



**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**

**Public Hearing**

**Audience publique**

**Commissioner / Commissaire  
The Honourable / L'honorable  
Marie-Josée Hogue**

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Commission Staff	Annie Desgagné Casper Donovan Hélène Laurendeau Michael Tansey
Ukrainian Canadian Congress	Donald Bayne Jon Doody
Government of Canada	Gregory Tzemenakis Barney Brucker
Office of the Commissioner of Canada Elections	Christina Maheux Luc Boucher Sébastien Lafrance Nancy Miles Sujit Nirman
Human Rights Coalition	David Matas Sarah Teich
Russian Canadian Democratic Alliance	Mark Power Guillaume Sirois
Michael Chan	John Chapman Andy Chan
Han Dong	Mark Polley Emily Young Jeffrey Wang
Michael Chong	Gib van Ert Fraser Harland

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Jenny Kwan

Sujit Choudhry

Mani Kakkar

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka

Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando De Luca

Chinese Canadian Concern Group on  
The Chinese Communist Party's  
Human Rights Violations

Neil Chantler

David Wheaton

Erin O'Toole

Thomas W. Jarmyn

Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

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Bloc Québécois

Mathieu Desquilbet

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Ottawa, Ontario

--- Upon commencing on Monday, October 7, 2024 at 9:34 a.m.

**THE REGISTRAR:** Order, please.

This sitting of the Foreign Interference Commission is now in session. Commissioner Hogue is presiding.

The time is 9:34 a.m.

**COMMISSIONER HOGUE:** Good morning.

Maître Ghahhary, you are the one who will be conducting the examination this morning?

**MS. LEILA GHAAHARY:** Yes, good morning, Commissioner. You will now hear from a panel of six witnesses who appear on behalf of the Privy Council Office. Mr. Registrar, please may the witnesses be sworn or affirmed?

**THE REGISTRAR:** [No interpretation]

**MS. MARIE-HÉLÈNE CHAYER:** Marie-Hélène Chayer  
— C-H-A-Y-E-R.

**--- MS. MARIE-HÉLÈNE CHAYER, Affirmed:**

**THE REGISTRAR:** Okay.

Now with Ms. Walshe. So Ms. Walshe, could you please state your full name and spell your last name for the record?

**MS. BRIDGET WALSH:** Bridget Walshe, W-A-L-S-H-E.

**THE REGISTRAR:** Thank you.

**--- MS. BRIDGET WALSH, Affirmed:**

**THE REGISTRAR:** Thank you.

And now for Mr. Eldebs. So Mr. Eldebs, could

1       you please state your full name and spell your last name for  
2       the record?

3                   **MR. NABIH ELDEBS:**   Nabih Eldebs, E-L-D-E-B-S.

4                   **THE REGISTRAR:**   Perfect.

5       --- MR. NABIH ELDEBS, Affirmed:

6                   **THE REGISTRAR:**   Thank you.

7                   All right.   And now for Ms. Ducharme.   Could  
8       you please state your full name and spell your last name for  
9       the record?

10                   **MS. LISA DUCHARME:**   Lisa Jane Ducharme, D-U-  
11       C-H-A-R-M-E.

12                   **THE REGISTRAR:**   Perfect.   Thank you.

13       --- MS. LISA JANE DUCHARME, Sworn:

14                   **THE REGISTRAR:**   Thank you.

15                   All right.   And now for Mr. Green.   Mr.  
16       Green, could you please state your full name and spell your  
17       last name for the record?

18                   **MR. MARTIN GREEN:**   Martin Green, G-R-E-E-N.

19                   **THE REGISTRAR:**   Great, thank you.

20       --- MR. MARTIN GREEN, Sworn:

21                   **THE REGISTRAR:**   Thank you.

22                   And finally, Mr. MacDonald.   Could you please  
23       state your full name and spell your last name for the record?

24                   **MR. MICHAEL MacDONALD:**   Michael MacDonald, M-  
25       A-C-D-O-N-A-L-D.

26                   **THE REGISTRAR:**   Perfect.   Thank you.

27       --- MR. MICHAEL MacDONALD, Affirmed:

28                   **THE REGISTRAR:**   Thank you very much.

1 Counsel, you may proceed.

2 **--- EXAMINATION IN-CHIEF BY MS. LEILA GHAAHARY:**

3 **MS. LEILA GHAAHARY:** Thank you. Good  
4 morning, witnesses. I'll begin with a few housekeeping  
5 matters. Firstly, there are four witness summaries that I  
6 need to adopt and -- well, you need to adopt, and I need to  
7 file. In the interest of time, I'm going to deal with the  
8 process in as efficient way as possible.

9 Court Operator, could you put up WIT110.EN,  
10 please? Thank you.

11 This is a summary of a classified interview  
12 that took place in panel format on the 19<sup>th</sup> of June this  
13 year. All of you formed part of that panel. So I'm going to  
14 ask each of you, in turn, to confirm that you have reviewed  
15 the summary, that you do not have any changes to make, that  
16 the summary is accurate to the best of your knowledge and  
17 belief and that you adopt it as part of your evidence before  
18 the Commission today. So I'll take it turn.

19 Mr. MacDonald, could you confirm, please?

20 **MR. MICHAEL MacDONALD:** I confirm. I'm  
21 comfortable with this and I adopt it and I have no changes to  
22 make.

23 **MS. LEILA GHAAHARY:** Thank you.

24 Mr. Green?

25 **MR. MARTIN GREEN:** Confirmed.

26 **MS. LEILA GHAAHARY:** Thank you.

27 Ms. Ducharme?

28 **MS. LISA DUCHARME:** Confirmed.

1 MS. LEILA GHAAHARY: Mr. Eldebs?  
2 MR. NABIH ELDEBS: Confirmed.  
3 MS. LEILA GHAAHARY: Ms. Walshe?  
4 MS. BRIDGET WALSH: Confirmed.  
5 MS. LEILA GHAAHARY: Ms. Chayer?  
6 MS. MARIE-HÉLÈNE CHAYER: Oui, je confirme.

7 --- EXHIBIT No. WIT0000110.EN:

8 Interview Summary: Privy Council  
9 Office - Security and Intelligence  
10 Secretariat, Intelligence Assessment  
11 Secretariat (Nabih Eldebs, Adelle  
12 Ferguson, Marie-Hélène Chayer,  
13 Bridget Walshe, Michael MacDonald,  
14 Martin Green, Lisa Ducharme)

15 --- EXHIBIT No. WIT0000110.FR:

16 Résumé d'entrevue : Bureau du Conseil  
17 privé - Secrétariat de la sécurité et  
18 du renseignement et Secrétariat de  
19 l'évaluation du renseignement (Nabih  
20 Eldebs, Adelle Ferguson, Marie-Hélène  
21 Chayer, Bridget Walshe, Michael  
22 MacDonald, Martin Green et Lisa  
23 Ducharme)

24 MS. LEILA GHAAHARY: Thank you.  
25 Court Operator, could you please put up  
26 WIT143.EN? Thank you.  
27 Mr. Eldebs, Ms. Chayer, Ms. Walshe, and Mr.  
28 MacDonald, this is a summary of your in camera examination

1 that took place during classified hearings in June and July  
2 this year. Again, I'm going to ask each of you to confirm  
3 that you've reviewed it, that you don't have any changes to  
4 make, that it's accurate, and that you adopt it as your  
5 evidence before the Commission today.

6 So again, please, starting with Mr. Eldebs,  
7 can you confirm?

8 MR. NABIH ELDEBS: I confirm.

9 MS. LEILA GHAAHARY: Ms. Chayer?

10 MS. MARIE-HÉLÈNE CHAYER: [No interpretation]

11 MS. LEILA GHAAHARY: Ms. Walshe?

12 MS. BRIDGET WALSHE: I confirm.

13 MS. LEILA GHAAHARY: And Mr. MacDonald?

14 MR. MICHAEL MacDONALD: Yes, I confirm.

15 --- EXHIBIT No. WIT0000143.EN:

16 In Camera Examination Summary: Nabih  
17 Eldebs, Adelle Ferguson, Marie-Hélène  
18 Chayer, Bridget Walshe, Michael  
19 MacDonald

20 MS. LEILA GHAAHARY: Thank you.

21 Could the Court Operator now put up WIT141,  
22 please?

23 Thank you. Ms. Ducharme and Mr. Green, this  
24 is a summary of your in camera examination that took place  
25 during the classified hearings. And again, could you confirm  
26 that you've reviewed the summary, you don't have any changes  
27 to make, it's accurate, and you adopt it as part of your  
28 evidence today?

1 Mr. Green?

2 MR. MARTIN GREEN: Confirmed.

3 MS. LEILA GHAAHARY: Ms. Ducharme?

4 MS. LISA DUCHARME: Confirmed.

5 --- EXHIBIT No. WIT0000141:

6 In Camera Examination Summary: Martin  
7 Green, Lisa Ducharme

8 --- EXHIBIT No. WIT0000141.FR:

9 Résumé d'interrogatoire à huis clos :  
10 Martin Green, Lisa Ducharme

11 MS. LEILA GHAAHARY: Thank you.

12 And finally, Court Operator, could you please  
13 put up WIT146?

14 Mr. MacDonald and Mr. Green, this is an  
15 addendum to the summary of an interview with the Commission  
16 that you participated in during Stage 1 of the Commission's  
17 work. And again, for the final time, please could you  
18 confirm that you've reviewed the summary, you don't have any  
19 changes to make, it's accurate, and you adopt it as part of  
20 your evidence?

21 Mr. Green, please.

22 MR. MARTIN GREEN: Confirmed.

23 MS. LEILA GHAAHARY: And Mr. MacDonald,  
24 please?

25 MR. MICHAEL MacDONALD: Yes, I confirm.

26 MS. LEILA GHAAHARY: Thank you very much.

27 The French versions of all of those summaries  
28 will be filed in due course.

1 I'm going to start with some brief  
2 introductions if I may. You are all members of two different  
3 secretariats that are housed within the Privy Council Office,  
4 which I'll call PCO for shorthand from now on. The first of  
5 those Secretariats is the Security and Intelligence  
6 Secretariat, and the second is the Intelligence Assessment  
7 Secretariat. We're just going to run through your roles and  
8 the functions of each of those Secretariats.

9 I'll start by introducing the members of the  
10 Intelligence Assessment Secretariat. I'm going to refer to  
11 that as IAS from this point.

12 Ms. Chayer, since October 2023, you have  
13 served as the Assistant Secretary to the Cabinet for the  
14 National Security Council, which merged with the IAS in July  
15 last year, meaning that you now effectively lead both. Is  
16 that right?

17 **MS. MARIE-HÉLÈNE CHAYER:** Oui.

18 **MS. LEILA GHAAHARY:** Thank you. And  
19 formerly, from June to October 2023, you were the Acting  
20 Assistant Secretary for the Security and Intelligence  
21 Secretariat, and before that, from January to June 2023, you  
22 led the PCO's Task Force on Foreign Interference. Is that  
23 correct?

24 **MS. MARIE-HÉLÈNE CHAYER:** [No interpretation]

25 **MS. LEILA GHAAHARY:** Thank you.

26 Ms. Ducharme, you are the Director of  
27 Operations at IAS and you've held that role since March 2023.  
28 Is that correct?



1                   **MS. LISA DUCHARME:** That's correct.

2                   **MS. LEILA GHAAHARY:** And in this role, you  
3 handle the day-to-day operational needs at IAS, which  
4 includes amongst other things, information flow, staffing,  
5 finance, and ATIP requests. Is that right?

6                   **MS. LISA DUCHARME:** That's correct.

7                   **MS. LEILA GHAAHARY:** But you also spearhead  
8 the Canadian Academy for Intelligence analysis, and that's a  
9 body that provides training to and standards of practice for  
10 intelligence analysts. Is that right?

11                  **MS. LISA DUCHARME:** That's correct.

12                  **MS. LEILA GHAAHARY:** Mr. Green, you were  
13 formerly the Assistant Secretary at IAS until your retirement  
14 in July of this year. Is that right?

15                  **MR. MARTIN GREEN:** Yes.

16                  **MS. LEILA GHAAHARY:** And as the Assistant  
17 Secretary, you reported to the National Security and  
18 Intelligence Advisor, or the NSIA?

19                  **MR. MARTIN GREEN:** Yes.

20                  **MS. LEILA GHAAHARY:** I'm going to briefly  
21 just deal with the functions of IAS.

22                               And Court Operator, please could you put up  
23 CAN.DOC36?

24                  **MS. LEILA GHAAHARY:** This is the PCO  
25 Institutional Report. It's already been filed, and so we  
26 don't need to deal with that formality.

27                               Court Operator, could you please turn to page  
28 5 of the report, please? Thank you. And if you could scroll

1 down so that the heading "Intelligence Assessment  
2 Secretariat" is at the top of the page? Thank you.

3 Ms. Ducharme, I'm going to ask you to assist  
4 me in setting out the main functions and roles of the IAS.  
5 Page 5 summarizes those main functions. I'll run through  
6 them and ask for some explanations from you.

7 Firstly, it produces analysis and assessments  
8 on foreign trends that impact Canadian interests. Could you  
9 briefly explain the types of analysis and assessment  
10 products, and to whom they are provided?

11 **MS. LISA DUCHARME:** Sure. IAS produces a  
12 range of different product types to meet different needs and  
13 different clients. For example, we produce daily reports  
14 that are reporting on current trends. These are short one-  
15 pagers. We produce weekly summaries. We produce longer more  
16 in-depth papers, commonly referred to as National  
17 Intelligence Assessments, that require we bring the entire  
18 intelligence community together to work on issues that  
19 require deep examination, hard targets, or issues that  
20 haven't been previously examined. We also provide very  
21 tailored, specific products to support senior leadership  
22 within the Privy Council Office and the Prime Minister's  
23 Office. We provide intelligence to the Prime Minister, to  
24 the Clerk, the National Security and Intelligence Advisor,  
25 and again, it all depends on the situation for various  
26 meetings, various conferences, various committees. So it's  
27 tailored to the approach for the client and the situation.

28 **MS. LEILA GHAAHARY:** Thank you. And another

1 aspect of the role of IAS is that it helps to convene and  
2 coordinate the Intelligence Assessment Community. Again, Ms.  
3 Ducharme, could you briefly explain the nature of that role?

4 **MS. LISA DUCHARME:** Sure. There are a number  
5 of governance committees that do this. We have a Director  
6 General's Intelligence Assessment Coordination Committee and  
7 we meet together with a number of S&I agencies to look at  
8 enterprise issues for improving enhancing the intelligence  
9 assessment function. We also have an Assistant Deputy  
10 Minister's Committee that looks at the intelligence products,  
11 as previously referred, National Intelligence Assessments,  
12 products that we intend to go to Cabinet or the Deputy  
13 Minister level.

14 **MS. LEILA GHAAHARY:** Thank you. And it's  
15 also responsible for chairing and supporting various  
16 intelligence assessment related committees. Again briefly,  
17 could you help us with an explanation of what work it does in  
18 relation to those committees?

19 **MS. LISA DUCHARME:** We provide tailored  
20 reports, either by request for information or proactively if  
21 we are looking at the forward agenda. For example, the  
22 National Security Council is a perfect example of that. When  
23 we know what products -- when we know what issues are going  
24 to be discussed at that fora, we bring the community together  
25 to work on an all-community assessment that is going to  
26 support those specific discussions.

27 **MS. LEILA GHAAHARY:** Thank you.

28 I'm going to now turn to the Security and

1 Intelligence Secretariat and again just go through some brief  
2 introductions and functions of that entity.

3 Mr. Eldebs, you are the Assistant Secretary  
4 at SI and you've held this role since December 2023. Is that  
5 right?

6 **MR. NABIH ELDEBS:** That is correct.

7 **MS. LEILA GHAAHARY:** And as the Assistant  
8 Secretary, you are responsible for overseeing the SI  
9 Secretariat's four branches, which include the Operations  
10 Branch, which is headed by Bridget Walshe, and that looks at  
11 operational issues relating to security and intelligence in  
12 Canada. Is that right?

13 **MR. NABIH ELDEBS:** That is correct.

14 **MS. LEILA GHAAHARY:** And you also oversee the  
15 Strategic Policy and Planning Branch, which is headed by  
16 Adelle Ferguson, and that looks at policy development with  
17 respect to security and intelligence and the national  
18 security community. Is that correct?

19 **MR. NABIH ELDEBS:** That is correct.

20 **MS. LEILA GHAAHARY:** And you also oversee the  
21 Review Coordination Unit which liaises with the national  
22 review bodies, NSIRA and NSICOP. Is that right?

23 **MR. NABIH ELDEBS:** That is correct.

24 **MS. LEILA GHAAHARY:** And you oversee the  
25 Security Operations Directorate, also known as SECOPs, or S-  
26 E-COPs, which is responsible for the physical security  
27 operations within PSO. Is that right?

28 **MR. NABIH ELDEBS:** That is correct.

1                   **MS. LEILA GHAAHARY:** And Ms. Walshe, you are  
2 the Director of Operations at SI and you were appointed to  
3 this role in June 2022. Is that right?

4                   **MS. BRIDGET WALSHE:** It's correct I was  
5 appointed to the role in June of 2022, but I left the Privy  
6 Council Office in August of this year. I'm now working at  
7 the Communications Security Establishment as of September.

8                   **MS. LEILA GHAAHARY:** Thank you for that  
9 clarification.

10                   In your former role, you handled operational  
11 issues related to security and intelligence, you helped to  
12 convene the national security community, and you also led the  
13 challenge function on operational policy. Is that right?

14                   **MS. BRIDGET WALSHE:** That's correct.

15                   **MS. LEILA GHAAHARY:** Mr. MacDonald, you  
16 served as Assistant Secretary for SI from May 2020 to June  
17 2023. Is that correct?

18                   **MR. MICHAEL MacDONALD:** That's right.

19                   **MS. LEILA GHAAHARY:** And Court Operator,  
20 please could you put up page 4 of the document that we have  
21 on the screen?

22                   Thank you. And if you could take the heading  
23 "Security and Intelligence Secretariat" to the top of the  
24 page.

25                   Thank you.

26                   Mr. Eldebs, the Institutional Report provides  
27 an overview of the role and functions of the SI. Could you  
28 please help us with a brief summary?

1                   As before, I'll take you through the main  
2 headlines and if perhaps you could elaborate.

3                   The functions and role of the IAS provides  
4 policy advice and support to the NSIA on national security  
5 and intelligence matters. Is that right?

6                   **MR. NABIH ELDEBS:** That is correct, yes.

7                   **MS. LEILA GHAAHARY:** And it performs the  
8 traditional PCO challenge function on the policy proposals,  
9 legislative plans and resource requests that are developed  
10 and submitted by departments and agencies. Is that right?

11                  **MR. NABIH ELDEBS:** That is correct, yes.

12                  **MS. LEILA GHAAHARY:** And it supports the NSIA  
13 in briefing the Prime Minister and Cabinet on key national  
14 security issues. Is that right?

15                  **MR. NABIH ELDEBS:** That is correct.

16                  **MS. LEILA GHAAHARY:** And it plays a convening  
17 function in governance across the SI community and co-chairs  
18 security and intelligence bodies, which include secretariat  
19 functions for various Assistant Deputy Minister and Deputy  
20 Minister committees. Is that right?

21                  **MR. NABIH ELDEBS:** That is correct.

22                  **MS. LEILA GHAAHARY:** Could you perhaps just  
23 give a short explanation of what that looks like on a day-to-  
24 day basis?

25                  **MR. NABIH ELDEBS:** For sure.

26                  So as you mentioned, the Director of  
27 Operations or the Operations Section looks at all things  
28 related to security and intelligence activities that are

1       happening at any given day within Canada, so that means  
2       things like cyber security, elections security, violent  
3       extremism, things that, you know, impact the national  
4       security framework of Canada.

5               And we do a convening function, we do a  
6       coordination function, and we brief up to the NSIA as well as  
7       to the Prime Minister's Office.

8               The policy branch looks -- as you mentioned,  
9       does a convening function in terms of policy that's  
10      coordinated across the S&I community. In particular, for  
11      example, C-70 -- Bill C-70 was one where the policy branch  
12      would have coordinated and done a convening function of.

13              We also -- that branch also conducts the --  
14      performs the function of getting the intelligence priorities  
15      together as well as the intelligence requirements for the  
16      security and intelligence community and also they're tasked  
17      with the Five Eyes relationship and ensuring that that's a  
18      robust and ongoing, well-established relationship.

19              The review unit is one that does a bit more  
20      on the coordination with National Security and Intelligence  
21      Review Agency and the National Security and Intelligence  
22      Committee of Parliamentarians, and convenes on particular  
23      issues where there are common themes across the community  
24      that need to be resolved or addressed or coordinated.

25              And finally, as you mentioned, the Security  
26      Operations branch is the security of PCO, so the physical  
27      security of PCO, but as well as conducts background checks  
28      and security screening for all OIC appointments.

1           You mentioned co-chairing of some committees  
2       as well, so I'm the co-chair of about four committees, I will  
3       say, as well as the chair of two, so about six committees all  
4       together where we -- where S&I chairs and co-chairs in terms  
5       of ensuring the functioning and convening of the committees.

6           **MS. LEILA GHAAHARY:** Thank you.

7           You mentioned the intelligence priorities.  
8       Let's briefly take a look at those.

9           Court Operator, could you please put up  
10       CAN21740?

11       **--- EXHIBIT No. CAN021740:**

12                   Canadian Intelligence Prioritization  
13                   Processes, Background and Analytic  
14                   Aids

15           And this a guide to the intelligence  
16       priorities process. And if you could go to page 3, please.

17           Thank you.

18           And it states there that:

19                   "Canada's intelligence priorities  
20                   setting process is a vital part of  
21                   ensuring accountability and managing  
22                   risk within the intelligence  
23                   community. Strategic intelligence  
24                   prioritization is key in ensuring  
25                   that our finite Canadian intelligence  
26                   capabilities meets government  
27                   objectives."

28           Mr. Eldebs, it's right that the Government of



1 Canada's intelligence priorities are set by Cabinet every two  
2 years?

3 MR. NABIH ELDEBS: That is correct, yes.

4 MS. LEILA GHAAHARY: And the process for  
5 developing those priorities is intensive and it's coordinated  
6 by the Strategic Policy and Planning Branch at SI.

7 MR. NABIH ELDEBS: That is correct.

8 MS. LEILA GHAAHARY: And they're developed  
9 through consultation with departments across the Government  
10 of Canada.

11 MR. NABIH ELDEBS: That is correct, yes.

12 MS. LEILA GHAAHARY: And underneath the  
13 intelligence priorities sits something called the  
14 intelligence requirements, and they are more detailed and  
15 they set out specific aspects of what each department can do  
16 in respect of intelligence priorities. Is that right?

17 MR. NABIH ELDEBS: That is correct.

18 So think of the intelligence priorities as  
19 the strategic objectives and the requirements as the roadmap  
20 to get to those objectives.

21 MS. LEILA GHAAHARY: Thank you.

22 Court Operator, could you now put up  
23 CAN11698\_R01, please?

24 --- EXHIBIT No. CAN011698 R01 0001:

25 Intelligence Priorities - Ministerial  
26 Direction

27 MS. LEILA GHAAHARY: This is an explainer on  
28 Ministerial direction for intelligence priorities.

1                   Mr. Eldebs, could you briefly speak at a high  
2 level as to what the Ministerial direction is and how that  
3 differs, perhaps, from the requirements?

4                   **MR. NABIH ELDEBS:** Absolutely.

5                   So the requirements -- sorry, the  
6 intelligence priorities as I noted are set by Cabinet and  
7 they're a set of several priorities at the strategic level.  
8 However, then Ministers can tailor to their departments what  
9 they need to do and what -- how they can achieve those  
10 objectives.

11                  So the Minister of National Defence, Minister  
12 of Public Safety as well as the Minister of Foreign Affairs  
13 will issue particular directions to their institutions that  
14 fall under them in terms of meeting the priorities of each --  
15 of Cabinet.

16                  **MS. LEILA GHAAHHARY:** Thank you.

17                  I'm going to move on now to intelligence  
18 assessments and briefly touch on the threat landscape.

19                  The Commission has already heard and will  
20 continue to hear lots of evidence on the current threat  
21 landscape, and therefore it's not necessarily to look at that  
22 in any great detail today. I just want to focus on two  
23 threat landscape products that are produced by IAS.

24                  Court Operator, could you put up WIT141,  
25 please, and go to pages -- go to page 4, rather.

26                  Thank you.

27                  If you could scroll down to paragraph 12,  
28 please.

1                   Ms. Ducharme, I want to ask you about two  
2 products, the year ahead and the national security outlook.  
3 Taking each in turn, please would you explain what those  
4 products are and the ways in which each captures the threat  
5 landscape, including who the intended audience is for each  
6 and what use those products might be put to?

7                   **MS. LISA DUCHARME:** I can speak to that, but  
8 I think that it might be -- I would probably defer to Martin  
9 Green on this because he's been with IAS for a number of  
10 years, and this is an annual product. And then I'm happy to  
11 add on any additional information.

12                  **MS. LEILA GHAAHARY:** Of course.

13                  Mr. Green, could you assist?

14                  **MR. MARTIN GREEN:** Sure.

15                  They're both annual products that come out  
16 normally early in the new year. The National Security  
17 Outlook is a strategic analysis of the trends and threats --  
18 the foreign trends and threats that we believe will impact  
19 Canada.

20                  So under that rubric, you have geopolitics,  
21 cyber, foreign interference, many of the issues that we're  
22 seeing out there, so it's an attempt to create a narrative  
23 for the upcoming year.

24                  Out of necessity, it also includes, you know,  
25 issues that will be with us for three to five years. It's  
26 not just sort of exclusive to that time zone.

27                  And then the National Security Outlook 24 is  
28 a placemat in which we try to summarize what are the key

1 national security trends and threats that we need to be  
2 looking out for. So it is more specific with respect to what  
3 we see as the trends and threats that will impact Canada from  
4 around the world.

5 **MS. LEILA GHAAHARY:** Thank you.

6 Court Operator, could you turn up page 5 of  
7 the document on the screen? Thank you. And scroll down a  
8 little further so that we can see all of paragraph 15. Thank  
9 you.

10 Mr. Green, at paragraph 15 that you can see  
11 on the screen, you share your view that it would be a good  
12 idea to share unclassified versions of these types of  
13 products. Can you explain your thoughts on this, and in  
14 particular, why you think it would be beneficial to do that?

15 **MR. MARTIN GREEN:** I think we're at a  
16 juncture with national security in Canada where we need to  
17 engage very much. And that's been one of the themes, I think  
18 a lot of the testimony with the provinces, other levels of  
19 government, the private sector, and indeed the Canadian  
20 public. Because the threat landscape, I think, over the last  
21 decade has become probably more profound and piquant in terms  
22 of everyday Canadians.

23 And many other countries have annual  
24 documents, which are quite extensive when you look at them.  
25 The U.S., Australia, U.K., and many others, where they  
26 outlined the strategic landscape, and I believe that that's  
27 their effort to develop a conversation with the public. We  
28 do that. We have a number of products that are public, you

1 know, there's speeches, there are different documents that  
2 the Cyber Centre and CSIS produce. But I don't think we have  
3 one national assessment like other countries do it comes out  
4 on a regular basis. And I think that would be a great idea  
5 in order to engage Canadians in a very serious issue.

6 **MS. LEILA GHAAHARY:** Thank you. I'm going to  
7 move on now to the subject of intelligence sharing and  
8 starting with senior officials. Court Operator, please could  
9 you put up CAN.28145? Thank you.

10 **--- EXHIBIT No. CAN028145 0001:**

11 Intelligence Dissemination and  
12 Tracking for Senior Leaders and  
13 Political Staff

14 **MS. LEILA GHAAHARY:** Mr. Eldebs, I understand  
15 that in 2023 the PCO developed a new dissemination and  
16 tracking protocol for senior leaders. It appears to be the  
17 document that we see on the screen. First of all, can you  
18 explain why this new protocol was developed, and what gaps or  
19 problems it was meant to address?

20 **MR. NABIH ELDEBS:** I believe the idea of  
21 tracking has always existed in PCO, however, it was a bit of  
22 a manual process that where S&I or other secretariats would  
23 track all products that would go up and be briefed at a  
24 different level. This is an attempt to offer a more robust  
25 electronic version of tracking where all documents -- where  
26 whenever someone views a document the tool would track them  
27 as if they've read it.

28 So that was the idea behind this, is to

1 modernize the tracking system that still exists. We still do  
2 both. So we still do the tracking as well as there's some --  
3 the electronic version of it. But Marie-Hélène maybe can  
4 add.

5 **MS. MARIE-HÉLÈNE CHAYER:** ...different points  
6 there, this is [no interpretation].

7 So it becomes easier to know who has access  
8 to what, and at what time.

9 So this is an internal... not a new protocol,  
10 as you said. It is simply an internal document that we use  
11 to be able to discuss with different agencies that you can  
12 see there with respect to their internal processes and there  
13 are differences within systems from one organization to  
14 another.

15 And so all of that, that was set up, and so  
16 there you have it.

17 **COMMISSIONER HOGUE:** Madam Chayer, you said  
18 this already existed.

19 **MS. MARIE-HÉLÈNE CHAYER:** [No interpretation]

20 **COMMISSIONER HOGUE:** Is it possible to know  
21 who had read a document that was transmitted? Did that  
22 exist, or is this something that came with this new system?

23 **MS. MARIE-HÉLÈNE CHAYER:** As I said, some  
24 organizations already had electronic tracking system. Others  
25 were setting up such systems, so the period from the point at  
26 which everyone used the same process that was done over  
27 several months, if not several years, but that was the  
28 direction we were going to be able to say who had access to

1 the documents and we also make an effort to strengthen our  
2 tracking of high-level briefings, who'd been briefed on what.

3 **MS. LEILA GHAAHARY:** Ms. Chayer, one year on  
4 -- sorry, Mr. Green?

5 **MR. MARTIN GREEN:** Sorry, just I think  
6 there's an important addition to that, which is you know, it  
7 is tracked and, you know, who has access to it, and in a lot  
8 of cases who's being briefed on it. There is a nuance I  
9 think with respect, you know, there's a tremendous amount of  
10 material. So I don't think it tracks that, you know, an  
11 individual briefing was, you know, fully absorbed.

12 There's a nuance in there that I think is  
13 important. You know, you can know who saw it, and who read  
14 it, or who was briefed on it. I think there is a bit of a  
15 difference with respect to has that actually been, sort of,  
16 absorbed at a certain level? Because there's an awful lot of  
17 material.

18 **MS. LEILA GHAAHARY:** Thank you. Ms. Chayer,  
19 a year on, is this system working or is there room for  
20 further improvements or development?

21 **MS. MARIE-HÉLÈNE CHAYER:** I don't think  
22 there's any contradictions in the question you have. This  
23 system is working, but we can always bring forward  
24 improvements. But the system is working -- is always working  
25 better and better.

26 **MS. LEILA GHAAHARY:** Thank you.

27 I'd now like to move on to the IAS special  
28 report. This concerns matters of intelligence sharing with

1 senior officials. Mr. Green, you were involved in the  
2 creation of this special report and I'm going to ask you to  
3 assist with some of the details relating to its preparation  
4 and circulation. Can the Court Operator please put up  
5 CAN.3787R01? Please could you scroll down and zoom out just  
6 a touch? Thank you.

7 **--- EXHIBIT No. CAN003787 R01:**

8 China's Foreign Interference  
9 Activities

10 **MS. LEILA GHAAHARY:** Mr. Green, this is a  
11 draft of a special report on China's foreign interference  
12 activities that was prepared in the autumn of 2021. Is that  
13 right?

14 **MR. MARTIN GREEN:** Yes.

15 **MS. LEILA GHAAHARY:** And Court Operator,  
16 could you now put up WIT141 and go to page 6, please? And if  
17 you could scroll down so that we can see paragraphs 19 and  
18 20? Thank you.

19 Mr. Green, you discussed the special report  
20 in your *in camera* examination, that these paragraphs reflect  
21 your evidence. For today's purposes, would you please again  
22 explain the circumstances that led to the preparation of this  
23 report?

24 **MR. MARTIN GREEN:** Sure. There has been  
25 significant debate around foreign interference for years, and  
26 one of the issues that comes out quite frequently is foreign  
27 interference versus foreign influence, which I think the  
28 paper on the second page speaks to that. Because many of the



1 activities fall into what we would call a grey zone, and you  
2 know, is it influence or is it interference, and what are the  
3 thresholds therein?

4 So the paper, because this conversation was  
5 ongoing at the senior levels, with much of the intelligence  
6 that was being received was, I thought, kind of an innovative  
7 idea to marry, a, the international foreign influence and  
8 interference that we were seeing, because many, many  
9 countries are grappling with this issue, including a lot of  
10 our allies. They know that there's a lot of foreign  
11 interference going on, but how do you actually define it?  
12 What are the legal thresholds that one would put around it?  
13 And then of course, if you're seeing that internationally,  
14 you also -- you know, it quickly begs the question what are  
15 we seeing domestically?

