identified in the Strategy.

2.4.4. An Act Respecting Countering Foreign Interference

- [45] In response to a question about the stakeholder consultations in relation to the process that led to the tabling of Bill C-70, Mr. Aubertin-Giguère confirmed that the government conducted two rounds of consultations. The first round of consultations took place between March and May 2023 and focused on the *Foreign Influence Transparency and Accountability Act* (“**FITAA**”). The second round involved broader consultations on the remaining aspects of *An Act Respecting Countering Foreign Interference*, though the government covered all aspects of Bill C-70 with stakeholders who had not participated in the first round of consultations.
- [46] Mr. Aubertin-Giguère said that most stakeholders were supportive of the registry, but raised the concern that it could be used to further target Chinese-Canadians, especially in the aftermath of the COVID-19 pandemic. This drove PS’s policy approach that the registry should be country-agnostic. This differs from other models which involve two-tier regimes where certain countries can be identified as problematic. Canada’s approach focuses on activities, rather than countries. The government also changed the language used for the registry, based on feedback, from a “foreign agent registry” to “foreign influence and transparency registry”. Similarly, during the first round of consultations, stakeholders told the government that the registry would not be a panacea and that a broader set of changes was necessary. This comment was addressed in the second round of consultations, as well as in the final legislative package.

UNCLASSIFIED

2.4.5. Classified Briefings to Parliamentarians

- [47] Commission Counsel referred the witnesses to a memorandum to the Minister of PS dated August 23, 2023, called “Implementation of Ministerial Direction to the Canadian Security Intelligence Service on Threats to Parliament and Parliamentarians,”⁶ which contains a governance protocol for disclosing threats to parliamentarians, and asked about the purpose of the protocol.
- [48] Mr. Tupper explained that PS felt it was important to get clarity on how the government should deal with information related to parliamentarians, including setting rules around when and how to inform parliamentarians about such intelligence. He noted that this was a step that was taken during a time when there was increased public discourse around FI and how intelligence was being used following the media leaks in 2022 and 2023.
- [49] Ms. Geddes added that operational agencies typically develop protocols to guide their staff on how to implement ministerial directives. In this case, it was necessary to ensure that the implementation of the directive considered CSIS and RCMP concerns about their operations and sources. Communicating intelligence before it has been understood and contextualized, especially if the investigation or the analysis is not yet complete, creates operational risks. PS wrote the memorandum to the Minister to ensure there was no disconnect between the directive and how it was going to be implemented by CSIS.
- [50] Mr. Aubertin-Giguère explained that, pursuant to the protocol, PS convenes the ADM table to discuss the underlying intelligence, the proposed form of words to brief the impacted parliamentarian, and who should attend, all of which is typically presented by CSIS. This discussion is also an opportunity for deconfliction. Once the group agrees, it submits the proposal to a similar table at the DM level. In this forum, DMs can provide advice to the CSIS Director, who then delivers the briefing.
- [51] Commission Counsel referred the witnesses to a 2023 email exchange that discusses the alleged targeting of members of the Inter-Parliamentary Alliance on China by the

⁶ CAN021638.

UNCLASSIFIED

People's Republic of China. Although Mr. Tupper was not part of the email exchange, one of the emails notes that he had previously stated that there was a need to brief parliamentarians on threats. While Mr. Tupper was aware of the incident which was discussed in the email exchange, he did not participate actively in the specific discussions. The national security community monitored the situation.

- [52] Mr. Tupper noted that, following the media leaks, stakeholders challenged the sufficiency of the government's information-sharing with parliamentarians. This resulted in a number of discussions, including about the risks that come with sharing intelligence and the importance of sequencing the timing of disclosure.

2.4.6 Unclassified Briefings to Parliamentarians

- [53] Commission Counsel referred the witnesses to a slide deck about FI briefings to parliamentarians.⁷ Mr. Aubertin-Giguère confirmed the deck was a late draft reflective of the briefings delivered to parliamentarians. Mr. Aubertin-Giguère, along with colleagues from RCMP, CSIS, and CSE, delivered these briefings in response to a request from the Sergeant-at-Arms, who felt the knowledge of parliamentarians about FI was uneven, and had received many questions about the best ways for parliamentarians to protect themselves.
- [54] A session has been given to each political caucus, including to Independent MPs. Mr. Aubertin-Giguère said that the briefings were comprised of a 20–25 minute presentation followed by a question and answer session. The briefings lasted up to an hour. Mr. Aubertin-Giguère said that parliamentarians had a lot of questions and were particularly interested in cyber hygiene and protecting digital information. Although the specific feedback differed from caucus to caucus, the presentations were well-received.
- [55] Mr. Aubertin-Giguère delivered a similar briefing to members of the British Columbia legislative assembly in July 2024. While Mr. Aubertin-Giguère has offered to deliver similar briefings to all of the provinces and territories, and PS is engaged in conversations with several governments about doing so, the briefing was more urgent

⁷ CAN047986.

UNCLASSIFIED

for British Columbia because of its upcoming elections. PS is also working with provincial and territorial officials to develop a common understanding of FI.

2.4.7. Mis- and Disinformation

- [56] Commission Counsel directed the witnesses to a June 29, 2023 memorandum to the DM, which references a recent report of the Rapid Response Mechanism (“RRM”) about an information operation on WeChat directed at Member of Parliament Michael Chong. Mr. Aubertin-Giguère subsequently met with the RRM subject matter experts. He found the conversation very informative, and it shaped his understanding of how WeChat is used as a tool in PRC FI.
- [57] The witnesses were asked about what entity should be monitoring the domestic online environment for mis- and disinformation. Mr. Tupper noted that monitoring the domestic online environment has been a longstanding topic of conversation within the public service. Until recently, there was discomfort with the notion that any federal body would survey online spaces and monitor social media activity. However, recent events, such as the Freedom Convoy, have demonstrated the importance of doing so. Mr. Tupper testified that the government needs to take a more mature posture about monitoring the Canadian information ecosystem. He believes PS could have a role in such an undertaking by, for example, expanding the scope of the Government Operations Center to do so.⁸ Mr. Tupper stated that identifying, observing, understanding and reacting to the factors that fray the threads of the Canadian social fabric is a key part of PS’s mandate, and already a policy area that PS is working on.
- [58] Mr. Aubertin-Giguère responded to the question by observing that it is complex and involves several issues that need to first be considered, including:

⁸ Mr. Tupper later explained that the Government Operations Center is a unit within PS that provides “whole-of-government coordination” across events. It is primarily focused on emergency management and natural disaster events, but can also respond to national security events. It has the capacity to bring in other departments and their expertise. During COVID, for example, it played a major role in coordinating activities of departments to make sure that resources were not overlapping. The center is well-integrated into the provincial and territorial emergency response sectors, so that it has a “whole-of-country” perspective. It is also integrated into some major city operations.

UNCLASSIFIED

- a) What is the government's role in relation to monitoring open-source information, including whether the government should have any role?
- b) If the government should have this role, which entity should have that function?
- c) Whether there is mis- and disinformation online; is the discourse accurate?
- d) What methods do threat actors use to spread mis- and disinformation?

[59] Mr. Aubertin-Giguère noted that RRM's function is to determine whether a foreign state has obfuscated its role in information operations. It looks at the global information space and attempts to understand the methods used by threat actors. He further noted the national security community feels there is a need to have more of that function, but within a domestic agency that can build capacity to monitor what hostile foreign actors are trying to do in the domestic online space on a full time basis.

[60] In response to a question asked by the Commissioner as to what can be done once disinformation is identified, Mr. Aubertin-Giguère testified that RRM prepares a report when it detects a mis- or disinformation operation. However, Mr. Aubertin-Giguère emphasized that the government also has many other tools at its disposal beyond RRM reporting. For example, CSE has cyber operations that allow it to take action against actors engaging in FI. Mr. Aubertin-Giguère stated that, if the Government of Canada adopts a mechanism to address foreign influence manipulation and interference ("**FIMI**"), it must be constructed so as to include all available tools, not just transparency. It also needs to be part of a broader regulatory conversation about the government's toolkit, particularly with respect to its relationship with social media platforms, and its ability to take action on those platforms.