16 So this paper was an innovative attempt to  
17 marry the international and the domestic because there was a  
18 big debate about whether or not, particularly China, which is  
19 the subject of the paper, was it really doing a lot of  
20 foreign interference in Canada?

21 So it's a joint paper as well. We  
22 occasionally do what we call multi-badged products. So this  
23 was a paper that we did very closely with CSIS. And I think  
24 what's really germane about it, there's a lot of, you know,  
25 good material in it, are the key judgements, in which we say  
26 that the Canadian intelligence community is of a consensus  
27 view that China is the most significant foreign interference  
28 threat to Canada. I believe that remains true three years

1 later, and I believe that the community agrees with that.  
2 It's -- and there are -- you know, we point that there are a  
3 number of other countries that are involved as well.

4 I think it has to be taken in context too.  
5 You know, we're talking about foreign interference here.  
6 There are a lot of other national security issues out there.  
7 I'm not sure that I would say foreign interference is the  
8 biggest national security trend or threat that we have. I  
9 think that's open to debate. But it's certainly a really  
10 important one, because it speaks to our democratic  
11 institutions.

12 The paper also highlights that Canada remains  
13 highly vulnerable to these foreign interference efforts, and  
14 I think that has to be looked at, you know, contextually,  
15 within the lens that most democracies are very vulnerable, by  
16 the nature of, you know, how our systems are set up. You  
17 know, being open and transparent. So that creates a  
18 vulnerability to the way a lot of foreign interference is  
19 activated here.

20 And then I think the third key judgement is  
21 very important, is you could look at foreign interference  
22 simply, you know, or just solely through the lens of the  
23 electoral system. I think it's much bigger than that.  
24 You're seeing really kind of hybrid tools being brought to  
25 bear. So in the case of a country like China, there is  
26 clearly a very sophisticated toolkit which involves foreign  
27 defence, national security and intelligence activities,  
28 there's, you know, economic coercion, there's military

1 pressure, there's espionage. So there's a suite of tools  
2 that are brought to bear that we're seeing much more often  
3 and there's a convergence, in terms of how a country might  
4 use these.

5 So, you know, it's one thing, and it's a very  
6 important thing, to look at the impact, the direct impact on  
7 our electoral system, but there are a lot of other tools  
8 being used which actually influence that as well.

9 So a lot of -- and the other part of it is  
10 it's very long-term. This is not, you know, something that  
11 happened last May over two weeks. There may be a specific  
12 incident there, but it is very long-term, there are long-term  
13 strategies around this so that other countries can interfere  
14 and influence other countries decisions.

15 **MS. LEILA GHAAHARY:** Thank you. A few points  
16 of clarification on the circulation of the report, if I may?

17 We heard last week that Mr. Morrison, who was  
18 acting NSIA at the time, requested that the IAS produce this  
19 report, and he explained that his intended audience, when he  
20 commissioned the report, was himself to increase his own  
21 understanding of the threat of the PRC-related foreign  
22 interference. Would you agree with that? It was initially  
23 for Mr. Morrison's consumption?

24 **MR. MARTIN GREEN:** Well, yeah, it does say  
25 that Mr. Morrison requested it. My recollection is it was my  
26 idea. But that's fine. David Morrison thought it was a good  
27 idea. I -- we did this under the presumption that this would  
28 be for a Deputies' discussion, a senior level discussion,

1 because of some polarized views about foreign interference  
2 and influence. So this was our attempt to move that  
3 discussion forward and bring the dissent forward as well, to  
4 have a conversation because it was never any sort of solid  
5 conclusions at that point, and so we thought it was important  
6 to further the debate. So I think there's corresponding  
7 material where I suggest that this paper should be brought to  
8 the attention of Deputies, and then hopefully it would form  
9 the basis of further discussions at a senior political level.

10 **MS. LEILA GHAAHARY:** Thank you. Once the  
11 draft report was prepared, I understand it was discussed with  
12 Mr. Morrison on the 16<sup>th</sup> of December 2021 and the report was  
13 subsequently modified to take into account his feedback,  
14 which included points relating to the tone of the report, the  
15 need for factual reporting, and he highlighted some  
16 activities in the report that he regarded as being regular  
17 diplomatic activity. Once the report had been amended, I  
18 understand that Mr. Morrison then moved on. He moved on from  
19 his role as Acting NSIA and Ms. Jody Thomas took up the  
20 mantle, and you rewrote the report, and at that time, you say  
21 your expectations were that it would be circulated wider than  
22 the NSIA.

23 Court Operator, could we please put up  
24 CAN11049, please? Perhaps scroll down a little. Thank you.

25 **--- EXHIBIT No. CAN011049 0001:**

26 IAS Report on China's Foreign  
27 Interference Activities

28 **MS. LEILA GHAAHARY:** Mr. Green, I think we

1 can see in the second paragraph your recommendation that the  
2 report is provided to select Deputy Ministers and Cabinet  
3 Ministers, the members of the Security and Intelligence  
4 Threats to Election, SITE Task Force as it's known, CSE, GAC,  
5 the RCMP, the Interim Clerk, Deputy Clerk, and you say that  
6 they would benefit from receiving the report.

7 In making that recommendation, what was your  
8 intention with regard to the function of this paper? What  
9 did you hope it would achieve?

10 **MR. MARTIN GREEN:** Again, it was premised on  
11 the fact that there was an ongoing debate and some dissent  
12 about the seriousness of foreign interference and influence,  
13 and it was our effort to further that discussion at the most  
14 senior levels, and it's very much, you know, as it says here,  
15 -- I point out too that it was very limited distribution at  
16 that point. It was basically IAS, we did keep our colleagues  
17 in S&I informed, but it was CSIS and IAS that produced the  
18 paper, and once CSIS agreed to its contents and, you know,  
19 your history is right, there was a switch in leadership, so  
20 this cover note was presented to the new NSIA suggesting that  
21 it should go to key Deputies for a discussion. And then  
22 there were next steps that, you know, at the senior political  
23 level that we thought would be useful too, and we thought it  
24 was a good foundational paper to have that conversation.

25 **MS. LEILA GHAAHARY:** Court Operator, could  
26 you put up WIT141, please, and go to page 6? And if you  
27 could scroll down so that we could see paragraphs 19 and 20?

28 Mr. Green, you've just touched upon the

1 differences in perspectives that you hoped to reflect in this  
2 report, and as I understand it, encourage discussion on. In  
3 your examination, you told us that some of the activity fell  
4 into everyday and some fell into what's known as the grey  
5 area. And you also said that, at this time, you were seeing  
6 foreign interference activity increasing and becoming more  
7 aggressive, and that, otherwise, regular diplomatic activity  
8 in combination with other factors showed a growing trend.  
9 Could you just elaborate on that? What, if any, concerns did  
10 you have about the picture that had emerged through the  
11 Special Report?

12 **MR. MARTIN GREEN:** I think the Special  
13 Report, you know -- and it's not a perfect report, I think  
14 it's a darn good one, is -- it makes the point that there  
15 appears over the last decade to be an increase in the trends  
16 in threats, particularly with reference to China and their  
17 willingness to use foreign interference to influence other  
18 country's decision-making. And our analysis of it was that  
19 that indeed had been increasing through a number of areas.  
20 So some of the examples, I think, fall very solidly into the  
21 category of foreign interference, which, you know, was covert  
22 and deceptive. And then there are a number of others that  
23 fall into the, you know, the influence category, which some  
24 people might suggest is normal, everyday diplomacy, but I  
25 think you have to look at them together because one does  
26 inform the other in terms of the objectives of the influence.  
27 And as I said, the third key judgment in this, it doesn't --  
28 you know, the report doesn't represent a complete account of

1 observed activities abroad, nor does it include the hybrid  
2 toolkit that is brought to bear to influence other countries.  
3 So one of the underlying themes is we thought China was a  
4 growing threat on foreign interference.

5 **MS. LEILA GHAAHARY:** Thank you. And I  
6 understand that having passed the report to the then NSIA,  
7 Jody Thomas, in January 2022, that the report wasn't  
8 circulated as you'd recommended. The first question is, do  
9 you know why it wasn't circulated as recommended?

10 **MR. MARTIN GREEN:** There were -- you know, to  
11 be fair, that period of time when Jody Thomas became NSIA was  
12 pretty extraordinary in that the Russia Ukraine conflict  
13 broke out and we had, you know, exquisite intelligence in  
14 advance that that would happen. So there was a lot of work  
15 being done on that, quite rightly. We also were hearing the  
16 truckers' horns starting to blare as they made their way  
17 across the country, and which led to the Freedom Convoy. So  
18 there were, you know, some pretty dramatic issues that we  
19 were being faced, so foreign interference at that immediate  
20 juncture was not, I think, top of mind or front burner. I  
21 raised the issue several times thinking that, you know, it  
22 would still be good to have that conversation, so I can't  
23 really speak to why, you know, it was not the subject of a  
24 deputy's meeting or not. That would be for others to decide  
25 because, you know, it's -- you know, I can make the  
26 recommendation, but I can't say, you know, you got to go do  
27 this.

28 **COMMISSIONER HOGUE:** Do you recall with whom

1       you raised the issue?

2                   **MR. MARTIN GREEN:** I raised it, you know, by  
3       virtue of the cover note with the NSIA, and I raised it  
4       subsequently at several bilats where I would have regular  
5       meetings with the NSIA, basically, asking about the status of  
6       it, and, you know, hoping that it would move forward.

7                   **MS. LISA DUCHARME:** If I may, just to provide  
8       some helpful context that within the assessment community, it  
9       is not uncommon for products to be started, and for whatever  
10      reason, overtaken by events or competing priorities. It  
11      doesn't make it all the way through to the finished product,  
12      but that doesn't mean that the information and the assessment  
13      hasn't been helpful in informing the people who were part of  
14      that generation process, and also those who were exposed to  
15      it. And, indeed, this effort has contributed to our  
16      collective understanding of the threats in this area and has  
17      shaped and informed how we work going forward.

18                   So as mentioned in the past, IAS was  
19      primarily a foreign geo-political assessment unit. Since  
20      that Special Report, it's baked into how we do business now.  
21      We consistently work with our domestic partners at the RCMP,  
22      CSIS, CBSA and others to bring those aspects together in all  
23      the work that we do. So as mentioned, in this particular  
24      incident, this didn't make it through all the way to the  
25      finished product, but it does shape future work. It does  
26      inform our collective knowledge, and it gets reused and  
27      repurposed in other products, in other ways, if that's  
28      helpful.



1                   **MS. LEILA GHAAHARY:** Thank you. And in that  
2 regard, although it may not be a finished product, and  
3 although even if it is a finished product, others may decide  
4 not to pass it on, it's still open to you and others, for  
5 example, Mr. Green when he was in his position to circulate  
6 it amongst other officials if he wishes; is that fair to say?

7                   **MS. LISA DUCHARME:** Normally, we wouldn't  
8 circulate a product that was not finished outside of our  
9 assessment chain.

10                  **MS. LEILA GHAAHARY:** But if it's finished and  
11 it's not circulated by others, you're at liberty, presumably,  
12 to share it with people if you see fit?

13                  **MS. LISA DUCHARME:** If they have the  
14 requisite security clearance and they have a need-to-know  
15 based on the functions of their job, yes.

16                  **MS. LEILA GHAAHARY:** Thank you.

17                  **COMMISSIONER HOGUE:** But are you at liberty  
18 to circulate the document or the report to whoever you want?

19                  **MS. LISA DUCHARME:** It would all depend on  
20 the sensitivity of the information, so in this case, it  
21 relied on a lot of operational information, and the  
22 dissemination of that would have been done in consultation  
23 with CSIS as the owners of much of the bulk of that work.

24                  **MR. MARTIN GREEN:** So in this specific case,  
25 I was not comfortable sharing it further than I did. So it  
26 was actually a fairly small group of people at CSIS and IAS  
27 that looked at it. I'm not sure whether or not others did  
28 share it as time went by because there would be people who

1 had drafts, I guess, who could have done it. I did not  
2 because I didn't feel comfortable doing that because of the  
3 sensitivity of the issue.

4 **MS. MARIE-HÉLÈNE CHAYER:** If I may add just  
5 one point, I believe that the report at hand here was mainly  
6 based on reports and assessments that already existed within  
7 CSIS, so those reports had been distributed to their target  
8 audience. So it's important to put in perspective here that  
9 if we hadn't seen this special report, you could not see the  
10 information. No, that wasn't quite true. The information  
11 existed. It had been distributed. The main advantage of  
12 this report is that it was compiling all this together, but  
13 it was still available.

14 **MS. BRIDGET WALSHE:** And if I might add, and  
15 as well, from an operational perspective, there's a  
16 governance structure and an engine that operates always. And  
17 as Ms. Chayer points out, that intelligence flows and is  
18 looked at, at all times. And so committees like the -- like  
19 DMOC, the DM Operational Committee can address these issues  
20 as they come up. So even if we're not seeing that this  
21 report may have been discussed specifically, there is  
22 certainly discussions that happen over time on these  
23 particular issues.

24 **MS. LEILA GHAAHARY:** Thank you. I'm going to  
25 move on now to intelligence sharing in relation to political  
26 parties and parliamentarians. I understand that SI plays a  
27 role in coordinating briefings in this respect, and I'd just  
28 like to look at a few of the types of briefings that fall

1 under your remit. Court Operator, could you put up WIT 143  
2 and go to page 8, please? Thank you. And if you could  
3 scroll down to paragraph 28?

4 So the heading, "Briefing to Parliamentarians  
5 and Political Party Leaders" is at the top.

6 Thank you.

7 Mr. Eldebs, starting with, "General briefings  
8 to parliamentarians and new ministers and their staff," as I  
9 understand it, these briefings are meant to bring the  
10 recipients up to speed on the threat landscape, and they also  
11 are followed by regular refresher briefings. Could you just  
12 briefly explain the nature of those briefings?

13 **MR. NABIH ELDEBS:** Absolutely. So as I  
14 mentioned, security operations or SECOPS does that on a  
15 regular basis with new ministers, with parliamentarians,  
16 particularly also with staff parliamentarians. And the idea  
17 is to bring forward awareness about the threats that are  
18 facing them; about how to -- what to look for when they're  
19 travelling, for example, or what to look for when -- or how  
20 to behave when they're exposed to classified information;  
21 what they can share, how they can share it, what they could  
22 talk about. It also brings out the idea that they are  
23 targets for foreign interference, as well as targets for  
24 foreign states from espionage or cyber security perspective.

25 So the idea is to kind of make sure that  
26 we're raising the bar in terms of awareness, and ensuring  
27 that they are aware of the threatscape around them by also  
28 virtue of their positions and virtue of them being

1       parliamentarians or ministers.

2                   **MS. LEILA GHAAHARY:** Thank you.

3                   Another type of briefing is a briefing for  
4       security-cleared Opposition Party leaders. I understand that  
5       the role of SI in this regard is coordinating the clearance  
6       that those Party leaders receive. It's actually the NSIA or  
7       the DNSIA that provides the actual briefings.

8                   I also understand that only two of the  
9       Opposition leaders have taken up the offer of receiving those  
10      briefings. Mr. Eldebs, could you briefly explain the role of  
11      SI and confirm how many Party leaders to date have taken up  
12      the offer of clearance?

13                  **MR. NABIH ELDEBS:** As I mentioned, Security  
14      Operations is responsible for conducting security clearances  
15      as well for OIC appointments in particular, but also for PCO  
16      staff and other departments where there's a desire to sponsor  
17      a security clearance.

18                  The Prime Minister in, May of last year, I  
19      believe, wrote to the Opposition Party leaders, requesting or  
20      offering that they obtain Top Secret security clearance. Two  
21      of the Opposition Party leaders responded back, the NDP as  
22      well as the Green Party, asking for the security clearance  
23      for their leaders, and we have, since then, processed those  
24      security clearances for both Opposition Party leaders.

25                  **MS. LEILA GHAAHARY:** Thank you.

26                  Moving on to another type of briefing, and it  
27      concerns threats to parliamentarians. In May 2023, a  
28      Ministerial Direction was issued by the Minister of Public

1 Safety. Court Operator, could we put up CAN21931, please?

2 **--- EXHIBIT No. CAN021931:**

3 Ministerial Direction on Threats to  
4 the Security of Canada Directed at  
5 Parliament and Parliamentarians

6 **MS. LEILA GHAAHARY:** And whilst that's being  
7 put up, we heard during the CSIS evidence that the language  
8 used by this Ministerial Directive included the words, "Any  
9 threat," and that this was somewhat prescriptive, resulting  
10 in the disclosure of information which was not necessarily  
11 credible, corroborated or verified. And later Public Safety  
12 and CSIS developed a protocol for the briefings concerning  
13 threats to parliamentarians which clarified the scope of the  
14 briefings and that they should focus on credible threats.

15 We don't need to put that protocol up; it's  
16 previously been put up by way of document CAN28170, page 11,  
17 for anyone that's interested.

18 My question is to you, Ms. Chayer. In the  
19 development of that protocol that you were in discussion with  
20 others, and you made a suggestion that it was necessary to  
21 dig deeper into the concept of the threat and what actually  
22 constitutes a credible threat. And I'd like you to provide  
23 the PCO's perspective on that and talk a little about  
24 credible threats, if you can.

25 **MS. MARIE-HÉLÈNE CHAYER:** Yes, I do remember  
26 that email exchange. And I think what I meant is I was  
27 trying to put myself into parliamentarians' shoes, so the  
28 recipient of that briefing. And I wanted us to try to be as

1 clear as possible to make sure that the briefing was as  
2 useful as possible to the people receiving it. We are part  
3 of a national security community, so we know those issues; we  
4 are familiar with them, it's clear to us what words mean.  
5 And I'm fully aware that it's not always the case for people  
6 who are not operating in that environment day-in, day-out,  
7 that it's as clear. So I really wanted us to challenge  
8 ourselves to find the right way to explain those issues to  
9 parliamentarians.

10 And since then, I mean, there's a lot of work  
11 that's been put in place to establish a very robust  
12 governance to do just that. So it goes through several  
13 committees; Mr. Eldebs and Madam Walshe would be better  
14 placed to talk to you about this, but just to say that it  
15 goes through various rounds of consultation, discussions to  
16 make sure that we get a product that is as most useful as  
17 possible.

18 **MS. LEILA GHAAHARY:** Thank you.

19 Mr. Eldebs, in explaining more about the  
20 protocol, you told us that in assessing whether threats are  
21 credible for the purposes of a briefing under the protocol,  
22 the intelligence is usually reviewed by an ADM committee and  
23 then a DM committee. Given what we know about the differing  
24 perspectives on foreign interference, could you explain what  
25 would happen if there was disagreement on whether the  
26 intelligence had passed the credible threat threshold?

27 **MR. NABIH ELDEBS:** For sure. So as you  
28 mentioned, the intelligence is generally discussed at an ADM

1       table, so ADM intelligence -- sorry; ADM NS tactical, which  
2       is a smaller group of individuals that kind of can get into  
3       that intelligence. And then that intelligence is referred to  
4       the DM ADM committee, the DM committee on Intelligence  
5       Response.

6                     The debate has been quite robust so far but  
7       also with a view that the debate ensures that the  
8       intelligence is clear, that the threat environment is clear,  
9       and that all avenues of also action in terms of what could be  
10      done about that threat is also clear.

11                    I haven't, so far, seen a lot of dissent in  
12      terms of the threat landscape or the level of threat or what  
13      to do about it as it comes to these committees, I think, but  
14      I would have to say as well that debate is helpful. It helps  
15      shed a light on things that other departments bring to the  
16      table from their own perspective. Mr. Green talked about  
17      foreign influence versus foreign interference. So when  
18      you're bringing in from a security or intelligence  
19      perspective it's always helpful to look at diplomatic  
20      activity and look at the two in the same light and see what -  
21      - where that difference is.

22                    All that to say, though, as much as that  
23      debate has been helpful in sharpening the tools and  
24      sharpening how we talk about intelligence, I've seen deputies  
25      at the DM table as well as the DM table agree on the road  
26      forward and agree at the level of the threat intelligence.

27                    **MS. BRIDGET WALSHE:** And if I could add in,  
28      while that debate about the nature of the intelligence is

1 really important to coming to a common understanding, that  
2 debate also really helps and it speaks to, I think, to what  
3 Ms. Chayer said; making sure that we're explaining it very  
4 well when information about intelligence is briefed to  
5 someone from outside the community.

6 So that really helpful discussion and  
7 understanding the intelligence really informs not just our  
8 understanding but how we can express it to that individual  
9 and come to that very common and clear approach.

10 **MS. LEILA GHAAHARY:** Thank you.

11 Finally on this topic I just want to briefly  
12 touch on defensive briefings.

13 Court Operator, could you put up CAN33623?

14 **--- EXHIBIT NO. CAN033623 0001:**

15 Defensive Briefing for Staff of a  
16 Member of Parliament

17 **MS. LEILA GHAAHARY:** And if you could go to  
18 page 2. Perhaps it's page 3; apologies. Thank you.

19 We see here a memo from the PCO to the PMO  
20 detailing a defensive briefing to be given to the Chief of  
21 Staff for the Leader of the Opposition, Pierre Poilievre. We  
22 can see on page 5 -- Court Operator, if you could take us  
23 there -- that Mr. Poilievre had not yet agreed to undertake  
24 the security clearance.

25 Mr. Eldebs, so I have two questions.  
26 Firstly, what is the role of PCO SI in relation to defensive  
27 briefings; and, two, in light of the low numbers or  
28 Opposition leaders who are taking up security clearance, do



1        what extent do these defensive briefings bridge any gap in  
2        knowledge and understanding on their part?

3                    **MR. NABIH ELDEBS:**    In terms of the role, let  
4        me answer that first.    So defensive briefings are generally  
5        led through CSIS and ITAC, the Intelligence -- sorry; the  
6        Integrated Terrorism Assessment Centre.    And they are  
7        intended to also, as I said, raise the bar in terms of the  
8        common knowledge of what the threat landscape is,  
9        particularly to those who are in certain positions.    So it  
10       adds another layer of briefings to parliamentarians, to  
11       ministers, to officials who are in a position of power, with  
12       the idea to tell them about that things they could face, the  
13       threat landscape around them.    By virtue of their position,  
14       what does it mean and what they are exposed to in that realm.

15                   So we play a role in terms of just making  
16       sure that we're tracking the defensive briefing, informing  
17       the Prime Minister's Office that these are taking place, and  
18       making sure that the messaging, it's well coordinated, we  
19       understand what's being told to a specific parliamentarian.

20                   So I think, you know, as I mentioned, the  
21       role -- the briefings do play a significant role in making  
22       sure that we all understand the threat.    They might -- they  
23       do not go to a classified level, so they are at the unclassified  
24       level, but even then, they do bring that awareness, and they  
25       do bring that engagement with specific individuals and make  
26       them aware of the things that they could be seeing on a day-  
27       to-day basis.

28                   **MS. LEILA GHAAHARY:**    And the final subject

1 of intelligence sharing relates to provinces and territories.  
2 I understand that S&I has also begun work to improve  
3 information sharing between the federal government and the  
4 sub national government.

5 Mr. Eldebs, again, I call on you. Could you  
6 give a brief explanation of what that work has been and where  
7 things are up to? What the current picture is?

8 **MR. NABIH ELDEBS:** Absolutely. So I will say  
9 that in any threat landscape, and particularly with the  
10 complexity of what we're dealing with, we need to deal with  
11 them from a whole of society approach. And that means that  
12 we really need to have a role for the provinces and  
13 territories in tackling a lot of these issues that we face,  
14 whether it's foreign interference or anything else from a  
15 threat environment that Canada is facing.

16 So on that -- because of that we have worked  
17 with public safety to revive a national security table that's  
18 being -- that was being held at the ADM table to bring  
19 national security topics to all of the provinces and  
20 territories. As well as I've done over the last say, several  
21 months, bilats, bilateral meetings with every province and  
22 territory to meet counterparts there who are dealing with  
23 national security issues. Ensure that we are connected,  
24 ensure that also I hear from them about some of the things  
25 that they're interested in so that we can bring to that table  
26 to discuss issues not just that the federal government is  
27 bringing forward, but also that the provinces and territories  
28 care about.

1                   The Clerk of the Privy Council has also had a  
2                   meeting with his counterpart clerks from all of the provinces  
3                   and territories to talk about national security issues.  
4                   There was a talk on Bill C-70 for example, to explain what  
5                   that means for Canada. But also, part of my conversations  
6                   with my counterparts is to offer them security clearances as  
7                   well so that we are able to have classified information, and  
8                   the information is not just being shared at a non classified  
9                   level. So if there's a specific threat that they need to be  
10                  aware of that is at the classified level, we can talk about  
11                  these things.

12                 And in parallel as well, the Clerk has  
13                 offered the provinces and territories a secure means of  
14                 communication up to the secret level, so that we can also  
15                 connect and make these meetings and make these interactions a  
16                 little bit easier.

17                 **MS. LEILA GHAAHARY:** Thank you.

18                 Madam Commissioner, I'm slightly over my time  
19                 period I have one final topic. It will be very short. I  
20                 asked for permission ---

21                 **COMMISSIONER HOGUE:** You can go ahead.

22                 **MS. LEILA GHAAHARY:** Thank you.

23                 Court Operator, could we put up CAN37056,  
24                 please?

25                 **--- EXHIBIT No. CAN037056 0001:**

26                                 Renewing Canada's National Security  
27                                 and Intelligence Governance Structure

28                 **MS. LEILA GHAAHARY:** I'm going to ask

1 questions briefly on the security and intelligence governance  
2 structure. This is a slide deck that outlines proposals to  
3 revise Canada's National Security and Intelligence governance  
4 structure. It states on page 2 at the top that Canada's  
5 current NSI governance structure is not optimally or  
6 efficiently organized.

7 Ms. Walshe or Mr. Eldebs, could you perhaps  
8 explain the issues and gaps that have given rise to the need  
9 to revisit Canada's National Security and Intelligence  
10 governance structure?

11 **MR. NABIH ELDEBS:** I think I could start and  
12 then Bridget, feel free to add. If you look at that slide as  
13 well, if you look at the righthand side of the DM levelled  
14 committees, you could see the plethora of committees that DM  
15 have to be at, which makes it a little bit difficult, which  
16 makes some of the meetings redundant, as well as it makes,  
17 you know, it makes for DMs that are always in meetings and  
18 not engaging in other things.

19 But also, over time, you know, when new  
20 issues arise, we add new committees. But we haven't been  
21 doing a good practice of stopping certain committees that  
22 have become dormant overtime. So this was a view of ensuring  
23 that we have a much more robust and engaged governance  
24 structure, one that holds policy and operations together, one  
25 that also provides an overall picture for all DMs at ADMs in  
26 the community.

27 So based on that, we've engaged with all of  
28 the departments to look at what that could mean, reducing the

1 number of committees, making them much more streamlined, and  
2 making them deal with issues that touch on important things  
3 that we're dealing with today.

4 **MS. LEILA GHAAHHARY:** Thank you.

5 And Court Operator, could you finally turn to  
6 page 7 of this document, please?

7 **COMMISSIONER HOGUE:** What's the date of the  
8 document?

9 **MS. LEILA GHAAHHARY:** I believe it's a 2023  
10 document, but I'll be corrected by the witness panel. I  
11 don't think it's ---

12 **COMMISSIONER HOGUE:** Twenty twenty-three  
13 (2023)?

14 **MS. LISA DUCHARME:** I believe the date at the  
15 front said November 2023.

16 **COMMISSIONER HOGUE:** Thank you.

17 **MS. LEILA GHAAHHARY:** Mr. Eldebs, you  
18 explained in your examination, evidence that to date, the  
19 consultations seemed to favor the restructuring option that  
20 we see here on page 7. Is that still the case?

21 **MR. NABIH ELDEBS:** Slightly different since  
22 the last conversation. The NSIA held a meeting with our  
23 fellow deputies to discuss this particular slide, and there  
24 was a bit of a sense that we need to do a bit more shifting  
25 in that structure. Not too much straying from where we are.

26 But with a view that there will be another  
27 fifth committee added which already meets, and that committee  
28 is called Deputy Minister Protection Committee, which looks

1 at the physical security of ministers as well as high  
2 prominent officials, members of Parliament who are under  
3 threat. And so, that would be added to that structure, and  
4 that would remain a committee. As well as looking at the  
5 Foreign Policy and Global Affairs one, and seeing where we  
6 can find efficiencies with already existing structures.

7 But in general, this is -- there's general  
8 agreement that this is the way we're heading. We're hoping  
9 that the next meeting we'll adopt a new structure as well.

10 **MS. LISA DUCHARME:** And if I can add in just  
11 some additional context as well? As Mr. Eldebs pointed out,  
12 a lot of the work was on looking at the fact that there are a  
13 number of committees. But as this exercise proceeded, it's  
14 really clear that there were a number of very, very, core  
15 meetings and committees that are quite effective. And so,  
16 those same ones that we relied on for years, ADM, National  
17 Security Operations Committee, the tactical meeting that  
18 developed a few years ago, the DM committee on operations,  
19 and those sorts of meetings are very well reflected in the  
20 new structure.

21 So a lot of things were working very, very,  
22 well for that operational coordination and continue to  
23 operate, and are being wrapped into the new proposal.

24 **MS. LEILA GHAAHARY:** And when do you think or  
25 anticipate this new structure that's being worked on will  
26 come into effect?

27 **MR. NABIH ELDEBS:** I'm hoping in the  
28 following few weeks. We were -- times are quite busy at

1 present, but we were hoping to have landed it in the last  
2 week or so. But I think in the next few weeks for sure we're  
3 hoping at least the last conversation, or the follow up  
4 conversation, will be had to reflect the comments that the  
5 deputies provided at the last meeting and then adopting a new  
6 structure.

7 **MS. LEILA GHAAHARY:** Thank you.

8 Madam Commissioner, those are my questions.

9 Thank you.

10 **COMMISSIONER HOGUE:** Thank you. Will take 20  
11 minutes break, so we'll come back at 11:05.

12 **THE REGISTRAR:** Order, please.

13 This sitting of the Commission is now in  
14 recess until 11:05 a.m.

15 --- Upon recessing at 10:46 a.m.

16 --- Upon resuming at 11:06 a.m.

17 **THE REGISTRAR:** Order, please.

18 This sitting of the Foreign Interference  
19 Commission is now back in session.

20 The time is 11:06 p.m.

21 **--- MS. MARIE-HÉLÈNE CHAYER, Resumed:**

22 **--- MS. BRIDGET WALSH, Resumed:**

23 **--- MR. NABIH ELDEBS, Resumed:**

24 **--- MS. LISA JANE DUCHARME, Resumed:**

25 **--- MR. MARTIN GREEN, Resumed:**

26 **--- MR. MICHAEL MacDONALD, Resumed:**

27 **COMMISSIONER HOGUE:** So we'll begin the  
28 cross-examination. The first one this morning is -- the

1 first to start is Mr. Jarmyn, counsel for Eri O'Toole.

2 It's not Mr. Jarmyn.

3 **--- CROSS-EXAMINATION BY MR. PRESTON LIM:**

4 **MR. PRESTON LIM:** Switch-up today. Thanks,  
5 Madam Commissioner.

6 Hi, everyone. My name is Preston Lim, and  
7 alongside Mr. Jarmyn, I represent Erin O'Toole.

8 Thank you so much for your time this morning  
9 and for your insights.

10 The questions that I have today I'll direct  
11 Mr. Eldebs, but of course if colleagues see fit to come in,  
12 you can phone a friend, so let's just get right into it.

13 So before the break, we were talking about  
14 threats to Parliamentarians briefings. And so just as a kind  
15 of a simple first question, I take it that you viewed these  
16 as important and that your belief is that they should  
17 continue on an ongoing basis.

18 **MR. NABIH ELDEBS:** Yes.

19 **MR. PRESTON LIM:** Great.

20 And so then my question kind of relates to  
21 the internal PCO process that leads up to these briefings to  
22 parliamentarians. Do you have any concerns about the ways in  
23 which the internal process is currently set up? Are there  
24 any improvements, in your view, that might reasonably be  
25 made?

26 **MR. NABIH ELDEBS:** I can't speak to processes  
27 previous to me joining PCO. However, since I've joined, I've  
28 felt that the processes have been working very well,



1 particularly from the team that I'm responsible.

2 So from a SICOPS perspective, they do these  
3 briefings on a regular basis. Most recently, they did it to  
4 all Ministerial staff, for example, in terms of their travel  
5 and ensuring that they remain protected and understanding of  
6 their surroundings while they're travelling. But also, the  
7 foreign interference coordinator as well who sits in Public  
8 Safety Canada had organized briefings for all of caucuses of  
9 the Parties represented in Parliament, and those briefings  
10 took place over the spring and summer, I believe.

11 **MR. PRESTON LIM:** That's helpful. Thank you.

12 So I'm not going to take you to the witness  
13 summary, but I can if we need to.

14 You discuss in your witness summary, and I'm  
15 just going to quote from it, how:

16 "Political parties have not taken the  
17 government up on its offer of  
18 clearances or briefings."

19 And I know you expanded on that a little bit  
20 this morning.

21 First off, am I correct in stating that these  
22 observations relate only to the period stretching from  
23 December 2023 onwards, that is, when you were appointed as  
24 Assistant Secretary?

25 **MR. NABIH ELDEBS:** Yes. I would have to say,  
26 though, I think most recently, for example, Mr. Ian Todd, who  
27 is the Chief of Staff for Mr. Poilievre, also received a  
28 security clearance and is being briefed on national security

1 related issues during -- most recently.

2 **MR. PRESTON LIM:** Right. And if I could turn  
3 your mind to the byelections that have occurred since your  
4 appointment as Assistant Secretary, which political Parties  
5 were offered briefings from the SITE Task Force?

6 So here I'm thinking of Toronto St. Paul's  
7 following Minister Bennett's resignation in January 2024,  
8 Lasalle-Émard-Verdun following the resignation of Minister  
9 Lametti and then, finally, Elmwood-Transcona following the  
10 resignation of MP Daniel Blaikie earlier this year.

11 **MR. NABIH ELDEBS:** Generally speaking, the  
12 SITE briefings are offered to the political Parties that are  
13 taking part in the election and the byelection itself. So  
14 all the political Parties who were part of that byelection,  
15 the main political Parties who were part of that byelection  
16 were offered SITE briefings.

17 **MR. PRESTON LIM:** Right, okay. Thank you.

18 And staying with that topic about kind of the  
19 setup and the communication between political Parties and  
20 intelligence agencies, a twofold question. So first off, in  
21 your view, what measures should political Parties adopt to  
22 ensure more regularized and effective communication between  
23 their representatives and the appropriate governmental  
24 authorities?

25 **MR. NABIH ELDEBS:** I think, in my opinion,  
26 the offer to clear at least Opposition Party leaders top  
27 secret clearance was an offer to ensure that national  
28 security information is being shared with those Opposition

1 Party leaders as well as ensuring that we can discuss with  
2 them what could be done about that intelligence as well. So  
3 it's not just about sharing. It's about what could be done  
4 with that intelligence. And so I believe that this is a very  
5 critical process.

6 Also, the idea of having SITE representatives  
7 from all the political Parties to hear, one, to get the SITE  
8 briefings before a byelection or General Election, but also  
9 to get the classified SITE reports after a byelection or, in  
10 the case of a General Election, to understand the threat  
11 picture that had evolved in a particular byelection or  
12 riding, for example, is quite important.

13 So I think there are multiple levels there of  
14 engagement that are healthy to take place so that we are all  
15 operating from the same page and actually are able to protect  
16 Canada and Canadians.

17 **MS. BRIDGET WALSHE:** And if I can add in ---

18 **MR. PRESTON LIM:** Yes, please.

19 **MS. BRIDGET WALSHE:** --- those SITE briefings  
20 that occur before a General Election or we've had ahead of  
21 many byelections are really important places where, you know,  
22 a lot goes into providing briefings to the representatives  
23 who attend to understand the threats and how to mitigate  
24 against them, but also an opportunity to ask questions.

25 So a very important venue for the Party  
26 representatives to engage with the members of the  
27 intelligence community to share their questions and concerns.

28 **MR. NABIH ELDEBS:** If I could add as well,

1 we've also undertaken to give briefings outside of a  
2 byelection, so the SITE Task Force, for example, most  
3 recently had a briefing on artificial intelligence and we  
4 offered it to all of the major political Parties as well.  
5 And some of us -- some of them took us up on that as well.

6 And so it's helpful to kind of get a  
7 baseline, although at the unclassified level, for those kind  
8 of -- some of those briefings. It gets -- as I mentioned  
9 before, it helps baseline the level of information, it helps  
10 baseline what could be done about information and what to  
11 watch out for.

12 **MR. PRESTON LIM:** And to whom are these  
13 briefings outside of the byelection structure offered?

14 **MR. NABIH ELDEBS:** So they were offered to,  
15 as I mentioned, all the political Parties, so the Liberals,  
16 NDP, the Conservatives, Green and Bloc.

17 **MR. PRESTON LIM:** Perfect.

18 And the kind of the mirror question, but are  
19 there any added measures that you think the government or  
20 perhaps more specifically PCO should implement to increase  
21 effective communication between the appropriate intelligence  
22 bodies and the political Parties themselves?

23 **MR. NABIH ELDEBS:** I can't speak to kind of  
24 what's missing. I believe that there's a lot that's  
25 happening, I believe, in engagement. I believe that there's  
26 a lot of, you know -- there's a lot of channels of engagement  
27 that are happening right now. And so maintaining that  
28 healthy dialogue and maintaining that exchange of information

1 is always helpful, but if there's other ways, we're happy to  
2 listen to them and improve as necessary.

3 **MS. BRIDGET WALSHE:** And I think important to  
4 note that when you look back to when the SITE process started  
5 before the election in 2019, for example, there was a lot of  
6 work into adapting and changing as things progressed. So a  
7 continuous process at looking at how the governance and the  
8 information flow and sharing is working, and adapting over  
9 time is just a normal part of that kind of business.

10 **MR. MICHAEL MacDONALD:** If I may?

11 **MR. PRESTON LIM:** Please.

12 **MR. MICHAEL MacDONALD:** I think there is  
13 another contextual piece that one can add to this, and it's  
14 not just all PCO that works in this space. You do have your  
15 parliamentary entities, the Sergeant-At-Arms, Parliamentary  
16 Protective Service, and of course the Senate Security. And  
17 they have a role to play, as part of the community, in  
18 working with their constituents, members of Parliament, and  
19 having discussions of this nature as well.

20 **MR. PRESTON LIM:** That's helpful. And I  
21 appreciate that comment, Mr. Macdonald. So I have one final  
22 question. I don't know if you're the right person for this,  
23 Mr. Eldebs, but maybe just sticking with the PCO perspective  
24 on this issue, what kinds of measures has the PCO implemented  
25 to kind of address the problem of the spread of  
26 disinformation on WeChat? This is just -- this is an issue  
27 that we've heard a lot about over the past couple of weeks,  
28 so I was looking to kind of get the PCO perspective on that.

1                   **MR. NABIH ELDEBS:** I will say -- I can start  
2 and others can add to it, but I will say that -- I will say  
3 Democratic Institutions within PCO is very well placed to  
4 answer that. I think you had Mr. Allen Sutherland, ---

5                   **MR. PRESTON LIM:** Yes.

6                   **MR. NABIH ELDEBS:** --- who was here  
7 testifying in front of the Committee, who develops a plan for  
8 protecting democracy, and that plan has been key at  
9 addressing mis- and disinformation in Canada, and raising  
10 also awareness about these kinds of platforms and the mis-  
11 and disinformation that's being spread there.

12                   There's a role also for the SITE Task Force,  
13 particularly of the Rapid Response Mechanism within Global  
14 Affairs Canada at looking at social media and the spread of  
15 mis- and disinformation as well, and bringing that to light  
16 for the government. And if there's a way for the government  
17 to take action, then action can be taken.

18                   **MS. BRIDGET WALSHE:** And maybe also important  
19 to note that beyond just looking at PCO, there's a lot of  
20 work that has gone on looking at mis- and disinformation over  
21 time. So not a new issue. For those of us who remember the  
22 1980s, for example, certainly the government had a lot of  
23 campaigns at the time providing education. So others within  
24 the government community are certainly looking at this issue,  
25 including colleagues at Heritage, for example. So a broad  
26 issue that is being addressed from many points.

27                   **MR. NABIH ELDEBS:** As well as private --  
28 civil society and universities are looking at this issue as

1 well.

2 **MS. LISA DUCHARME:** From the assessment  
3 perspective, IAS also participates in working with our  
4 security and intelligence partners to produce briefings and  
5 papers on the threats of mis- and disinformation and how AI  
6 is increasingly enabling these types of operations. And we  
7 use our intelligence expertise in things like red team  
8 exercises to come up with ways and means that we think that  
9 AI and mis- and disinformation could influence election  
10 security and we provide the briefings and the outcomes of  
11 those results to implicated areas.

12 We also participate in an AI informal network  
13 within PCO where different parts of the organization, the  
14 policy, and the intel folks come together to discuss how AI  
15 is contributing to mis- and disinformation efforts and come  
16 up with ideas to help policy.

17 And also we are alive to the policy  
18 discussions, so we turn those into intel requirements for  
19 future assessments.

20 And we continue to provide briefings and work  
21 on products with our partners, not just in Canada, but also  
22 with our Five Eyes allies. They too are also seized with  
23 this and we share best practices and knowledge and lessons  
24 learned in this space to benefit our collective efforts.

25 **MS. BRIDGET WALSHE:** And if I could add an  
26 observation from an operational perspective, those sorts of  
27 discussions and information sharing that the assessment  
28 community has, and others, are really, really important,

1       because it provides sort of a baseline understanding and  
2       knowledge sharing amongst the entire community and so from an  
3       operational perspective, those analysts who are looking at  
4       kind of intelligence on the day to day basis have the tools  
5       and understanding they know and they need to grow, to learn,  
6       and to adapt, and to change the methods they use based on  
7       that changing technology.

8                   **MR. PRESTON LIM:** Mr. Green, since you were  
9       speaking about China earlier, I wonder if you might have any  
10      insights to add to those of your colleagues?

11                  **ME. MARTIN GREEN:** No, I think Lisa really  
12      emphasized a couple of important points, is the role of  
13      emerging tech in all of this, be it AI, or some of the social  
14      media platforms. And those are things where I think there  
15      are very robust conversations going on about the influence of  
16      those, and it is something that requires a whole of  
17      government approach. You know, it wouldn't just be PCO, but  
18      I think Bridget mentioned Heritage Canada's role in this,  
19      because it's becoming, you know, abundantly evident that  
20      social media and some of these platforms, like TikTok or  
21      WeChat, you know, are used as vehicles to influence voters'  
22      perceptions, and sometimes those narratives are probably  
23      narratives that we don't want to see. So they could be  
24      targeted to individuals, they could be targeted at an issue,  
25      and those are things that I think us, and most of our allies,  
26      I mean, we're discussing it frequently. I know as the Head  
27      of Assessment, with several of our allied partners, it's  
28      almost a standing item, which is, you know,



1 mis/disinformation and the role of social media. So we look  
2 very carefully at what other countries are doing to try and  
3 build the appropriate deterrence and resilience to those  
4 influences.

5 **MR. PRESTON LIM:** Great. That's all I have,  
6 Madam Commissioner. Thank you.

7 **COMMISSIONER HOGUE:** Thank you.

8 So next one is counsel for Jenny Kwan. Is it  
9 Ms. Kakkar or Mr. Choudhry?

10 **--- CROSS-EXAMINATION BY MR. SUJIT CHOUDHRY:**

11 **MR. SUJIT CHOUDHRY:** Good morning,  
12 Commissioner.

13 For the record, my name is Sujit Choudhry.  
14 I'm counsel to Jenny Kwan.

15 So I'd like to frame my questions for the  
16 panel by reference to Bill C-70, which as you know, passed  
17 Parliament in record time in the spring. And what I want to  
18 -- and so could -- is it fair to assume that the panelists  
19 are familiar with Bill C-70?

20 **MR. NABIH ELDEBS:** We won't be able to speak  
21 to the depths of each particular aspect of it, but yes.

22 **MR. SUJIT CHOUDHRY:** Okay. I'll take that as  
23 a yes for the panel, just in the interests of time. I won't  
24 do a head count or a roll call.

25 So there's a key term that I want to focus in  
26 on to help frame my questions, and it's this -- it's a new  
27 term in federal law. It's the term political or governmental  
28 process. And what's important, and what I want to draw

1 attention to, and use to frame some questions, is the fact  
2 that the definition of that term applies to political or  
3 governmental processes, not just at the federal or national  
4 level, but also at the subnational level. So at provincial  
5 levels, at municipal levels, and also at the level of  
6 Indigenous government.

7 Are you all -- or whoever would like to  
8 answer, is the panel aware of that fact? Could you please  
9 say yes for the record?

10 MR. NABIH ELDEBS: Sure. Yes.

11 MS. BRIDGET WALSHE: Yes.

12 MR. SUJIT CHOUDHRY: Sorry, the head nodding  
13 doesn't show up in the transcript, I'm afraid.

14 MR. NABIH ELDEBS: Apologies.

15 MR. SUJIT CHOUDHRY: And nor can it be  
16 translated.

17 So what I'd like to then do is call up a  
18 document that was on the Commission list, which is  
19 CAN37897\_1.

20 **--- EXHIBIT No. CAN037897 0001:**

21 Responses to Issues Raised by British  
22 Columbia Premier Eby During Meeting  
23 with NSIA

24 MR. SUJIT CHOUDHRY: So this document is  
25 entitled *Responses to Issues Raised by British Columbia*  
26 *Premier Eby During Meeting with NSIA*. And it begins by  
27 saying:

28 "Premier Eby met with the NSIA and

1 raised the topics of Foreign  
2 Interference; Election Security; [and  
3 others]."

4 So I would just like to -- I'd like to ask  
5 some questions about this document.

6 So was -- did any of you prepare this  
7 document?

8 **MS. BRIDGET WALSHE:** If I can respond, I have  
9 to say I recognize the document. I think, you know, by  
10 looking at it, it's an early draft written by an analyst on  
11 the team, putting together some thoughts and ideas in  
12 response to, as is stated, this is a discussion between Ms.  
13 Thomas and Premier Eby.

14 **MR. SUJIT CHOUDHRY:** I see. So there's  
15 probably a later version of this document that we don't have?

16 **MS. BRIDGET WALSHE:** Potentially. It's also  
17 often that we put together documents to organize thoughts and  
18 ideas.

19 **MR. SUJIT CHOUDHRY:** Okay. Well this is what  
20 we have. This is all I've been able to find. So I'm going  
21 to ask questions about this and then you can answer as best  
22 as you can.

23 So does any of you know the date of the  
24 meeting between Premier Eby and the NSIA?

25 **MR. NABIH ELDEBS:** No.

26 **MR. SUJIT CHOUDHRY:** Do you know at whose  
27 request the meeting took place? Was it the premier's or the  
28 NSIA's?

1                   MR. NABIH ELDEBS: Cannot answer.

2                   MR. SUJIT CHOUDHRY: Can't answer. Did any  
3 of you attend this meeting?

4                   MS. BRIDGET WALSHE: No.

5                   MR. SUJIT CHOUDHRY: No. Okay. And so I  
6 take it, I think I know the answer to this question. Do you  
7 know if the issue of foreign interference was raised by the  
8 NSIA with Premier Eby, or did Premier Eby raise the issue  
9 with the NSIA?

10                  MR. NABIH ELDEBS: I am not aware ---

11                  MR. SUJIT CHOUDHRY: Okay.

12                  MR. NABIH ELDEBS: --- who raised it.

13                  MR. SUJIT CHOUDHRY: Okay. And you don't  
14 know how long the meeting ran?

15                  MR. NABIH ELDEBS: No.

16                  MS. BRIDGET WALSHE: No.

17                  MR. SUJIT CHOUDHRY: Okay. So let's just  
18 scroll down, and so if you look at the first -- that's good.  
19 It states here,

20                               "Premiere Eby asked if there was a  
21                               mechanism for BC political parties to  
22                               "check" names..."

23                   That's not a legal term.

24                               "...with federal national security  
25                               authorities for covert ties to  
26                               foreign states or significant  
27                               organized crime links."

28                   And so just to give you a sense of what this

1 notetaker or this analyst thought that meant, I ask that the  
2 Court Reporter please scroll down to the bottom of page 2?

3 And it says here,

4 "Premier Eby raised three issues  
5 related to elections and foreign  
6 interference: 1) if he would be  
7 notified if any of his  
8 nominees/candidates had undue contact  
9 with foreign states; 2) how would he  
10 be notified if a foreign state were  
11 interfering in provincial elections;  
12 and 3) how he should inform  
13 opposition leaders if foreign  
14 interference took place in an  
15 election."

16 And so what I want to kind of use as a frame  
17 for my questions to you about this section is what appears in  
18 the first bullet. And it says here, whoever wrote this,  
19 says,

20 "It's unclear what authority the BC  
21 Premier has to request or be in  
22 receipt of this information."

23 Okay? And so -- and then it says at the end  
24 of that first bullet,

25 "In such instances, one possible  
26 threat reduction measure might be  
27 informing the party leadership."

28 So I want to come at this issue of authority.

1 Authority to request this information and authority to  
2 provide it to the premier of a province. And to give you a  
3 sense of where I'm going with this, this type of conversation  
4 in theory could have happened with the premier of any  
5 province, with the premier or first minister of any  
6 territory, with the mayor of a city, with the head of a band  
7 council because foreign interference does not respect  
8 jurisdictional boundaries within Canada. And so the -- so  
9 one question I have is this, would a briefing about undue  
10 contact, whatever that might mean, would that count -- would  
11 that fall, in your view, under the scope of a TRM or threat  
12 reduction measure?

13 **MR. NABIH ELDEBS:** I want to distinguish the  
14 two, so I think the idea of threat reduction measures had  
15 occurred in the *CSIS Act* for a longer time than Bill C-70,  
16 but Bill C-70 also, what it allows CSIS to do is to share  
17 information outside of the federal government.

18 **MR. SUJIT CHOUDHRY:** Correct.

19 **MR. NABIH ELDEBS:** So it gives them an  
20 additional authority to be able to share information, not  
21 just through a threat reduction measure.

22 **MR. SUJIT CHOUDHRY:** Good.

23 **MR. NABIH ELDEBS:** I will -- I can't answer  
24 to the authority of Premier Eby. I can answer to the  
25 authority of a federal government in terms of sharing  
26 information, and I think ---

27 **MR. SUJIT CHOUDHRY:** Sure.

28 **MR. NABIH ELDEBS:** --- that both the

1 intelligence agencies, CSIS and CSE have robust measures now,  
2 particularly after Bill C-70 had passed for CSIS and CSE had  
3 that authority from before in terms of being able to share  
4 intelligence outside of the federal government, but also with  
5 the view that you're able to sanitize that intelligence to  
6 the classification level of the audience receiving it. So if  
7 someone is -- doesn't have a security clearance, they can  
8 sanitize the level of information to share without  
9 jeopardizing sources and methods, which are key to protecting  
10 the intelligence and continuing to protect Canada and  
11 Canadians, and then, also with a view about what could be  
12 done about that.

13 **MR. SUJIT CHOUDHRY:** Ms. Ducharme, I see you  
14 nodding a bit. Is there something you wanted to add?

15 **MS. LISA DUCHARME:** No, I am agreeing.

16 **MR. SUJIT CHOUDHRY:** Okay, great. Okay.  
17 Well, then on that topic, so I wanted to suggest to you that  
18 what might -- and we don't know because Premier Eby's not  
19 here; right? But it's a matter of public record that in  
20 September 2019, CSIS gave a briefing to security-cleared  
21 members of the Liberal Party of Canada regarding intelligence  
22 concerning a nomination race in the GTA. And so it's  
23 possible that Premier Eby thought, well, maybe I should  
24 receive that type of briefing too if there were some concern  
25 that the intelligence agencies raised in relation to a  
26 nomination race in British Columbia. Would you agree that  
27 under -- and you've raised yourself that C-70 now grants new  
28 authorities to federal agencies to share information. Is it

1 -- would you agree that now, in the wake of C-70, that type  
2 of a briefing could be provided to an appropriate provincial  
3 official?

4 **MR. NAHIB ELDEBS:** Yes, as I mentioned, Bill  
5 C-70 allows for that ability to share that information, but  
6 also, there's robust processes within the government to  
7 identify that, identify the intelligence, and identify  
8 whether a briefing is the right course of action, of course.  
9 And so but the authorities are now in place to allow for  
10 that, but also, allow for a sanitized level of the  
11 information with a view about what could be done about it.

12 **MR. SUJIT CHOUDHRY:** And would a security  
13 clearance be required for the provincial official receiving  
14 that briefing, as was the case in 2019 in relation to Don  
15 Valley North, where the members of a Liberal Party who  
16 received the briefing had security clearances?

17 **MR. NABIH ELDEBS:** I can't speak to 2019, but  
18 I will say the security clearance level of the information  
19 dictates the audience and who can be shared, but with a view  
20 as well that even if you're not cleared to top secret, there  
21 could be something that could be shared. It might not be as  
22 robust as the full classified information, but there could be  
23 something that could be shared.

24 **MR. SUJIT CHOUDHRY:** And I'm assuming the  
25 need-to-know principle also ---

26 **MR. NABIH ELDEBS:** Absolutely.

27 **MR. SUJIT CHOUDHRY:** --- applied. Okay. So  
28 let's go to the next page then to the top bullet. So it says



1 here, and I take the point, Ms. Walshe, that this might be --  
2 or that this might be an analyst' note,

3 "Having an entity with a provincial  
4 election security  
5 architecture/monitoring mandate would  
6 enable BC to continually monitor  
7 threats to its democratic processes,  
8 establish links with federal partners  
9 and election security. One approach  
10 might be modelled after the federal  
11 approach (i.e., the Critical Election  
12 Incident Public Protocol, [and] the  
13 [...] (SITE) Task Force)."

14 So I want to just drill in on this because  
15 this bullet it seems to suggest that the way to deal with  
16 these issues is to replicate at every level of government  
17 some analogue to the Critical Election Incident Public  
18 Protocol and the SITE Task Force. And if that's true, I want  
19 to ask you if that's really practical. And we have 10  
20 provinces, 3 territories, hundreds of municipalities. We  
21 have over 600 band councils. Is it really realistic, despite  
22 the virtues of subsidiarity and federalism, to replicate that  
23 type of machinery within each level of government that might  
24 be subject of foreign interference? Ms. Walshe, I see you --  
25 -

26 **MS. BRIDGET WALSH:** Yeah, so I think I'd  
27 point you to the fact that, like I said, this is a draft  
28 document of thoughts and ideas rather than a set of

1 proposals.

2 **MR. SUJIT CHOUDHRY:** So let's take you --  
3 let's pick up on that because I know these issues are in flux  
4 and are evolving, and so I want to put some propositions to  
5 you. Would you agree that in Canada national security is a  
6 federal competence?

7 **MR. NABIH ELDEBS:** I would agree that the  
8 federal government is -- invests more in national security  
9 than any other subnational, sub-federal government.

10 **MR. SUJIT CHOUDHRY:** Fair. Would you agree  
11 that international intelligence is a federal competence in  
12 Canada?

13 **MR. NABIH ELDEBS:** Yes.

14 **MR. SUJIT CHOUDHRY:** Yes. Okay. And would  
15 you agree that -- and here I'm thinking of Mr. Green's  
16 report, that the intelligence assessment of foreign  
17 interference straddles the divide between international and  
18 domestic intelligence; correct?

19 **MR. NABIH ELDEBS:** Yes.

20 **MR. SUJIT CHOUDHRY:** And so as a consequence,  
21 the level of government with the greatest comparative  
22 advantage to assess threats to our political and democratic  
23 processes is, in fact, the federal government; correct?

24 **MR. NABIH ELDEBS:** I think the federal  
25 government has been doing a lot to actually do that as well.  
26 So you are ---

27 **MR. SUJIT CHOUDHRY:** That wasn't my question.  
28 It's a question of comparative advantage.

1                   **MR. NABIH ELDEBS:** I cannot talk to  
2 comparative advantage and not knowing what the provinces are  
3 investing or what they are doing on those fronts as well and  
4 what -- and as you know as well, political parties have their  
5 own nomination processes, so it's also difficult to know ---

6                   **MR. SUJIT CHOUDHRY:** Right.

7                   **MR. NABIH ELDEBS:** --- what they are doing  
8 there as well.

9                   **MR. SUJIT CHOUDHRY:** Right.

10                  **MR. NABIH ELDEBS:** So I could speak to only  
11 what the federal government is doing.

12                  **MR. SUJIT CHOUDHRY:** Fair enough. And so and  
13 isn't it the case that the SITE process and the Panel of Five  
14 or DMCIR function effectively because they are connected with  
15 our federal intelligence and security machinery?

16                  **MR. NABIH ELDEBS:** Yes.

17                  **MR. SUJIT CHOUDHRY:** Yes. And so I put to  
18 you that as C-70 has broadened the lens and legal definition  
19 of what counts as foreign interference, that the federal  
20 government machinery and processes have to adapt and evolve  
21 as well to track that new legal definition.

22                         And so I have two final questions on that  
23 point. The first is this, that the RCMP's authorities to  
24 engage in threat reduction measures have also been increased  
25 by Bill C-70; is that not right?

26                  **MR. NABIH ELDEBS:** I think the criminal  
27 offences in relation to foreign interference have increased  
28 the RCMP's remit to look at crimes as it relates to foreign

1 interference.

2 MR. SUJIT CHOUDHRY: And I'll ask you to take  
3 my word for it, that the RCMP provides contract policing in 7  
4 of the 10 provinces.

5 MR. NABIH ELDEBS: Yeah.

6 MR. SUJIT CHOUDHURY: And so if that's true,  
7 then it seems that the RCMP provides the national bridge  
8 between federal intelligence and security apparatus and what  
9 might be happening at the provinces; wouldn't that be right?

10 MS. MARIE-HÉLÈNE CHAYER: I believe it's  
11 important to remember that the RCMP has its own mandate, CSIS  
12 has its own and, thanks to C-70, CSIS can now share  
13 intelligence, classified or not, with different organizations  
14 who are not part of the federal portfolio when they collect  
15 information that meets their threshold according to their  
16 Act. I think it's important to note that.

17 MR. SUJIT CHOUDHURY: Very fair, very fair.  
18 And so then my final question's this, that of our Five Eyes  
19 partners, two are federal states, the United States and  
20 Australia. Do you know, or can you comment on how they  
21 address the issue of threats of foreign interference at the  
22 subnational level?

23 MR. NABIH ELDEBS: I cannot speak to that.

24 MR. SUJIT CHOUDHURY: Okay. Thank you.

25 COMMISSIONER HOGUE: Thank you.

26 The next one is counsel for Michael Chong,  
27 Mr. Harland.

28 --- CROSS-EXAMINATION BY MR. FRASER HARLAND:

1                   **MR. FRASER HARLAND:** Good morning,  
2 Commissioner. Mr. Green, you gave some helpful evidence on  
3 the Special Report in your discussion with Commission  
4 counsel, and I was hoping to just dig a little deeper into  
5 that with you. Ms. Ducharme and Ms. Chayer added some  
6 context to your concerns. Ms. Ducharme noted that unfinished  
7 reports are normal and can still be useful, and Ms. Chayer  
8 noted that the underlying intelligence was still available.  
9 And, Mr. Green, I don't want to put you in an uncomfortable  
10 position with your colleagues, but I would like to get your  
11 response on those points. So first, I'm wondering if you'd  
12 agree with me that given your experience of finished report  
13 is going to be more useful and taken more seriously than a  
14 partial report. Do you agree with that?

15                   **MR. MARTIN GREEN:** Sure.

16                   **MR. FRASER HARLAND:** And although it was  
17 based on an existing intelligence, it was doing something  
18 important by putting an analysis of what was known  
19 domestically and internationally with respect to the PRC  
20 together in one product; is that fair?

21                   **MR. MARTIN GREEN:** Yes.

22                   **MR. FRASER HARLAND:** So the Special Report,  
23 by virtue of having been done, was more useful than just a  
24 smattering of the underlying intelligence; is that -- would  
25 that accord with your view on that?

26                   **MR. MARTIN GREEN:** It was, you know, unique  
27 in some instances. And as I mentioned, I thought somewhat  
28 innovative in that it was an attempt to marry what we knew

1 internationally with what we knew domestically, and that's  
2 why, you know, the document is actually double badged with  
3 PCO and CSIS logos on the front. So it was -- you know, so  
4 yes.

5 **MR. FRASER HARLAND:** And it was, to use your  
6 words, a darn good product. That's fair?

7 **MR. MARTIN GREEN:** I kind of like it.

8 **MR. FRASER HARLAND:** Okay. And it wasn't  
9 moved along by NSIA Thomas despite your concerted efforts to  
10 have her do so. Is that fair as well?

11 **MR. MARTIN GREEN:** Well, I mean, I made  
12 representations of what I thought would be a useful process  
13 for the paper. And again, you know, given that it is a  
14 Special Report, it didn't -- you know, there's a number of  
15 documents that I sign off on where I wouldn't necessarily go  
16 to the NSIA. And then there are larger documents like the  
17 National Intelligence Assessments, which actually normally go  
18 through a deputy's review, and while they don't approve them,  
19 they will input to them, and it's, sir, we're getting their  
20 and imprimatur that this is, you know, a good assessment that  
21 should be circulated on behalf of the Government of Canada.  
22 So, you know, it's not my, it's the NSIA's call, and  
23 particularly in this instance, and that's why I went to seek,  
24 you know, her direction on what we should do with it.

25 **MR. FRASER HARLAND:** That's very helpful, Mr.  
26 Green. Is there anything else that you'd like the  
27 Commissioner to know about the Special Report vis-à-vis some  
28 of what we heard this morning?

1 MR. MARTIN GREEN: No.

2 MR. FRASER HARLAND: Okay. Thank you very  
3 much. Those are my questions, Commissioner.

4 COMMISSIONER HOGUE: Thank you.  
5 Counsel for the Conservative Party?

6 --- CROSS-EXAMINATION BY MR. MICHAEL WILSON:

7 MR. MICHAEL WILSON: Good morning. My  
8 questions will be for Mr. Eldebs. Mr. Eldebs, my questions  
9 relate to the SITE Task Force briefings and reports offered  
10 to political parties around byelections. I understand that  
11 the SITE Task Force began issuing these briefings and reports  
12 with the Durham byelection earlier this year; is that  
13 correct?

14 MR. NABIH ELDEBS: I don't know if reports  
15 were issued before the Durham byelection, but they did --  
16 they were issued at the Durham byelection and afterwards as  
17 well.

18 MS. BRIDGET WALSHE: I can add in that the  
19 enhanced monitoring during byelection periods began for the  
20 byelections held in June of 2023.

21 MR. MICHAEL WILSON: But is it correct that  
22 the first briefings were offered in connection with the  
23 Durham byelection in and around the Durham byelection?

24 MR. NABIH ELDEBS: I'm unaware if they were  
25 the first. They were offered at a Durham byelection and  
26 afterwards, but I'm not -- I'm unaware of they were offered  
27 previously.

28 MR. MICHAEL WILSON: Okay. And are you aware

1       that ---

2                   **MS. BRIDGET WALSHE:** Sorry, I can -- if I  
3       can, I do know that a briefing was offered in the last days  
4       of May 2023 heading into the June byelection.

5                   **MS. MARIE-HÉLÈNE CHAYER:** Yes, it took place  
6       ---

7                   **MR. MICHAEL WILSON:** Mr. Eldebs ---

8                   **MS. MARIE-HÉLÈNE CHAYER:** Sorry, if I could  
9       just -- I apologize. I had trouble hearing you. So, yes, I  
10      can confirm that there was indeed a briefing that has  
11      happened on May 29<sup>th</sup>, 2023.

12                  **MR. MICHAEL WILSON:** Back to Mr. Eldebs, are  
13      you aware that the Conservative Party's designated  
14      representative for the SITE Task Force process is Trevor  
15      Bailey, its Director of Operations?

16                  **MR. NABIH ELDEBS:** I became aware of that a  
17      few weeks back.

18                  **MR. MICHAEL WILSON:** Okay. Would it be  
19      correct then that the first time that Mr. Bailey was invited  
20      to attend a SITE Task Force briefing or to receive a report  
21      in connection with a byelection was on September 23<sup>rd</sup>, 2024?

22                  **MR. NABIH ELDEBS:** Yes, he emailed me and  
23      noting that he was the SITE representative and the previous  
24      byelections we had invited three other individuals from the  
25      Conservative Party, but not Mr. Bailey.

26                  **MR. MICHAEL WILSON:** Okay. And after the  
27      invitation was extended to Mr. Bailey to receive the report  
28      on the same polls byelection, he did, in fact, attend to take



1       that report and the earlier reports?

2                   **MR. NABIH ELDEBS:**   Yes.

3                   **MR. MICHAEL WILSON:**   Thank you.   Those are my  
4       questions.

5                   **COMMISSIONER HOGUE:**   Thank you.

6                   The Human Rights Coalition?

7       **--- CROSS-EXAMINATION BY MR. DAVID MATAS:**

8                   **MR. DAVID MATAS:**   My name is David Matas, and  
9       my questions are directed to anybody on the panel who feels  
10      they have an answer.   I'm referring to the document CAN.DOC  
11      36, which at page 27 talks about meetings of the Deputy  
12      Ministers China Committee.   And at page 31 talks about  
13      meetings of the ADM China Committee.   And the report says  
14      that these committees would from time to time discuss issues  
15      relating to foreign interference.   So my question is, did  
16      these committees and these discussions discuss the impacts of  
17      foreign interference on Uyghurs, Hongkongers, Tibetans and  
18      Falon Gong practitioners?