[61] Mr. Aubertin-Giguère stated that there are always three avenues of action: (1) countering the threat or threat actor, for example through a cyber operation; (2) increasing public resilience to decrease the population's receptivity to messages spreading disinformation; or (3) reducing vulnerabilities, for example by informing the Canadian public on methodologies used by threat actors in order to increase their ability to detect disinformation operations. This involves policy work that is ongoing and must continue to develop over time.

UNCLASSIFIED

[62] Mr. Tupper suggested that the development of the Office of the NCFIC and the ability to engage in a more public and transparent way has been an important development for PS, because it augments work it does with community organizations. Mr. Tupper explained that shutting down a website containing disinformation is not always the best response and that presenting alternative perspectives can also be effective. For example, PS works with the “Polarization Clinic” in Montreal, which is researching the social factors that drive people to the “Dark Web” and to follow false information campaigns. The Polarization Clinic is working to redirect these individuals toward more pro-social activities that reflect Canadian values. Similarly, the Yorktown Community Centre in Toronto is working to counter disinformation by identifying websites disseminating disinformation. They have started posting messages with resources and information intended to redirect people towards pro-social websites that provide support and help. PS’s ability to invest in these types of initiatives is an important aspect of their work.

[63] Mr. Aubertin-Giguère added that it is not only up to the government to counter mis- and disinformation. It is also up to civil society to be vigilant and to ensure that they share what they see when they notice a potential information operation.

2.5 Diaspora Groups

2.5.1 Engagement with Diaspora Groups – Overseas Police Stations

[64] Commission Counsel referred the witnesses to a memorandum addressed to the Minister of PS that included a comment about the challenges of fully leveraging the government’s toolkit in responding to OPS. Counsel asked whether these challenges would be addressed by the new legislation introduced in Bill C-70.

[65] Mr. Aubertin-Giguère said that Bill C-70 will not eliminate these issues completely. However, Bill C-70 does help tackle the issue of proxies working on behalf of a foreign state. As an example, Bill C-70 has changed the requirements to establish the offence set out in SOIA that prohibits acting on behalf of a foreign state in a manner that is detrimental to the security of Canada. The policy intent behind this change is to capture

UNCLASSIFIED

conduct where someone is acting on behalf of a foreign state, and the consequences affect the interests of Canada. With the new legislation, such a situation may be sufficient to be considered a criminal offence. Mr. Aubertin-Giguère opined that both the new SOIA offences and the FITAA may be relevant to the example of OPS.

- [66] Mr. Tupper stated that OPS were a transformational issue for the department. It demonstrated the department's capacity to respond to these types of activities and what more they needed to do. Previously, the department usually relied on operational organizations—like police of jurisdiction—to conduct investigations and lay charges. The OPS situation demonstrated the value in looking to tools beyond arrests and prosecutions. The RCMP deployed uniformed officers to the stations to make their presence known and engage with the local community. This response contributed to the police stations shutting down their operations. Similarly, the use of posters and 1-800 information numbers promoted transparency and broadened the national security community's understanding of the toolkit it had available.
- [67] Mr. Tupper testified that OPS were also a defining moment in helping the department understand the sophistication of what was happening in the country in terms of FI activities, the scope of activities by foreign actors and those who support foreign states, and the extent of the impact such activities have on diaspora communities.
- [68] Ms. Geddes added that, although Bill C-70 brings in a host of new tools, it is important to remember other policy initiatives around FI. In addition, the conversations that occurred during the consultation process in the lead-up to Bill C-70 built trust and relationships with communities across the country. During the consultations, they were also able to highlight resources and supports available to communities that were being intimidated, such as was the case with OPS.
- [69] Ms. Geddes also stated that the NCFIC has an important function in ongoing engagement and communications on FI. She stressed that this is one of the most effective tools to disrupt and degrade foreign entities' ability target vulnerable communities in the country.