19                  **MR. NABIH ELDEBS:**   The meetings I've attended  
20      were not on this subject, but again, I've been a member of  
21      the ADM Committee over just the past 10 months.   Maybe Global  
22      Affairs Canada can be better placed to answer that question  
23      since they lead both the ADM and the DM level committee.

24                  **MR. MARTIN GREEN:**   I could add to that ---

25                  **MR. DAVID MATAS:**   Yeah.

26                  **MR. MARTIN GREEN:**   --- you know, over time,  
27      certainly, those issues have been part and parcel of  
28      briefings on China, you know, their human rights.   So and I -

1 - you know, some of the documents that have come to this  
2 Committee also speak to those from CSIS. So, you know, I'm  
3 not sure that it wasn't, you know, the subject at hand, but  
4 they were certainly discussed as part and parcel of a whole.

5 **MR. DAVID MATAS:** Understood.

6 When you say from time to time, could you say  
7 something about the frequency?

8 **MR. MARTIN GREEN:** Not offhand. You know, to  
9 understand that there is a DM China committee, and these  
10 other committees, those issues would certainly be part of the  
11 background briefings that were provided.

12 **MR. DAVID MATAS:** These discussions about the  
13 impact on diaspora communities, was there any contact to your  
14 knowledge, between those committees and the diaspora  
15 communities?

16 **MR. MARTIN GREEN:** I don't now.

17 **MR. NABIH ELDEBS:** I am not sure. I cannot  
18 answer that.

19 **MR. DAVID MATAS:** Okay. Now I can see that  
20 there's a Deputy Ministers Committee on China, an ADM  
21 Committee on China, there's also an ADM committee that has to  
22 do with India. And is there a committee that has something  
23 to do with any other country, a DM or ADM committee that has  
24 something to do with any other country besides those two  
25 countries?

26 **MR. NABIH ELDEBS:** I'm not aware of the ADM  
27 committee that you mentioned on India. Maybe I'm ---

28 **MS. BRIDGET WALSH:** Yeah, I think that

1 Global Affairs would be the best place to answer those  
2 questions.

3 **MR. DAVID MATAS:** Yeah. It says ADM biweekly  
4 meeting on India. It's mentioned at page 31 of CAN.DOC 36

5 **MR. NABIH ELDEBS:** Okay, sorry. Biweekly  
6 meeting, it's not necessarily a committee, it's just a  
7 meeting that happens every two weeks to talk about specific  
8 issues, but it's not specific committee that has a structure.  
9 Sorry, I just misunderstood what you meant.

10 **MR. DAVID MATAS:** Understood. But I guess my  
11 question is not about that committee, but whether there are  
12 other, either meetings or committees, that relate to other  
13 countries and foreign interference, besides China or India?

14 **MR. NABIH ELDEBS:** I will say that at the ADM  
15 level -- the ADMNS Operations Committee, talks about all  
16 types of foreign interference, so not just -- not just from  
17 one specific country. So all types of foreign interference,  
18 regardless of its origin, will be talked about there. So I  
19 want to distinguish that from the committee that GAC -- that  
20 Global Affairs Canada leads on China.

21 **MR. DAVID MATAS:** I understand there's also a  
22 Protecting Democracy Unit, or there was within the democratic  
23 institutions of -- and the question is, whether that  
24 Protecting Democracy Unit has led to increased engagement, or  
25 engagement at all with diaspora communities?

26 **MR. NABIH ELDEBS:** That's probably also a  
27 question to put to them. It's a specific Secretariat and a  
28 unit within the Privy Council office that's not connected to

1       our -- like, they don't work for us or part of our sections,  
2       but it's probably a good secretariat to talk to. Mr. Allen  
3       Sutherland was here testifying to the committee, and he's the  
4       one that leads that effort.

5                   **MR. DAVID MATAS:** I see. So it's a different  
6       part of the Privy Council Office? Somebody who was here  
7       before.

8                   **MR. NABIH ELDEBS:** Yes.

9                   **MR. DAVID MATAS:** But it's not something that  
10      you're personally aware of? Right.

11                  **MR. NABIH ELDEBS:** I can't talk about more.

12                  **MR. DAVID MATAS:** Okay. Those are all my  
13      questions. Thanks.

14                  **COMMISSIONER HOGUE:** Thank you.

15                  Counsel for the RCDA, the Russia Canadian  
16      Democratic Alliance?

17      **--- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:**

18                  **MR. GUILLAUME SIROIS:** Good morning. Can I  
19      ask the Court Reporter to pull CAN.DOC.36, please? This is  
20      PCO's Institutional Report, Part C of the Institutional  
21      Report. Go to page 20, please? We will see one of the  
22      meetings PCO had with representatives of foreign governments  
23      about foreign interference.

24                  I'm most interested with the September 28th  
25      meeting. There was a discussion about the evolution of  
26      China's foreign interference activities, the coordination  
27      between Russia and China, and engagement with India, and the  
28      face of increased FI activity. I'm wondering if -- like the

1 part that interests me the most is the coordination between  
2 Russia and China. I'm wondering if there was any comment you  
3 can add to this coordination or about this meeting?

4 **MR. MARTIN GREEN:** So this is in reference to  
5 the Heads of Assessment which Canada hosted in September  
6 28<sup>th</sup>, 2023. And there's an agenda for those meetings, and  
7 foreign interference, as I mentioned, is quite often on the  
8 agenda. So in terms of that, you know, we talked about what  
9 each country is saying because it's, you know, quite  
10 different, sometimes there are similarities.

11 With respect to coordination between Russia  
12 in China, that agenda item was to discuss how real, or the  
13 breadth and depth of partnerships between Russia and China.  
14 And I'm not sure I should say more on that, but it is, you  
15 know, in the context of the Russia Ukraine war and certain  
16 activities in the Indo-Pacific. There's an interest in how  
17 those two countries are relating and how deep the partnership  
18 might be.

19 **MR. GUILLAUME SIROIS:** So there is or there  
20 seems to be a growing partnership or greater coordination  
21 between those two countries?

22 **MR. MARTIN GREEN:** Yeah, I wouldn't feel  
23 comfortable commenting on, you know, the extent of that  
24 partnership, because I think most of it is pretty -- that I  
25 know, is based on pretty highly classified information.

26 **MR. GUILLAUME SIROIS:** I understand. Thank  
27 you. I don't mean to make lead you on commenting on it.

28 **MR. MARTIN GREEN:** Yeah, sorry. I'm sorry

1       too.

2                   **MR. GUILLAUME SIROIS:** No problem. Let's  
3       assume that there was a greater coordination. Would that  
4       pose a higher -- would that mean that the risk of foreign  
5       interference our democratic processes is increased? Is it  
6       worse for us if -- in terms of coordination?

7                   **MR. MARTIN GREEN:** I guess. You know, that  
8       gets into the hypothetical, but I think, you know, the  
9       obvious answer would be yes. That if there was, you know,  
10      strategic cooperation on narratives across the board that  
11      would create a bigger problem.

12                  **MR. GUILLAUME SIROIS:** Thank you.

13                  And I'm wondering if we could go to  
14      CAN.SUM.30 at page 6, briefly? This is the summary for all  
15      countries for Stage 2. I want to briefly direct you to, at  
16      page 6, there's the summary about Russia. You can scroll  
17      down. You can scroll down at the next page.

18                  So we see the sentence here:

19                         "Canada does not have the same  
20                         profile for Russia as some of our  
21                         allies as a target for disinformation  
22                         and other Russian F[oreign]  
23                         I[nterference] related activities;  
24                         given an ever-changing geo-political  
25                         landscape, it is important that  
26                         Canada remain[s] vigilant regarding  
27                         the potential for future escalation  
28                         against Canada's democratic

1 processes."

2 So I'm wondering -- you're probably aware of  
3 the Tenet Media Operation and where Russian operatives set up  
4 a news outlet that produced 50 or so videos about Canadian  
5 issues that were viewed 500 -- 500,000 times. I'm wondering  
6 if this is an example of why Canada needs to remain vigilant  
7 regarding the potential for future escalation against  
8 Canada's democratic processes by Russia?

9 **MR. NABIH ELDEBS:** If I can maybe add to  
10 that? I think the statement alludes to Canada's involvement,  
11 or Canada's view or position in regards to Russia Ukraine  
12 war, certainly has happened after the last election, and so  
13 it's important for us to take that into account as we're  
14 looking at the next election. And so, foreign interference  
15 as it was mentioned, is something that doesn't take place in  
16 a specific moment, but is something that's planned, something  
17 that takes time to do, and for us to always remain vigilant.

18 I think there are -- you mentioned some media  
19 articles there, but it's always important for the federal  
20 government to be on the watch for anything in relation to  
21 foreign interference, particularly as the conflict continues  
22 between Russia and Ukraine.

23 **MR. GUILLAUME SIROIS:** All right. Thank you.  
24 I used all my time, but I thank you for your  
25 answers.

26 **COMMISSIONER HOGUE:** Thank you.

27 Attorney General, do you have any questions?

28 **--- CROSS-EXAMINATION BY MS. RYANN ATKINS:**

1                   **MS. RYANN ATKINS:** Ms. Chayer, I'm going to  
2 start with you. You were asked some questions about  
3 briefings to political parties in advance of byelections, and  
4 I believe you indicated that there was a briefing to  
5 political parties in advance of the byelections in June 2023  
6 that was held May 29<sup>th</sup>, 2023. Did I hear that correctly?

7                   **MS. MARIE-HÉLÈNE CHAYER:** Yes.

8                   **MS. RYANN ATKINS:** Can you tell me which  
9 political parties were invited to that briefing?

10                  **MS. MARIE-HÉLÈNE CHAYER:** The Green Party,  
11 the NDP, the Liberal Party, the Conservative Party and the  
12 People's Party and the Bloc Quebecois.

13                  **MS. RYANN ATKINS:** And how were these parties  
14 invited?

15                  **MS. MARIE-HÉLÈNE CHAYER:** The Deputy National  
16 Security Intelligence Advisor to the Prime Minister sent them  
17 an email on May 17 mentioning that we would reach out. I  
18 followed up with an email on the 25th and a calendar invite  
19 on the 26th.

20                  **MS. RYANN ATKINS:** How many and which  
21 political Parties accepted that invite?

22                  **MS. MARIE-HÉLÈNE CHAYER:** They all attended.  
23 They all accepted the invite and attended.

24                  **MS. RYANN ATKINS:** There was some suggestion  
25 that the Conservative Party was not invited. Can you confirm  
26 to whom at the Conservative Party of Canada the invitation  
27 was sent?

28                  **MS. MARIE-HÉLÈNE CHAYER:** Yes, it was sent to



1 Executivedirector@conservative.ca. And the morning of the  
2 29th, the Executive Director's EA confirmed participation.

3 **MS. RYANN ATKINS:** And did anyone log in to  
4 the meeting from that account?

5 **MS. MARIE-HÉLÈNE CHAYER:** Yes.

6 **MS. RYANN ATKINS:** Okay. Mr. Eldebs, I want  
7 to speak to you on the same subject, but this time with  
8 respect to the byelections that took place in 2024, starting  
9 with the byelections in March 2024.

10 Was there a SITE briefing to political  
11 Parties in respect of that byelection?

12 **MR. NABIH ELDEBS:** Yes.

13 **MS. RYANN ATKINS:** When did that take place?

14 **MR. NABIH ELDEBS:** Shortly before the  
15 byelection. I don't have the exact dates. I apologize.

16 **MS. RYANN ATKINS:** Fair enough.

17 Were the same Parties invited as what Ms.  
18 Chayer indicated?

19 **MR. NABIH ELDEBS:** Yes. For certain  
20 byelections, for example Durham, we didn't the Bloc because  
21 they were not taking part in that byelection.

22 **MS. RYANN ATKINS:** Can you confirm to whom at  
23 the Conservative Party the invitations were sent for this  
24 byelection?

25 **MR. NABIH ELDEBS:** It was sent, as I  
26 mentioned, to -- previously, it was sent to three  
27 individuals, particularly someone called Stephen Barber,  
28 someone called Matthew Conway and someone called Christina

1 Mitas.

2 MS. RYANN ATKINS: And if the Party wanted to  
3 indicate a different representative, was there a way for them  
4 to signal that to you?

5 MR. NABIH ELDEBS: As any other meeting, yes,  
6 it would have -- they would be able to, yes.

7 MS. RYANN ATKINS: How many and which  
8 political Parties accepted the invitation to that briefing?

9 MR. NABIH ELDEBS: Only one Party accepted,  
10 the NDP.

11 MS. RYANN ATKINS: And as far as you could  
12 tell from the users who logged in, which Parties attended  
13 that briefing?

14 MR. NABIH ELDEBS: Only the NDP.

15 MS. RYANN ATKINS: Finally, with respect to  
16 the byelections most recently held in June 2024, was there a  
17 SITE briefing to Parties?

18 MR. NABIH ELDEBS: Yes.

19 MS. RYANN ATKINS: And were the same Parties  
20 invited?

21 MR. NABIH ELDEBS: Yes, they were.

22 MS. RYANN ATKINS: How many accepted?

23 MR. NABIH ELDEBS: And only the NDP accepted  
24 as well.

25 MS. RYANN ATKINS: And as far as you can  
26 tell, how many attended?

27 MR. NABIH ELDEBS: Only the NDP.

28 MS. RYANN ATKINS: Okay. We've heard a lot

1 about these special structures that have been stood up during  
2 byelections and during General Elections, specifically SITE  
3 and, in the General Elections, the Panel of Five. Can I ask  
4 the panel to speak to what measures, if any, are set up to  
5 monitor and respond to foreign interference in between  
6 election periods?

7 Maybe I'll start with Ms. Walshe.

8 **MS. BRIDGET WALSHE:** Absolutely.

9 So -- and it came up a few times in the  
10 discussion already that we have a governance structure that'  
11 supports the discussion and action on intelligence no matter  
12 what the issue.

13 And so in particular when I think to foreign  
14 interference, a lot of those bodies that both -- both look at  
15 the intelligence to sort of understand and have clear  
16 indications on how to act are the National Security -- the  
17 ADM NSOPS tactical meeting, the DM Committee on Intelligence  
18 Response -- sorry -- and, really, that's a space where the  
19 information is brought together where assessments are  
20 discussed and where how to take action, whether there is the  
21 SITE structure in place and whether we're in a writ period to  
22 recommend options and to discuss not just how we move forward  
23 to address that intelligence, but also to circle back and  
24 understand how it was addressed and any follow-up steps that  
25 may need to be taken.

26 **MS. RYANN ATKINS:** And how are these  
27 processes working right now?

28 **MS. BRIDGET WALSHE:** I can't speak to right

1 now given that I've recently left the Privy Council Office  
2 but, at the same time, I can say up until this summer working  
3 quite smoothly.

4 And I can speak to the fact that since the  
5 DMCIR, the DM Committee on Intelligence Response, was stood  
6 up, there was a lot of maturity and adaption that happened as  
7 we went through the processes we were using and really sat  
8 down and said what's an efficient, effective way to make sure  
9 that everybody had the information they needed, were well  
10 informed, and that were really good discussions happening at  
11 the Deputy Minister level on foreign interference.

12 **MR. NABIH ELDEBS:** If I could just add to  
13 that -- it's still working well even after Bridget left. But  
14 I wanted to add as well that there's an ADM Committee on  
15 Election Security that I co-chair with Elections Canada as  
16 well, and that committee is always standing, too. It's not  
17 just -- you know, it gets more frequent as we approach a  
18 byelection or the General Election, but it's continuously  
19 held.

20 And also, SITE Task Force appears there as  
21 well and talks about some of their findings, some of that  
22 work as well so that Elections Canada is also aware of what's  
23 happening.

24 **MS. RYANN ATKINS:** I want to turn to a  
25 different subject now and briefly talk about classified  
26 briefings to external parties, whether it's a parliamentarian  
27 or a Party leader. And we've heard a concern that receiving  
28 classified briefings might not be helpful if the information

1 cannot be shared or used.

2 Mr. Eldebs, what can or does S&I do to assist  
3 recipients of this information act on the intelligence that  
4 they receive?

5 **MR. NABIH ELDEBS:** I think there -- the idea  
6 that intelligence, you know, at this most classified level  
7 can't be used or shared is something that we're certainly  
8 working on with a view that it can be shared to those who are  
9 cleared and have a need to know as well as working with them  
10 and identifying, for example, a form of words or actions that  
11 they can take that will not jeopardize the source or methods  
12 that the intelligence collected.

13 I was asked about, you know, security  
14 clearances before and I mentioned that Mr. Ian Todd, for  
15 example, has obtained a security -- top secret security  
16 clearance from the Conservative Party. The same for Mr.  
17 Jasmeet Singh and the same with Ms. Elizabeth May, who have  
18 obtained top secret security clearances. And if there's a  
19 need for them to do something or say something that  
20 intelligence, we're able to work with them to identify  
21 specific form of words that they can mention publicly or talk  
22 about in a more public setting.

23 **MS. RYANN ATKINS:** You also spoke briefly  
24 about a table that's been stood up to share information with  
25 provinces and territories.

26 Can you just speak to the purpose of that  
27 table and why there's an interest in sharing information with  
28 provinces and territories instead of the federal government

1       doing it all on its own?

2                   **MR. NABIH ELDEBS:** I don't think anybody can  
3       do it all on its own. I think a lot of the issues -- not  
4       just foreign interference. Foreign interference is something  
5       that we mentioned happens at the municipal level, happens at  
6       the provincial level and happens at the federal level, but  
7       also happens with society. It happens with -- in the  
8       business sector. It happens with Indigenous communities.  
9       And so the idea of bringing all of these -- of that table  
10      together to talk about national security issues is to raise  
11      awareness, build resiliency within the system and ensure that  
12      we're all operating on the same page to protecting Canada and  
13      Canadians.

14                   But I want to say it's not just foreign  
15      interference. It's all the threats from a national security  
16      perspective. We need to take a whole of society approach,  
17      whether it's violent extremism, foreign interference, cyber  
18      security. Everybody has a role to play and we want to make  
19      sure that we're building that resilience in the system to  
20      ensure that Canada continues to be protected.

21                   **MS. LISA DUCHARME:** I'd like to briefly add  
22      on to that that there's been a lot of internal reflection on  
23      the intelligence assessment community since the work of the  
24      Commission has started and since the NSICOP Report that we  
25      need to do a better job of writing at lower levels and  
26      unclassified levels to increase the level of intelligence  
27      literacy and culture and also to support our communications  
28      offices with having more discussions on national security

1 issues with the government. So we've continued this, and we  
2 continue to work forward on that.

3 **MS. RYANN ATKINS:** Thank you. Those are my  
4 questions.

5 **COMMISSIONER HOGUE:** Thank you.

6 Any questions in re-examination?

7 **MS. LEILA GHAAHARRY:** No, thank you, Madam  
8 Commissioner.

9 **COMMISSIONER HOGUE:** So thank you very much  
10 for your time and for sharing with us your experience.

11 We'll break for lunch. We'll come back at  
12 1:20.

13 **THE REGISTRAR:** Order, please.

14 The sitting of the Commission is now in  
15 recess until 1:20 p.m.

16 --- Upon recessing at 12:02 p.m.

17 --- Upon resuming at 1:20 p.m.

18 **THE REGISTRAR:** Order, please.

19 The sitting of the Foreign Interference  
20 Commission is now in session.

21 The time is 1:20 p.m.

22 **COMMISSIONER HOGUE:** So good afternoon.  
23 Alors, before we begin this afternoon, I would like to  
24 provide an update on the status of the Commission's  
25 discussion with the Government of Canada regarding the  
26 Commission's access to information subject to Cabinet  
27 confidence.

28 In setting its terms of reference, the

1 Government agreed to provide the Commission with access to  
2 four Memoranda to Cabinet that had previously been provided  
3 to the Independent Special Rapporteur on Foreign  
4 Interference.

5                   Following extensive discussion with  
6 Commission counsel, the Government has consented to the  
7 public disclosure of summaries of these MCs. The Government  
8 has also twice expanded the Commission's access to  
9 information, subject to Cabinet confidence: first in respect  
10 of certain operational documents that were prepared and used  
11 by national security officials to brief Cabinet or its  
12 committees; and second, to provide access to further MCs that  
13 I have identified as being critical to the Commission's work.

14                   The extraordinary degree of access by the  
15 Commission to both classified information and information  
16 subject to Cabinet confidence is unprecedented and reflects  
17 the importance of the Inquiry's work. This information will  
18 assist me in developing recommendations that will help to  
19 preserve the integrity of Canada's electoral processes and  
20 democratic institutions and enhance Canadians' trust and  
21 confidence in their democracy.

22                   And I understand that Ms. Chaudhury will  
23 enter the four summaries of the Memoranda to Cabinet right  
24 before we begin with the next witnesses and right after I  
25 would have repeated the same thing in French.

26                   ...the Commission and the Government of  
27 Canada concerning the access of the Commission to  
28 confidential Cabinet documents.



1                   In the development of the mandate, the  
2           government accepted to give the Commission access to four  
3           memorandums to Cabinet that were furnished to the Independent  
4           Rapporteur on Foreign Interference previously. After lengthy  
5           discussions with the counsel of the Commission, the  
6           government accepted that these -- the summaries of these  
7           memorandums be divulged -- disclosed.

8                   The government then approved the disclosure  
9           of two confidential documents to Cabinet. There were two  
10          operational documents in order to allow access to other  
11          Cabinet memoranda that I identified as being essential to the  
12          Commission's work.

13                  The extent of the access given the Commission  
14          to classified information and to Cabinet confidential  
15          documents is unprecedented, and it reflects the importance of  
16          the Commission's work. These will help me to formulate  
17          recommendations that contribute to preserve the integrity of  
18          electoral processes and democratic institutions in Canada and  
19          to enforce the confidence that Canadians have in their  
20          democracy.

21                  I understand that Ms. Chaudhury will disclose  
22          the four summaries of these memoranda to Cabinet at this  
23          time.

24                   **MS. SHANTONA CHAUDHURY:** [No interpretation]

25                  I'll just read the doc IDs and the titles  
26          into the record so as to make the summaries available  
27          evidence.

28                  So beginning COM.SUM1.EN: *Summary of a*

1 *Memorandum to Cabinet: Protecting Canada's Democracy,*  
2 *Securing the 2019 General Election, and Beyond.*

3 **--- EXHIBIT No. COM.SUM0000001.EN:**

4 Summary of a Memorandum to Cabinet -  
5 Protecting Canada's Democracy:  
6 Securing the 2019 General Election  
7 and Beyond

8 **MS. SHANTONA CHAUDHURY:** "Protect Canadian  
9 Democracy and Ensure the Integrity of the General Elections  
10 of 2019 and later".

11 **--- EXHIBIT No. COM.SUM0000001.FR:**

12 Résumé d'un mémoire au Cabinet -  
13 Protéger la démocratie du Canada :  
14 assurer l'intégrité de l'élection  
15 générale de 2019 et des élections  
16 ultérieures

17 **MS. SHANTONA CHAUDHURY:** Next, COM.SUM2.EN:  
18 *Summary of a Memorandum to Cabinet: Protecting Canada's*  
19 *Democracy, Rising to an Evolving Challenge.*

20 **--- EXHIBIT No. COM.SUM0000002.EN:**

21 Summary of a Memorandum to Cabinet -  
22 Protecting Canada's Democracy: Rising  
23 to an Evolving Challenge

24 **MS. SHANTONA CHAUDHURY:** [No interpretation]  
25 .SUM.2.FR, "Protecting Democracy of Canada".

26 **--- EXHIBIT No. COM.SUM0000002.FR:**

27 Résumé d'un mémoire au Cabinet -  
28 Protéger la démocratie au Canada :

1 relever un défi en constante  
2 évolution

3 **MS. SHANTONA CHAUDHURY:** Next, COM.SUM3.EN:  
4 *Summary of a Memorandum to Cabinet: Cabinet Directive on the*  
5 *Critical Election Incident Public Protocol.*

6 **--- EXHIBIT No. COM.SUM0000003.EN:**

7 Summary of a Memorandum to Cabinet -  
8 Cabinet Directive on the Critical  
9 Election Incident Public Protocol

10 **MS. SHANTONA CHAUDHURY:** The title of the  
11 French document is given.

12 **--- EXHIBIT No. COM.SUM0000003.FR:**

13 Résumé d'un mémoire au Cabinet -  
14 Directive du Cabinet sur le Protocole  
15 public en cas d'incident électoral  
16 majeur

17 **MS. SHANTONA CHAUDHURY:** Fourth, COM.SUM4.EN:  
18 *Summary of a Memorandum to Cabinet: Modernizing Canada's*  
19 *Approach to Addressing Threats from Hostile Activities by*  
20 *State Actors.*

21 **--- EXHIBIT No. COM.SUM0000004.EN:**

22 Summary of a Memorandum to Cabinet -  
23 Modernizing Canada's Approach to  
24 Addressing Threats from Hostile  
25 Activities by State Actors

26 **MS. SHANTONA CHAUDHURY:** This is the French  
27 title, COM.SUM.4.FR.

28 **--- EXHIBIT No. COM.SUM0000004.FR:**

1                   Résumé d'un mémoire au Cabinet -  
2                   Moderniser l'approche du Canada  
3                   adoptée par le Canada pour faire face  
4                   aux menaces posées par les activités  
5                   hostiles parrainées par des états

6                   **MS. SHANTONA CHAUDHURY:** Thank you.

7                   **COMMISSIONER HOGUE:** So hello. You're on  
8 this afternoon. You may begin.

9                   **MR. JEAN-PHILIPPE MacKAY:** Jean-Philippe  
10 MacKay for the Commission. We can start by swearing in the  
11 witnesses.

12                   **THE REGISTRAR:** All right. So I'll start  
13 with Ms. Awad.

14                   So Ms. Awad, could you please state your full  
15 name and then spell your last name for the record?

16                   **MS. AMY AWAD:** Amy Awad, A-W-A-D.

17                   **THE REGISTRAR:** Thank you. Now for the  
18 affirmation.

19                   **--- MS. AMY AWAD, Affirmed:**

20                   **THE REGISTRAR:** Thank you.

21                   Now I'll go on to Mr. Ripley.

22                   Mr. Ripley, could you please state your full  
23 name and then spell your last name for the record?

24                   **MR. THOMAS OWEN RIPLEY:** Thomas Owen Ripley.  
25 R-I-P-L-E-Y.

26                   **THE REGISTRAR:** Thank you. Now for the  
27 affirmation.

28                   **--- MR. THOMAS OWEN RIPLEY, Affirmed:**

1                   **THE REGISTRAR:** Thank you.

2                   And finally, [no interpretation]. Could you  
3 please give your full name and spell your last name for the  
4 transcription?

5                   **MS. ISABELLE MONDOU:** Isabelle Mondou, M-O-N-  
6 D-O-U.

7                   **--- MS. ISABELLE MONDOU, Affirmed:**

8                   **THE REGISTRAR:** You may proceed.

9                   **--- EXAMINATION IN-CHIEF BY MR. JEAN-PHILIPPE MacKAY:**

10                  **MR. JEAN-PHILIPPE MacKAY:** So I'll begin with  
11 the usual housekeeping. We have a series of documents to  
12 file. I'll begin with the interview summary for Madam Mondou  
13 and Ms. Awad.

14                  The document is WIT98. We can pull up the  
15 English version, please.

16                  This is a summary of the interview we  
17 conducted with you this summer on July the 2<sup>nd</sup>. I understand  
18 that you had the occasion to review the document before your  
19 appearance today. Do you have anything to correct or to  
20 modify in the document?

21                  **MS. ISABELLE MONDOU:** Nothing to correct.

22                  **MR. JEAN-PHILIPPE MacKAY:** Ms. Awad?

23                  **MS. AMY AWAD:** Nothing to correct.

24                  **MR. JEAN-PHILIPPE MacKAY:** Do you accept that  
25 this interview summary be part of your evidence before the  
26 Commission today?

27                  **MS. ISABELLE MONDOU:** Yes, I do.

28                  **MS. AMY AWAD:** I do.

1       **--- EXHIBIT NO. WIT0000098.EN:**

2                               Interview Summary: Isabelle Mondou,

3                               Amy Awad

4                               **MR. JEAN-PHILIPPE MacKAY:** The French version  
5       is also filed. WIT98.FR.

6                               No need to pull it up on the screen.

7       **--- EXHIBIT NO. WIT0000098.FR:**

8                               Résumé d'entrevue : Isabelle Mondou

9                               et Amy Awad

10                              **MR. JEAN-PHILIPPE MacKAY:** Next document, Ms.  
11       Mondou, is the summary of the examination that we had with  
12       you *in camera* this summer, WIT140.

13       **--- EXHIBIT NO. WIT0000140:**

14                              Résumé d'interrogatoire à huis clos :

15                              Isabelle Mondou, sous-ministre du

16                              Patrimoine Canadien

17                              **MR. JEAN-PHILIPPE MacKAY:** The original  
18       version in French is at the screen. Madam Mondou, I'll ask  
19       you the same question. Did you have the opportunity to look  
20       at this before your evidence today?

21                              **MS. ISABELLE MONDOU:** Yes, I have looked at  
22       it. I've reviewed it.

23                              **MR. JEAN-PHILIPPE MacKAY:** Do you accept that  
24       this document be part of your evidence?

25                              **MS. ISABELLE MONDOU:** Yes.

26                              **MR. JEAN-PHILIPPE MacKAY:** And the English  
27       version will follow as well.

28                              The next witness summary is the WIT131. We

1 have the English version, the original version. This is the  
2 interview summary for you, Mr. Ripley. Interview that we  
3 conducted with you on September 12<sup>th</sup> of this year. Did you  
4 have the occasion to review the document before your  
5 appearance today, Mr. Ripley?

6 MR. THOMAS OWEN RIPLEY: I did.

7 MR. JEAN-PHILIPPE MacKAY: Do you accept that  
8 this summary be part of your evidence before the Commission?

9 MR. THOMAS OWEN RIPLEY: I do.

10 MR. JEAN-PHILIPPE MacKAY: Thank you.

11 --- EXHIBIT NO. WIT0000131:

12 Interview Summary: Owen Ripley

13 --- EXHIBIT NO. WIT0000131.FR:

14 Résumé d'entrevue : Owen Ripley

15 MR. JEAN-PHILIPPE MacKAY: [No  
16 interpretation]

17 --- EXHIBIT No. CAN.DOC.000034:

18 Public Inquiry into Foreign

19 Interference - Institutional Report -  
20 Canadian Heritage

21 MR. JEAN-PHILIPPE MacKAY: --- the highest in  
22 the hierarchy at Canadian Heritage. Institutional report in  
23 the French version -- the English version ends with the  
24 number 35.

25 --- EXHIBIT No. CAN.DOC.000035:

26 Enquête Publique sur l'ingérence

27 Étrangère - Rapport Institutionnel -  
28 Patrimoine Canadien

1                   **MR. JEAN-PHILIPPE MacKAY:** You have been able  
2                   to look at this document before appearing today?

3                   **MS. ISABELLE MONDOU:** Yes.

4                   **MR. JEAN-PHILIPPE MacKAY:** And you accept  
5                   that in the name Canadian Heritage that these documents, the  
6                   two documents, be part of the evidence of the government  
7                   before the Commission?

8                   **MS. ISABELLE MONDOU:** Certainly.

9                   **MR. JEAN-PHILIPPE MacKAY:** So CAN.DOC 25 has  
10                  also been filed, and it's not necessary to ask these  
11                  questions about it.

12                  My first question for you is can you, by way  
13                  of background, present your roles and functions within the  
14                  Department of Heritage?

15                  **MS. ISABELLE MONDOU:** Thank you for the  
16                  question. So I'm the Deputy Minister of the Department, and  
17                  as such, I'm responsible to manage the Department, and also  
18                  for supporting six Ministers. At the time, we had five, but  
19                  now it's six Ministers.

20                  **MR. THOMAS OWEN RIPLEY:** And I'm Associate  
21                  Assistant Deputy Minister in our Cultural Affairs Sector,  
22                  which is one of the sectors of the Department with  
23                  responsibilities for art, culture, media, export, and  
24                  legislative policy, and my role deals primarily with  
25                  advancing the Department's legislative priority issues in the  
26                  space of media information, broadcasting, news, and online  
27                  harms.

28                  **MS. AMY AWAD:** General Director of Policy



1 Frameworks, and I work with Mr. Ripley on draft regulatory  
2 projects.

3 **MR. JEAN-PHILIPPE MacKAY:** I have the  
4 tendency to speak very quickly, and I'll ask you when you're  
5 answering my questions to try and answer slowly enough so  
6 that the interpretation can be made in a complete way.

7 A question for you, Ms. Mondou. Can you  
8 explain what the mission and the mandate is of the Minister  
9 of Canadian Heritage?

10 **MS. ISABELLE MONDOU:** So the Department of  
11 Canadian Heritage has its mandate in the corresponding Act  
12 which covers several components, but the common one is to  
13 support Canadian identity, be it in the support of culture,  
14 of heritage, of multiculturalism, of official languages or of  
15 sport. The common component is that these are all  
16 part of Canadian identity and the department has the  
17 responsibility of supporting these fields and to ensure that  
18 all Canadians have access to the programs offered by the  
19 department.

20 **MR. JEAN-PHILIPPE MacKAY:** And more  
21 specifically, in terms of supporting policies as far as the  
22 media go, can you tell us what the department's role is?  
23 We'll come back to that in greater detail, but could you  
24 answer generally for the moment?

25 **MS. ISABELLE MONDOU:** For several years, the  
26 Minister has -- the department has been supporting an  
27 ecosystem of news and various information through various  
28 programs, the periodical support program. And with the

1 recent crisis in the media, the department has also begun to  
2 try and support a new ecosystem containing programs which  
3 we'll discuss later.

4 So if we talk about the Minister of Canadian  
5 Heritage, in her portfolio there is also Radio Canada, CBC.  
6 That's a very important player in terms of news throughout  
7 the country.

8 **MR. THOMAS OWEN RIPLEY:** I would also add  
9 that there are some political frameworks, legislative  
10 frameworks that support media, so the *Broadcasting Act* and  
11 another Act.

12 **MR. JEAN-PHILIPPE MacKAY:** So we'll come back  
13 to these in more detail in the question period.

14 So by way of introduction, can you explain to  
15 us if Canadian Heritage has a role as far as foreign  
16 interference goes?

17 It's a very general question, so I just would  
18 invite you to say how -- does the department has a role to  
19 play in this file?

20 **MS. ISABELLE MONDOU:** The way I see it is  
21 that foreign interference can touch all Canadians, and our  
22 role is to offer a healthy ecosystem. So as I said earlier,  
23 with the -- to have cultural centres that allow the emergence  
24 of different voices and with support for multiculturalism  
25 that allows various voices to emerge.

26 We're in a kind of triangle, so we see an  
27 ecosystem in Canada that supports democracy with these  
28 efforts and initiatives. And where Canadian identity is

1       concerned, it is a Canadian identity that should be well  
2       experienced by people in Canada. I think that's also a  
3       defence against foreign interference.

4               So I think today we'll be speaking about  
5       other programs that we put in place to fight disinformation  
6       and misinformation. We're coming close to the top of the  
7       pyramid where there are instruments that will be able to help  
8       us to make citizens more resilient to foreign interference.

9               And finally, at this end, there are files  
10       that have more specific issues that are more directly related  
11       to interference, but I'm saying that all these elements are  
12       necessary in the fight against interference even though the  
13       objective of these programs is much wider than foreign  
14       interference.

15               **MR. JEAN-PHILIPPE MacKAY:** And to situate the  
16       work that your department does, it's important to explain for  
17       the Commissioner and the public to say how your department  
18       acts concretely, how the department's action is deployed.

19               **MS. ISABELLE MONDOU:** Yes, I'd say there are  
20       two main means of intervention. I said that we have  
21       programs, so when I say "programs", I say we have various  
22       initiatives where we invest in culture, the arts, heritage  
23       and also into a media ecosystem to try and support an  
24       ecosystem that is dynamic and that supports our democracy.

25               My colleague also mentioned that we have  
26       legislative and regulatory instruments that are another kind  
27       of tool to intervene in that space. Canada has a long  
28       tradition of having defended Canadian identity with

1 instruments such as the *Broadcasting Act*, the *Copyright Act*  
2 and, more recently, new initiatives such as the *Act on Online*  
3 *Use* and the Act that concerns with hate online.

4 **MR. JEAN-PHILIPPE MacKAY:** Before talking  
5 about Digital Citizen Initiative, I'd like to hear you speak  
6 about this idea.

7 We see in the interviews we had with you this  
8 idea of citizen resilience, and I'd like to know what is the  
9 concept that you have, that you implement of this idea of  
10 citizen resilience?

11 **MS. ISABELLE MONDOU:** Well, in the last  
12 years, since 2018, we see that it's a more and more present  
13 activity at the Minister, is that people get information from  
14 new sources that are no longer the traditional sources like  
15 newspapers. And we're trying to see how we could help  
16 citizens without intervening directly because the government  
17 doesn't want to tell people what they should be reading and  
18 listening to and find instruments to help citizens navigate  
19 that ecosystem that is more and more complex.

20 One of the programs we'll discuss today is to  
21 try and establish with the word "resilience" tools,  
22 education, ways of doing things to help citizens make good  
23 choices with all the information they can get and with maybe  
24 some tools that can help them in making their choices.

25 **MR. JEAN-PHILIPPE MacKAY:** So we're talking  
26 about misinformation and disinformation.

27 Maybe later we can come back to partnerships  
28 or discussions at the international level, but as an

1 introduction, are there societies or countries in the world  
2 to which Canada can turn to find inspiration where this idea  
3 of resilience is implemented and works well?

4 **MS. ISABELLE MONDOU:** I'll tell you a few  
5 things before turning to my colleague.

6 It's important because, in the past years,  
7 we've continued to look for the best solutions with all our  
8 partners, Europe, U.S., Australia and New Zealand, et cetera.  
9 And what has come out of our partnerships is that there are  
10 common solutions even though they take different forms.

11 One element is to try and give -- provide  
12 tools to people to provide education, but also having a  
13 diversity of voices. One way of assuring resilience is that  
14 people can have access to different sources of information so  
15 they can carry out their own analysis by hearing a diversity  
16 of voices, so that's something else that we worked on with  
17 colleagues.

18 The countries I've mentioned are also asking  
19 themselves those questions and have initiatives both at the  
20 regulatory level or program level in that regard.

21 I'll ask my colleague, Owen, to...

22 **MR. THOMAS OWEN RIPLEY:** So the example that  
23 is frequently cited is Finland as a country that has and is  
24 recognized for a very high degree of media and digital  
25 literacy in its population. Finland is a country that  
26 borders Russia, and, as a result of that, is frequently  
27 subject to Russian disinformation circulating in the media  
28 and information ecosystem in Finland. And so what we have

1        seen over many years is that Finland has invested in really  
2        equipping its population from very early on in the education  
3        system as they grow up through the education system and then  
4        into adulthood with skills for being able to assess the  
5        quality of information. And we've seen in recent years, in  
6        the context of the pandemic, they've made additional  
7        investments about really trying to train their citizens to be  
8        able to detect when information has been altered, that there  
9        is something suspicious about information and having that  
10       kind of attitude of curiosity to be able to kind of dig down  
11       and assess for themselves whether the information that they  
12       are being presented with is accurate. And so I think Finland  
13       in many contexts is recognized as having one of the highest  
14       degrees of digital media literacy in that respect  
15       internationally.

16                    Another example that sometimes comes up is  
17       Taiwan, and again, Taiwan is a -- is right on the border, as  
18       we know, with China and faces that same kind of information  
19       space. And so, you know, these are examples that have come  
20       up. I think that it speaks to what we are trying to do  
21       through the Digital Citizenship Initiative in terms of  
22       understanding that, moving forward, the information space is  
23       going to remain complex. There is going to be varying  
24       degrees of information in it, including disinformation. And  
25       so in the long run, for Canadians to be able to make good  
26       decisions and be able to assess the decisions that they want  
27       to make with respect to their own lives, but also, in the  
28       democratic process it will be important that we collectively

1 think about how best to teach those skills throughout their  
2 life from, again, I think, childhood through to adulthood.

3 **MR. JEAN-PHILIPPE MacKAY:** So I understood --

4 -

5 **COMMISSIONER HOGUE:** I have a question, and  
6 I'm not sure you'll be able to answer it, so just let me  
7 know, but do you know if these countries have noticed since  
8 they have built resilience within the population, whether  
9 they have noticed a decrease in the disinformation? What I  
10 have in mind is if you are not succeeding when you are doing  
11 some disinformation, it may be an inducement to do less  
12 disinformation, but do you know if there's any measures of --

13 -

14 **MR. THOMAS OWEN RIPLEY:** The example that  
15 does come to mind that I think ---

16 **COMMISSIONER HOGUE:** M'hm.

17 **MR. THOMAS OWEN RIPLEY:** --- in the case of  
18 Finland, there was a state-sponsored media outlet, for  
19 example, I believe it was a Russian state-sponsored media  
20 outlet that in Finland chose to shut down because there was  
21 not kind of engagement from the Finnish population, for  
22 example, with that broadcaster. So it's an example, again.  
23 I think the answer to the question is that, you know, again,  
24 disinformation is going to be part of the space moving  
25 forward, so I'm not sure at a quantitative level whether the  
26 role kind of -- it will result in a decrease but, again, I  
27 think when you equip citizens in that way, it does certainly  
28 make the task for those seeking to spread disinformation more

1 and more difficult, and I think, again, that's a good example  
2 of kind of them saying, okay, this isn't working because,  
3 again, the Finnish population is kind of seen through the  
4 type of propaganda that we're spreading.

5 **COMMISSIONER HOGUE:** Thank you.

6 **MR. JEAN-PHILIPPE MacKAY:** So we hear in your  
7 evidence that the state has a role to play to help citizens  
8 and to equip them with the necessary tools, but what are the  
9 limits or the constraints that exist on state intervention in  
10 the disinformation space?

11 **MS. ISABELLE MONDOU:** Thank you. That's a  
12 very important question because in Canada, obviously we live  
13 in the environment of the *Charter of Rights*, which protect  
14 freedom of expression, and it's very important that that is  
15 at the centre of everything we do. I will take the different  
16 type of intervention one at a time. When we talk about some  
17 of the legislation and regulation that we talk, we -- what we  
18 did in those contexts is we set the frame and we stay very  
19 far from interfering with content, but we are really acting  
20 more into making a framework that is more susceptible to  
21 support this diversity advice that is so important. And in  
22 the case of one particular bill, to make sure that there is  
23 still a news ecosystem out there to be able to provide those  
24 different space. So in term of regulation, I think it's more  
25 creating the context in term of making those other voice  
26 successful and valid.

27 In the case of the funding program that we  
28 have, it's all a bit different, but I will say the principle



1 have always been in the case of media to absolutely put the  
2 independence of media at the centre. So we never give  
3 directly in the media and picking media or anything like  
4 that.

5 In the context of the problem that we have  
6 with regard to digital literacy, we're working a lot through  
7 third-party. Why? Because first, it's not always the  
8 government who is better placed to have trusted tool because  
9 we are not seen always as trusted by some people in society.  
10 But more importantly, and as importantly, I should say, these  
11 organization, they work in the groundwork. They are civil  
12 society organization that have an ability to work with  
13 scientific but also with the community enough in and in a  
14 more trusted way. So what we do, frankly, is we try to  
15 foster an environment where there is researcher, where there  
16 is people who are interested in the subject and working on  
17 the subject, but we're really letting them do that direct  
18 work because the last thing we want is to -- the government  
19 to be the truth teller in that space. And that's true for  
20 all our initiative, I would say.

21 **MR. JEAN-PHILIPPE MacKAY:** And before we move  
22 to the DCI, Digital Citizen Initiative, it is clear from the  
23 interview summaries and the institutional report that your  
24 department does not monitor the ecosystem, so that's not  
25 something that you do. So your intervention is at the level  
26 of policy, legislation, and the funding.

27 **MS. ISABELLE MONDOU:** That's correct. What I  
28 will say, just to illustrate just what I say before is that

1 we have found program, and I think you have a partner that  
2 have came to testify here, a partnership between McGill and  
3 University of Toronto where they are doing some observation.  
4 But we are funding this program; we have nothing to do with  
5 the management of the program.

6 So we feel that it's very important for civil  
7 society to develop this capacity. They have done it in Iraq  
8 and it's important that they have this objective scientific  
9 voice out there that is not the government. But we are a  
10 partner in the sense that we are funding those.

11 **MR. JEAN-PHILIPPE MacKAY:** So the Digital  
12 Citizen Initiative, could you please explain the -- what this  
13 program is? So a general overview, and then we will -- I'll  
14 ask some more detailed question about the program.

15 **MS. ISABELLE MONDOU:** I will turn to my  
16 colleague.

17 **MR. THOMAS OWEN RIPLEY:** So thanks for the  
18 question.

19 So as my colleague said, the Digital Citizen  
20 Initiative is a funding program, an initiative in the  
21 department. It was created in 2019-2020 in advance of the  
22 2019 federal election. And the objective of the program is  
23 really to support and mobilize civil society and researchers  
24 around this phenomenon of dis- and misinformation, with a  
25 view to kind of equipping them to develop strategies, to  
26 develop tools to better equip citizens.

27 And so the kind of philosophical underpinning  
28 of it, as Isabella alluded to, is that in the long run we

1 will have a more resilient society, we will have more  
2 resilient citizens if we have a strong civil society response  
3 to this because it's not going to be -- it's not going to be  
4 feasible or practical for government to kind of have the  
5 complete solution to it. And so it's really being geared  
6 towards mobilizing, creating that community of practice here  
7 in Canada and supporting those civil society efforts.

8 **MR. JEAN-PHILIPPE MacKAY:** And by "Community  
9 of practice," what do you mean exactly?

10 **MR. THOMAS OWEN RIPLEY:** So I would -- a key  
11 turning point was the 2016 election in the United States; I  
12 think it was a key turning point in this space for many  
13 folks. It's really when this idea of fake news kind of hit  
14 the public consciousness. And what we observed at that time  
15 is following the 2016 US election, you really saw a strong  
16 mobilization of civil society in the United States; so  
17 philanthropic foundations, the tech sector really to kind of  
18 start digging into this problem and thinking about what are  
19 strategies or solutions to better equip Americans to deal  
20 with this information space?

21 And so that was an observation we made and we  
22 observed that we have a number of really good civil society  
23 organizations who historically have been in the digital media  
24 literacy space, have been in the kind of education about  
25 democratic processes and value space. But there wasn't  
26 necessarily kind of the same cross-pollination happening here  
27 in Canada at the time, and so part of, again, the reason for  
28 bringing the program into place was to get those

1 organizations to start mobilizing around this common issue  
2 that kind of touched on their areas of expertise and their  
3 mandates, with a view to really better understanding the  
4 phenomenon here in Canada.

5 So while fake news had kind of burst onto the  
6 public consciousness internationally, we didn't have a very  
7 good sense of how it was impacting Canada specifically, the  
8 differential impacts on certain segments of the population,  
9 whether that's English-speaking population, the French-  
10 speaking population, diasporan communities. And so the  
11 program was really designed to encourage researchers to  
12 better understand specifically what was happening here in  
13 Canada, and then to encourage civil society organizations to  
14 really start investing in tools and education in light of  
15 some of that research, and to get them to talk to each other  
16 and share those findings and those insights.

17 **MR. JEAN-PHILIPPE MacKAY:** I'll invite Court  
18 Operator to pull up CAN42656.

19 **--- EXHIBIT NO. CAN042656 0001:**

20 Addressing Harmful Content and  
21 Disinformation

22 **MR. JEAN-PHILIPPE MacKAY:** And we can go to  
23 page 3 of 11.

24 So we saw on the first page -- this is a  
25 document from 2022.

26 **MS. ISABELLE MONDOU:** M'hm.

27 **MR. JEAN-PHILIPPE MacKAY:** And Mr. Ripley,  
28 you explained the *raison d'être*; you covered that already.

1 And we see here an evolution of the program. Could you  
2 please explain briefly the evolution and where -- how the  
3 program evolved throughout the years since 2019, since its  
4 creation?

5 **MR. THOMAS OWEN RIPLEY:** Happy to.

6 So as I mentioned, the program was created in  
7 advance of the 2019 federal elections as part of the broader  
8 plan to protect democracy, headed by democratic institutions  
9 at the Privy Council Office. The creation of the program was  
10 one of the initiatives launched under the Citizens Resilience  
11 pillar, and those early projects, so approximately \$7 million  
12 was invested in advance of the 2019 federal election with a  
13 view to quicken citizens to potentially -- you know, who  
14 could potentially encounter disinformation in that electoral  
15 context.

16 The program was then established and set up  
17 and it involves doing a regular kind of call for proposals,  
18 which is, again, really seeking to better understand kind of  
19 the phenomenon in Canada and how it evolved over the years.

20 And so some of that very early work was  
21 general diagnostic work to really understand and develop a  
22 bit of a Canadian base of research. But the program has  
23 proven remarkably flexible over the years and has actually  
24 been deployed at certain moments in response to basically  
25 disinformation events playing out in real time. And so  
26 relatively soon after the program was created, we found  
27 ourselves in the pandemic and so the program was actually  
28 deployed very early on in the pandemic, in light of the fact

1       that the team was observing the rise of health mis- and  
2       disinformation; was observing the rise of disinformation  
3       targeting Canadians of Asian descent, and so very quickly got  
4       into the field supporting projects by civil society  
5       organizations in that context. There was a second batch of  
6       projects done in the context of the COVID pandemic.

7                 Similarly in 2022, in light of the Russian  
8       invasion of Ukraine, the program also in response to a rise -  
9       - observed rise in Russian disinformation put out another  
10      special call for proposals, for example.

11                So the program what it's been able to do is  
12      kind of sustain this regular set of projects that seek to  
13      grow that evidence base. But at the same time has shown that  
14      it can, you know, respond quite quickly to something that's  
15      happening in real time and put projects out in the field and  
16      support of civil society organizations and researchers in  
17      that respect.

18                I would also highlight -- so, you know, I've  
19      spoken primarily about kind of projects that are funded by  
20      the department, but the program is broader in that it has  
21      supported a number of kind of key partnerships over the  
22      years. So, for example, it supported a longer-term project  
23      by the Public Policy Forum that actually gave rise to some of  
24      the work that you would have heard from the Media Ecosystem  
25      Observatory. It also has a current partnership, a three-year  
26      partnership with the Digital Media Research Network, for  
27      example.

28                And so, again, there have been some more kind

1 of signature investments made along the way to support  
2 larger-scale projects, and so that partnership component is  
3 also an important part of the Digital Citizen Initiative.

4 **MR. JEAN-PHILIPPE MacKAY:** And we see on this  
5 document that -- well, it's a document from 2022. So could  
6 you please complete the picture? At the bottom of the page  
7 we see, "DCI currently set to sunset in 2022-2023." So what  
8 happened in 2022 and since then up until today?

9 **MS. ISABELLE MONDOU:** So we got an extension  
10 of the program in the fiscal update, IM 2022. And it's until  
11 2025, March 2025; the program is sunsetting in March 2025,  
12 which include all the partnership that my colleague mention.

13 So obviously this is something that as a  
14 department we don't want to see happen because we really  
15 think that the program have been effective and efficient, and  
16 we have done evaluation of the program that support that. So  
17 we are going to recommend that the program be extended,  
18 hopefully for a long period.

19 **MR. JEAN-PHILIPPE MacKAY:** I'll get back to  
20 the budgetary aspect of the program, but before I do that,  
21 I'd like to pull up COMM.SUM1. We can put the English  
22 version.

23 This is a document that was just entered in  
24 evidence. It's a summary of the Memorandum to Cabinet for  
25 the initial plan to protect Canada's democracy.

26 And the question I have for you -- we can  
27 scroll down a little bit.

28 So it was mentioned earlier in your testimony

1       that citizen resilience was a pillar of the program, so we  
2       see that in the middle of the page at four pillars:  
3       combatting foreign interference; promoting institutional  
4       resilience; building citizen resilience, and establish rules  
5       of the road for digital platforms.

6               We understand that your department is  
7       involved in the building citizen resilience aspect. And were  
8       you involved in the rules of the road for digital platforms  
9       or is this something that you are -- you're involved with the  
10      platforms, but from a different angle?

11             **MS. ISABELLE MONDOU:** I will turn to my  
12      colleague who was there in 2019.

13             **MR. THOMAS OWEN RIPLEY:** I was.

14             So in this context, in the context of this  
15      MC, and I believe in the summary a little bit later on, it  
16      talks about negotiating kind of the protocol with social  
17      media platforms, the voluntary protocol around the elections.  
18      So the reference to establishing rules of the road for  
19      digital platforms was in that context about seeking to  
20      negotiate that kind of voluntary agreement or protocol with  
21      them, and that work was led out of PCO Democratic  
22      Institutions Unit. for a long period.

23             **MR. JEAN-PHILIPPE MacKAY:** Thank you.

24             And now we can scroll down a little bit to  
25      the second page. And we see the third bullet:

26                   "Canadian Heritage lead  
27                   implementation of election-centric  
28                   digital news and civil literacy



1 programming in partnership with  
2 academic and civil society  
3 organizations as well as undertake  
4 research and engagement."

5 So I would like to start from there to -- for  
6 you to explain the evolution of the projects and the calls  
7 for proposal because we see in the MC that the initial  
8 intention was to have an election-centric program, but we can  
9 see and you can explain how broader the digital citizen  
10 initiative was implemented, so the -- it's not necessarily  
11 focused on election, but it's broader than that on the  
12 information ecosystem.

13 So I'd like you to explain the scope of the  
14 projects that the program funded.

15 **MS. ISABELLE MONDOU:** I will turn to my  
16 colleague, and once again I just want to say to your point  
17 what was very interesting, I think, in 2019 is was this whole  
18 government approach and why Canadian was add to some security  
19 agency and so on and so forth. And I think it's for two  
20 reasons.

21 Obviously, because we are some responsibility  
22 and some action in the space I described before, whether it's  
23 the media, diversity of culture and all of that, and also  
24 because of our work with civil society.

25 So that's kind of the impetus of why suddenly  
26 Canadian Heritage is showing in this list of partners.

27 **MR. THOMAS OWEN RIPLEY:** So as I mentioned,  
28 the program was created as part of this process. There was a

1 decision made that the first wave of programming that was  
2 approximately \$7 million should be entirely dedicated to  
3 projects in an election context in advance of the 2019  
4 federal election.

5 So the department moved quite quickly in 2019  
6 -- end of 2018, 2019. We actually used existing programs at  
7 the Department of Canadian Heritage at the time to flow that  
8 money and fund those projects because we hadn't yet kind of  
9 built this new program and put the infrastructure in place.  
10 But the decision that was made was ultimately to create a  
11 program that was not solely focused on kind of the writ  
12 period in the elections context but, rather, to sustain that  
13 community of practice that I was describing to you on an  
14 ongoing basis in between elections as well.

15 And Amy, maybe you can just briefly describe  
16 some of the kind of more recent projects and work that we've  
17 been doing.

18 **MS. AMY AWAD:** Absolutely.

19 So over the years, there was five regular  
20 calls for proposal and the -- kind of the focus or the  
21 priorities through those proposals varied. At first it was  
22 very focused on understanding the kind of landscape in  
23 Canada, identifying gaps, trying to determine how to measure  
24 success in the area of digital media literacy. Later on, it  
25 became more focused with kind of responses specifically to  
26 events in Russia with a focus on AI, bots, behaviour  
27 responses, cognitive vulnerabilities and also kind of tools  
28 that would be focused on specific diaspora communities.

1           In the fifth call, for example, there was a  
2       specific priority tied to disinformation spread by foreign  
3       states and examples of Russia and the PRC were cited in the  
4       call. And there was a couple of different projects that came  
5       from that that focused there specifically on, for example,  
6       Chinese sourced disinformation Canadian ecosystem.

7           For example, one of them was about  
8       strengthening community resilience to foreign interference,  
9       and it was a research project by the Digital Public Square.  
10      And the focus there was to look at how specific transnational  
11      oppression campaigns or foreign influence disinformation from  
12      the PRC was impacting social inclusion in Canada and to  
13      conduct research activities and build tools and awareness,  
14      and those tools were eventually deployed in different  
15      languages within both kind of the general Canadian population  
16      and within certain diaspora communities.

17           Another project that was funded in the fifth  
18      call was called "Disinformation in Canadian Chinese language  
19      media". And this call -- this involved developing an open  
20      access AI tool that tracked disinformation narratives in both  
21      online and offline Chinese media available in Canada and make  
22      that data available to researchers and monitors across the  
23      country.

24           **MR. THOMAS OWEN RIPLEY:** And if I could just  
25      loop back to the spirit, maybe, of your question just to  
26      stress that, obviously, you know, the election context is a  
27      moment in time when disinformation can have a big impact on  
28      the democratic process but, again, the underpinning of the

1 program, the philosophical underpinning is understanding that  
2 we've got to equip citizens at all times to be able to  
3 navigate this. And so it's not just kind of a one and done  
4 type intervention but, rather, we've got to sustain it.

5 And as Amy mentioned, we know that the  
6 tactics used by individuals or actors looking to spread  
7 disinformation continuously evolve, you know, to use of bots,  
8 now the use of AI. We know synthetic images, right. And so  
9 it's going to be necessary to continuously also equip  
10 citizens to deal with those new tactics.

11 **MR. JEAN-PHILIPPE MacKAY:** So I'd like to  
12 pull up CAN44734. CAN44734.

13 **--- EXHIBIT No. CAN044734 0001:**

14 Digital Citizen Contribution Program  
15 Call #5 Priorities

16 **MR. JEAN-PHILIPPE MacKAY:** This is the  
17 memorandum to Minister St-Onge for the fifth call proposals  
18 and with the list of priorities for her approval. And we can  
19 -- first, could you explain briefly how the process works for  
20 the identification of priorities?

21 **MS. AMY AWAD:** Absolutely.

22 So the program is structured internally where  
23 there's, I guess, a team of analysts that work on the  
24 program, but there's also a consultative body of different  
25 government departments and agencies that work on  
26 disinformation, and there's an external steering committee  
27 made up of researchers and civil society members.

28 So in order to determine the priorities of a

1 particular call, the analysts will do their internal analysis  
2 first based on the information available, previous projects,  
3 public source information. They'll then consult those  
4 priorities with the government consultative body so that they  
5 get the input from all the different other parts in  
6 government that work on issues related to this information,  
7 also bring that for validation to the steering committee.  
8 And then once they've settled all those priorities, there's a  
9 process to seek approval for the Minister before launching  
10 the call.

11 **MR. JEAN-PHILIPPE MacKAY:** And when you  
12 mention that there's a consultation with other parts of  
13 government, who is consulted through that process?

14 **MS. AMY AWAD:** So it's a fairly large  
15 consultative body with it's like multiple -- multiple kind of  
16 groups within different government departments. Primarily  
17 there's different groups within Canadian Heritage that are  
18 impacted, within Global Affairs Canada, within the Privy  
19 Council's Office, Democratic Institutions, within the  
20 different security agencies, so Public Safety, CSIS, CSE and  
21 so forth.

22 We have in the past had other groups that  
23 continue to be part of that like Health Canada depending,  
24 again, on the topic of the calls.

25 **MS. ISABELLE MONDOU:** And if I may, just  
26 behind the logic of that is also what my colleague was  
27 saying. The importance of this intervention is to really  
28 have a horizontal approach, and so we benefit not just from

1 the priority and the project, but we benefit from the  
2 expertise of all these agencies who are somehow acting in  
3 that spaces, and same thing, obviously, with the expert in  
4 the field.

5 So it was really essential for us to not do  
6 that just in our kind of own space, for to really pull  
7 together the expertise both internally and externally.

8 **MR. JEAN-PHILIPPE MacKAY:** And in practice,  
9 how does that work? The exchange of information, for  
10 example, we know -- this Commission knows well that agencies  
11 -- security and intelligence agencies collect -- assess  
12 intelligence. And we know from the interview that we  
13 conducted with you that you are not part of the security and  
14 intelligence community, but you are exposed, Madam Mondou,  
15 you're exposed to some intelligence through various  
16 committees, the Deputy Ministers Committees on which you sit,  
17 but that exchange concerning the development of priorities  
18 for the program, how do you -- what kind of information do  
19 you receive from those agencies or departments that are --  
20 that have access to classified information? How does that  
21 translate in their exchange with you to inform the priorities  
22 of your program?

23 **MS. AMY AWAD:** So they are -- so the partner  
24 departments will all receive kind of full information from  
25 us, "These are the priorities, these are the reasons that  
26 we've identified them," and they'll have an opportunity to  
27 provide input. And they can do that at a level that's  
28 appropriate from a security perspective. So it could be to

1 say, "We think that an additional priority could be  
2 considered on this issue," and if they have public  
3 information or information that we can access to explain why  
4 they'll provide it, and even if they don't, they can still  
5 suggest that priority and say, "We have information to think  
6 that this would be an important priority to consider," and  
7 then we'll have other members of the consultative body that  
8 can kind of validate that or kind of say, "Well, maybe  
9 there's a different priority."

10 So there is an opportunity, even without  
11 sharing, for example, top secret or highly classified  
12 information, to feed into our development of priorities.

13 **MR. JEAN-PHILIPPE MacKAY:** So we can go to  
14 the second page of this document, and we'll use the seventh  
15 priority as an example.

16 So this is -- Ms. Awad, this is the priority  
17 that you mentioned earlier. And there's a reference at the  
18 bottom of the page that there was a consultation, or there's  
19 a support by Global Affairs Canada.

20 So the mention of Global Affairs Canada here,  
21 is that part of the work that you are doing in the  
22 consultative body?

23 **MS. AMY AWAD:** I don't think it is. So we  
24 also -- we would have also consulted with GAC as part of the  
25 consultative body, but once we decided to move forward with  
26 the recommendation that would specifically name the People's  
27 Republic of China, given the diplomatic considerations, we  
28 would have reconsulted with them to be able to properly brief

1 the Minister on the implications of using that wording in the  
2 call.

3 **MR. JEAN-PHILIPPE MacKAY:** And we see right  
4 after the mention of Global Affairs that there's the seventh  
5 priority, and I quote from the document:

6 "The seventh priority also addresses  
7 a recommendation by the Special  
8 Committee on the Canada-People's  
9 Republic of China Relationship, which  
10 recommended that the Department 'take  
11 measures to counter the prevalence of  
12 People's Republic of China-influenced  
13 media in Canadian diaspora  
14 communities.'"

15 Could you please explain the incidence of  
16 that recommendation and how did you take on that  
17 recommendation to develop the priority?

18 **MS. ISABELLE MONDOU:** So maybe I will start  
19 in a general way. The report was tabled and normally the  
20 government presents a response to the report. In our  
21 response, we have relayed the fact that these recommendations  
22 were things that we were going to look into. The  
23 recommendations were for many departments, but there were a  
24 couple for Canadian Heritage.

25 So what happens when Committee look at that,  
26 we see what we can do, and in that particular case, there was  
27 one recommendation that was essentially, without naming the  
28 program, saying you should use the digital literacy effort to



1 really inform people better about the situation which related  
2 to the People's Republic of China. So in a sense, we were  
3 very much inspired by that report and by other information to  
4 move ahead with that specific recommendation.

5 **MR. THOMAS OWEN RIPLEY:** And the Government  
6 response noted that the Digital Citizen Initiative is a tool  
7 that the Department and the Government has specifically  
8 related to this recommendation. And so, you know, this would  
9 have been, as Amy mentioned, part of kind of the monitoring  
10 that the team would have done, and then it would have been  
11 validated again kind of in that interdepartmental group, but  
12 as well with kind of the steering committee, who is that kind  
13 of civil society cloche de son. So -- and I think if you go  
14 back and, you know, obviously if you put yourself at kind of  
15 that time, you know, this also is an issue that is  
16 increasingly, in terms of public consciousness, top of mind;  
17 right? And so it's an effort on the part of the program to  
18 be topical and relevant to again the type of disinformation  
19 that has played out in real time in Canadian society.

20 **MR. JEAN-PHILIPPE MacKAY:** And just to fully  
21 understand the context of that, the mention of the report in  
22 this document, I'll ask Court Operator to pull up CCC34.  
23 This is the report of the Special Committee.

24 **--- EXHIBIT No. CCC0000034:**

25 A Threat to Canadian Sovereignty:  
26 National Security Dimensions of the  
27 Canada-People's Republic of China  
28 Relationship

1                   **MR. JEAN-PHILIPPE MacKAY:** And Madam  
2 Commissioner, the French version is also part of the record.  
3 It's COM614.

4                   **--- EXHIBIT No. COM0000614:**

5                   Une menace pour la souveraineté  
6                   canadienne : les dimensions de la  
7                   sécurité nationale de la relation  
8                   entre le Canada et la République  
9                   populaire de Chine

10                  **MR. JEAN-PHILIPPE MacKAY:** We can go to page  
11 44 of the document. It's page 58 of the PDF.

12                  So this is just a section where there's a  
13 discussion of the control the PRC has on some media in  
14 Canada. There is growing problem that described in this  
15 report.

16                  And then we can go to page 48 of the  
17 document. It's PDF 62. Yeah, just one page above. Page 62.  
18 We can scroll up a little bit.

19                  So we have the recommendation number 12,  
20 which continues on the second page.

21                  So this is the recommendation that is  
22 referred to -- well, there's a small portion of the  
23 recommendation that's referred to in the memo to the  
24 Minister.