UNCLASSIFIED

2.5.2. Public Safety's Role in Coordinating Diaspora Engagement

- [70] When asked about PS's role in coordinating and managing the government's engagement with communities, Ms. Geddes indicated that she believes coordination of these engagements is important, but that it is also important for each agency and department to be able to build separate trusted relationships with the communities themselves. For example, CSIS and RCMP's ability to meet with community members, to broaden their network and to cultivate trust is essential. These agency relationships allow people to feel safe when contacting, for example, police of jurisdiction or the RCMP, when reporting instances of harassment or intimidation.
- [71] Mr. Aubertin-Giguère stated that CSIS, for example, has an extensive outreach program, as does the RCMP. These programs are important to build and maintain public trust across Canada. The next step for PS will be to broaden high-level coordination focused on common objectives and ensuring that communities do not hear conflicting messages from agencies. However, there is space for individual agencies to continue what they are currently doing. In the lead up to Bill C-70, Mr. Aubertin-Giguère stated that his team met with hundreds of people and has held dozens of roundtables, which took up most of his team's coordination capacity. In terms of engagement now that Bill C-70 has passed, he stated that he is currently in the process of hiring new resources to drive this type of engagement and coordination plan.
- [72] Mr. Tupper concluded by emphasizing the importance of trust, noting that members of civil society are skeptical of the messages delivered by the government. There is still a lot of work to be done to re-establish trust between the government and the public, so that when government sends a message, the public is receptive to it. One of PS's roles is to ensure coherence in messaging from the various government departments and agencies, and that they are not contradicting one another. Mr. Tupper explained that PS has a role in helping other government departments and the public understand the challenge and what needs to be done to engage in respectful and productive conversations in all areas which are consistent with Canadian values.

UNCLASSIFIED

2.5.3. Terminology: “Diaspora Groups”

[73] Commission Counsel asked the witnesses to explain if any concerns had been raised about use of the term “diaspora groups”. Mr. Aubertin-Giguère explained that diaspora communities have described their experience as being ignored and being targeted at the same time. There is a concern that the term “diaspora groups” may reinforce the idea that these groups are not fully Canadian. PS has decided to adopt the term “Canadian Communities” instead.

2.5.4. Interdepartmental Working Group on Transnational Repression

[74] Commission Counsel asked the witnesses to expand on the “Interdepartmental Working Group on Transnational Repression” and the importance of having multiple departments look at issues. Mr. Aubertin-Giguère stated that addressing the complex issue of transnational repression requires more than just law enforcement and intelligence agencies at the table.

[75] For example, in Canada, both Immigration, Refugees and Citizenship Canada (“**IRCC**”) as well as the CBSA are looking into their vetting processes to see if they can recognize if individuals are conducting activities, or are likely to conduct activities, on behalf of foreign actors. The RCMP is involved, not just in their capacity as a law enforcement agency, but also in engaging with individuals and private entities, such as private security companies, who may unknowingly be providing services to foreign entities.

[76] Mr. Aubertin-Giguère explained that the Working Group’s plan to combat transnational repression involves a very broad set of actions and the next steps of the plan involve approximately ten government departments and agencies. He stressed the importance of the plan having a strategic impact on the threat, rather than focusing exclusively on the national security aspect.

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2.5.5. Cross-Cultural Roundtable on Security

- [77] The witnesses elaborated on the “Cross-Cultural Roundtable on Security” (“**CCRS**”) that was mentioned in the Public Safety Institutional Report and how this initiative fits into their broader toolkit, in terms of engaging with Canadian communities.
- [78] Mr. Tupper explained that PS has established a number of different tables that bring together different communities to engage on various issues. The CCRS was constituted a few years ago when issues like radicalisation and addressing the concerns of communities impacted by events post-9/11 came to the forefront. Mr. Tupper believes the CCRS is an opportunity for his department to engage with different groups and hear a range of diverse perspectives that can help inform and improve the work of PS.