25                  **MS. ISABELLE MONDOU:** That's correct.

26                  **MR. JEAN-PHILIPPE MacKAY:** So is this an  
27 example of an issue that is being raised in a report and then  
28 there's the government response, as far as Heritage is

1       concerned, that is taking shape into the form of a call for  
2       proposal, you're looking for a special project in relation to  
3       that issue?

4                   **MS. ISABELLE MONDOU:** I will say we always  
5       take, obviously, the Committee to put a lot of effort into  
6       studying this issue. So we will always put a lot of weight  
7       into Parliamentary Committees, and that also happened to be  
8       something that we had observed through other means. So it  
9       kind of comes from different sources, but for sure that was  
10      an important piece of the call to action.

11                  **MR. JEAN-PHILIPPE MacKAY:** And Ms. Awad, you  
12      already mentioned that there's one project that addresses  
13      specifically -- one project that was retained by your program  
14      that addresses specifically this -- the -- not necessarily  
15      this recommendation, but the seventh priority in the  
16      memorandum to the Minister?

17                  **MS. AMY AWAD:** That's right. There's two  
18      actually. One of them that looks specifically at Chinese  
19      language media in Canada in all its forms, and another one  
20      which is building and deploying tools.

21                  **MR. JEAN-PHILIPPE MacKAY:** Okay. So we can  
22      remove this document from the screen.

23                         So just to wrap up on the projects that you  
24      funded, do you have a number of -- the number of projects  
25      that were funded -- supported by the DCI since its creation?

26                  **MS. ISABELLE MONDOU:** Yes. So there is more  
27      than 142 programs that have been funded to the amount of  
28      about 31 million.

1                   **MR. JEAN-PHILIPPE MacKAY:** And as one of  
2     these projects, the Canadian Digital Research Network, CDMRN,  
3     I will use the acronym because otherwise I'll get -- I'll  
4     confuse the different components. So the CDMRN is one of the  
5     projects that received funding from the Digital Citizen  
6     Initiative. And we heard evidence last week -- two weeks  
7     ago, actually, from the Media Ecosystem Observatory about the  
8     CDMRN and we heard that, like, some issues were raised as  
9     part of the testimonies of the representative of the MEO.  
10    One issue is the -- what was described as a lack of  
11    structural and stable funding to support work of constant  
12    monitoring of the media ecosystem, the kind of monitoring and  
13    data analysis that was described during this testimony.

14                   And I'd like you to explain the structure and  
15    how it works, not necessarily the administrative detail, but  
16    for when a project is funded, so project, for, like, a  
17    shorter period of time or a longer period of time, for the  
18    renewal and what was described as an issue of stable funding.  
19    Could you please address this issue that was raised as part  
20    of the ---

21                   **MS. ISABELLE MONDOU:** Maybe we'll take it as  
22    general and I'm sure Owen or Amy will want to add. Obviously  
23    as we have talked, our old program got renewed at some point,  
24    so obviously our authority and money can extend for a project  
25    beyond our own authority and our own money, so that goes kind  
26    of together.

27                   But obviously in the description, there is  
28    some partnerships that have been more longstanding than

1 others, depending on some projects and all of that. So it  
2 varies very much by the nature of the partnership, the  
3 project. We are also still, I will say, in the beginning of  
4 that program. So at the beginning there was a lot of  
5 experimentation, still is and will continue to be, so some  
6 projects will be more long life because they have proved  
7 their value. Others may finish just because they have not  
8 proved to be as efficient as we were hoping for.

9 The one you described, I think we have a  
10 similar system in Europe where they have a found observatory,  
11 and we really in the department that is a pretty key element  
12 to be able people actually are monitoring on a permanent  
13 basis. So I will say that like any of the other things, I  
14 really, really, hope that we would be able to prolong the  
15 program so that we can provide this organization with more  
16 long-term spending and more stability.

17 **MR. THOMAS OWEN RIPLEY:** And specifically on  
18 the Canadian Digital Media Research Network -- it is indeed  
19 quite a mouthful -- I would highlight it's not, you know, the  
20 kind of projects Amy are describing are project based, that's  
21 currently how the program is generally structured. But as I  
22 highlighted, there have been a couple of key partnerships  
23 that the government have chosen to invest in a more  
24 significant way over the years, and the network is one of  
25 those, kind of more signature type investments.

26 So in 2022 the government announced that it  
27 was investing, I think, upwards of \$5 million over three  
28 years in the network. And so, it is -- it has received a

1 higher level and a more sustained investment over a multi  
2 year time frame then some of the other projects that would  
3 kind of come through the door and be more constrained to kind  
4 of, one fiscal year.

5 And as Isabelle noted, we have seen the  
6 importance particularly in Europe that has really built out a  
7 network of observatories in European jurisdictions and a  
8 community practice of these observatories, the importance  
9 that they can play in an electoral context. For example, on  
10 doing some of the pre-bunking work and anticipating what some  
11 of the disinformation narratives would be. We've seen that  
12 deployed.

13 So that was deployed in Europe at both -- at  
14 the national level in advance of national elections, and then  
15 this year in advance of the European elections you saw those  
16 efforts deployed again. And the national elections have  
17 given some good sense of some of the disinformation  
18 narrative's that were likely to emerge at the EU level, and  
19 then they were able to take steps as the observatories and  
20 working with fact checkers and others in civil society, to  
21 try and socialize Europeans with some of those disinformation  
22 narratives were going to be and to be ready for them. Again,  
23 to be more curious, to be more critical when you encounter  
24 those kinds of narratives.

25 **MR. JEAN-PHILIPPE MacKAY:** So we discussed  
26 earlier the budgetary aspect of the program, and the funding  
27 at the moment and in March 2025. Obviously, you don't have  
28 an answer as to whether it will be continued. But when you

1 look at what is being done right now and what's been done  
2 over the past almost five years in terms of the relevance of  
3 the program, what is your assessment when you look at the  
4 program and what it's achieved?

5 **MS. ISABELLE MONDOU:** So we did an evaluation  
6 of the program, and the evaluation have based on all the  
7 interviews they conducted, has confirmed that it's not only  
8 run efficiently but it has made a difference. I will say  
9 that when we looked internationally there is almost no  
10 countries now that are not looking into the kind of  
11 intervention that this program is. Because at the end of the  
12 day with issues like artificial intelligence coming and all  
13 of that, people will need to be even better equipped than  
14 they are now.

15 We're not moving from a world where these  
16 issues are coming, they're going to take another level of  
17 complexity. And so, I will say that I think it's one of the  
18 tools in the toolbox that is absolutely essential. I want to  
19 mention also that we're not the only ones in that space.  
20 Provinces and territories also have an important role to  
21 play.

22 Because my colleague was referring to Finland  
23 and education and so on, that's part of the continuum, and we  
24 have started more and more to have -- using our table to have  
25 this discussion with provinces who, some of them, already  
26 have good work. Ontario, I think, is renewing its curriculum  
27 on that space.

28 So it's just part of the really almost basic

1 skill that we have two, I think provide citizens and they  
2 have to be equipped with, because this is a world where it's  
3 getting more difficult, even with people who are, you know,  
4 looking at different sources of information to know which  
5 source is a good source or not. So I really feel this  
6 program is part of the toolbox.

7 **MR. JEAN-PHILIPPE MacKAY:** We'll go back to  
8 provinces and territories. But if we go back to what Mr.  
9 Ripley mentioned earlier, what the landscape was before 2019  
10 in Canada, that you know, there had to be community of  
11 practice being -- to develop in the country. When you look  
12 at what the program has achieved through the lens of this  
13 community of practice, and what civil society is doing now  
14 compared to five, six years ago, what is your assessment?

15 **MS. ISABELLE MONDOU:** I will turn to you  
16 because you have that.

17 **MR. THOMAS OWEN RIPLEY:** There's been a lot  
18 of good work done. One of the -- you know, to foster that  
19 community practice and to foster the collaboration amongst  
20 stakeholders, one of the things that we often do is give  
21 higher weighting to projects where civil society  
22 organizations work together; right? So again, it's been a  
23 way of encouraging them to submit projects where they're each  
24 bringing something to the table. Because again, a lot of  
25 these civil society organizations have different areas of  
26 expertise and different skill sets. And the department's  
27 view is the projects are stronger if different partners get  
28 together and combine their efforts.



1                   So it's been a way that we have structured  
2     those calls, again, to encourage the stakeholders to do that  
3     kind of joint work. And so, we have seen a number of those  
4     projects where these organizations may not have worked  
5     together in the same way, now starting to work together.

6                   I believe my colleague, Amy, may have  
7     mentioned as well that you know, we have had different  
8     efforts to encourage them to share their knowledge and the  
9     insights they're getting. So we've done conferences over the  
10    years, there's information sharing events where a particular  
11    civil society organization or researcher will be given the  
12    opportunity to present their projects and their findings.

13                  You know, one of the challenges, and Isabelle  
14    kind of alluded to it in this space, is you know, this is  
15    project-based funding. The scale of the problem continues to  
16    grow, and so you know, one of the challenges is how you take  
17    a program like this and the kind of, again, objectives that  
18    it has. And really scale it up in a way that it has that  
19    kind of sustained impact for Canadians, you know, no matter  
20    their age and kind of on an ongoing basis.

21                  And it is why, you know, some of the  
22    reflection that we are currently doing is, you know, perhaps  
23    needs to kind of work in a deeper more sustained way with the  
24    provinces and territories who in the Canadian context have  
25    that education lever. Because again, a country like Finland,  
26    you know, it doesn't have that necessarily same  
27    constitutional make up as Canada.

28                  **MR. JEAN-PHILIPPE MacKAY:** Concerning the --

1 we heard evidence before the Commission about other  
2 departments and agencies who are active in the disinformation  
3 space. Do you feel that there is a -- and you are involved  
4 in that space with the program that you've just described.  
5 Do you feel that there is a sufficient coordination between  
6 different departments and agencies from the government's  
7 perspective, on this issue of misinformation and  
8 disinformation?

9 **MS. ISABELLE MONDOU:** I will say that the  
10 coordination has really increased over the years. I think it  
11 started very much with after the election, the need to work  
12 together horizontally. But there is more and more of those  
13 forums. I do Co-chair with my colleague from Public Safety,  
14 a committee of DMs, where we talked about safe community, and  
15 obviously this is one subject that comes in that context.

16 But Canadian Heritage is also a invited to  
17 some of the national security tables where they discuss the  
18 pointed end of it, but also talking about what we can do in  
19 the kind of more ecosystem way. So I have to say that I  
20 really see an increase of that coordination, and you've seen  
21 by some of the documents that you've shared, that this  
22 integration is being more and more important.

23 I was the DM on communication during COVID,  
24 so I knew about that program, a coincidence maybe not. But I  
25 will say that this is the other thing Heritage now may be a  
26 department that is involved because the disinformation and  
27 sometime foreign interference can come that. So it's very  
28 important too that it doesn't stay to the core department,

1 but also, bridge more broadly, and I think that's why the  
2 committee, which is 21 department or so, is important because  
3 it takes different form over year and it takes different --  
4 it involve different department. And ideally, you don't wait  
5 for them to be on the pointed toe of that before they get  
6 engaged.

7 **MR. JEAN-PHILIPPE MacKAY:** And, Ms. Mondou,  
8 you mentioned during the interview that you are a part of the  
9 reflection to update the plan to protect Canada's democracy.  
10 Could you please briefly explain what the -- what your  
11 involvement in that initiative is -- what it is?

12 **MS. ISABELLE MONDOU:** I will turn to my  
13 colleague who are on the ADM Committee working on that

14 **MR. THOMAS OWEN RIPLEY:** So as we noted  
15 earlier, Canadian Heritage has been involved on the plan to  
16 protect democracy from the beginning, from the inception and  
17 in advance of the 2019 election, and it is actually 1 of the  
18 main vehicles now, I would say, for mobilizing, you know, the  
19 relevant departments and agencies around town in relation to  
20 mis and disinformation, obviously, more in an election  
21 context. And so as you noted, you know, that plan, it gets  
22 updated on a periodical basis based on kind of the timing of  
23 elections, and so our colleagues at democratic institutions  
24 are very seized ---

25 **MS. ISABELLE MONDOU:** M'hm.

26 **MR. THOMAS OWEN RIPLEY:** --- with that, and  
27 we are part of that work. And, again, I think the Digital  
28 Citizenship Initiative is one of the tools that colleagues

1 around town really look to as a way to engage with civil  
2 society, with researchers and mobilize them on these topics.  
3 And so we'll continue to work with them in that respect.

4 **MR. JEAN-PHILIPPE MacKAY:** And I forgot to  
5 mention, to ask a question about the funding of the program  
6 and the budgetary concerns. We -- it was mentioned during  
7 the interview, I think by you, Ms. Mondou, that permanent  
8 funding would be -- would help working in the longer term  
9 with partners and different -- to fund different projects.  
10 Could you please expand on that a little bit the difference  
11 between what you have now and what permanent funding would  
12 bring?

13 **MS. ISABELLE MONDOU:** I think when it start  
14 it was not permanent funding and I think that was the right  
15 thing to do because, frankly, we were trying to see if that  
16 was a space that could be helpful. I think we know now that  
17 it's helpful. I think we know it's flexible and can be  
18 involved, which is another reason I think the program can be  
19 useful. And I believe that we are not going to see that  
20 problem goes away, and I think in that context, having a bit  
21 more stability for us, but mainly for the partnership that we  
22 have too, so that they can really make those structural  
23 change that we need. Because if you really want to go at to  
24 the scaling of some of the thing we do, you need a bit more  
25 predictability and you need long-term intervention. It's  
26 really hard in a year to make a huge difference, even if your  
27 project is wonderful and has a lot of potential, because  
28 often these things take more than a year, whether it's a

1 specific intervention with a community that's more affect by  
2 disinformation, or whether it's establishing a new tool that  
3 has a lot of potential. So for all these reason, I think a  
4 permanent funding will be helpful, not only for the  
5 department, but, obviously, more importantly, for making the  
6 change that -- and the structural difference that we hope  
7 that it has.

8 **MR. THOMAS OWEN RIPLEY:** I would note when  
9 the program was renewed for two more years, so Isabelle  
10 previously mentioned that we ---

11 **MS. ISABELLE MONDOU:** M'hm.

12 **MR. THOMAS OWEN RIPLEY:** --- it was extended  
13 for two years in ---

14 **MS. ISABELLE MONDOU:** M'hm.

15 **MR. THOMAS OWEN RIPLEY:** --- the fall  
16 economic statement of 2022, there was an increase in funding,  
17 so prior to that, the program had kind of in the \$2 million  
18 range per year to invest in projects, and that was increased  
19 for the last 2 years to approximately \$10 million. And so  
20 that has enabled us to invest in some larger projects that we  
21 would not have been ---

22 **MS. ISABELLE MONDOU:** M'hm.

23 **MR. THOMAS OWEN RIPLEY:** --- able to do, and  
24 again, have some of those bigger partnerships. And you see  
25 that reflected in the note that you previously put up on the  
26 screen of, you know, still investing in some of the smaller  
27 projects, but also, identifying some of the bigger projects -  
28 --

1                   **MS. ISABELLE MONDOU:**   M'hm.

2                   **MR. THOMAS OWEN RIPLEY:**   --- that have come  
3 forward that are, you know, proposing to have a bigger impact  
4 for Canadians.

5                   **MS. ISABELLE MONDOU:**   M'hm.

6                   **COMMISSIONER HOGUE:**   And did you formally ask  
7 for having a permanent funding?

8                   **MS. ISABELLE MONDOU:**   We are -- I will say  
9 that the recommendation of the department would be to ask for  
10 permanent, and also, to ask for not less money for sure,  
11 because if we want to see the scale, I think the nuance that  
12 Owen say is, obviously, it's important to do small project  
13 because sometime it touch small community, but we also need  
14 to build a bit some of those bigger tool that have, like, the  
15 observatory and other, a huge impact all across the board.  
16 So I will say, you know, if I have a magic wand, I will make  
17 it permanent and maybe with a bit more money.

18                   **COMMISSIONER HOGUE:**   And given the various  
19 steps that have to be taken before getting such a permanent  
20 funding, when do you expect you will know about the ---

21                   **MS. ISABELLE MONDOU:**   So we normally know --  
22 I mean, we knew the last time in the fiscal update, it could  
23 be in a budget two. Either of those instrument are typically  
24 the one where we either see a program confirmed or expand and  
25 all of that, so these are the more common vehicle, I will  
26 say, that we can maybe hear about it. Because it's finishing  
27 in March, we really hope that we know before the budget,  
28 which tend to be a bit more around March/April. So,

1        hopefully, we'll have a decision before.

2                    **COMMISSIONER HOGUE:** Does it create any  
3        problem in terms of hiring or retaining ---

4                    **MS. ISABELLE MONDOU:** It does.

5                    **COMMISSIONER HOGUE:** --- employees because  
6        you do not know whether it will pursue ---

7                    **MS. ISABELLE MONDOU:** It does. And that's  
8        why we really hope to have early decision on that because,  
9        otherwise, you basically close the program, and then you have  
10       to restart it, which then presents some of those challenge,  
11       for sure.

12                   **MR. JEAN-PHILIPPE MacKAY:** [No  
13       interpretation] from your department on this specific  
14       challenge is done in a wider perspective on the whole  
15       information ecosystem. And it's in that angle, if I  
16       understand correctly -- correct me if I'm wrong -- that's how  
17       working with provinces and territories is important.

18                   So can you tell us how the work you do with  
19       provinces is occurring? How is partnership with territories  
20       and provinces important to attack such an issue?

21                   **MS. ISABELLE MONDOU:** Well, there's several  
22       lanes. Heritage Canada Minister, when meeting with her  
23       colleagues have started a lane on the impact of AI because  
24       it's a very significant topic, so we will work with the  
25       provinces to look at the impact of artificial intelligence on  
26       our sector. Moreover, there's a lot of exchanges at our  
27       level, but also with other departments, to try to create  
28       links at every level.

1                   Like for us, there's various players  
2                   provincially, not just federally. There's Education, but  
3                   also other departments who have a role to play.

4                   I just spoke about Culture, Public Safety, et  
5                   cetera, Health. So it's a mirror of our own organization and  
6                   it's important to have an impact at all levels. So there's  
7                   been more and more discussions.

8                   What I can see is that provinces have a real  
9                   concern, a real interest because this phenomena of  
10                  misinformation and foreign interference is better known now.  
11                  People are asking questions on what is happening. So the  
12                  level of anxiety in the population has increased among the  
13                  years.

14                  I'm not sure we could have had this same  
15                  discussion in 2016, but it seems that we can feel the  
16                  pressure. There's citizens who are anxious, who want to be  
17                  better equipped, et cetera. So those discussions are  
18                  extremely positive, but they're still at a level where maybe  
19                  we could have a national strategy and action plan which is  
20                  integrated between the provinces, the territories, the  
21                  federal on disinformation.

22                  **COMMISSIONER HOGUE:** Since we're a  
23                  federation, we have a Constitution in which powers are  
24                  shared. I thus suppose that you cannot work alone. Of  
25                  course, you have to work with provinces if we think of  
26                  education, for example, which is of provincial jurisdiction.

27                  So what you're doing is to try to get the  
28                  provinces' cooperation as much as possible? You're saying



1       it's going well?

2                   You can see that there's a certain wish to  
3       cooperate, but do you feel that you're limited or is there no  
4       challenge for now?

5                   **MS. ISABELLE MONDOU:** The two things that  
6       matter in this context is that we need to share the  
7       information. All provinces and territories are not at the  
8       same level. Some have moved forward, some curricula that are  
9       more advanced than other not, so it's important to share  
10      information, namely, with our safety agencies.

11                  Sometimes we have information that the  
12      provinces don't have, so it's very important to share  
13      information because each learns from the other.

14                  We saw what was happening in Finland and  
15      elsewhere. Provinces are also learning from each other and  
16      we're learning from them.

17                  What can we do more? I think that we have to  
18      keep on being engaged systematically because this phenomena  
19      is moving forward very fast. There's new AI challenges.  
20      That's why we focused on that. There's enormous challenges.  
21      We're already facing them.

22                  So we have to ensure not only that we share  
23      information, but also, ideally, that we work together on  
24      common plans. It doesn't have to be a provincial plan or a  
25      federal plan, but to work together.

26                  We do it in the Fed-Prov tables. We work on  
27      common agenda. Everybody does their own thing, but we have  
28      common and -- priorities and objectives. I think that's the

1 goal. It's not necessarily the federal deciding what will be  
2 the curriculum for this or that province but, rather, by  
3 having those discussions, we can agree on what is a strong  
4 curriculum and how we can all contribute to this progress,  
5 this dynamic.

6 **COMMISSIONER HOGUE:** In the exchanges that  
7 you've had with provinces, maybe it's not as relevant on  
8 disinformation, let me know, but the fact that some  
9 information are classified and cannot be communicated to  
10 provinces the way things are currently, has this been a  
11 problem for you or it's not really a problem in  
12 disinformation?

13 **MS. ISABELLE MONDOU:** It's not a problem for  
14 me. I don't know for my colleagues. You might want to ask  
15 that of my security agency colleagues. I think that they  
16 share the main points of conversations.

17 And what I would say is that CSE and others  
18 are working more with provinces on cyber attack issues and  
19 all that, so I think that we're not in the same place as we  
20 were a few years ago where everything had more limits.

21 But what also matters, I don't know if Amy  
22 talked about it, but we've had a recent project in which we -  
23 - we'll have an organization where the municipal, provincial  
24 and territorial politicians will be made aware of various  
25 realities because, also, in municipalities there's various  
26 capacities.

27 ...and so to have projects from civil society  
28 to go to all levels because they -- once we find a project,

1       they can invite officials from all levels. And so what we  
2       can do in our program is that we can share our capacities  
3       with that program and offer it to several jurisdictions.

4                   **MR. THOMAS OWEN RIPLEY:** So we have to  
5       remember that civil society organizations like CIVIX, they  
6       work in the field of education and they would equip teachers  
7       with the tools necessary to encourage students to better  
8       understand the digital space.

9                   So it's an organization with which we worked,  
10      and they have connections with all the departments of  
11      education in all the provinces, so there is a sharing of  
12      information. And I think there's a good opportunity for  
13      Canada.

14                  Isabelle mentioned Ontario. Ontario is a  
15      leader in integrating digital literacy in their curriculum,  
16      and it was recognized at the international level at the time.  
17      And currently, they're renewing their curriculum in that  
18      field.

19                  So a lot of good work has been made in  
20      Canada, and that continues to evolve.

21                  **COMMISSIONER HOGUE:** Thank you.

22                  **MR. JEAN-PHILIPPE MacKAY:** I would like to  
23      talk about three legislative initiatives, the *Local*  
24      *Journalism Act*, the *Online News Act* and the Bill on online  
25      harms.

26                  So could you briefly present to us what the  
27      local journalism initiative -- what role it plays in the  
28      efforts to counter disinformation and also to ensure a

1 healthy ecosystem?

2 **MS. ISABELLE MONDOU:** With the media crisis  
3 that we saw over the years, we saw newspapers disappear in  
4 great numbers, especially in smaller communities. And that  
5 means that people don't have access to a diversity of  
6 reliable sources, so they can't corroborate what they hear  
7 from other sources that are less trust -- that can be less  
8 trusted.

9 So with these associations of newspapers,  
10 they get the money from us and they decide how to distribute  
11 it, so the end result in the field means that 400 local  
12 journalism positions were created with that program. So that  
13 means in places where there's -- there are deserts in terms  
14 of news, where there were no longer any newspapers and almost  
15 any presence for news, so we focus on places where this is  
16 more difficult.

17 And this program has the objective of funding  
18 the salaries of journalists, not of administrators. It's for  
19 journalism positions, and that's had a real impact in  
20 communities.

21 The crisis continues, so I'd say that's not  
22 the only solution to all the problems, but if we don't have  
23 journalists throughout the country, not just in large cities,  
24 but in local communities, we open the door to disinformation  
25 and possibly to foreign interference.

26 **MR. JEAN-PHILIPPE MacKAY:** Minister St-Onge  
27 will be with us later this week, and I know we will discuss  
28 that topic with her.

1                   For the *Online News Act*, correct me if I'm  
2                   wrong, but I think it's a system of levies that changes when  
3                   articles from newspapers and media are shared on digital  
4                   platforms.

5                   So the answer of the companies has been to  
6                   just stop broadcasting news on the platform, so now  
7                   trustworthy content is disappearing from online platforms.

8                   **MR. THOMAS OWEN RIPLEY:** So the *Online News*  
9                   *Act* is fundamentally about putting obligation on dominant  
10                  platforms to bargain with news businesses when the content of  
11                  those news businesses is shared and distributed on those  
12                  platforms.

13                 And the reason was because both platforms and  
14                 news businesses compete in the advertising market. The  
15                 advertising market is an important component of both of their  
16                 business models, but if you're a news business, you are now  
17                 very reliant on these platforms to reach your audience. It  
18                 is the primary way that Canadians now search out their news  
19                 and information, is via search engines, is via social media.  
20                 So the challenge for news businesses is, on the one hand,  
21                 you're reliant on your competitor to now reach your audience.  
22                 And so the reason behind the *Online News Act*, which was  
23                 modeled on a similar law in Australia, was to create a fairer  
24                 business relationship and say, "There's actually an  
25                 obligation on you, platforms, to come to the table and  
26                 bargain with these news businesses in light of the value that  
27                 their content brings to your platform."

28                 As you note, Meta has made the decision to

1 prevent Canadians from posting news links to Facebook and  
2 Instagram. That reflects a broader decision that we have  
3 seen Meta take internationally, where Meta has backed out of  
4 licensing agreements with news businesses in the United  
5 States, they've backed out of them in the E.U., and we are  
6 seeing Meta indicate to countries like Australia or New  
7 Zealand that if they continue to kind of move in the same  
8 direction as Canada, they will take similar action, and so  
9 that stance of Meta reflects, from our perspective, a broader  
10 international position that they are taking that they do not  
11 feel that there is a responsibility on their part to bargain  
12 with news businesses. Obviously that goes against the spirit  
13 of the *Online News Act*.

14 MR. JEAN-PHILIPPE MacKAY: [No  
15 interpretation]

16 --- EXHIBIT No. COM0000601.EN:

17 Cyber threats to Canada's democratic  
18 processes

19 --- EXHIBIT No. COM0000601.FR:

20 Cybere menaces contre le processus  
21 démocratique du Canada

22 MR. JEAN-PHILIPPE MacKAY: [No  
23 interpretation]

24 MR. THOMAS OWEN RIPLEY: [No interpretation]

25 It means that there's less traffic going to  
26 news organizations, but also it means that people are trying  
27 to get their news from other ways. And it means that there  
28 are still people who are able to spread news content on

1 Instagram and Facebook with screenshots, so it's not exactly  
2 black and white.

3 For the department it's important -- as  
4 Isabelle mentioned earlier, it's the reason why it's  
5 important to continue to invest in order to ensure that there  
6 are reliable media here in Canada, and that's why we have the  
7 digital program as well that we can provide tools to train  
8 Canadians so they could be better equipped to determine the  
9 quality of the news that they get online. So I think that  
10 concept makes that point.

11 **COMMISSIONER HOGUE:** I'm not sure it has an  
12 impact in terms of foreign interference, but we read that  
13 "almost 50% of Canadians aged between 18 and 24 rely on  
14 social media as their main source of news".

15 We understand by that that there are 50  
16 percent who rely on other sources as their main source of  
17 news, or...?

18 **MR. THOMAS OWEN RIPLEY:** I think if you look  
19 in the numbers, to your point, it's probably more of a mixed  
20 picture. So I'd have to -- we'd have to look more closely at  
21 kind of exactly the source of that statistic. The statistic  
22 is accurate in the sense that more and more, and it's not  
23 just young Canadians, but more and more, we all use these  
24 platforms to access news and information. They are, you  
25 know, the term that often gets used is kind of they play that  
26 gatekeeper function, and we're very reliant on them.

27 That comes back to, you know, the whole  
28 reason for the *Online News Act* was to reflect that gatekeeper

1 function and say, "In a country like Canada, in a democracy  
2 like Canada, where we value journalism and believe that there  
3 is a collective responsibility to make sure that the model is  
4 viable moving forward, you dominant platforms have a  
5 responsibility to bargain with news businesses." And  
6 obviously Meta has chosen a certain stance with that.

7 I would highlight that there is another  
8 platform, Google, that has, you know, in good faith come to  
9 the table and found a way forward that will see them  
10 contribute, you know, \$100 million through that bargaining  
11 framework on a go-forward basis, and so, you know, the model  
12 can work. We've seen that the model can work in Australia.  
13 But obviously it comes with a certain responsibility on these  
14 platforms to put forward a financial investment in supporting  
15 that function that is critical to a democratic society like  
16 Canada.

17 **MR. JEAN-PHILIPPE MacKAY:** ...time, Madam  
18 Commissioner, we will discuss the online harms topic with  
19 Minister St-Onge.

20 Now we'd like you to talk about the  
21 broadcasting.

22 So we note in the Institutional Report that  
23 the Minister of Heritage is responsible for the *Broadcasting*  
24 *Act*. So my first question to you is what does it mean for  
25 the Minister to be responsible for the Act?

26 **MS. ISABELLE MONDOU:** The Minister's  
27 responsible. Well, she is the one who makes decisions in  
28 terms of broadcast in Canada. There's also the organization



1       called the CRTC that implements this, so there's a  
2       complementary role.

3               The CRTC is faced with the various decisions  
4       on the review of the *CRTC Act* and the Minister has the role  
5       of announcing the policies. And that's what she did with the  
6       reforming [no interpretation].

7               **MR. JEAN-PHILIPPE MacKAY:** And Mr. Ripley,  
8       you discussed in your interview that -- and this was also  
9       mentioned by Ms. Mondou, the -- that the government has  
10      limited powers with respect to the *Broadcasting Act*. So if  
11      you can explain, or Ms. Mondou, explain what it -- expand  
12      this idea of, like, the limited powers of the government  
13      under the Act?

14              **MR. THOMAS OWEN RIPLEY:** So the *Broadcasting*  
15      *Act* is structured in a way that it recognizes that, again, in  
16      a democratic society like Canada, it is important that we  
17      really protect and privilege the independence of media, both  
18      in respect of their journalistic function, but also in  
19      respect of their cultural expression function. And you see  
20      that at the start of the *Broadcasting Act*, you actually see  
21      that this Act is to be interpreted in a way that is  
22      consistent with the creative expression accorded to these  
23      entities.

24              And so as a result of that, the Act is  
25      designed to make sure that there is a very healthy distance  
26      between any government of the day and media companies who we  
27      all rely on for, again, cultural content, entertainment  
28      content, but also news and information.

1                   And so the way that the Act is structured, is  
2           that Parliament sets out the objectives that the Act is  
3           supposed to accomplish, and then those objectives are given  
4           over to the CRTC as an independent regulator that is free  
5           from government interference to put those into practice  
6           through its decisions, its policies, and its regulations.

7                   There are very limited powers given to the  
8           government in that framework to direct the CRTC or ask the  
9           CRTC to do something. There's kind of two main ones. The  
10          first one is the government and it would be done on the  
11          recommendation of a Minister of Canadian Heritage, but the  
12          government ask the CRTC to examine an issue or look into  
13          something and make a report. And then there is a policy  
14          power that can be used where the government, again on the  
15          recommendation of the Minister of Canadian Heritage, can  
16          issue policy direction of general application to the CRTC.

17                  But what's important to understand is that's  
18          not about directing them to come to a certain conclusion on a  
19          particular decision in front of them or to take certain  
20          action vis a vis a particular company. It is really policy  
21          of general application. So it's about kind of that general  
22          policy orientation. And so those are the limited powers  
23          available to the government under the *Broadcasting Act*.

24                  **MR. JEAN-PHILIPPE MacKAY:** So we heard  
25          evidence last week from a representative of the CRTC about  
26          the Order in Council concerning RT. So this is what you just  
27          mentioned, Mr. Ripley, one of the powers is to support -- we  
28          under the Minister of Heritage is presenting the request to

1 Cabinet, then an Order in Council is adopted and a request is  
2 made.

3 Is this something, if we look at the RT Order  
4 in Council, is this something that happened more than once?  
5 Or this was a first, of the government asking the CRTC to  
6 look into a foreign-controlled media?

7 **MR. THOMAS OWEN RIPLEY:** It was the first of  
8 that nature, and the context obviously was we had the Russian  
9 invasion of Ukraine, there were decisions being taken in  
10 other jurisdictions as well with respect to RT, and some of  
11 its affiliates, in terms of it -- there being concern that it  
12 was spreading propaganda, that there was concern that it was  
13 spreading abusive comments directed towards Ukrainians. And  
14 so as you note, you know, the Minister of Canadian Heritage  
15 at the time, and ultimately the government, wanted to make  
16 sure that the CRTC was seized with the issue, and so they  
17 used one of those powers to ask the CRTC not to determine the  
18 outcome of that, but to ask the CRTC to look at the question  
19 about whether it was appropriate in light of what was being  
20 broadcast on RT and RT France for those channels to remain  
21 available on Canadian cable and satellite company packages.

22 **MR. JEAN-PHILIPPE MacKAY:** And Mr. Ripley,  
23 I'd like to take you to your witness summary, WIT131, the  
24 original version in English, at paragraph 19. This is the  
25 last paragraph of the summary where the *Broadcasting Act* is  
26 discussed, and the last two sentences:

27 "The intention is not for the CRTC to  
28 play the role of content moderator."

1 I'd like you to explain this notion of that  
2 it's not the CRTC's role under the current legislation to act  
3 as a content moderator.

4 **MR. THOMAS OWEN RIPLEY:** So just to  
5 reiterate, and it's noted there in paragraph 19 as well as,  
6 you know, the fundamental objective of the *Broadcasting Act*  
7 in Canada is to promote cultural -- Canadian cultural  
8 expression. It's designed to create a regulatory framework  
9 that ensures there's investment in the creation and  
10 production of Canadian music and film and television. And  
11 that's its fundamental purpose.

12 You know, there is a long tradition in  
13 broadcasting in terms of understanding that broadcasting  
14 services in a context where historically, you know, there was  
15 limited spectrum and things like that, there was a  
16 responsibility that came with being a broadcaster and often  
17 exercising editorial control over the programming, and that  
18 was to adhere to certain broadcasting standards. And in  
19 Canada, there are broadcasting standards that broadcasters  
20 are expected to adhere to.

21 They have been developed in partnership with  
22 the industry, so there's a group called the Canadian  
23 Broadcasting Standards Council, and so when there is concern  
24 about a particular quality of programming, usually it's the  
25 Broadcast Standards Council that has a look and kind of makes  
26 a determination on that, but ultimately, the CRTC can get  
27 involved if need be.

28 But the CRTC, generally speaking, is not, you

1 know, reviewing the content that gets broadcast, you know,  
2 day in, day out. There needs to be a complaint and somebody  
3 coming forward and saying that they believe there's been a  
4 violation of some of those broadcast standards.

5 I would also note that the way the system is  
6 created is that, you know, it is -- you know, broadcasters in  
7 the over-the-air sense or cable or satellite are all Canadian  
8 owned and controlled, right. And so generally speaking, in  
9 the case of RT, RT France is a good example. What we were  
10 talking about there was an authorization for Canadian cable  
11 or satellite companies to carry those channels, right. But  
12 the role of the CRTC is limited to regulating that split  
13 space. They don't play a role in terms of, you know, again  
14 supervising or watching what is shared in the open internet  
15 more broadly.

16 **MR. JEAN-PHILIPPE MacKAY:** And my last  
17 question to you concerns the last sentence of your summary  
18 where it is noted that the *Broadcasting Act* has only limited  
19 utility in responding to FI.

20 Is this a statement that concerns the system  
21 as it currently exists and is currently structured?

22 **MR. THOMAS OWEN RIPLEY:** It's a statement  
23 that, yes, is based on the system as it currently exists.  
24 Again, if you look at the kind of policy objectives set out  
25 in the *Broadcasting Act*, again, they're primarily about  
26 cultural expression and supporting cultural expression in  
27 English and French and Indigenous languages.

28 You will not see that there's policy

1 objectives in the *Broadcasting Act* related to foreign  
2 interference, for example. And so it's based on the system  
3 as it exists and, again, acknowledging that the system is  
4 geared towards specific types of services, right. It's  
5 geared towards broadcasters and streaming services primarily  
6 that exercise that editorial control or curate content.

7 It's not -- the *Broadcasting Act* and the  
8 government was -- you know, this was a big point of debate  
9 during the *Online Streaming Act*. The government, you know,  
10 did not scope in and give the CRTC, you know, powers to, for  
11 example, deal with user uploaded content that is not kind of  
12 commercial content like music or film or television.

13 **MR. JEAN-PHILIPPE MacKAY:** These were my  
14 questions, Madam Commissioner.

15 **COMMISSIONER HOGUE:** Thank you.

16 We'll take the break, 20 minutes. We'll come  
17 back at 4:20.

18 **THE REGISTRAR:** Order, please.

19 The sitting of the Commission is now in  
20 recess until 3:20 p.m.

21 --- Upon recessing at 3:02 p.m.

22 --- Upon resuming at 3:24 p.m.

23 **THE REGISTRAR:** Order please.

24 This sitting of the Foreign Interference  
25 Commission is now back in session.

26 The time is 3:24 p.m.

27 **COMMISSIONER HOGUE:** You knew you were the  
28 first?

1                   MR. NEIL CHANTLER: I did.

2           --- MS. AMY AWAD, Resumed:

3           --- MR. THOMAS OWEN RIPLEY, Resumed:

4           --- MS. ISABELLE MONDOU, Resumed:

5           --- CROSS-EXAMINATION BY MR. NEIL CHANTLER:

6                   MR. NEIL CHANTLER: Good afternoon. My name  
7 is Neil Chantler, and I'm counsel for the Chinese Canadian  
8 Concern Group. I would like the Court Operator to please  
9 pull up CCC.34.

10                   To the panel, this is a document you've  
11 already seen today. This is the May 2023 Special Committee  
12 on the Canada People's Republic of China Interim Report. And  
13 if we could turn, please, to page 58 on the PDF? I see that  
14 it might be a different document. Court Operator, is there a  
15 ---

16                   COURT REPORTER: Just give us a moment,  
17 please.

18                   MR. NEIL CHANTLER: Sure. It's the section  
19 on media. You could perhaps do a keyword search or look in  
20 the index.

21                   I was going to read a passage to you, but  
22 essentially what the passage says is that there is a  
23 deepening concern that Chinese language media in Canada is  
24 increasingly becoming controlled by the PRC. And of course,  
25 the Committee concludes that while it may not have complete  
26 control over the Chinese language media that future is within  
27 sight, and that's a terrifying prospect. Certainly, to my  
28 clients, who are heavy consumers of Chinese language media,

1 but it should be to all Canadians. Here it is:

2 "The ability of journalists to report  
3 freely on matters of public interest  
4 and citizens to seek and receive  
5 information are essential components  
6 of healthy democracies. Witnesses  
7 voiced concern that the state of  
8 Canadian Mandarin and Cantonese-  
9 language media is being compromised  
10 by the PRC. Their concerns were  
11 primarily based on PRC acquisitions  
12 of Chinese Canadian traditional media  
13 and the use of PRC-controlled social  
14 media applications to spread  
15 disinformation.

16 The views presented to the Special  
17 Committee on this matter were  
18 unequivocal: if the PRC does not yet  
19 control all Chinese-language media in  
20 Canada, it will soon do so."

21 So turning to my questions to the panel about  
22 this problem, does the department -- is the department aware  
23 of this particular problem? I presume you are, but perhaps  
24 you can confirm?

25 **MS. ISABELLE MONDOU:** Yes, we were very  
26 familiar with this report. In fact, it was a government  
27 response by the whole department involved there that  
28 acknowledged this report. So thank you.



1                   **MR. NEIL CHANTLER:** And does the department  
2 share my clients' concern that such a future would be very  
3 detrimental to the ability of Chinese Canadians to access  
4 fair balance media?

5                   **MS. ISABELLE MONDOU:** I think so, because  
6 that's one of the reasons why one of the recent call that my  
7 colleague mentioned is exactly one of the recommendations of  
8 this report, to see how we can try to get more information on  
9 that. And I don't know if you want to repeat specifically  
10 the project, or if it's ---

11                  **MR. NEIL CHANTLER:** No, I have your evidence  
12 from earlier today. Can I ask if the department agrees that  
13 the threat of mis- and disinformation is much higher in  
14 foreign language media when such entities are owned or  
15 controlled rather, by a foreign state?

16                  **MS. ISABELLE MONDOU:** I think one of the  
17 reasons why we had special call on some specific communities  
18 is because we know that they are more target, and that's why  
19 we did a national call on Russia propaganda and this call is  
20 here. So yes.

21                  **MR. NEIL CHANTLER:** It was clear from your  
22 evidence earlier today that the department has done a lot  
23 towards countering mis- and disinformation, especially by the  
24 People's Republic of China, digital citizenship initiative,  
25 imposing duties on social media companies. We've talked  
26 about enhancing the public's resilience through education and  
27 promoting journalism.

28                               You didn't touch today on the CRTC's role,

1 appreciating that they are distinct from you, in what I might  
2 refer to distinctly as deterrence, preventing foreign  
3 interference from happening in the first place. Partly  
4 perhaps, through its complaints mechanism. And you would  
5 agree with me that that's a very important component of this  
6 system, that the public is able to identify something like  
7 perhaps, foreign interference happening in the media, and to  
8 report that to the government agency responsible for policing  
9 such information. Correct?

10 **MS. ISABELLE MONDOU:** So maybe I will turn to  
11 my colleague, but I will just say that I think the evidence  
12 from my colleague from CRTC was that they're working on a  
13 framework to deal with these complaints. Because I think  
14 they feel that they need to be better equipped to deal with  
15 these complaints in an efficient and good way, while  
16 obviously recognizing the constraints and the limit of the  
17 power.

18 But I don't know if you want to add anything,  
19 Owen?

20 **MR. THOMAS OWEN RIPLEY:** I would note that  
21 when it comes to holding a broadcasting license in Canada,  
22 whether that's your radio station, or television station, or  
23 cable or satellite operator, obviously it's a privilege and  
24 with that privilege comes certain responsibilities. And the  
25 CRTC's role is to oversee that system and ensure that it does  
26 reflect, as we talked about before the break, the broadcast  
27 standards that are generally expected of those.

28 And as you note, there are mechanisms for

1 individuals or organizations to file a complaint with the  
2 CRTC if it believes that, for example, there is a foreign  
3 channel being distributed by Canadian cable or satellite  
4 companies that is not respecting those. And you know, the  
5 RT, RT France is an example of CRTC removing certain channels  
6 from that list to prevent their distribution. And as you  
7 note, there have been other complaints with respect to other  
8 services that the CRTC is currently seized with.

9 **MR. NEIL CHANTLER:** If there's a violation of  
10 the regulations a member of the public can file a complaint  
11 and it can be looked at, and one of those regulations is that  
12 a licensee shall not broadcast false and misleading news.  
13 And I put this to the representative from the CRTC, and a  
14 tension arose in which he educated us that there is the  
15 tension between the CRTC's mandate to enhance freedom of  
16 expression, to encourage a polarity of views within Canadian  
17 society, and of course, this obligation to police false and  
18 misleading news.

19 And there was a real reluctance, I sensed,  
20 with the CRTC to wade into content. And I put to the witness  
21 that in fact, the regulations obliged them to do so. What is  
22 this panel's view on that role of the CRTC in wading into  
23 content, as I say, it appears to be obliged to do under the  
24 regulations?

25 **MR. THOMAS OWEN RIPLEY:** So I think it's  
26 important to make the distinction between Canadian  
27 broadcasters, so again, these are Canadian broadcasters that  
28 are licenced by the CRTC, and to be a Canadian broadcast

1                   er you have to be a Canadian owned and  
2     controlled company. And as I highlighted before the break,  
3     there is a -- there's a mechanism that if there -- that  
4     actually is used, that if a Canadian broadcaster puts out,  
5     you know, something that folks are concerned is false or  
6     misleading and in contravention of the broadcasting standards  
7     that you cite, the first place that you generally go is the  
8     Broadcast Standards Council and they will look at the issue,  
9     and sometimes corrections are issued, et cetera. Right?

10                  It's important to distinguish that from  
11     foreign channels that are distributed by Canadian  
12     broadcasters, right? So these are the examples of, you know,  
13     we have American channels like CNN, and NBC, and those, and  
14     then we also have other channels like RT, RT France, that  
15     were on this list that are authorized for distribution in  
16     Canada.

17                  But what's important to understand is the  
18     CRTC does not have the same degree of control over those  
19     services in the sense of the service is either on the list or  
20     it's off the list, right? They're not -- they're not a  
21     Canadian company operating here in Canada, that is going to  
22     be responsive to the Canadian Broadcast Standards Council in  
23     the same way.

24                  And so, it's a more black or white instrument  
25     that the CRTC has to make a decision. To you point about, is  
26     there value in having this service on the list, and generally  
27     as the CRTC noted, you know, they do want to promote a wide  
28     diversity of programming, and diversity of views in Canada.

1 Or is there sufficient concern that because the service on  
2 the whole is not respecting the broadcasting standards that  
3 you noted, and that was the case with RT, RT France, what  
4 they ultimately concluded is that there was sufficient abuse  
5 of comment on those services geared towards Ukrainians that  
6 it merited taking them off of the list, and therefore  
7 limiting Canadians' access to those services.

8 **MR. NEIL CHANTLER:** So in theory, public  
9 complaints could result in a Chinese language media entity  
10 losing its licence to broadcast well.

11 **MR. THOMAS OWEN RIPLEY:** I would just  
12 clarify, it's not a -- it's not losing the licence because  
13 there is no licence. What happens is it means that a  
14 Canadian cable or satellite company like Bell, or Rogers, or  
15 Quebecor could no longer include that channel as part of  
16 their package, but the short answer is, yes, and I believe  
17 the CRTC indicated in its testimony here that they are  
18 working on a more robust complaints' framework so that it's  
19 clearer how you bring those complaints forward and seek  
20 action in that respect.

21 **MR. NEIL CHANTLER:** Now I appreciate that  
22 detecting false and misleading information is a very  
23 difficult task, and an undesirable task to be put upon any  
24 agency, but can I pose to you a converse threat? And that is  
25 that should a foreign state be -- like China be permitted to  
26 drown out the legitimate conversation on an issue through  
27 thousands of bots or fake accounts that it is in so doing  
28 harming freedom of expression? That identifying this false,

1 misleading information, mis and disinformation, and doing  
2 something about it is essential to protect freedom of  
3 expression because otherwise we risk drowning out the real  
4 conversation that Canadians are trying to have?

5 **MS. ISABELLE MONDOU:** I think what you --  
6 yes. I think what you are alluding is very important, and I  
7 will just come back to the example of the CRTC in the spirit  
8 of the tech, it's an administrative tribunal, also, by  
9 definition. They are not there to act in a very rapid way.  
10 They are there when there is a complaint and then they hear  
11 evidence and so on and so forth. So I think it takes a  
12 couple of intervention. We -- I like here a couple of  
13 intervention that we hope help people up front by, you know,  
14 education, more media, and all of that. But to your point,  
15 obviously, all these efforts are to make sure that,  
16 ultimately, people have access to information that they can  
17 trust and that they can rely on, and so we agree with you on  
18 that.

19 **MR. NEIL CHANTLER:** Changing gears to the  
20 *Online Harms Act*. I recognize this Act may go some distance  
21 in protecting users from harmful content.

22 **MS. ISABELLE MONDOU:** M'hm.

23 **MR. NEIL CHANTLER:** And this is the kind of  
24 content that I doubt there's much debate over, intimate  
25 communications, harm to children, hate speech ---

26 **MS. ISABELLE MONDOU:** M'hm.

27 **MR. NEIL CHANTLER:** --- inciting violence.  
28 There's not much debate about those things having any

1 positive value in Canadian society. I suspect that there  
2 isn't much debate about foreign interference also being  
3 something that ought to be captured, but it's just very hard  
4 to capture. Would you agree that foreign interference really  
5 ought to be regulated but we're struggling with it because of  
6 difficulties with attribution, because of limitations in  
7 technology and so on?

8 **MS. ISABELLE MONDOU:** I will say that even  
9 the one that you say on dispute, it's not as -- people agree  
10 in general that something need to be done, but how it's being  
11 done and how it's apply, I will say, is a great matter of  
12 debate and we'll see that around Bill C-63. So it's -- in  
13 these things, as you say, the problem is not often the  
14 objective. It's how do you achieve this objective, and some  
15 people will found that the balance have to be more on that  
16 way, and other people on the other way, and that's where it  
17 gets difficult. If we take the example of the Bill, we table  
18 -- we didn't table, but we send to consultation a first  
19 version and people told us -- even if they agree with what we  
20 were trying to achieve that the balance was not right. So I  
21 think that's really the challenge is that what kind of  
22 intervention, and how far, and by who is always the tricky  
23 part.

24 **MR. NEIL CHANTLER:** These -- go ahead.

25 **MR. THOMAS OWEN RIPLEY:** May I add?

26 **MR. NEIL CHANTLER:** Sorry.

27 **MR. THOMAS OWEN RIPLEY:** I would just add  
28 that it's important to remember that foreign interference is

1 a motivation, right, that takes different forms, and so, you  
2 know, even in the context of the *Online Harms Act*, while it's  
3 not an explicit kind of definition or category, the *Online*  
4 *Harms Act* does target seven categories of harm, including  
5 things like hate speech or incitement to violence. And so to  
6 the extent that a state actor is using those categories to  
7 seek to influence, then it is caught by that piece of  
8 legislation. And, you know, one of the things that I would  
9 highlight, there is a labelling requirement proposed that if  
10 there -- if some of those categories of content has been  
11 artificially amplified, for example, by a bot farm ---

12 MS. ISABELLE MONDOU: M'hm.

13 MR. THOMAS OWEN RIPLEY: --- that it would be  
14 incumbent on social media services to label that, and that  
15 goes to, again, better equipping citizens to understand, you  
16 know, it says that this thing has had 10,000 likes, but it's  
17 labelled here that, you know, this has been artificially  
18 amplified, so maybe I should ---

19 MS. ISABELLE MONDOU: M'hm.

20 MR. THOMAS OWEN RIPLEY: --- take it with a  
21 grain of salt these 10,000 likes; right? So I think  
22 sometimes it's more about the systemic obligations you put in  
23 place so that, again, Canadians can assess the quality of  
24 information that they are being presented with.

25 MR. NEIL CHANTLER: Thank you. Those are my  
26 questions.

27 COMMISSIONER HOGUE: Thank you.

28 MS. ISABELLE MONDOU: Thank you.



1 COMMISSIONER HOGUE: Mr. Sirois for the RCDA?

2 --- CROSS-EXAMINATION BY MR. GUILLAUME SIROIS:

3 MR. GUILLAUME SIROIS: Guillaume Sirois for  
4 the Russian Canadian Democratic Alliance.

5 ...important it is to fight against  
6 disinformation online, and we've heard some comments that  
7 disinformation had very little or no impact on Canadians, but  
8 I was wondering if Heritage Canada has a point of view on  
9 what kind of impact disinformation has on Canadians.

10 MS. ISABELLE MONDOU: It's a good question.  
11 I think there are several projects that have as a goal to  
12 evaluate what the impact of disinformation is on people, not  
13 only are they reading this disinformation, but does it change  
14 their opinions, and what makes some people be better equipped  
15 to deal with disinformation than others.

16 We could maybe look at some examples of the  
17 research that we have to deal with it.

18 MR. GUILLAUME SIROIS: I have one at RCD52  
19 from the Canadian Media Advisory.

20 --- EXHIBIT No. RCD0000052:

21 Canadian Vulnerability to Russian  
22 Narratives About Ukraine

23 MR. GUILLAUME SIROIS: So there's Info Watch  
24 that is a partner of Media Ecosystem Observatory.

25 [No interpretation] "Canadian Vulnerability  
26 to Russian Narratives About Ukraine".

27 So here are some conclusions. That most  
28 Canadians have been exposed to Russian FI narratives, with 71

1 percent of Canadians having heard at least one of the  
2 narratives.

3 So that's an example of literature about  
4 trying to better understand the effects on Canadians.  
5 », 8 juillet 2024.

6 **MS. ISABELLE MONDOU:** So yes, that is one of  
7 the studies.

8 **MR. THOMAS OWEN RIPLEY:** The Canadian Digital  
9 Media Research Network, it's one of the initiatives that we  
10 funded over three years.

11 **MR. GUILLAUME SIROIS:** And this type of  
12 statistic formed -- helps Canadian government to formulate  
13 policies and make decisions?

14 **MS. ISABELLE MONDOU:** Absolutely. It allows  
15 us to emphasize some projects or focus on some. We talked  
16 about one during the elections that was related to Russia, so  
17 this really did orient our actions.

18 **MR. GUILLAUME SIROIS:** How is this useful  
19 information sent to other departments of the government?

20 **MS. ISABELLE MONDOU:** There are various ways.  
21 I'll let my colleague, Amy, speak.

22 So we have monthly meetings. There are  
23 conferences, too. I'll let Amy answer.

24 **MR. GUILLAUME SIROIS:** But for this example  
25 of what happened in July, are there particular things,  
26 specific things?

27 **MS. AMY AWAD:** Every project that receives  
28 funding, in the funding proposal they have to say how they're

1 going to carry out the research and what the activities are  
2 that they will undertake, so that's a project in terms of --  
3 they talk about dissemination.

4 And we try at the department to help with  
5 dissemination at conferences. We ask the people who receive  
6 money to come make presentations and we organize conferences  
7 or other activities to be able to learn from other people's  
8 research.

9 In relation to this report specifically, I  
10 don't have the information to tell you exactly how it was  
11 disseminated, but our colleagues at PCO DI, we follow very  
12 closely the work of the CDMRN, and we had a meeting two weeks  
13 ago with the researchers who talked about several products on  
14 which they worked.

15 **MR. THOMAS OWEN RIPLEY:** Amy said during the  
16 break that the decision -- that we give the opportunity to  
17 colleagues in other departments to tell us of their interest  
18 in a particular project and to want to follow more closely  
19 what's happening.

20 **MR. GUILLAUME SIROIS:** So GAC is a partner in  
21 one of these projects?

22 **MS. ISABELLE MONDOU:** Yes.

23 **MR. GUILLAUME SIROIS:** We can take down the  
24 document. I'm finished discussing the topic of the effect of  
25 propaganda on Canadians.

26 I'd like to pass to a different project now.  
27 It's the issue of content moderation.

28 There's a document of 1987 on television

1 broadcasting preventing licence holders to broadcast any  
2 misleading information, so that's a provision that's existed  
3 for a long time.

4 There was a debate in 2011 to see if they  
5 would limit this measure in the regulations. So we were  
6 wondering if news can harm -- bodily harm or harm someone in  
7 other ways, and it was decided that's not the case.

8 But I wonder why that is not applied more by  
9 the CRTC. Why is this provision not applied as much,  
10 enforced as much as it could be?

11 **MR. THOMAS OWEN RIPLEY:** It's not that it's  
12 not enforced, as my -- the previous colleague mentioned.  
13 It's that the first place to raise that is the Broadcast  
14 Standards Council, and people can file a complaint. If they  
15 see a news program that has an error or broadcast something  
16 that's misleading, they can file a complaint.

17 The CRTC is always there as a backstop, but  
18 in terms of the commitment to freedom of expression and  
19 independence of media, so the first thing to do would be to  
20 file this with the Broadcast Standards Council.

21 So as I said, when it's foreign television  
22 stations that don't have a licence in Canada, we don't have  
23 the same system, the issue of allowing them to broadcast by  
24 the cable companies in Canada so that's much easier to deal  
25 with. It's not dealt with in the same way.

26 And the responses, much -- we don't just ask  
27 a Canadian broadcaster to correct -- one second.

28 [No interpretation]

1                   **MR. GUILLAUME SIROIS:** The intention of  
2 preventing misleading information is something important for  
3 regulation.

4                   **MR. THOMAS OWEN RIPLEY:** Yes. And as I said,  
5 when you're a broadcaster, you accept a certain  
6 responsibility for the information that is broadcast on your  
7 channels. So yes, it remains the responsibility of  
8 broadcasters to ensure certain level of quality in terms of  
9 news.

10                  **MR. GUILLAUME SIROIS:** During your exam in-  
11 chief today, you said that more and more Canadians are going  
12 to online platforms or social media for news, so if that  
13 measure to prevent misleading information exists for  
14 television or radio, why not also apply it to online  
15 platforms?

16                  **MR. THOMAS OWEN RIPLEY:** Well, there's a  
17 distinction to be made between some online platforms that are  
18 more or less substitutes for broadcasters. I'm thinking of  
19 streaming services like Netflix, Crave and others. So the  
20 effect of the law on content distribution is that they are  
21 now subject to the *Broadcasting Act*, but you have to make a  
22 distinction between those and other platforms where it's  
23 possible to upload and share content generated by users. And  
24 the government has not adapted the same approach there.

25                         In terms of online harms, Bill C-63 proposes  
26 an obligation of responsibility on social media to attenuate  
27 the harmful effect of this category, but it means that social  
28 media are not the same as traditional broadcasters or

1 streaming service that have control on the information that's  
2 broadcast on their service.

3 **MR. GUILLAUME SIROIS:** Does Bill C-63 --  
4 would it prevent erroneous or incorrect news to be broadcast  
5 on social networks?

6 **MR. THOMAS OWEN RIPLEY:** It's not identified  
7 as a harm as such. As I said, there are seven categories of  
8 harms, and there is an obligation that is proposed of  
9 labelling some things. If we talk about hate speech or  
10 incitement to violence, if we see that that distribution is  
11 amplified greatly, there's an obligation to label it, so that  
12 is connected. But what we heard when we consulted Canadians,  
13 and we heard it clearly, is that we have to be conscious to  
14 balance the issues of content moderation and the freedom of  
15 expression that's part of the rights of Canadians.

16 **MR. GUILLAUME SIROIS:** My question, why do we  
17 adopt something for social media that's different from  
18 television and radio?

19 **MR. THOMAS OWEN RIPLEY:** It reflects the  
20 nature of these services.

21 As I said, social media services is a way for  
22 Canadians and others to share information and content. And  
23 generally, those services exert less control on what is  
24 uploaded or shared on their service so they don't play the  
25 same role as a broadcaster that chooses its programming that  
26 is transmitted on their service.

27 It's a platform where people can exchange  
28 information, and that requires a different approach to

1 reflect the difference in nature.

2 **MS. ISABELLE MONDOU:** I would like to say  
3 that the social licence is different, too. We saw it on the  
4 reform of the *Broadcasting Act*. There was a controversial  
5 aspect of that reform. The discussion was wondering if the  
6 CRTC could affect social media content, and reactions were  
7 quite varied. So I think there still is a debate in that  
8 regard.

9 **MR. GUILLAUME SIROIS:** I'd like to give you a  
10 more specific example.

11 [No interpretation] and it took two and a  
12 half years before Facebook and TikTok banished RT on their  
13 platforms. Is that a period of time that's accessible or is  
14 that something that could be addressed in future via  
15 regulation or legislation?

16 **MR. THOMAS OWEN RIPLEY:** Here in Canada, we  
17 took the decision with RT Today and RT France that cable  
18 companies could not sell it. The decision for social media  
19 belongs to social media.

20 What I can say is about that is that the  
21 spirit of the *Online Harms Act* is to make sure that there's a  
22 framework in place where those people are more responsible  
23 for the implementation of their conditions of service, but in  
24 the end, it's a business decision to enforce those conditions  
25 of service or not. And if there is an issue of violation of  
26 their conditions of service, they have to make that decision.

27 **MS. ISABELLE MONDOU:** In -- for the example  
28 of interest, if C-63 had been implemented and there was

1 content online that could activate this sort of thing,  
2 technically the platforms would have to minimize the risk and  
3 they have to be accountable for the measures they're taking.  
4 Currently, it's the platforms who decide whether or not to  
5 adopt measures. It's not transparent, and civil society  
6 can't see if those measures are effective.

7 What C-63 would change is that there would be  
8 greater transparency and larger -- more accountability.

9 **MR. THOMAS OWEN RIPLEY:** And those would be  
10 broader than just the online harms category. So if social  
11 media see that there are harms that come from the service,  
12 the obligation of transparency will mean that they have the  
13 obligation of disclosing this. And it could -- gives the  
14 opportunity to see whether something can be done at the  
15 legislative level.

16 **MR. GUILLAUME SIROIS:** My time has expired,  
17 but I would like to maybe try and sum up what it is.

18 So first of all, C-63 would be a step in the  
19 right direction, but maybe something else could follow to  
20 ensure that online disinformation does not stay on social  
21 media platforms.

22 **MR. THOMAS OWEN RIPLEY:** I think today we're  
23 trying to present that there's several levers we can use in  
24 that context.

25 We talked about the importance of supporting  
26 Canadian media to ensure that the news is trustworthy and of  
27 good quality. We talked about our efforts and, also, we want  
28 to better equip Canadians to discern. And then there are



1 legislative frameworks that are part of the ecosystem. And  
2 all of this together is how we would respond to this.

3 **MS. ISABELLE MONDOU:** Yes, we continue to do  
4 more research to see if, in the future, something else needs  
5 to be put in place.

6 **MR. GUILLAUME SIROIS:** Excellent.

7 **COMMISSIONER HOGUE:** Human Rights Commission  
8 -- Coalition, I'm sorry.

9 **--- CROSS-EXAMINATION BY MR. DAVID MATAS:**

10 **MR. DAVID MATAS:** My name is David Matas. I  
11 had a question based on the programs which are detailed in  
12 the information that's already provided in CAN.DOC34.  
13 There's a number of them devoted to foreign interference.

14 So the question I had, were any of the  
15 programs that have been developed by Heritage Canada, or any  
16 of the requests that were made for proposals, directed or  
17 tailored to diaspora communities?

18 **MR. THOMAS OWEN RIPLEY:** Could we just get --  
19 CAN.DOC34 is the Institutional Report, or?

20 **MR. DAVID MATAS:** As I understand it, yes.

21 **MR. THOMAS OWEN RIPLEY:** Okay.

22 **MS. AMY AWAD:** Yes, in fact, so there was a  
23 couple of different calls of proposals that had either direct  
24 or kind of indirect focus on diaspora communities. So the  
25 call specifically on Russia/Ukraine ended up bringing out  
26 projects that focused specifically on kind of, not say  
27 Russian, but Ukrainian communities in Canada.

28 In the second call for proposals, there was a

1 focus again on diaspora communities and we ended up getting  
2 proposals that looked at translating materials or focusing on  
3 specific diaspora communities.

4 And then also in the fifth call, we had  
5 another focus on foreign interference and the impacts that it  
6 has on diaspora communities.

7 **MR. THOMAS OWEN RIPLEY:** And part of the  
8 spirit of the program again reflects that the impacts of  
9 disinformation in certain Canadian communities is different;  
10 right? And so part of the spirit of the program is, again,  
11 equipping civil society organizations who have a particular  
12 relationship or a particular role in that community to play a  
13 role in that space. And so again, it's about tapping in  
14 often to those trusted partners who know that community best  
15 and know what the best way is of reaching that community and  
16 equipping them.

17 **MR. DAVID MATAS:** Now, I understand there was  
18 one specifically about Ukraine. Has there been any others  
19 that have been directed specifically to named diaspora  
20 communities?

21 **MS. AMY AWAD:** So the COVID calls did look at  
22 trying to reach diaspora communities, so a lot of the  
23 projects that were funded through the COVID calls ended up  
24 producing materials in various languages either for Asian --  
25 various Asian-language communities, Latin-American  
26 communities, Middle Eastern communities, so forth, so there  
27 was a fair bit of that.

28 And there is at least one other call where I

1 think the term diaspora community actually appeared in the  
2 call. I'm just looking at it now. It may have been in the  
3 second call. Yeah, so it talks about:

4 "...understand[...] the impact of  
5 disinformation on diverse and  
6 marginalized Canadian communities..."

7 So that was part of that.

8 **MR. DAVID MATAS:** These calls that are made  
9 to -- calls for proposals, they're made and they include the  
10 term "diaspora communities". Are there actually outreaches  
11 to diaspora communities to communicate those calls to them in  
12 their own languages?

13 **MS. AMY AWAD:** So to -- I'm not aware of  
14 outreach at the outset, for example, to go and reach the  
15 communities before the call is proposed, but we have a  
16 steering committee of civil society organizations and  
17 researchers, and they have a role in trying to ensure that  
18 the right researchers and the right organizations are aware  
19 of our programs and have the opportunity to apply.

20 **MR. THOMAS OWEN RIPLEY:** And over the years  
21 as well, the community of practice around the Digital Citizen  
22 Initiative has grown and that, you know, I think by word of  
23 mouth and other things, and so there is now also quite a  
24 large distribution list of stakeholders who are notified when  
25 there is a call for proposal going up, for example, and we  
26 add -- if somebody wishes to be added to that, we add them to  
27 that.

28 **MR. DAVID MATAS:** What was your reaction to

1 the response to these calls? Did you find it satisfactory?  
2 Or could be improved?

3 **MS. ISABELLE MONDOU:** So there was an  
4 evaluation that was done, and what they do in this case is  
5 they don't just talk to us. They talk actually to people who  
6 were either project proponents or people who were served by  
7 the projects. So they do a bit of a canvas of 360 to make  
8 sure they get comments from everybody. And the general --  
9 and I don't remember which page it is, but the general  
10 feeling was that the program was efficient and that the  
11 program was relevant. So the level of satisfaction was very  
12 much in favour of the program.