2.5.6. Methods to Collect Community Feedback

- [79] Mr. Tupper testified that the CCRS is but one way that PS receives feedback from communities through its cross-cultural roundtables. He also mentioned the work of the Canada Centre for Community Engagement and Prevention of Violence (“**Canada Centre**”) which is responsible for coordinating Canada’s participation in the “Christchurch Call to Action”. They do a lot of work on the ground, engaging with communities, and that contributes to the department’s information base, which impacts the quality of its policy work. PS also uses online sources, online surveys, written submissions and face-to-face meetings to engage specific groups. He noted that PS has started to engage more actively on various public issues, which involves taking some risks. He believes this type of engagement not only helps build trust, but also provides a unique perspective which has informed PS’s approach to these issues.
- [80] Ms. Geddes expressed that it is a significant component of the job of senior leaders to engage with community members. This engagement happens formally and informally, and is interwoven into the daily work of PS.
- [81] Mr. Aubertin-Giguère explained that the roundtable consultations leading up to Bill C-70 were instructional moments on community engagement. He explained that his team put a lot of effort into reaching out to communities and they received direct feedback and

UNCLASSIFIED

written submissions following the consultations. He believes that engagements with communities are not just necessary, they also provide the department with a good reference and verification point for their work. Mr. Aubertin-Giguère noted that his team also leverages sessions organized by other government departments. For example, Global Affairs Canada (“**GAC**”) has a reoccurring event on human rights in China where individuals share their experiences with, among other things, transnational repression. Mr. Aubertin-Giguère said his team uses these events to learn, to test some of their ideas and to get feedback.

- [82] Mr. Tupper described risk aversion as a challenge within the public service. He testified that PS is of the view that it is important the department lean in and engage with communities. As an example, Mr. Tupper explained how, in the context of disruptions in Canada relating to the conflict in Gaza, PS reached out to a diverse range of actors. This proactive approach to engagement helps build trust and has been an instrumental part of the strategy PS has developed as a department.

3. Examination by the Attorney General of Canada

- [83] Mr. Aubertin-Giguère confirmed that, between his appointment in March 2023 and September 2023, he and his team did a significant amount of work even though PS was risk-managing resources. At the time, eight full-time employees at PS were devoted exclusively to counter-FI work, including his position. Further resources in the department could also be leveraged for specific initiatives, such as engagement experts from the policy group who assisted with the Bill C-70 consultations for several months and other policy analysis who worked on the Bill itself.
- [84] Mr. Aubertin-Giguère indicated that he now plans to hire two extra full-time resources to work on engagement, a senior policy analyst, and an administrative assistant. Official positions for the employees that were already working with his group will also be created. He explained that his group is close to being at capacity.
- [85] In relation to the Counter-HASA strategy, Mr. Tupper clarified that, both internally and externally, the government must make choices about the things it releases publicly, their timing, and what form those communications take. Public communications are

UNCLASSIFIED

particularly challenging, especially when the government is dealing with many issues simultaneously.

- [86] Mr. Tupper explained that the media leaks created sequencing challenges for the government when it came to public communications on FI. The government was at a disadvantage because it could not speak about the leaked classified material, even though it was in the public domain. The government made very discrete choices about what they wanted to communicate and this approach would have been lost as part of a more expansive communications strategy. The communications strategy also reflected the development and evolution of Bill C-70.
- [87] Mr. Tupper explained that the government has articulated its Counter-FI strategy in various ways, such as the Prime Minister's announcement in March 2023 in defence of democratic institutions and establishing the Office of the NCFIC, announcements on the government's work on cyber security and critical infrastructure, engaging with businesses on economic security, and the work that PS conducted with academic institutions around research security.
- [88] Mr. Tupper agreed that an MC can also be an articulation of a government policy, though it would not be made public. When an MC is ratified, it gives PS policy direction and authority to act. Public Safety uses MCs to design work-plans and frameworks within the department.