13 The thing that evaluation mentioned, that we  
14 have to improve more and more some better measurement of the  
15 result, how can we, you know, have better indicators and  
16 other things more about how we organize ourselves internally  
17 with our colleagues and how do we coordinate within the  
18 Canadian Heritage and outside?

19 But generally speaking, I would say the  
20 problem was federally, by people who were interviewed.

21 **MS. AMY AWAD:** And I might add that the  
22 program has been oversubscribed, meaning that on every call  
23 for proposals, we get significantly more applications than  
24 we're actually able to fund, and that allows us to try to  
25 meet different objectives, so choose ones, for example, that  
26 reach diaspora communities that might not have been reached,  
27 that addressed different vectors of diversity that could show  
28 more impact, that have more partnerships, that have better

1 reach, better -- and that's, I think, a feature that you have  
2 in a program when there's a lot of organizations and  
3 researchers that wants to participate and benefit from it.

4 **MR. DAVID MATAS:** I understand. Are you  
5 happy with your level of funding or do you feel that with  
6 more funding you could do more productive work?

7 **MS. ISABELLE MONDOU:** So I think what we  
8 would like is we would like to be able to scale up more some  
9 of those activities, because we think that in order to really  
10 provide more support and structural change, we would like to  
11 be able to scale some of those very good projects that seem  
12 very promising but are fairly content at the moment. So  
13 obviously with more money, we would be able to do that a  
14 little bit more.

15 **MR. DAVID MATAS:** And also, the feedback you  
16 got from the evaluations, are you actually making the  
17 recommendations that were generated by that feedback?

18 **MS. ISABELLE MONDOU:** Yes, absolutely. So  
19 there were mainly three recommendations. The first one was  
20 about getting better measurements, which is always something  
21 we are striving to, because sometimes it's difficult to  
22 measure the impact, although every project was also measured  
23 in the project, so every time we approach something, they  
24 have to measure the result.

25 The second one was that we need to be a bit  
26 more coordinated within the Department, because there were  
27 different groups that were involved. That has been resolved.

28 And the third one was something we have

1 touched before, which was about how do we make sure that  
2 through the time we have a process that works better. So  
3 we're changing a little bit before every partner in other  
4 departments, we're reviewing all applications, but sometimes  
5 somebody from health has no value on an application about  
6 something else, so now we're really refining a bit this  
7 approval process.

8 And we're also reviewing our external expert  
9 committee, because the project, as my colleague had  
10 described, has evolved, and now we are more into foreign  
11 interference, for example, or other subjects, so we also are  
12 going to renew the expert committee to make sure that we  
13 still have the expertise we need as the program evolves,  
14 basically.

15 **MR. DAVID MATAS:** Do you have any feedback to  
16 give in the opposite direction, to proponents who produce  
17 proposals, about ways in which they could improve the  
18 proposals in order to ---

19 **MS. ISABELLE MONDOU:** It's a very good  
20 question.

21 Maybe I will turn to you.

22 **MR. THOMAS OWEN RIPLEY:** I think it would be  
23 very -- it would be dependent on kind of the specific call  
24 for proposals. But what I would say to you is, as I  
25 highlighted earlier, we are really encouraging project  
26 proponents to work together and develop joint proposals that  
27 tap into various different areas of expertise. And I think  
28 that speaks to your concern about, you know, making sure that

1       there are projects that include a lens of reaching diasporan  
2       communities, so that's certainly one piece.

3                   And, you know, the program staff is always  
4       available and willing to work with folks who would like to  
5       put forward a project proposal, to walk them through what  
6       that process looks like and the kinds of things that will be  
7       brought to bear, in terms of evaluating the strength of  
8       projects.

9                   **MR. DAVID MATAS:** Now, in terms of programs  
10      within the department, do you have something separate from  
11      this call for proposals and answers for proposals that deals  
12      with the problems of foreign interference and the diaspora?

13                  **MS. ISABELLE MONDOU:** So in the department we  
14      don't have a program on foreign interference, per se. What  
15      we do is we try to create an environment where hopefully we  
16      create an LT, media information system, and all the thing  
17      that I mention, which I think are defence against foreign  
18      interference, because if you have access to other news, if  
19      you are able to have different voice and all for that. But  
20      we do that in that kind of eye of the pyramid, not in the  
21      specific tailor that it's only about foreign interference.

22                  **MR. DAVID MATAS:** I understand that's the  
23      situation right now with the department. Would you like to  
24      see something in the department that deals specifically with  
25      foreign interference?

26                  **MS. ISABELLE MONDOU:** I think what we have  
27      done with the program that we have talked about, the digital  
28      literacy, is we have moved a little bit more in that sphere,

1 in light of the research, in light of the information we're  
2 getting.

3 So the beauty of this program is it's fairly  
4 flexible, so we have been able to adapt to the reality and  
5 what we see in the research that we are basically sponsoring.

6 **MR. DAVID MATAS:** I understand from the  
7 Digital Literacy Program you are moving somewhat. Do you see  
8 yourself moving further in that direction?

9 **MS. ISABELLE MONDOU:** I think we have  
10 continued to follow the research and the expertise that, you  
11 know, we see there, and that's why it's so important that we  
12 have project but also research so that we can continue to  
13 adapt based on evidence.

14 **MR. DAVID MATAS:** Now, you mentioned that  
15 there was a government-ordered hearing about RT. Has that  
16 government power to order hearings been exercised on a  
17 regular basis?

18 **MR. THOMAS OWEN RIPLEY:** It's been exercised  
19 on different occasions over the years. It's used in  
20 different ways. So that was, as I mentioned, the first time  
21 it had been used at the CRTC to look into a particular issue  
22 -- a particular issue like that. But it has been used at the  
23 CRTC, you know, to have a hearing or generate a report; it  
24 was used in advance of the *Online Streaming Act*, for example,  
25 to get them to look at the impact of streaming services. And  
26 so it is a power that is used from time to time.

27 **MR. DAVID MATAS:** In relation to RT, did you  
28 find that government-ordered hearing useful, from your



1 perspective?

2 **MR. THOMAS OWEN RIPLEY:** The government was  
3 keen to make sure that the CRTC was seized of the issue, in  
4 light of the broader geopolitical context and the Russian  
5 invasion of Ukraine. And as I previously mentioned we knew  
6 it was an issue that was being looked at in other  
7 jurisdictions and so it was important that the CRTC move  
8 quickly to look at that. And there was -- as the Order  
9 notes, there was a fairly tight timeline for the CRTC to do  
10 that work, and so the CRTC did that work and came to the  
11 conclusion -- the decision that it came to.

12 **MR. DAVID MATAS:** Well, as you can see there  
13 is, when it comes to foreign interference and the Department  
14 of Canadian Heritage and the CRTC, more than one issue, more  
15 than just RT. And would you find it useful to have such a  
16 government-ordered hearing in other areas dealing with  
17 foreign interference?

18 **MR. THOMAS OWEN RIPLEY:** Each situation needs  
19 to be looked at on the facts because these questions do  
20 engage really fundamental, important issues like freedom of  
21 expression and independence of media, and ensuring that there  
22 is a wide diversity of information and news and cultural  
23 content in Canada, so it's not something that is taken  
24 lightly.

25 As the CRTC noted in their testimony here  
26 they are working on putting in place a more complete  
27 framework in terms of, you know, ways that Canadians can  
28 bring forward complaints if there are concerns; I think they

1 recognize it being a bit ad hoc. And so as these issues  
2 become more prominent and more important, it is important  
3 that the CRTC provide clarity to Canadians about how they can  
4 exercise their ability to file a complaint and flag if there  
5 is concerns that there is content being distributed on the  
6 Canadian broadcasting system that doesn't respect the  
7 broadcasting standards.

8 **MR. DAVID MATAS:** Do you see this prospect of  
9 a more complete framework for dealing with complaints as a  
10 way of kind of replacing the need for these government-  
11 ordered hearings?

12 **MR. THOMAS OWEN RIPLEY:** The -- you know, the  
13 power for the government to ask the CRTC to look into  
14 something or do a hearing, you know, again, is used on a  
15 case-by-case basis, and it's being used in a variety of  
16 different contexts. So I won't speak to kind of how the  
17 government may or may not use that power in the future, but I  
18 would agree that it is -- it will be important that there be  
19 a framework and, again, that there is clarity on how  
20 Canadians or concerned organizations can raise these issues  
21 directly with the CRTC.

22 **MS. ISABELLE MONDOU:** And maybe just to be  
23 clear; this power is a general power to ask the government to  
24 ask the CRTC to look at something. It's not specifically  
25 direct to the kind of situation we're discussing, but it has  
26 been used in that context as well, but it is used in other  
27 contexts.

28 **MR. DAVID MATAS:** Understood. Those are my

1 questions.

2 COMMISSIONER HOGUE: Thank you.

3 Counsel for Jenny Kwan, Ms. Kakkar?

4 (SHORT PAUSE)

5 MS. MANI KAKKAR: Good afternoon,  
6 Commissioner.

7 --- CROSS-EXAMINATION BY MS. MANI KAKKAR:

8 MS. MANI KAKKAR: Good afternoon, panellists.

9 I'm hoping not to give you whiplash, but I  
10 have a few very different areas to cover. One I wanted to  
11 start with was in your interview summary, you state:

12 "As a part of the diversity of  
13 content online component of the DCI,  
14 PCH also began to liaise with social  
15 media platforms among others to  
16 create a set of principles that all  
17 parties could operationalize to  
18 promote a diversity of content  
19 online." (As read)

20 Could you talk a little bit about your  
21 engagement with social media platforms? Which ones and what  
22 outcomes have resulted?

23 MS. ISABELLE MONDOU: M'hm.

24 MR. THOMAS OWEN RIPLEY: So I may turn to my  
25 colleague, Amy, for some of the finer details, but the  
26 diversity of content online was an initiative that the  
27 department led for several years that was really a multi-  
28 stakeholder type approach. So what it sought to do was say,

1 "Here are some of the problems that we're seeing on the  
2 online platforms," and seek to codevelop possible responses  
3 and solutions to those in collaboration with governments,  
4 civil society, and industry, or in this case the platforms.

5 And so specifically I don't have the list in  
6 front of me, but my recollection is the platforms that were  
7 involved in that initiative were Google, and Deezer.

8 And then, Amy, I don't know if you remember  
9 any of the others off the top of your head.

10 **MS. AMY AWAD:** I'm sorry, I don't.

11 **MS. MANI KAKKAR:** And I appreciate that you  
12 just said you may not remember, but do you know if ByteDance  
13 or TikTok were a part of those discussions at all?

14 **MR. THOMAS OWEN RIPLEY:** They were not.

15 **MS. MANI KAKKAR:** And how about, they're not  
16 quite social media platforms but apps like WhatsApp or WeChat  
17 where they have sort of a public/private component, given the  
18 size of the group that's discussing or sharing content?

19 **MR. THOMAS OWEN RIPLEY:** My recollection is  
20 that they were not, no. And the information about which  
21 platforms participated in that initiative, I believe, is  
22 found -- can be found on our website.

23 **MS. MANI KAKKAR:** Was there any particular  
24 reason for not reaching out to them, or was it just a matter  
25 of there was a subset?

26 **MR. THOMAS OWEN RIPLEY:** The origins of that  
27 particular initiative came out of a particular event, and so  
28 the way that it developed is that there was a desire to make

1       sure that we had platform representation. So on the country  
2       -- if I just back up, on the country side it included  
3       Australia, France, Germany, and Finland, and Mexico later  
4       joined. And so there was a desire to make sure there was  
5       platform representation from different areas of the world;  
6       that's for example, Deezer, based out of Europe, I believe.

7               And so it came out of a particular event  
8       where solicitation of platforms interested in kind of  
9       participating in that multi-stakeholder type approach, and  
10      again, that's -- it's unique in that it was a desire for  
11      companies that wanted to work with civil society and  
12      government on developing those joint type solutions.

13             **MS. MANI KAKKAR:** Were any of those joint  
14      type solutions developed during these meetings applicable to  
15      FI, in your view?

16             **MR. THOMAS OWEN RIPLEY:** So one of the themes  
17      -- not directly. One of the themes -- and again, you can  
18      find more information about the initiative on our website.  
19      One of the themes was about recognizing that like social  
20      media and online platforms can be a vector for  
21      disinformation, and so that was one of the themes identified  
22      that the group worked through.

23             The ultimate kind of product of that was  
24      there was a series of kind of guiding principles that was  
25      developed, and you can find those guiding principles on our  
26      website and what each kind of segment did is identify things  
27      that they could do to kind of contribute towards advancing  
28      those guiding principles.

1                   **MS. MANI KAKKAR:** Okay. And without having  
2                   you necessarily talk through each of the guiding principles,  
3                   they're exactly that. They're not binding. There's no  
4                   consequence for not following them.

5                   **MR. THOMAS OWEN RIPLEY:** That's correct.  
6                   Again, this was a multi-stakeholder type approach where the  
7                   very essence of the exercise is to agree to voluntary action  
8                   in these spaces.

9                   **MS. MANI KAKKAR:** Okay. One thing I wanted  
10                  to ask more generally was -- actually, let's ask the specific  
11                  question first.

12                  So you said that in response to Bill C-18  
13                  it's been known that Facebook, and so Meta, has essentially  
14                  banned news content from being shared that would make them --  
15                  that would essentially get them to be carved out, in a way,  
16                  of Bill C-18 or not have the full impact of Bill C-18.

17                  Have you received any similar response from  
18                  TikTok or other social media platforms?

19                  **MR. THOMAS OWEN RIPLEY:** So the way that the  
20                  legislation is structured is that there are now regulations  
21                  in place that identify certain thresholds for when a social  
22                  media service is subject to the legislation and where they  
23                  are -- where they pass those thresholds, it's incumbent on  
24                  them to notify the CRTC that they believe that they're  
25                  subject to the legislation.

26                  So based on the modeling that we did at the  
27                  time of developing those regulations, the expectation was  
28                  that Google search and Facebook and potentially Instagram

1 would be around around that threshold.

2 There are other services below that  
3 threshold, and in the future if they were to pass those --  
4 that threshold, they would become subject to the Act and  
5 required to notify the CRTC that they are subject to the  
6 legislation.

7 **MS. MANI KAKKAR:** How did you determine the  
8 threshold?

9 **MR. THOMAS OWEN RIPLEY:** It was done on -- so  
10 there's different thresholds. There's kind of a global  
11 revenue threshold. There's a -- kind of the market in which  
12 you operate threshold, so in this case, search and social  
13 media were identified. And then there's a number of active  
14 user threshold, and the threshold that was used in that case  
15 was approximately half of the Canadian population. And  
16 again, part of developing the regulations, there was an  
17 impact assessment that is done and available online that kind  
18 of walks through the particular impacts and why those  
19 thresholds were chosen.

20 **MS. MANI KAKKAR:** Would you agree that a  
21 threshold that sort of requires half of the Canadian  
22 population before it's triggered might inadvertently or  
23 disproportionately let diaspora communities down who may use  
24 particular platforms but may not meet that threshold  
25 requirement?

26 **MR. THOMAS OWEN RIPLEY:** It's about which  
27 platforms are subject to that obligation to bargain with news  
28 businesses, right. And again, the rationale behind why the

1 Act was put in place is recognizing that there are certain  
2 platforms that are particularly dominant and are particularly  
3 important kind of gateways to news and information. And so  
4 the threshold is kind of about identifying at what point does  
5 this obligation to bargain kick in.

6 The Act is structured in a way that once the  
7 obligation to bargain kicks in, the news businesses for which  
8 a platform has to bargain with is a wide diversity of news  
9 businesses, including those that represent different  
10 communities in Canada. And so the Act is structured in a way  
11 that the benefits flow to a wide diversity of news  
12 businesses, including those coming from official language  
13 minority communities, Indigenous languages and other  
14 multicultural communities in Canada.

15 **MS. ISABELLE MONDOU:** And I will say this is  
16 one of the difference and maybe improvement of the Act over  
17 time is that the Australian model did not have requirement as  
18 to local journalists, community newspapers in different  
19 language, Indigenous newspaper, minority language newspaper.  
20 Now, in order for an organization to not have to a binding  
21 arbitration, they have to fulfil a requirement to meet all  
22 these criteria and it's actually what the CRTC's looking now  
23 with Google is that are they meeting that criteria that they  
24 have reached a very, very spread of newspapers so it's not  
25 just the five big newspapers here.

26 **MS. MANI KAKKAR:** Okay. No, I appreciate the  
27 clarification on that point.

28 So then more generally, in the work that you



1 do around mis and disinformation, do social media platforms  
2 like TikTok pose any unique threats or barriers to you?

3 **MR. THOMAS OWEN RIPLEY:** What I would say is  
4 I think we -- each platform has particular characteristics  
5 that, you know, can be used or -- by threat actors in a  
6 different way, right. And I think you see that in kind of  
7 the variety of different kinds of projects that we have  
8 funded under the Digital Citizen Initiative that each  
9 platform is not -- is not the same and it does have unique  
10 characteristics and it is important to develop an evidence  
11 base on kind of those characteristics and also important to  
12 equip citizens with specific skill sets depending on the  
13 platform.

14 **MS. ISABELLE MONDOU:** And I would add that  
15 platforms change over time, too. If I take the example of X,  
16 it's a very different platform now than it was before and the  
17 content moderator has been really diminished.

18 So we also have to look at platforms where  
19 they are because sometimes to change of ownership or other,  
20 they are changing quite a lot their modele d'affaire and,  
21 therefore, they also change how they moderate the content.  
22 And that has a huge impact, too, on disinformation.

23 **MS. MANI KAKKAR:** I think that one of the  
24 panels that came before you testified that content moderation  
25 as a trend has gone down amongst platforms. Facebook, for  
26 example, used to content moderate quite a bit. It no longer  
27 does.

28 Have you done anything to respond to this

1 trend leaving essentially a vacuum in this space?

2 **MS. ISABELLE MONDOU:** So I think C-63 is in  
3 response to that because I think we have stopped trusting  
4 that content moderation is the solution and, therefore, now  
5 in C-63 is that you have an accountability just like any  
6 other product that you buy tomorrow. You want the company  
7 who put that product, whether it's for message call or  
8 anything, to be accountable for the product they have, which  
9 means that they have to assess where are the risks and they  
10 have to take measures to minimize the risk and particularly  
11 in the category of things that are the more egregious.

12 **MS. MANI KAKKAR:** Okay. But you recognize  
13 that Bill C-63 has limitations when it comes to  
14 disinformation. Disinformation would have to fit those very  
15 discrete categories, and I don't know if there was any study  
16 done to see how much disinformation falls into those and how  
17 much will fall outside of that.

18 **MR. THOMAS OWEN RIPLEY:** One of the big  
19 challenges in thinking about disinformation as a harm is that  
20 it does put some one or some entity in the position of having  
21 to make a determination about whether it is true or not. And  
22 obviously, there's also a spectrum of true to not true as  
23 well, right.

24 And so it is one of the big challenges that  
25 if you specifically identify it as a harm, it engages much  
26 more substantially freedom of expression and, again, you're  
27 putting an entity in a place that has to make that  
28 determination, right.

1                   So C-63 also includes certain systemic  
2                   obligations on platforms. I'd previously mentioned the  
3                   transparency reporting that is broader than just the seven  
4                   harms, and so again, if a particular platform was -- had data  
5                   or internal research or saw that something was taking place  
6                   on that platform in relation to foreign interference or in  
7                   relation to disinformation, they would be required to  
8                   disclose it publicly.

9                   There's also the obligation in C-63 to give  
10                  researchers access to data sets that are currently not  
11                  shared, generally speaking, with researchers to provide civil  
12                  society and researchers with that access to kind of, you  
13                  know, play a challenge function to what is, you know, going  
14                  on in these platforms and what the platforms are saying.

15                 There's obligations on platforms to put in  
16                 place flagging tools. And then I previously mentioned the  
17                 labeling requirement.

18                 So part of the solution on thinking about  
19                 disinformation as a harm is also putting in place some of  
20                 these systemic things that can be flagged or indications to  
21                 Canadians that the information they're engaging with may not  
22                 be accurate, may not be reliable, they may want to be more  
23                 curious about where it's coming from. And again, that avoids  
24                 putting some entity in that position of having to assess  
25                 whether it's true or not and make that determination.

26                 **MS. ISABELLE MONDOU:** And the example of that  
27                 is, I think some of the networks, the media networks came  
28                 here, and they say used to be able to do some analysis, but

1 now some of the companies have closed access to some data  
2 which they have to pay very, very much money to be able to  
3 access. So Bill C-63 will help on that because then it will  
4 make the information available, and when you have the  
5 information available, then civil society, academic, media,  
6 can get that information and do something about it, which is  
7 not the case now.

8 **MS. MANI KAKKAR:** No, I appreciate that. And  
9 thankfully your answers have reduced the need for any -- or  
10 have reduced the risk of any whiplash, because somehow you've  
11 managed to cover off my various topics.

12 But those are my questions. Thank you so  
13 much.

14 **MS. ISABELLE MONDOU:** Thank you.

15 **COMMISSIONER HOGUE:** Thank you.

16 Counsel for Erin O'Toole.

17 **--- CROSS-EXAMINATION BY MR. PRESTON LIM:**

18 **MR. PRESTON LIM:** Hi, my name is Preston Lim,  
19 and I represent Mr. O'Toole. I just have a short set of  
20 questions for you, Mr. Awad, related to some of the testimony  
21 that you gave earlier, stemming from the department funded  
22 project, disinformation in Canadian Chinese language media.

23 Okay. So you mentioned earlier that in  
24 response to this project, the development -- developed some  
25 tools to combat disinformation. Do I have that correct?

26 **MS. AMY AWAD:** That's right, and there are  
27 tools in part to track disinformation and narratives and to  
28 give access to kind of researchers and so forth to them. But

1       yes.

2                   **MR. PRESTON LIM:** Could you just expand a  
3       little bit more about the specific tool that was implemented?

4                   **MS. AMY AWAD:** Sure. So this is a project  
5       that was funded in '23, '24, so we don't have the tool yet,  
6       as we've given the funding, we've selected the project for  
7       funding and we're waiting for them to kind of complete the  
8       project and then report to us on the outcomes.

9                   But what the proposal suggested was a focus  
10       on foreign interference in Canadian Chinese language media  
11       coverage and its impact on diaspora communities. They're  
12       going to develop an Open Access AI tool for both texts and  
13       images that can identify narratives, sentient emotions in  
14       Chinese language media, and make it accessible to key  
15       stakeholders to help identify foreign interference.

16                  **MR. PRESTON LIM:** And when do you expect that  
17       to be operational?

18                  **MS. AMY AWAD:** The project needs to be  
19       completed by March 2025.

20                  **MR. PRESTON LIM:** Okay. Thank you. And was  
21       there anything else recommended by that department funded  
22       project that the department has not moved forward on?

23                  **MS. AMY AWAD:** I'm sorry, could you repeat  
24       the question?

25                  **MR. PRESTON LIM:** Were there any other  
26       recommendations coming out of that funded project that the  
27       department could have acted on but didn't?

28                  **MS. AMY AWAD:** So the project isn't completed

1 yet so I don't have any recommendations.

2 MR. PRESTON LIM: Right.

3                               **MS. AMY AWAD:** And we do have other projects  
4           that will provide recommendations, and when we receive those  
5           recommendations, we will have to work on it.

6                   **MR. THOMAS OWEN RIPLEY:** Yeah, I think the  
7           question is whether there were other components of that  
8           application that weren't funded.

9 MR. PRESTON LIM: Yes.

10 MR. THOMAS OWEN RIPLEY: We'd have to ---

11 MS. AMY AWAD: I'm not aware of it.

12                               **MR. THOMAS OWEN RIPLEY:** We don't have that  
13       information on hand.

14 MR. PRESTION LIM: Thanks. That's about all  
15 I have.

16                   One last question, and I don't know that  
17       you're the best place to answer this, Ms. Awad, but I know at  
18       least you and then also Mr. Ripley had mentioned in some  
19       manner, coordination with other government departments or  
20       agencies. And so, my question is, from the perspective of  
21       the Department of Canadian Heritage, is communication with  
22       other departmentally agencies or departments rather, upon  
23       China related matters as regular and efficient as it could  
24       be?

25                                   **MR. THOMAS OWEN RIPLEY:**   So maybe a couple of  
26           things, and then I'm not sure if Isabel might have something  
27           from where she sits.

28                    So you know, the mechanisms that Amy

1 described earlier are really grounded in the way that we  
2 administer the program day today. And so again, to the  
3 extent, you know that we've heard and highlighted today, that  
4 the recent call for proposals specifically asked for projects  
5 related to the PRC or Russian disinformation. And so, you  
6 know, the consultative body that Amy mentioned would have  
7 been mobilized on that, or a steering committee with the  
8 external experts would have been mobilized on that; right?

9 But that consultative body is used in  
10 relation to whatever the kind of priority is of the day. I'm  
11 not sure, Deputy, if there's anything you have to add?

12 **MS. ISABELLE MONDOU:** I think the other one  
13 that you are very much involved the, you know, democratic  
14 package that our colleague always had the Privy Council  
15 office work on. But also, at my level there is sometimes  
16 discussion either with secret agency or other that I'm part  
17 of because we are -- we are seen as contributing to the  
18 cultural momentum mentioned in that space.

19 **MR. PRESTON LIM:** Ms. Mondou, that's helpful.  
20 Would you say that that process is -- it's working well or  
21 there are improvements that you would like to see?

22 **MS. ISABELLE MONDOU:** I will say it's way  
23 better than it was, and I think we always aim to make it even  
24 more tight. So we will continue obviously, to make sure that  
25 we are working in a very horizontal way. But I will say we  
26 are working now in a way that I'm not sure we would have  
27 worked many years ago. It's very -- certainly Canadian  
28 Heritage, I don't think would have been part of that

1 discussion.

2 **MR. PRESTON LIM:** That's great. That's all I  
3 have, Madam Commissioner.

4 **COMMISSIONER HOGUE:** Thank you.  
5 Maître Lafrance for the OCC, do you have any  
6 questions?

7 **MR. SÉBASTIEN LAFRANCE:** [No interpretation]

8 **COMMISSIONER HOGUE:** [No interpretation]  
9 AG?

10 **--- CROSS-EXAMINATION BY MS. MARIA BARRETT-MORRIS:**

11 **MS. MARIA BARRETT-MORRIS:** Maria Barrett-  
12 Morris for the Attorney General of Canada.

13 We heard you indicate earlier that the  
14 mandate of the Digital Citizen Initiative is broader than  
15 foreign interference in elections. Is that fair?

16 **MS. ISABELLE MONDOU:** Correct.

17 **MS. MARIA BARRETT-MORRIS:** Yeah. Some funded  
18 projects through the DCI do relate specifically  
19 misinformation and disinformation stemming from foreign  
20 governments?

21 **MS. ISABELLE MONDOU:** That's correct.

22 **MS. MARIA BARRETT-MORRIS:** And some funded  
23 projects relate more generally to the detection of  
24 misinformation and disinformation?

25 **MS. ISABELLE MONDOU:** Also correct

26 **MS. MARIA BARRETT-MORRIS:** Can you explain  
27 whether those more generalized projects that relate to  
28 misinformation and disinformation also assist in



1 understanding and detecting foreign misinformation and  
2 disinformation?

3 **MS. ISABELLE MONDOU:** Absolutely. I think  
4 all the ways we have to equip citizen, or all the ways that  
5 we have to make sure that citizens have the information they  
6 need to be informed, is helpful generally. Because frankly  
7 misinformation sometimes turns into foreign interference and  
8 it's not apparent to the person or council that.

9 So I think all the effort we make in order  
10 to, you know, diversify the source of news that we have  
11 tools, and citizens to be able to hopefully be curious about  
12 the information they have, is helpful for any form of  
13 misinformation. And sometimes it turns into foreign  
14 interference and it's not always clear when it does, but the  
15 same tool and the same skill are very much applicable, and  
16 the same thing for the research that we're doing, I think.

17 **MS. MARIA BARRETT-MORRIS:** Thank you.

18 Would you make the same statement regarding  
19 misinformation and disinformation stemming from foreign  
20 governments in relation to elections, Canadian elections?

21 **MS. ISABELLE MONDOU:** I think that's true. I  
22 think my colleague made a good point that you want people  
23 when the election comes, to have already developed some of  
24 those skills. If you start at the beginning of the 36-day  
25 period, you're probably a little bit late.

26 So if we can have those more substantive  
27 conversations with Canadians and do that in a way that it's a  
28 constant dialogue, I think when the election is called

1 whenever it is, people will be more prepared. That doesn't  
2 mean we should not do something in addition during the time  
3 of election, but I think that foundation is very useful.

4 **MS. MARIA BARRETT-MORRIS:** Thank you.

5 I'll ask the court reporter to pull up  
6 document CAN44734. Excuse me. Thank you.

7 And if we can turn -- continue going down the  
8 document, I think it's on page 2 and number seven  
9 specifically.

10 Commission counsel and actually numerous  
11 questioners today, have raised this particular memorandum and  
12 this call, call number five with you. Specifically with  
13 respect to priority seven, I'll ask you to just read aloud  
14 priority seven as it appears on the screen.

15 **MS. ISABELLE MONDOU:** So it's:

16 "Develop and publish tools to build  
17 resilience to mis-/disinformation  
18 stemming from foreign governments,  
19 such as the People's Republic of  
20 China, targeting diaspora communities  
21 in Canada."

22 **MS. MARIA BARRETT-MORRIS:** Thank you. Is  
23 this the final published language for priority number seven?

24 **MS. ISABELLE MONDOU:** I don't think it is,  
25 and I will turn to my colleagues if they have the text. I  
26 don't have the text in front of me.

27 **MR. THOMAS OWEN RIPLEY:** No, when this was  
28 ultimately finalized it included both the reference to the

1 PRC as well as Russia.

2 MS. MARIA BARRETT-MORRIS: Thank you. And  
3 I'll turn now to the *Broadcasting Act*.

4 You spoke earlier about the independence of  
5 the CRTC, and you indicated that the government can't order  
6 the CRTC to reach a particular result. Am I remembering that  
7 correctly?

8 MS. ISABELLE MONDOU: That's correct.

9 MS. MARIA BARRETT-MORRIS: Is the  
10 independence of the CRTC important in your view; and if so,  
11 why?

12 MS. ISABELLE MONDOU: It's important because  
13 it's an administrative tribunal, and by definition  
14 administrative tribunal what they do is different than  
15 government. So they are basically there to enter and solicit  
16 the evidence of people who are concerned, whoever it is at  
17 the time, take the record, and then make a decision based on  
18 the record before them.

19 In order for that process to work, it has to  
20 be free from government interference because it's about a  
21 process that is quasi-judicial in nature.

22 MS. MARIA BARRETT-MORRIS: And is there a  
23 risk you can imagine, were the CRTC not independent from the  
24 government?

25 MS. ISABELLE MONDOU: I think there will be  
26 definitely be risk to its credibility. If, for example,  
27 instead of asking the CRTC to consider RT, and then based on  
28 their review and evidence, the government has ordered them to

1 do that -- which by the way, doesn't have the power -- I  
2 think it would be risky because then it's not a decision  
3 based on independent evidence, it's really a government  
4 decision.

5 **MS. MARIA BARRETT-MORRIS:** Thank you.

6 Absolutely.

7 **MS. AMY AWAD:** The CRTC in particular has a  
8 role with respect to the regulation of media, and that makes  
9 their independence, their administrative function even more  
10 important, so that the government is not interfering with  
11 kind of the expression of citizens, and that any decisions  
12 that are made are based kind of on a public record and rules  
13 as opposed to kind of the desire of the government to push a  
14 specific narrative within the public.

15 **MS. MARIA BARRETT-MORRIS:** Thank you.

16 **MS. ISABELLE MONDOU:** Thank you.

17 **COMMISSIONER HOGUE:** Thank you. Maître  
18 MacKay, any questions?

19 **MR. JEAN-PHILIPPE MacKAY:** [No  
20 interpretation]

21 **COMMISSIONER HOGUE:** [No interpretation]

22 **COMMISSIONER HOGUE:** Thank you. It was very  
23 useful testimony, and I wish you a wonderful evening.  
24 Tomorrow, 9:30 a.m.

25 Thank you.

26 **THE REGISTRAR:** Order, please.

27 This sitting of the Foreign Interference  
28 Commission is adjourned until tomorrow, the 8<sup>th</sup> of October

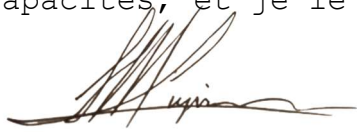
1 2024 at 9:30 a.m.

2 --- Upon adjourning at 4:37 p.m.

3  
4 C E R T I F I C A T I O N

5  
6 I, Sandrine Marineau-Lupien, a certified court reporter,  
7 hereby certify the foregoing pages to be an accurate  
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11 Je, Sandrine Marineau-Lupien, une sténographe officielle,  
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